



**July 13, 2022 Regular Board Meeting
07/13/2022 - 07:00 PM**

BOARD OF TRUSTEES BOARD ROOM
33122 Valle Rd., San Juan Capistrano, Ca 92675
Closed Session 5:00 PM Open Session 7:00 PM

AGENDA

Members of the public may attend the meeting in person. As a K-12 Public School District, we must follow the guidelines established by the California Department of Public Health specifically for schools. These guidelines act as our standard of care. Per CDPH and Cal/OSHA guidelines, the use of masks is strongly recommended, but not required, when indoors at the District office. If participants choose not to attend the Board meeting in person, the District has provided the following option for the public to address the Board telephonically.

Please submit a request to address the Board form by clicking

(<https://simbli.eboardsolutions.com/SU/xA9Oslshm8QuMtbNr9j3YPXvg==>) . Register only if you are not attending in person. Those who have registered to comment will receive an email prior to the meeting with information on how to join and comment via a Zoom link. Requests to Address the Board of Trustees will be accepted only until 30 minutes after the start of Open Session per Board Bylaw 9323, *Meeting Conduct*. Members of the public shall have an opportunity to address the Board regarding items on the agenda to be considered during Closed Session prior to the Board adjourning the meeting to Closed Session. Individual presentations are limited to a maximum of three (3) minutes; however, the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers who wish to address a specific agenda topic. Detailed guidelines and information on what to do if you wish to address the Board of Trustees is provided at the end of this agenda. The Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website at capousd.org (<https://simbli.eboardsolutions.com/SU/TesYrplusplusDt75ngsslsh0c8plusCQ==>) .

CLOSED SESSION AT 5:00 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. PUBLIC HEALTH EMERGENCY

Consultation with Agency Counsel
Attorney – Anthony De Marco
Kirsten Vital Brulte/Gregory Merwin
(Pursuant to Government Code § 54957(a))

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnfield
Significant Exposure to Litigation – Eight Cases

1. ADR Case No. 20220524
2. ADR Case No. 20220525
3. ADR Case No. 20220526
4. ADR Case No. 20220601
5. ADR Case No. 20220609
6. ADR Case No. 20220610



- 7. ADR Case No. 20220614
- 8. ADR Case No. 20220620
(Pursuant to Government Code § 54956.9(d)(2))

Kirsten Vital Brulte/Clark Hampton/John Forney
Attorney – Terry Tao

- 9. Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9 (d) (2) or (3))

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Bob Presby
Attorney – Dan Spradlin
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d)(1))

D. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: Kirsten Vital Brulte/Bob Presby/Clark Hampton
Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
- 2) California School Employees Association (CSEA)
- 3) Teamsters
- 4) Capistrano Unified Management Association (CUMA)
- 5) Unrepresented Employees
(Pursuant to Government Code § 54957.6)

E. LIABILITY CLAIM

Clark Hampton
Significant Exposure to Litigation – One Case
Rejection of Government Claim No. 2209383
(Pursuant to Government Code § 54956.9 (d) (2) or (3))

F. STUDENT EXPULSION

Mike Beekman
One Case
Case No. 2022-018

G. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Gregory Merwin/Bob Presby
Principals, Multiple Sites
(Pursuant to Government Code § 54957)

H. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent
(Pursuant to Government Code § 54957(b))

4. OPEN SESSION AT 7:00 P.M.



5. CALL TO ORDER - ROLL CALL

6. PLEDGE OF ALLEGIANCE

7. ADOPTION OF THE AGENDA

8. REPORT ON CLOSED SESSION ACTION

9. BOARD AND SUPERINTENDENT COMMENTS

10. ORAL COMMUNICATIONS (Non-Agenda Items)

Oral Communications will occur immediately following Board and Superintendent Comments. The total time for Oral Communications shall be twenty (20) minutes. Individual presentations are limited to a maximum of three (3) minutes per individual.

11. PUBLIC HEARINGS

A. PUBLIC HEARING NOTICES

1. PUBLIC HEARING: CAPISTRANO UNIFIED EDUCATION ASSOCIATION'S INITIAL PROPOSAL FOR REOPENER NEGOTIATIONS AND CAPISTRANO UNIFIED SCHOOL DISTRICT'S INITIAL PROPOSAL TO CAPISTRANO UNIFIED EDUCATION ASSOCIATION FOR 2022-2023 REOPENER NEGOTIATIONS

26

This is a new item. The Board will conduct a public hearing on receiving Capistrano Unified Education Association's initial proposal for reopener negotiations and Capistrano Unified School District's initial proposal for negotiations for the 2022-2023 school year. This public hearing is conducted to meet the sunshining requirements set forth in Government Code § 3547. Supporting documentation information is located in Exhibit 13.A.4.

CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on this item, and after hearing any speakers, formally close the hearing.

2. PUBLIC HEARING: GENERAL TRUCK DRIVERS, OFFICE, FOOD AND WAREHOUSE UNION, TEAMSTERS LOCAL 952'S INITIAL PROPOSAL FOR NEGOTIATIONS AND CAPISTRANO UNIFIED SCHOOL DISTRICT'S INITIAL PROPOSAL TO GENERAL TRUCK DRIVERS, OFFICE, FOOD & WAREHOUSE UNION, TEAMSTERS LOCAL 952 FOR 2022-2023 REOPENER NEGOTIATIONS

29

The Board will conduct a Public Hearing on receiving the General Truck Drivers, Office, Food & Warehouse Union, Teamsters Local 952's initial proposal for reopener negotiations and Capistrano Unified School District's initial proposal for negotiations



for the 2022-2023 school year. This Public Hearing is conducted to meet the sunshining requirements set forth in Government Code 3547. Supporting documentation information is located in Exhibit 13.A.5.

CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.

Contact: Bob Presby, Associate Superintendent, Human Resource Services.


Staff Recommendation


It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on this item, and after hearing any speakers, formally close the hearing.


12. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board or staff request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all Consent Calendar items.

A. BUSINESS AND SUPPORT SERVICES

- 1. DONATION OF FUNDS AND EQUIPMENT  32
 This is a monthly item. Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$273,334.26 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

- 2. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS  37
 This is a monthly item. Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District’s budget approval process. The purchase orders total \$9,531,655.29 and the commercial warrants total \$20,182,189.65. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

- 3. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS  153
 This is a monthly item. Approval of the District standardized Independent Contractor,



Professional Services, Field Service and Master Contract agreements. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The exhibit shows 40 new agreements totaling \$3,463,961.47 and 5 amendments to existing agreements totaling \$141,300. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page here

(<https://simbli.eboardsolutions.com/SU/jWCT9bplusbymfUyrtCdHAaMg==>).

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

4. SCHOOL MEALS AGREEMENT – COMMUNITY ROOTS ACADEMY 

325

This is a regular business item. Approval of the School Meals Agreement for the District's Food and Nutrition Services (FNS) department vending National School Lunch Program (NSLP) and School Breakfast Program (SBP) compliant meals for Community Roots Academy (CRA) during the 2022-2023 school year. In August 2020, CRA charter school contacted the District regarding FNS providing school meals including Free and Reduced-Priced Meals (FRPM) for eligible students at CRA. As required by the United States Department of Agriculture (USDA) Policy Memorandum SP 03-2019, and in accordance with the California Universal Meals Program, Charters are required to provide two free meals (breakfast and lunch) during each school day to students requesting a meal, regardless of students' FRPM eligibility, and regardless of whether or not the school is participating in NSLP or SBP. The school meal program at CRA will be similar to District elementary school meal programs for the 2022-2023 school year. Proceeds from the agreement will be deposited into the cafeteria fund.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

5. SCHOOL MEALS AGREEMENT – ORANGE COUNTY ACADEMY OF SCIENCES AND ARTS, INC. 





334

This is a regular business item. Approval of the School Meals Agreement for the District's Food and Nutrition Services (FNS) department vending National School Lunch Program (NSLP) and School Breakfast Program (SBP) compliant meals for Orange County Academy of Sciences and Arts (OCASA) and OCASA College Prep during the 2022-2023 school year. In September 2019, OCASA charter school contacted the District regarding FNS providing school meals including Free and Reduced-Priced Meals (FRPM) for eligible students at OCASA. As required by the United States Department of Agriculture (USDA) Policy Memorandum SP 03-2019, as well as, the California Universal Meals Program, Charters are required to provide two free meals (breakfast and lunch) during each school day to all students requesting a meal, regardless of students' FRPM eligibility, and regardless of whether or not the school is participating in NSLP or SBP. The school meal program at OCASA and OCASA College Prep will be similar to District elementary and secondary school meal programs for the 2022-2023 school year. Proceeds from the agreement will be deposited into the cafeteria fund.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

6. AWARD BID NO. 2223-01, PAPER AND PLASTIC PRODUCTS FOR FOOD AND






- NUTRITION SERVICES – VARIOUS VENDORS  343
- This is a regular business item. Approval of Award of Bid No. 2223-01, Paper and Plastic Products for Food and Nutrition Services to the vendors listed on Exhibit A. Two bids were received and opened on June 24, 2022, and are listed on Exhibit A. The lowest per line item price was used to determine the lowest responsive bidder(s). The initial contract term is July 1, 2022, through June 30, 2023, with one or two one-year renewal terms, at the option of the Board, for a total contract term not-to-exceed five years. Annual expenditures under this contract are estimated to be \$900,000, funded by the cafeteria fund; however, actual expenses will vary depending on District needs and availability of funds.
- Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
7. BID NO. 2223-02, FRESH PRODUCE – INADEQUATE COMPETITION  362
- This is a regular business item. Approval of Bid No. 2223-02, Fresh Produce determination of inadequate competition. Bid No. 2223-02, Fresh Produce was conducted pursuant to state and federal procurement regulations, consistent with Board policies. The bid was advertised in multiple media, including a newspaper of general circulation, Purchasing department website, as well as a national electronic procurement platform. Ten interested vendors viewed the advertised bid, but only one bid was received and opened on June 25, 2022. Unfortunately, the received bid was deemed non-responsive for failure to comply with bidding requirements. Annual expenditures for produce solicited pursuant to this bid are estimated to be \$600,000 funded by the cafeteria fund; however, actual expenses will vary depending on the District's needs and availability of funds. Pursuant to Code of Federal Regulations § 200.320(c)(5), a determination of inadequate competition is made in this instance.
- Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
8. AWARD BID NO. 2223-03, ELECTRICAL, FIRE PROTECTION, AND LOW VOLTAGE SYSTEMS SERVICES – GILBERT AND STEARNS, INCORPORATED  366
- This is a regular business item. Approval of Award of Bid No. 2223-03, Electrical, Fire Protection, and Low Voltage Systems Services to Gilbert and Stearns, Incorporated. Five vendors registered and downloaded bid documents; however, only one bid was received prior to the bid deadline and was opened on June 20, 2022. The bid award was determined utilizing job scenarios of historical District projects using select line items at weighted percentages and will be awarded to the lowest responsive, responsible bidder per category as indicated on Exhibit A. The initial contract term is July 1, 2022, through June 30, 2022, with four one-year renewal terms, at the option of the Board of Trustees, for a total contract term not-to-exceed five years. Annual expenditures under this contract are estimated to be \$500,000 funded by the general fund and deferred maintenance; however, actual expenses may vary dependent on District needs and availability of funds.
- Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
9. AWARD BID NO. 2223-04, CO-CURRICULAR BUS SERVICE – VARIOUS VENDORS  393
- This is a regular business item. Approval of Award of Bid No. 2223-04, Co-Curricular



Bus Service Category 1 to JFK Transportation Company, Incorporated, Category 2 to Fast Deer Bus Charter, Incorporated, and to create a bench of qualified vendors for various co-curricular transportation services as needed by the District when District buses are unavailable to provide such services. Five bids were received and opened on June 16, 2022, and are listed on Exhibit A; however, only four were deemed compliant and considered for award. The lowest price per category was used to determine the lowest responsive, responsible bidder. The initial contract term is July 1, 2022, through June 30, 2023, with four one-year renewal terms, at the option of the Board, for a total contract term not-to-exceed five years. Annual expenditures under this contract are estimated to be \$500,000 funded by the general fund; however, actual expenses will vary depending on District needs and availability of funds.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

10. FIRST EXTENSION OF REQUEST FOR PROPOSAL NO. 1-2122, FRESH DAILY, PRE-BAKED, READY TO SERVE DELIVERED PIZZA SERVICE – VARIOUS VENDORS  422
This is a regular business item. Approval of the First Extension of Request for Proposals (RFP) No. 1-2122, Fresh Daily, Pre-Baked, Ready to Serve Delivered Pizza Service with American West Restaurant Group Holdings, LLC dba Pizza Hut and Niki Investments, Incorporated dba Domino's Pizza. RFP No. 1-2122 created a bench of qualified vendors on July 21, 2021, for the initial term of July 1, 2021, through June 30, 2022, with two optional one-year renewal terms. Both vendors agree to extend the proposed extension, at the rates shown in Exhibit A-1 and Exhibit A-2 respectively, for the renewal period of July 1, 2022, through June 30, 2023. Annual expenditures utilizing this contract are estimated to be \$500,000 funded by the cafeteria fund. Actual expenditures during this bid term may vary depending on availability of funds and District needs.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
11. FIRST EXTENSION OF BID NO. 2122-02, TREE TRIMMING – WEST COAST ARBORIST, INCORPORATED  444
This is a regular business item. Approval of the First Extension of Bid No. 2122-02, Tree Trimming with West Coast Arborist, Incorporated. Bid No. 2122-02 was awarded to the lowest responsive, responsible bidder on December 15, 2021, for the initial term of July 1, 2021, through June 30, 2022, with optional renewal terms. The vendor agrees to extend the proposed extension, at the same rates of the initial contract period for the renewal period of July 1, 2022, through June 30, 2023. Annual expenditures utilizing this contract are estimated to be \$400,000 funded by the general fund and deferred maintenance. Actual expenditures during this bid term may vary depending on availability of funds and District needs.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
12. FIRST EXTENSION OF BID NO. 2122-04, MILK, JUICE, AND DAIRY PRODUCTS – HOLLANDIA DAIRY, INCORPORATED  465
This is a regular business item. Approval of the First Extension of Bid No. 2122-04, Milk, Juice, and Dairy Products with Hollandia Dairy, Incorporated. Bid No. 2122-04 was awarded to the lowest responsive, responsible bidder on July 21, 2021, for the



initial term of July 1, 2021, through June 30, 2022, with optional renewal terms. The vendor agrees to extend the proposed extension, at the same rates of the initial contract period for the renewal period of July 1, 2022, through June 30, 2023. Annual expenditures utilizing this contract are estimated to be \$450,000 funded by the cafeteria fund. Actual expenditures during this bid term may vary depending on availability of funds and District needs.

Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*

13. ENGAGEMENT LETTER WITH NIGRO & NIGRO PC FOR FISCAL YEARS 2022 - 2026

477

This is a regular business item. Approval of the Engagement Letter with Nigro & Nigro PC for financial auditing services for fiscal years 2022-2026 pursuant to Request for Proposals (RFP) No. 2-1617, Financial Auditing Services. The awarded vendor was selected based on criteria specified in the RFP No. 2-1617 documents and approved by the Board on March 22, 2017. For auditing of the 2021-2022 fiscal year and each subsequent fiscal year, the fee for the District shall not exceed \$55,950, \$57,100, \$58,250, \$59,350, and \$60,500, respectively, which will be funded by the general fund.

Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*

B. CURRICULUM AND INSTRUCTION

1. MEMORANDUM OF UNDERSTANDING WITH BIG BROTHERS BIG SISTERS OF ORANGE COUNTY

490

This is an annual item. Approval of the Memorandum of Understanding (MOU) and amendment with Big Brothers Big Sisters of Orange County for the 2022-2023 school year. This MOU outlines the roles and responsibilities for the High School Bigs Mentoring Program. The goal is to pair a maximum of 80 at-promise students (Littles) from Kinoshita Elementary School and San Juan Elementary School with 80 high school mentors (Bigs) in one-to-one mentoring relationships that provide positive modeling that leads to school and lifetime success. There is no financial impact.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

2. MEMORANDUM OF UNDERSTANDING WITH LAGUNA BEACH UNIFIED SCHOOL DISTRICT

497

This is an annual item. Approval of the ratification of the Memorandum of Understanding (MOU) with Laguna Beach Unified School District (LBUSD) for the purpose of implementing special education services and programs to students referred by their Individual Education Program team. This agreement will allow the District to provide Adult Transition Program services to students whose current residence is within LBUSD boundaries for the term of July 1, 2022 - June 30, 2023. Services will include access to local community support and independent living. The District will provide oversight of the program and collaborate in decisions related to educational services. The annual rate paid by LBUSD to the District is approximately \$30,000 per student deposited into the general fund. There is no financial impact.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*



3. MEMORANDUM OF UNDERSTANDING WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS

506

This is an annual item. Approval of the ratification of the Memorandum of Understanding with the Orange County Superintendent of Schools will allow Orange County Department of Education (OCDE) to provide special education programs and services for eligible District students from July 1, 2022, through June 30, 2023. The OCDE Division of Special Education Services operates a special schools program for pupils with exceptional needs who require intensive educational services. These students are referred by their Individualized Education Program (IEP) teams when it is jointly determined by the District and OCDE that the student's educational needs, as specified in the IEP, can be appropriately met by OCDE programs and services. The District has approximately 60 students enrolled in OCDE programs per year. There are three cost categories for OCDE programs: classroom cost; transportation cost; and special circumstance aide cost. The average classroom cost per student is \$64,984. Based on average enrollment, the estimated District cost for students attending OCDE classes for the 2022-2023 school year is approximately \$4,000,000. The estimated District cost for transportation provided by OCDE is approximately \$965,000. The estimated District cost for required special circumstance aides in classrooms or on buses is approximately \$1,100,000. Annual expenditures under this agreement are funded by special education funds.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

4. MEMORANDUM OF UNDERSTANDING WITH PARENT INSTITUTE FOR QUALITY EDUCATION

530

This is an annual item. Approval of Memorandum of Understanding with Parent Institute for Quality Education (PIQE) 2022-2023 for parent education services at the following schools:

Elementary

Hidden Hills Elementary School
Kinoshita Elementary School
Las Palmas Elementary School
Lobo Elementary School
Wood Canyon Elementary School

Middle

Bernice Ayer Middle School
Don Juan Avila Middle School
Marco Forster Middle School
Newhart Middle School

High

San Juan Hills High School

Each year, this program is offered at various schools across the District. Schools base the decision to offer PIQE based on parent interest and also past participation. PIQE



will provide training to parents in either the Signature Family Engagement in Education K-12 program or Social Emotional Learning. The program is designed to develop skills and techniques which will empower parents to address the educational needs of their school-aged children. The estimated cost of \$88,000 will be funded by Local Control Funding Formula Supplemental funds.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Service*

5. AMENDMENT TO CULTURAL PROFICIENCY PLAN REPORTING CYCLE 535

This is an amendment to a quarterly item. Approval of the staff recommendation to change the number of formal reports to the Board on the Cultural Proficiency Plan to twice a year, rather than quarterly. Staff recommends presenting Cultural Proficiency reports twice per year, each February and July, which will mirror the student academic data reporting timeline for middle of the year and end of the year data for the District's Multi-tiered System of Supports, or as needed, to report back significant updates to the program. This is the only change that is being recommended as part of this amendment.

The Cultural Proficiency report is an information item. This item provides an update on the progress of the implementation of actions toward the goals described within the Cultural Proficiency Plan, which was Board approved on December 16, 2020. The mission of the Cultural Proficiency Plan is "to facilitate measurable systemic change that increases learning outcomes for all students by engaging in ongoing reflection to ensure an inclusive environment where students, staff, and the community value diversity."

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

6. PERSONNEL REIMBURSEMENT AGREEMENT WITH LAGUNA BEACH UNIFIED SCHOOL DISTRICT 539

This is an annual item. Approval of a Personnel Reimbursement Agreement with Laguna Beach Unified School District (LBUSD) to provide five total days of instruction by a qualified Orientation and Mobility Specialist to LBUSD during the 2022-2023 school year. District staff has provided these services to LBUSD from the time both districts were part of the same South Orange County Special Education Local Plan Area (SELPA). LBUSD will pay the employee salary and benefit costs for the days of instruction. There is no financial impact.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

7. PERSONNEL REIMBURSEMENT AGREEMENT WITH SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT 544

This is an annual item. Approval of a Personnel Reimbursement Agreement with Saddleback Valley Unified School District (SVUSD) to provide 40 days of instruction by a qualified Orientation and Mobility Specialist to SVUSD during the 2022-2023 school year. District staff has provided these services to SVUSD from the time both districts were part of the same South Orange County Special Education Local Plan Area (SELPA). SVUSD will pay the employee salary and benefit costs for the days of instruction. There is no financial impact.



Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

8. OC CHILDREN'S SCREENING REGISTRY PARTICIPATION AGREEMENT  549

This is a new item. The District has not participated in this screening registry in the past. Approval of the OC Children's Screening Registry Participation Agreement. The purpose of the registry is to detect children at risk for developmental delays and connect the family with services as early as possible. This Participation Agreement would begin on August 1, 2022, and renew for an additional one-year period on each successive August, unless a party notifies the other party in writing with intent not to renew. The OC Children's Screening Registry is an online database designed to enable primary health care providers and community-based providers to view or enter developmental and behavioral screening data and to share information on referrals and outcomes. The primary purpose is to improve care coordination and connection to developmental services among local service providers serving children. Participation would allow the District to access the online database and exchange information regarding developmental screenings, and to make direct referrals to Help Me Grow Orange County. Participating in the OC Children's Screening Registry is voluntary; a parent not wishing to participate may opt out of the registry without any consequences to receiving services. District staff must obtain a written, valid HIPAA Authorization from the child's parent/legal guardian prior to inclusion in the registry and follow guidelines set forth by the Health Insurance Portability and Accountability (HIPAA) and California Health and Safety Codes 130200 (AB211) and 1280.15 (SB541) which require the protection and confidential handling of protected health information; all records are confidential and protected in a HIPAA compliant, secure database. While this registry works with healthcare providers, this is not for the purpose of vaccines and is strictly supporting development and behaviors in children. The annual cost of \$500 will be covered through funding received from the District's contract with First 5 Orange County.

Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

9. TALKINGPOINTS SOFTWARE SERVICES AND SUPPORT AGREEMENT  580

This is an annual item. Approval of the TalkingPoints Software Services and Support Agreement, July 1, 2022, through June 30, 2023. TalkingPoints is a two-way, multi-lingual texting platform allowing for fast and accessible communication between staff and parents. This service provides greater support to families who do not use email and offers increased translation support for parents and guardians with a primary language other than English. Schools use a web application to send text messages to parents who receive them in their own language. Parents can reply in their own language and staff receive the message back in English. The cost is \$2.20 per student. The TalkingPoints service was successfully piloted at 4 sites in 2021-2022 and will be implemented in a phased approach Districtwide beginning in 2022-2023. Anticipated expenditures utilizing this contract are \$99,000 funded by Local Control Funding Formula supplemental funds.

Contact: Gregory Merwin, Associate Superintendent, Education and Support Service

C. HUMAN RESOURCE SERVICES



1. STUDENT TEACHING AFFILIATION AGREEMENT WITH GRAND CANYON UNIVERSITY 592
This is an annual item. Approval of the Student Teaching Affiliation Agreement with Grand Canyon University, effective July 1, 2022, through June 30, 2025. During the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their credential. There is no financial impact.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

2. AGREEMENT FOR STUDENT CLINICAL EDUCATION WITH UNIVERSITY OF COLORADO BOULDER 596
This is an annual item. Approval of Agreement for Student Clinical Education with University of Colorado Boulder, effective upon the final signature and continuing for ten years. Students enrolled in Speech, Language and Hearing Sciences coursework at University of Colorado Boulder will be paired with veteran District Speech Language Pathologists as they complete clinical hours required to earn their degree and credential. There is no financial impact.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

3. CALIFORNIA STATE UNIVERSITY, FULLERTON SPRING 2022 MASTER TEACHER HONORARIUM 604
This is a bi-annual item. Approval of payment of honorarium to District master teachers who supported a California State University, Fullerton (CSUF) student teacher during the Spring 2022 semester. Universities pay master teachers a nominal payment for their supervision and support of student teachers. CSUF reimburses the District for these master teacher payments. The compensation amounts vary based on the nature of the assignments. There is no financial impact.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

4. MEMORANDUM OF UNDERSTANDING WITH LOS ANGELES PACIFIC UNIVERSITY 609
This is an annual item. Approval of the Memorandum of Understanding with Los Angeles Pacific University, effective July 1, 2022, through June 30, 2027. During the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their credential. There is no financial impact.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

5. APPROVAL OF ADDITIONAL EXPENDITURES UNDER YMCA SERVICE AGREEMENT 620
This is a subsequent item. Approval of additional funding to pay the YMCA for providing supervision support services during the 2021-2022 school year. The Board initially approved \$125,000 on August 18, 2021. With the challenges in filling supervision positions, YMCA services were needed throughout the school year while the District actively recruited to fill open positions with classified employees. The additional expenditures under this agreement are not-to-exceed \$375,000 funded by the general fund to pay remaining invoices for the 2021-2022 school year.
Contact: Bob Presby, Associate Superintendent, Human Resource Services



6. CONSIDER AND APPROVE JOB DESCRIPTION – BILINGUAL PRESCHOOL
TEACHER/SITE FACILITATOR POSITION

626

This is a new item. Approval of the job description for the position of Bilingual Preschool Teacher/Site Facilitator. CUSD Currently has three Preschool teacher positions that include: 1) Preschool Teacher, 2) Bilingual Preschool Teacher, and 3) Preschool Teacher/Site Facilitator. This would be a fourth job description, 4) Bilingual Preschool Teacher/Site Facilitator. Currently, the need for this new position is located at the District's two-way immersion program at Bergeson Elementary for the Mandarin pre-school program. The District also has two-way immersion programs at Las Palmas, San Juan and Viejo Elementary Schools. This new position would be on the classified salary schedule Range 34. This bilingual title for a Preschool Teacher/Site Facilitator is required for our schools with bilingual programs that only have one class on site. This new position will supervise, teach, and direct children at a children's development center or preschool using English and a designated second language and facilitate oversight of preschool classrooms to perform related work as required. The position will include the following duties: plans and provides instruction, motivation, and guidance to children, prepares appropriate developmental experiences and activities, supervises students and ensures their safety, assists children to develop independence, teaches and supervises games, sports and other activities to improve motor coordination, social skills, speech, and the ability to follow directions, directs students into safe learning and recreational activities, develops activities to encourage an appreciation of human diversity, observes and evaluates student development, performs general clerical work associated with school and classroom record keeping, attendance, assist children with basic care activities, assigns and supervises instructional assistant work, and maintain current license records and postings, and address parent needs and questions along with attending parent-teacher conferences. The financial implication is \$1,875 per year funded by the general fund which is the difference between Range 33 (Preschool Teacher/Site Facilitator) and Range 34 (Bilingual Preschool Teacher/Site Facilitator) on the Classified Salary Schedule.

Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

7. CONSIDER AND APPROVE JOB DESCRIPTION – COORDINATOR II, STEM


630


This is a subsequent item. Approval of the job description for the position of Coordinator II STEM. The Coordinator II, Science, Technology, Engineering, Math (STEM) will replace the current Coordinator I, STEM position. The STEM Coordinator supports Science, Technology, Math, and Engineering. The duties include: coordinating with principals and teaching staff to effect horizontal and vertical continuity and articulation of mathematics, science, engineering and content literary instruction throughout the district, understand and support implementation of CA Common Core State Standards, Next Generation Science Standards and frameworks for all grade levels, coordinate with Education Technology department to integrate technology into science and mathematics curriculum, assist in the development, implementation, and evaluation of curriculum and the instructional program, serve as liaison and participate with curriculum leaders at the local, county, state, and/or national level, coordinate K-12 mathematics and science instructional materials adoption, coordinate site level leads for math and science professional learning and





supports and coordinate secondary department chair math and science professional learning supports. Coordinator II, STEM funding will increase by \$10,000, per year, with Local Control Funding Formula (LCFF) funds. Currently, the Coordinator I, STEM works additional assignment hours in the summer which will no longer be required and will help offset some of the additional costs. This position is funded for 2022-2023, 2023-2024, and 2024-2025, by Educator Effectiveness Grant funds, approved by Trustees on December 1, 2021.

Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

- 8. CONSIDER AND APPROVE JOB DESCRIPTION – SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS TEACHER ON SPECIAL ASSIGNMENT  634
This is a new item. Approval of the job description for the position of Science, Technology, Engineering, and Mathematics (STEM) Teacher on Special Assignment (TOSA). In an effort to support the additional workload anticipated in 2022-2023 related to several important initiatives, the Curriculum and Instruction team is requesting the addition of a K-12 STEM TOSA to assist with projects. The projects include: Adoption of high school Next Generation Science Standards Science materials and the roll-out of the 3-course model for high school science, development and adoption of the sixth grade sexual health tool kit and the training associated with the implementation of the kit (in preparation for Fall 2023), the development and adoption of a new ninth grade health curriculum which will include required California Healthy Youth Act lessons, assist in the development and implementation of new Math Pathways per Board direction and associated stakeholder information campaign, and support for all other K-12 STEM initiatives. The potential cost of this position would be approximately \$130,000 funded by Title IV .
Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

- 9. REVISED CLASSIFIED SALARY SCHEDULE – LICENSED VOCATIONAL NURSE  639
This is a subsequent item. Approval of the revised Classified Salary Schedule - Licensed Vocational Nurse. In order to maintain competitive salaries with other districts, reduce the need for contracted staff, and fill vacancies; staff recommends moving Licensed Vocational Nurses from Range 30 to Range 36. Costs will vary depending on how many LVNs are hired but will range from a cost of \$234,000, if the number of LVN vacancies do not change, to a savings of \$48,000, if all LVN open vacancies are filled. The costs and savings would be from the general fund.
Contact: *Bob Presby, Associate Superintendent, Human Resource Services*


- 10. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES  643
This is a monthly item. Approval of the activity list for employment, separation, and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.
Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

- 11. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES  683
This is a monthly item. Approval of the activity list for employment, separation, and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.




Contact: Bob Presby, Associate Superintendent, Human Resource Services


D. GENERAL FUNCTIONS

- 1. SCHOOL BOARD MINUTES - JUNE 1, 2022  713
This is a regular business item. Approval of the June 1, 2022, Special Board meeting minutes.


Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

- 2. SCHOOL BOARD MINUTES - JUNE 3, 2022  717
This is a regular business item. Approval of the June 3, 2022, Special Board meeting minutes.

Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

- 3. SCHOOL BOARD MINUTES - JUNE 15, 2022  721
This is a monthly item. Approval of the June 15, 2022, Regular Board meeting minutes.

Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

- 4. RESOLUTION NO. 2223-01, CONTINUING AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO ASSEMBLY BILL 361  739

This is a legally mandated item. At the November 3, 2021, Board meeting, the Board adopted Resolution No. 2122-22, Continuing Authority to Hold Virtual Meetings, Pursuant to Assembly Bill 361; and again on the December 15, 2021, the Board adopted Resolution No. 2122-26; and again on January 19, 2022, the Board adopted Resolution No. 2122-33; again on February 16, 2022, the Board adopted Resolution No. 2122-36; and again on March 16, 2022, the Board adopted Resolution No. 2122-48; again on April 20, 2022, the Board adopted Resolution No. 2122-56, Continuing Authority to Hold Virtual Meetings, Pursuant to Assembly Bill 361. On May 18, 2022, the Board adopted Resolution No. 2122-62, Continuing Authority to Hold Virtual Meetings, Pursuant to Assembly Bill 361. Per Government Code § 54953(e), the Board must adopt a subsequent resolution to continue this practice.

On September 16, 2021, Governor Newsom signed Assembly Bill (AB 361), which immediately amended the Brown Act allowing governing boards to continue holding virtual meetings outside the teleconferencing requirements of Government Code § 54953(b), if the Board makes a finding that there is a proclaimed State of Emergency, and either (1) state or local officials have imposed or recommended social distancing measures, or (2) meeting in person would present imminent risks to the health or safety of attendees due to the emergency.

The Board is committed to open and transparent governance in compliance with the Brown Act, and continues to conduct virtual meetings by way of telephonic



and/or internet-based services as to allow members of the public to fully participate in meetings and offer public comment. The Board authorizes the use of teleconferencing for all meetings in accordance with Government Code § 54953(e) and all other applicable provisions of the Brown Act, for a period of 30 days from the adoption of this resolution, or such a time that the governing board adopts a subsequent resolution in accordance with Government Code § 54953(e)(3).

Based on the findings made above, the Board of Trustees of the Capistrano Unified School District will continue holding its meetings in a safe and efficient manner, with a priority of having members of the public participate in-person from the location of the Board meeting. In the event, a Trustee must participate in a meeting through a virtual platform (such as Zoom or an equivalent program), she/he will follow all the requirements of AB 361. The Trustee's participation in public session shall be visible to all meeting participants in the same manner as if the Trustee were present. The Trustee may also participate in executive/closed session meetings of the Board.

Contact: *Kirsten M. Vital Brulte, Superintendent*

13. DISCUSSION/ACTION ITEMS

A. DISCUSSION/INFORMATION ITEMS

- 1. DANA HILLS HIGH SCHOOL NEXT STEPS AND TIMELINE  744

This is a subsequent information item. The Board of Trustees approved a 2021-2022 goal to create a multi-year facilities proposal addressing possible solutions for District facilities' needs. This presentation will provide next steps for Dana Hills High School master planning and discuss the status and timeline for the seismic matching funds application.

CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.

Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

- 2. END OF YEAR ACADEMIC DATA FOR MULTI-TIERED SYSTEM OF SUPPORTS  753

This is a recurring information item. Staff presents end-of-year student data in academics for the 2021-2022 school year. Staff is providing student data for grades K-12 in the areas of mathematics and literacy, providing final trimester, final quarter, and final semester data utilizing: Dynamic Indicators of Basic Early Literacy Skills - DIBELS (reading indicator in grades K-5), iReady Math (math indicator in grades K-8), iReady Reading (reading indicator for grades 6-8), and report card grades (high school).



Additionally, staff provides next steps to support the students who are exiting fifth grade and entering sixth grade who are not yet at grade level in reading as demonstrated by their DIBELS scores.

At the August 18, 2021, Board meeting, staff presented department goals for academics to address learning recovery due to the COVID-19 pandemic. In order to measure effectiveness with this department goal in the areas of literacy and mathematics, staff shared that there would be two types of success indicators: 1) formative, benchmark data to monitor progress; and 2) end of year summative data provided by state testing to indicate the percentage of students who are proficient in these two critical content areas of literacy and mathematics. This item is a follow-up to the February 16, 2022, Board meeting, where staff provided mid-year data to demonstrate progress toward the goals by demonstrating a decrease in the percentage of students who were scoring at the intensive range as determined by DIBELS and iReady formative assessments, and a decrease in the number of D's and F's for high school students. Staff will also provide an update behind the theory of action to build capacity of leadership at the site and District levels to support and lead the Multi-Tiered System of Support (MTSS) Plan.

CUSD WIG 2: Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.

Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item. This is an information only item and no Board action is necessary.

3. DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS

772

This is an annual action item. Approval of the Declaration of Need for Fully Qualified Educators. Education Code § 80026 requires that a Declaration of Need for Fully Qualified Educators be on file with the appropriate County Office of Education before the beginning of a new school year and shall remain in force until the end of that academic year. A Declaration of Need is necessary if there is an insufficient number of qualified applicants. Submission of this declaration does not commit the District to issuing short-term staff permits or emergency credentials, but rather is submitted as a matter of routine in the event it becomes necessary to employ such individuals. A Declaration of Need for Fully Qualified Educators must be filed prior to the beginning of the school year, even though there is no way to determine if there will be a need to employ teachers. However, if the Board of Trustees has not approved the appropriate declaration for the upcoming year, the District is precluded from hiring such individuals should the need arise. There is no financial impact.

CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

Contact: Bob Presby, Associate Superintendent, Human Resource Services



Staff Recommendation

It is recommended the Board President recognize Bob Presby, Associate Superintendent, Human Resource Services to present this item.

Following discussion, it is recommended the Board of Trustees approve the Declaration of Need for Fully Qualified Educators.

Motion by _____ Seconded by _____

4. BOARD ACTION TO ADOPT DISTRICT'S INITIAL PROPOSAL TO CAPISTRANO UNIFIED EDUCATION ASSOCIATION FOR 2022-2023 NEGOTIATIONS

779

This is a new item. The Board will consider the Capistrano Unified School District's initial proposal to Capistrano Unified Education Association (CUEA) for 2022-2023 reopener negotiations. As required by Government Code § 3547, after the public has had the opportunity to express itself on the initial proposals, the Board shall approve its initial proposal.

CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

Staff Recommendation:

It is recommended the Board President recognize, Bob Presby, Associate Superintendent, Human Resource Services, to present this item.

Following discussion, it is recommended the Board of Trustees adopt the District's initial proposal to CUEA for 2022-2023 negotiations.

Motion by _____ Seconded by _____

5. BOARD ACTION TO ADOPT DISTRICT'S INITIAL PROPOSAL TO GENERAL TRUCK DRIVERS, OFFICE, FOOD & WAREHOUSE UNION, TEAMSTERS LOCAL 952 FOR 2022-2023 NEGOTIATIONS

786

This is a new item. The Board will consider the Capistrano Unified School District's initial proposal to the General Truck Drivers, Office, Food & Warehouse Union, Teamsters Local 952 for 2022-2023 reopener negotiations. As required by Government Code § 3547, after the public has had the opportunity to express itself on the initial proposals, the Board shall approve its initial proposal.

CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

Staff Recommendation:

It is recommended the Board President recognize Bob Presby, Associate Superintendent, Human Resource Services, to present this item.



Following discussion, it is recommended the Board of Trustees adopt the District's initial proposal to the General Truck Drivers, Office, Food & Warehouse Union, Teamsters Local 952 for 2022-2023 negotiations.

Motion by _____ Seconded by _____

6. RESOLUTION NO. 2223-02, RESOLUTION CALLING FOR ACTION TO AMEND STATE PUBLIC HEALTH OFFICER ORDER OF AUGUST 11, 2021 TO INCLUDE AN EXPIRATION DATE FOR COVID 19 TESTING FOR WORKERS WHO ARE UNVACCINATED

793

This is a new action item. Per Board Policy 9322, *Agenda/Meeting Materials*, Board members may place any item on the agenda no later than ten days before the scheduled meeting date. If the Board decides to agendaize the agenda topic, it shall do so at a future regular Board meeting. At the May 18, 2022, Regular Board meeting, a Trustee requested to bring forward a resolution advocating for the State Public Health Officer to amend the order dated August 11, 2021, to include an expiration date for the weekly COVID-19 testing for workers who are unvaccinated.

CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.
Contact : Judy Bullockus, Trustee Area 7

Trustee Recommendation

It is recommended the Board President recognize Judy Bullockus Trustee Area 7, to present the item.

Following discussion, it is recommended by Trustee Bullockus that the Board hear and adopt Resolution No. 2223-02. Resolution Calling for Action to Amend State Public Health Officer Order of August 11, 2021, to Include an Expiration Date for COVID-19 Testing for Workers who are Unvaccinated.

Motion by _____ Seconded by _____

7. FIRST READING - BOARD POLICY 6158, INDEPENDENT STUDY

797

This is a new action item. The Governor's May Revision included changes to statutes governing independent study. For Local Education Agencies (LEAs) to receive apportionment for students participating in independent study, LEAs are required to adjust their current policies to align with these new statutes. Changes to independent study include:

- New requirements to allow students with exceptional needs to participate in independent study if the Individualized Education Program (IEP) team agrees and Free and Appropriate Public Education (FAPE) can be established
- Amends the threshold for Tiered Reengagement trigger to be a student missing 20 percent of instructional time over 4 weeks, not participating in more than 50 percent of synchronous instruction in a school month, or in violation of the written agreement
- Requires written agreements for independent study lasting less than 15 school days



to be signed by parent/guardian within 10 days of enrollment in independent study

- Allows students under the care of a medical professional to be excluded from long term independent study requirements (tiered re-engagement, synchronous instruction, and option to transfer back within 5 days)

In addition, recommended changes from the California School Boards Association are included in the board policy revision. These revisions to Board Policy 6158, *Independent Study*, are not temporary. Changes are underlined; deletions are struck through. There is no financial impact.

CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 6158, *Independent Study*.

Motion by _____ Seconded by _____

8. FIRST READING – BOARD POLICY 5111.1 DISTRICT RESIDENCY 

812

This is a new action item. Staff is proposing a change to Board Policy 5111.1, *District Residency*, in order to begin the process of establishing a nonimmigrant foreign student program in the District.

This program is different from the international exchange program in which high school students from other countries are allowed into the United States to study at a sister or partner California school under the sponsorship of a government-approved agency. Staff has interest in beginning a program to enroll nonimmigrant students from China at Capistrano Valley High School to enhance the Mandarin Immersion Program as well as augment enrollment. Preference would be given to District resident students, so there would be no impact to currently enrolled students. Admission of nonimmigrant foreign students would be contingent upon availability of space after all resident and currently enrolled students are placed.

Federal and California Education Code permits districts that maintain grades 9-12 to enroll a nonimmigrant foreign student who is in the United States on an F-1 visa.

Pursuant to 8 USC 1184, an F-1 visa may be granted to enable a nonimmigrant student to attend public school in grades 9-12 for a maximum of 1 year. Pursuant to 8 CFR 214.3, any district that desires to enroll such students is required to file a petition for certification with the United States Department of Homeland Security's Student and Exchange Visitor Program (SEVP), using the Student Exchange Visitor Information System (SEVIS). The certification is renewable every 2 years.



Nonimmigrant students who are in the United States with an F-1 visa are, by definition, nonresidents. Pursuant to 8 USC 1184, such individuals are required to pay tuition in an amount equal to the unsubsidized per-student cost of providing education at the school for the period of the student's attendance. This requirement for payment of tuition may not be waived by the district and, according to the United States Department of State's publication, Foreign Students (F-1) in Public Schools, is applicable notwithstanding the fact that the student resides with a relative who is a United States citizen. Proposed revisions align with California School Boards Association sample policy. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.


Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 5111.1, *District Residency*.

Motion by _____ Seconded by _____

9. FIRST READING – BOARD POLICY 6145.6, INTERNATIONAL EXCHANGE 

821

This is a new action item. Staff is proposing a change to Board Policy 6145.6, *International Exchange*, in order to begin the process of establishing a nonimmigrant foreign student program in the District.

This program is different from the international exchange program in which high school students from other countries are allowed into the United States to study at a sister or partner California school under the sponsorship of a government-approved agency. Staff has interest in beginning a program to enroll nonimmigrant students from China at Capistrano Valley High School to enhance the Mandarin Immersion Program as well as augment enrollment. Preference would be given to District resident students, so there would be no impact to currently enrolled students. Admission of nonimmigrant foreign students would be contingent upon availability of space after all resident and currently enrolled students are placed.

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CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.
Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 6145.6, *International Exchange*.

Motion by _____ Seconded by _____

10. FIRST READING - BOARD POLICY 5141.52, SUICIDE PREVENTION 

827

This is a subsequent action item, based on Trustee direction at the May 4, 2022, Board meeting. Board Policy 5141.52, *Suicide Prevention*, was approved at the May 4, 2022, Board meeting. Following approval, a Federal Program Monitoring (FPM) auditor informed District staff that the policy needed additional language and updates. Staff has updated the policy based on this additional FPM feedback. The revised policy is based on consultation with the FPM auditor and is modeled after a board policy that was previously approved through the FPM process in another district. Due to the fact that the new FPM edits were substantial, staff is recommending the use of the model Board Policy instead of revising the previous policy that Trustees approved at the May 4, 2022, Board meeting. The policy aligns with California Education Code and the Code of Federal Regulations. The policy has also been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.
Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve updated Board



Policy 5141.52, *Suicide Prevention*.

Motion by _____ Seconded by _____

11. FIRST READING – BOARD POLICY 9250, REMUNERATION, REIMBURSEMENT, AND OTHER BENEFITS

840

This is a new action item. Education Code § 35120 outlines the stipend that a district can pay each member of the Governing Board based upon the average daily attendance (ADA) of the district. Section (e) of the Education Code addresses annual allowable increases in the stipend in an amount not-to-exceed five percent per year. Currently, Trustees are each paid \$750 per month. Changes are underlined; deletions are struck through.

CUSD WIG 2: Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the first reading of Board Policy 9250, *Remuneration, Reimbursement, and Other Benefits*.

Motion by _____ Seconded by _____

14. ADJOURNMENT

Motion by _____ Seconded by _____

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, AUGUST 17, 2022, 7:00 P.M.
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA
For information regarding Capistrano Unified School District, please visit our website:
www.capousd.org

**INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY
PARENTS AND CITIZENS PRESENT AT THIS MEETING**

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State



of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES

CLOSED SESSION: In accordance with Education Code § 35146 and Government Code § 54957, the Board may recess to Closed Session to discuss personnel matters which they consider inadvisable to take up in a public meeting. Members of the public shall have an opportunity to address the Board regarding items on the agenda to be considered during Closed Session prior to the Board adjourning the meeting to Closed Session. Individual presentations are limited to a maximum of three minutes; however, the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers who wish to address a specific agenda topic.

ORAL COMMUNICATIONS (Non-Agenda Items): Regular, scheduled meetings of the Board shall have a portion of each meeting devoted to Oral Communications. Oral Communications, will take place following Special Recognitions. The total time for the Oral Communications portion of regular meetings shall be twenty minutes. Individual presentations are limited to a maximum of three minutes per individual but could be less if there are a large number of Oral Communication speakers. Legally, the Board may not take action on items raised by speakers under Oral Communications. The Board may, however, at its discretion, refer items to the administration for follow-up or place topics on a future Board agenda.

ORAL COMMUNICATIONS (Agenda Items): Members of the public shall also have an opportunity to address the Board on Open Session agenda items before their consideration by the Board. Individual presentations for the Consent Calendar are limited to a maximum of three minutes for all Consent Calendar items. Individual presentations for Discussion/Action agenda items are limited to a maximum of three minutes however; the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers, who wish to address a specific agenda topic. The total time for presentations shall be limited to twenty minutes per agenda topic, unless the Board grants additional time. The Board shall hear all presentations after any staff comments but prior to the formal discussion by Board members of the agenda topic under consideration.

Persons seeking to address the Board on an agenda item shall complete a "Request to Address the Board of Trustees" card and give it to the Board Secretary or other designated staff member. "Request to Address the Board of Trustees" will be accepted only until 30 minutes after the start of Open Session.

Special Board meetings or separately scheduled Board public hearings shall not have Oral Communications time scheduled.



PUBLIC HEARINGS: Any time the Board schedules a separate public hearing on a given topic, it shall not hear speakers on that topic before the public hearing, except as to the scheduling of the hearing, nor shall it hear speakers after the hearing, except as to changes in the recommended action at the time of the hearing.

REASONABLE ACCOMMODATION:

In order to help ensure participation in the meeting of disabled individuals, appropriate disability-related accommodations or modifications shall be provided by the Board, upon request, in accordance with the Americans with Disabilities Act (ADA). Persons with a disability who require a disability-related accommodation or modification, including auxiliary aids and services in order to participate in a Board meeting, shall contact the Superintendent or designee in writing by noon on the Friday before the scheduled meeting. Such notification shall provide school district personnel time to make reasonable arrangements to assure accessibility to the meeting.