



Printed : 5/10/2023 4:31 PM PT

CLOSED SESSION AT 5:30 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnefield
Significant Exposure to Litigation – Three Cases
1. ADR Case No. 20230316
2. ADR Case No. 20230417
3. ADR Case No. 20230424
(Pursuant to Government Code § 54956.9(d)(2))

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnefield
Significant Exposure to Litigation – Two Cases
1. OAH Case No. 2022100325
2. OAH Case No. 2023010730
(Pursuant to Government Code § 54956.9(d)(1))

Bob Presby
Significant Exposure to Litigation - One Case
3. Resolution No. 2223-21
(Pursuant to Government Code § 54956.9(d)(1))

Bob Presby
Attorney – Courtney Hylton
Significant Exposure to Litigation – Two cases
4. Case No. 2223-23
5. Case No. 2223-24
(Pursuant to Government Code § 54956.9(d)(2))

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

District Negotiators: Clark Hampton and John Forney
Attorney: Jeff Hoskinson, AALRR
1. Property: Dana Hills High School, 33333 Golden Lantern, Dana Point, CA 92629
Negotiating Party: T-Mobile, Verizon, Sprint, and AT&T
Under Negotiation: Price and Terms of Payment
(Pursuant to Education Code § 54956.8)

District Negotiators: Clark Hampton
Attorney: Andreas Chialtas, AALRR
2. Property: Pacifica San Juan property, a 7.292 acre property located at the north-east corner of Camino Las Ramblas and Avenida California
Negotiating Parties: One or more potential buyers for the property

3. Property: South Transportation and Groundskeeping Facility; 5.51 acre property located at 26126 Victoria Blvd, Dana Point, CA 92624

Negotiating Party: Toll Brothers, Inc.
Under Negotiation: Price and Terms of Payment
(Pursuant to Education Code § 54956.8)

D. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: 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:

Superintendent
Deputy Superintendent
Associate Superintendent, Education and Support Services
Associate Superintendent, Human Resource Services
(Pursuant to Government Code § 54957.6)

E. LIABILITY CLAIMS

Clark Hampton

Significant Exposure to Litigation – Two Cases

1. Rejection of Government Claim No. 2210600
2. Rejection of Government Claim No. 2310575, No. 2310577, and No. 2310578
(Pursuant to Government Code § 54956.9(d)(2)(3))

F. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Bob Presby

1. Assistant Superintendent, Human Resource Services
(Pursuant to Government Code § 54957)

G. STUDENT EXPULSIONS

Mike Beekman

Six Cases

1. Case No. 2023-037
2. Case No. 2023-038
3. Case No. 2023-039
4. Case No. 2023-040
5. Case No. 2023-041
6. Case No. 2023-042

H. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Interim 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. SPECIAL RECOGNITIONS

Extra Milers

1. Suzie Felcyn, R.H. Dana ENF, Para Educator IV
Saved Student's Life

2. Beatrice Nguyen, Futureology, College and Career Counselor
Winner of the Steve Hankins Award from Western Association for College Admission Counseling

10. BOARD COMMENTS

11. STUDENT BOARD MEMBER COMMENTS

12. COLLEGE AND CAREER ADVANTAGE

2022- 2023 School Year Highlights
Paul Weir, Executive Director College and Career Readiness

13. ORAL COMMUNICATIONS (Non-Agenda Items)

Oral Communications will occur immediately following Board 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.

14. PUBLIC HEARINGS

A. PUBLIC HEARING NOTICES

1. PUBLIC HEARING: 2023-2024 LOCAL CONTROL ACCOUNTABILITY PLAN

This is an annual item. The Board will conduct a public hearing on the 2023-2024 Local Control Accountability Plan. Supporting documentation is located in Exhibit 15.A.2.

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 open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

2. PUBLIC HEARING: 2023-2024 PROPOSED BUDGET ADOPTION

This is an annual item. The Board will conduct a public hearing on the 2023-2024 Proposed Budget Adoption. Supporting documentation is located in Exhibit 15.A.3.

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

Contact: Clark Hampton, Interim Superintendent

Staff Recommendation

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

15. 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 staff recommend approval of all Consent Calendar items.

A. BUSINESS AND SUPPORT SERVICES

1. DONATION OF FUNDS AND EQUIPMENT

This is a monthly item. Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$419,333.90 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, Interim Superintendent

2. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS
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 \$11,177,417.63 and the commercial warrants total \$20,522,225.35. 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, Interim Superintendent
3. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS
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 9 new agreements totaling \$464,704 and 13 amendments to existing agreements totaling \$350,265. 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](#).
Contact: Clark Hampton, Interim Superintendent
4. AWARD BID NO. 2223-17, FRED NEWHART MIDDLE SCHOOL 300 BUILDING RE-ROOF PROJECT – BEST CONTRACTING SERVICES, INCORPORATED
This is a regular business item. Approval of Award of Bid No. 2223-17, Fred Newhart Middle School 300 Building Re-Roof Project to Best Contracting Services, Incorporated. Five bids were received and opened on April 12, 2023, and are listed on Exhibit A. The bidder offering the lowest based price is used to determine the lowest responsive bidder. Best Contracting Services, Incorporated is the lowest responsive, responsible bidder at \$189,205. This project will be funded by the Redevelopment Agency Mission Viejo.
Contact: Clark Hampton, Interim Superintendent
5. AMENDMENT NO. 7 EXTENSION OF LICENSE AGREEMENT WITH YMCA OF ORANGE COUNTY AT CROWN VALLEY ELEMENTARY SCHOOL
This is an annual item. Approval of Amendment No. 7 Extension of License Agreement with YMCA of Orange County (YMCA) at Crown Valley Elementary School dated June 23, 2016. The school site is currently occupied by the Orange County Academy of Science and Arts - OCASA Charter school. The agreement allows the District to offer the use of the two YMCA portables to the charter school. This amendment proposes to extend the term of the agreement for an additional year. The renewal term will begin July 1, 2023, and will expire on June 30, 2024. The agreement was previously reviewed and approved by the District's legal counsel. There is no financial impact for the District.
Contact: Clark Hampton, Interim Superintendent
6. CHARTER FACILITIES AGREEMENT FOR 2023-2024 – CALIFORNIA REPUBLIC LEADERSHIP ACADEMY CHARTER SCHOOL
This is a new item. Approval of Charter Facilities Agreement with California Republic Leadership Academy Charter School (CRLA) to enter into an agreement where CRLA will occupy space at 31711 San Juan Creek Road, San Juan Capistrano, California 92675 (formerly the Tutor Time Building adjacent to Ambuehl Elementary School campus) during the 2023-2024 school year. Terms of this agreement include the use of the space described and depicted in Exhibit A, for a one-year term effective July 15, 2023, through June 30, 2024. CRLA will pay a pro-rata share of \$81,301.85 to the District for its exclusive and shared use space on the property. The agreement has been reviewed and approved by the District's legal counsel.
Contact: Clark Hampton, Interim Superintendent
7. EDUCATION TECHNOLOGY JOINT POWERS AUTHORITY REQUEST FOR PROPOSAL NO. 18/19-03, LEARNING MANAGEMENT SOLUTION PLATFORM - INSTRUCTURE, INCORPORATED dba CANVAS
This is an annual item. Approval to utilize the Education Technology Joint Powers Authority Request for Proposal No. 18/19-03 – Learning Management Solution Platform awarded to Instructure, Incorporated dba Canvas, including any subsequent revisions, amendments, and extensions for the purchase of a student progress assessment platform, as needed, under the same terms and conditions

of the public agency's contract. School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code § 20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the District's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Anticipated annual expenditures utilizing this contract are approximately \$84,000 funded by the local control funding formula supplemental funds. Due to the size of the contract and award, the documentation is posted online on the District Board Agendas and Supporting Documentation page [here](#).

Contact: Clark Hampton, Interim Superintendent

8. LIMITED USE LICENSE AGREEMENT WITH RANCHO SANTA MARGARITA LANDSCAPE AND RECREATION CORPORATION FOR THE USE OF ARROYO VISTA PARK

This is an annual item. Approval of the renewal of the Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Arroyo Vista Park. Arroyo Vista K-8 School is located adjacent to Arroyo Vista Park in the City of Rancho Santa Margarita. The Limited Use License Agreement was developed to provide general provisions defining each agency's responsibilities. Terms of the agreement include a defined amount of student use of the park for the 2023-2024 school year for a fee of \$9,478 funded by the general fund. The original Limited Use License Agreement was reviewed and approved by legal counsel.

Contact: Clark Hampton, Interim Superintendent

9. LIMITED USE LICENSE AGREEMENT WITH RANCHO SANTA MARGARITA LANDSCAPE AND RECREATION CORPORATION FOR USE OF TIJERAS CREEK PARK

This is an annual item. Approval of the renewal of the Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Tijeras Creek Park. Tijeras Creek Elementary School is located adjacent to Tijeras Creek Park in the City of Rancho Santa Margarita. The Limited Use License Agreement was developed to provide general provisions defining each agency's responsibilities. Terms of the agreement include a defined amount of student use of the park for the 2023-2024 school year for a fee of \$9,478 funded by the general fund. The original Limited Use License Agreement was reviewed and approved by legal counsel.

Contact: Clark Hampton, Interim Superintendent

10. MEMORANDUM OF UNDERSTANDING WITH COUNTY OF ORANGE, ORANGE COUNTY PUBLIC LIBRARIES FOR SUMMER FOOD SERVICE PROGRAM

This is a reoccurring item. Approval of the Memorandum of Understanding (MOU) with Orange County Public Libraries (OCPL), in partnership with San Juan Capistrano Library to provide a Summer Food Service Program called Lunch at the Library. The MOU with OCPL allows Food and Nutrition Services to provide lunch for children 18 years of age and under at no cost, as qualified by the United States Department of Agriculture Summer Feeding Program. The program operates from June 12, 2023, through July 20, 2023. There is no financial impact.

Contact: Clark Hampton, Interim Superintendent

11. SECOND EXTENSION OF BID NO. 2122-04, MILK, JUICE, AND DAIRY PRODUCTS - HOLLANDIA DAIRY, INCORPORATED

This is a regular business item. Approval of the Second 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. On July 13, 2022, the Board approved the First Extension through June 30, 2023. The vendor agrees to extend the proposed extension, at the same pricing under the initial bid award for the proposed renewal period of July 1, 2023, through June 30, 2024. Annual expenditures utilizing this contract are estimated to be \$450,000 funded by the cafeteria fund. Actual expenditures may vary based on District needs and the availability of funds.

Contact: Clark Hampton, Interim Superintendent

12. SECOND EXTENSION OF BID NO. 2122-10, FROZEN, REFRIGERATED, PROCESSED COMMODITY, DRY FOOD AND BEVERAGE PRODUCTS AND SERVICES - GOLD STAR FOODS, INCORPORATED

This is a regular business item. Approval of the Second Extension of Bid No. 2122-10, Frozen, Refrigerated, Processed Commodity, Dry Food and Beverage Products and Services with Gold Star Foods, Incorporated. Bid No. 2122-10 was awarded to the lowest responsive, responsible bidder on August 18, 2021, for the initial term of July 1, 2021, through June 30, 2022, with optional renewal terms. On September 21, 2022, the Board approved the First Extension through June 2023. The

vendor agrees to extend the proposed extension, at the amended rates shown in Exhibit 2-A for the proposed renewal period of July 1, 2023, through June 30, 2024. The increase in prices is due to increased costs and/or discontinuance from manufacturers. Annual expenditures utilizing this contract are estimated to be \$99,000 funded by the cafeteria fund. Actual expenditures may vary based on District needs and the availability of funds.

Contact: Clark Hampton, Interim Superintendent

13. SUPPLEMENTAL JOINT FACILITY USE AGREEMENT NO. 1 TO BARCELONA HILLS SCHOOL JOINT FACILITIES USE AGREEMENT WITH THE CITY OF MISSION VIEJO

This is a subsequent item. Approval of the Supplemental Joint Facility Use Agreement No. 1 to Barcelona Hills School Joint Facilities Use Agreement with the City of Mission Viejo dated April 1, 1997. This supplemental agreement proposes the District and the City of Mission Viejo split the landscape maintenance costs for the Barcelona Hills School sports field in order to allow the city to continue to provide access to the community. The annual estimated expenditures would be \$16,000, funded by routine maintenance. The agreement would begin on July 1, 2023, and continues until terminated with thirty days written notice. The agreement was previously reviewed and approved by the District’s legal counsel.

Contact: Clark Hampton, Interim Superintendent

14. WESTERN STATES CONTRACTING ALLIANCE – NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS VALUEPOINT MASTER AGREEMENT NO. 140599, CALIFORNIA PARTICIPATING ADDENDUM NO. 7-19-70-46-04, COPIERS AND MANAGED PRINT SERVICES, KYOCERA DOCUMENT SOLUTIONS AMERICA, INCORPORATED

This is a new item. Approval to utilize the Western States Contracting Alliance – National Association Of State Procurement Officials (WSCA-NASPO) ValuePoint Master Agreement No. 1140599 with California Participating Addendum No. 7-19-70-46-04 for the purchase of copiers, printers, and related devices from Kyocera Document Solutions America, Incorporated, as needed, under the same terms and conditions of the public agency’s contract. The contract provides set pricing for copiers, printers, and related devices, as well as service and supplies, such as toner and staples, as needed, throughout the District. School boards have the authority to “piggyback” on another public agency’s bid, per Public Contract Code § 20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the District’s specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Anticipated annual expenditures utilizing this contract are approximately \$1,027,000 funded by the general fund. Due to the size of the contract and award, the documentation is posted online on the District Board Agendas and Supporting Documentation page [here](#).

Contact: Clark Hampton, Interim Superintendent

B. CURRICULUM AND INSTRUCTION

1. ADVANCEMENT VIA INDIVIDUAL DETERMINATION (AVID) CENTER, PRODUCTS AND SERVICES QUOTE/ORDER

This is an annual item. Approval of the Advancement Via Individual Determination (AVID) Center, Products and Services Quote/Order for AVID elementary and secondary membership. The contract term is July 1, 2023, through June 30, 2024, approved by the Purchasing department. This agreement provides services and products to support 11 secondary AVID sites, as well as 3 elementary AVID sites. AVID supports Tier 1 academic instruction in the District’s Multi-tiered System of Support plan and addresses all 5 key competencies in the Vision of a CUSD Graduate.

Current sites that are participating in AVID are as follows:

Aliso Niguel High School	Don Juan Avila Middle School	Kinoshita Elementary School
Capistrano Valley High School	Marco Forster Middle School	San Juan Elementary School
Dana Hills High School	Newhart Middle School	Vista Del Mar Elementary School
San Clemente High School	Niguel Hills Middle School	
San Juan Hills High School	Shorecliffs Middle School	

Annual expenditures under this contract for AVID secondary, kindergarten through grade 8 and elementary membership, training and materials for the 2023-2024 school year, are \$67,270, funded by

2. CALIFORNIA INTERSCHOLASTIC FEDERATION REPRESENTATIVES

This is an annual item. Approval of six comprehensive high school principals as league representatives to the California Interscholastic Federation (CIF) for 2023-2024. As a member of CIF, the District is required by Education Code § 33353(a) to designate its representatives to CIF on a yearly basis. League representatives vote on issues that impact school athletic programs. There is no financial impact.

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

3. COMPREHENSIVE SCHOOL SAFETY PLANS 2022-2023

This is an annual item. Approval of the ratification of Comprehensive School Safety Plans 2022-2023. Education Code § 32281 (a) requires every kindergarten through grade 12 to develop and maintain a Comprehensive School Safety Plan (CSSP) designed to address campus risks, prepare emergencies and create a safe learning environment for students and school personnel. The law requires designated stakeholders to annually engage in a systematic planning process to develop strategies and policies to prevent and respond to potential incidents involving emergencies, natural and other disasters, hate crimes, violence, active assailants/intruders, bullying and cyberbullying, discrimination and harassment, child abuse and neglect, discipline, suspension and expulsion, and other safety aspects. The law requires that each school update and adopt its CSSP by March 1, annually. It requires that the school district approve CSSPs. There is no financial impact.

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

4. DISPOSAL OF OBSOLETE INSTRUCTIONAL MATERIALS

This is a new item. Approval of disposal of obsolete instructional materials. California Education Code § 60510.5 states that school districts must notify the public of its intention to dispose of obsolete instructional materials and provide an opportunity for members of the public to address the Board. As updated curriculum and instructional materials are adopted that are better aligned with state standards and frameworks, it is important to dispose of obsolete materials that are in the warehouse and in school site storage areas to make room for incoming orders. These materials may be given to students, donated, sold, or recycled. There is no financial impact.

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

5. IMAGINE LEARNING PURCHASE CONTRACT

This is a subsequent item. Approval of the Imagine Learning Purchase Contracts to support improved student outcomes for students through after school and summer online coding activities. Price Quote 291599 is for July 1, 2023, through June 30, 2026, for students in grades 3-6 at all elementary and middle school Expanded Learning Opportunities Program (ELOP) after school programs, and Price Quote 299965 is for students in grades 6-8 attending the middle schools June 12, 2023, through July 7, 2023, summer programs. Imagine Learning has Imagine Robotify which offers a browser-based robotics simulator to engage students in learning to code. Staff will partner with the YMCA and Strategic Kids after school programs at elementary and middle schools, and the middle school summer program to be held at Aliso Viejo Middle School, Ladera Ranch Middle School, Marco Forster Middle School, Niguel Hills Middle School, and Shorecliffs Middle School, to implement Imagine Robotify. A pilot was conducted at George White Elementary School during the 2022-2023 school year that was very successful. Students participating in the pilot learned the basics of coding and problem-solving. This item aligns with the Vision of a CUSD Graduate by supporting the development of Innovative Problem Solvers and Continuous Learners. The total cost for the classroom licenses, staff professional learning, and data integration is \$85,800 for the three-year agreement for the after school programs and \$2,750 for the middle school summer 2023 program, for a total of \$88,550 funded by ELOP.

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

6. JOINT POWERS AGREEMENT WITH THE COUNTY OF ORANGE

This was previously an annual item, but has been changed to a three-year term agreement. Approval of the Joint Powers Agreement (JPA) with the County of Orange, July 1, 2023, through June 30, 2026. There are occasions where the District needs additional patrol services from the Orange County Sheriff's Department for events conducted on District property, such as athletic events, school dances, assemblies, or Board meetings. These additional services are provided through a JPA with the County of Orange. For the fiscal year 2023-2024, the cost of a Deputy Sheriff II is \$171.43, per hour, and \$114.63, per hour, for overtime hours, will be funded by the general fund. It should be noted that this is a three-year JPA. Therefore, a clause has been added regarding unresolved issues pertaining to

potential changes in salaries and benefits for county employees. A rate change notification will be provided each fiscal year.

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

7. MEMBERS OF THE SPECIAL EDUCATION LOCAL PLAN AREA COMMUNITY ADVISORY COMMITTEE

This is an annual item. Approval of the appointment of Carol Atkinson, Steve Burke, Julie Cole, Danielle Schmiesing, and Kimber Smith to serve as Community Advisory Committee (CAC) voting members for the 2023-2024 and 2024-2025 fiscal years. The term of appointment for voting members will be July 1, 2023, through June 30, 2025. In accordance with the California Education Code § 56190, each Special Education Local Plan Area (SELPA) shall establish a CAC with parents of special education students forming the majority. Based on the bylaws of the SELPA, a committee of voting members is established annually, composed of District parents, teachers, administrators, and community representatives who serve District students. The term of appointment for voting members is two years, staggered annually. There is no financial impact.

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

8. RESOLUTION NO. 2223-45, TRANSITION PARTNERSHIP PROJECT INTERAGENCY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF REHABILITATION

This is a triennial item. Approval of Resolution No. 2223-45, Transition Partnership Project Interagency Agreement with the California Department of Rehabilitation. This resolution authorizes staff to execute the Transition Partnership Project Interagency Agreement with the California Department of Rehabilitation. This three year agreement, 2023-2026 school years, provides funding to the District and the local Department of Rehabilitation office to transition students into competitive employment. Specifically, the funding provides for case management staff, pre-employment training, job placement, staff-development services, and clerical support. These services are conducted collaboratively between the District and the local Department of Rehabilitation office. In addition, the District will also receive the services of state Department of Rehabilitation counselors to plan and coordinate the provision of support services. The District will receive a total of approximately \$746,322 per year.

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

9. SCHOOL PLANS FOR STUDENT ACHIEVEMENT AND BUDGETS FOR 2023-2024

This is an annual item. Approval of the School Plans for Student Achievement (SPSA) and Budgets for the 2023-2024 school year. The purpose of each school's SPSA is to create a cycle of continuous improvement of student performance and to ensure all students succeed in reaching academic standards set by the State Board of Education. The goals contained within each plan are aligned to the District's Wildly Important Goals, Local Control Accountability Plan, and Multi-tiered System of Support intervention and extension theory of action. Each plan is developed by school staff and initially approved through a process conducted by the School Site Council (SSC) advisory committee that includes educational partner input. The SSC is composed of a group representing parents, staff, and students (secondary schools only). All plans are updated annually. Title I Schoolwide Plan, Comprehensive Support and Improvement and Additional Targeted Support and Improvement components are also included, if applicable. The outlined action plans and related expenditures are implemented throughout the school year, and serve as a framework for each school's efforts. The SPSA documents are available for viewing at Education and Support Services, upon request. There is no financial impact.

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

10. SUBSCRIPTION RENEWALS WITH RENAISSANCE

This is an annual item. Approval of the Subscription Renewals with Renaissance for the Accelerated Reader 360 and Star Reading subscriptions and platform services at Hidden Hills Elementary School and Wood Canyon Elementary School. The agreement for Hidden Hills Elementary School is October 1, 2023, through September 30, 2024, and Wood Canyon Elementary School August 1, 2023, through July 31, 2024. The District has been utilizing Renaissance electronic learning programs to offer literacy support at various schools for several years. Students in grades kindergarten through grade 5 utilize these programs to read books at their level to support comprehension and fluency. It is used for both intervention and extension, in Tiers 1-3 of the sites' Multi-tiered System of Support. The \$5,777.75 cost for Hidden Hills Elementary School and \$6,168 for Wood Canyon Elementary School will be funded by school site Title I.

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

11. PROPOSED SCHOOL CALENDARS

This is an annual item. Approval of the revised 2022-2023, 2023-2024, 2024-2025 calendars, and a new 2025-2026 school calendar. Additionally, all the calendars have been updated with the Juneteenth holiday. Final versions of the 2023-2024, 2024-2025, and 2025-2026 calendars are pending negotiations with the labor associations. Staff is committed to always providing the community with three school calendar years that are Board-approved and readily available to the public. Based on the previously approved school calendars of 2022-2023, 2023-2024, and 2024-2025, staff developed the proposed calendar of 2025-2026 following similar Board and community priorities. Pending approval of the proposed 2025-2026 calendar, staff will post and communicate to and solicit feedback from all stakeholders. When the calendars for 2023-2024, 2024-2025, and 2025-2026 have been negotiated, staff will bring them back for final approval by the Board. There is no financial impact.

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

C. HUMAN RESOURCE SERVICES

1. CONFIDENTIAL COMPENSATION SCHEDULE

This is a subsequent item. Approval to revise the 2022-2023 Confidential Compensation Schedule for the Confidential employee group. Staff has finalized the Confidential Compensation Schedule for Board approval. The Confidential employee group is included in the Capistrano Unified Management Association (CUMA). The CUMA employment agreement was approved by the Board on April 19, 2023. This Confidential Compensation Schedule reflects the ongoing 10.25 percent increase in salary, retroactive to July 1, 2022. The total financial impact of this salary adjustment was approved by the Board on April 19, 2023, for all CUMA employee groups and is included in the general fund.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

2. JOB DESCRIPTION - EXPANDED LEARNING STUDENT SUPERVISOR

This is a new item. Approval of job description, Expanded Learning Student Supervisor. The District received an Expanded Learning Opportunities Program (ELOP) grant to provide after-school and summer opportunities for students in transitional kindergarten through grade 6. The District has contracted with Saddleback College Community Education to provide the College For Kids (CFK) program to District students this summer. Students from 7 District school sites have been invited to participate in the summer camp classes at Saddleback College, and over 500 students have enrolled. Students will be under the direct supervision of the Saddleback College for Kids program staff. The District will provide bus transportation to and from Saddleback College from the District school sites. The Expanded Learning Student Supervisors will escort students and ride on the District buses to and from Saddleback College to provide additional supervision and safety. Employees will stay at Saddleback College to support behavior management and general student well-being. A total of 7 staff will need to be hired for these temporary positions to cover the 3 sessions from June 20, 2023, through August 3, 2023. The position will be paid at the rate of \$25/hour. The position will be posted for internal applicants only. California School Employees Association is in agreement with this plan to post this temporary position for Summer 2023 to current classified employees. The financial impact is \$33,600 and will be funded by ELOP.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

3. REVISED CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION SALARY SCHEDULE

This is a subsequent item. Approval of the revised California School Employees Association (CSEA) Salary Schedule, specifically the Job Classification List. During the 2022-2023 school year, the Board approved and CSEA ratified new or revised job descriptions with salary ranges assigned. The approved positions have been added to the Job Classification List and have been underlined to identify revisions. The revised Job Classification List is attached to the CSEA Salary Schedule which was approved by the Board on April 19, 2023. There is no new financial impact.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

4. MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, ALTERNATIVE SUMMER WORK SCHEDULE

This is a new item. Approval of the Memorandum of Understanding (MOU) with California School Employees Association (CSEA), Capistrano Chapter 224, Alternative Summer Work Schedule, will provide 12-month Classified employees with the option of an alternative summer schedule. Classified employees that choose to work a 4/10 summer work schedule will begin working a 4-day work week, working a 10 hour schedule starting the week of June 5, 2023, and return to their regular 5-day work week, working an 8-hour schedule on Monday, July 17, 2023. During the weeks that include holidays,

employees will work a 4-day, 8-hour schedule. These are the weeks of June 19, 2023, (Juneteenth holiday) and the week of July 3, 2023 (Fourth of July holiday). Managers are responsible for ensuring that every department has adequate coverage each week. Managers will work with employees to determine their work week. Preference to days off will be determined by seniority. This MOU is subject to all approvals required under CSEA policy 610 and the Board. There is no financial impact.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

5. MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, ESTABLISHMENT OF JUNETEENTH HOLIDAY

This is a new item. Approval of the Memorandum of Understanding (MOU) with California School Employees Association, Chapter 224 (CSEA), concerning the establishment of the June 19 federal holiday 'Juneteenth.' Bargaining unit members shall be entitled to the Juneteenth paid holiday starting in June 2023. The parties agree that Juneteenth will be recognized on Monday, June 19, 2023, for the 2022-2023 school year. The agreement to recognize Juneteenth on June 19, 2023, is non-precedent setting. This MOU is subject to all approvals required under CSEA policy 610 and by the Board.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

6. STUDENT AFFILIATION AGREEMENT WITH UNIVERSITY OF ST. AUGUSTINE FOR HEALTH SCIENCES

This is a reoccurring item. Approval of Student Affiliation Agreement with University of St. Augustine for Health Sciences. The agreement is effective from May 18, 2023, through May 17, 2028. During the school year, university students working toward their Speech Language Pathology or Occupational Therapy certification will work with District staff to fulfill clinical hours requirements to earn their degree. There is no financial impact.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

7. THIRD QUARTER REPORT - WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT

This is a quarterly item. Acceptance of Williams Settlement Legislation Uniform Complaint Third Quarter Report. As a result of the Williams Settlement, Education Code § 35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, Education Code § 35186 requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. No complaints were received during the third quarter.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

8. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES

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

9. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES

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. 2022 - 2023 BOARD MEETING SCHEDULE - REVISED

This is a revised item. Approval of the revised Board Meeting Schedule for the 2022-2023 school year. The only change to the meeting schedule is the addition of two Special Board meetings to be held on May 20, 2023, and May 21, 2023.

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

2. SCHOOL BOARD MINUTES - APRIL 19, 2023

This is a monthly item. Approval of the April 19, 2023, Regular Board meeting minutes.

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

3. SCHOOL BOARD MINUTES - MAY 3, 2023

This is a monthly item. Approval of the May 3, 2023, Special Board meeting minutes.

16. DISCUSSION ACTION ITEMS

A. DISCUSSION/INFORMATION ITEMS

1. CUSD CARES: MULTI-TIERED SYSTEM OF SUPPORT: WELL-BEING

This is a new action item. As part of the District's Multi-tiered System of Support (MTSS), the CUSD Cares plan will effectively support students' and staff's well-being and have a positive impact on student outcomes by intentionally developing and strengthening connections, a sense of community, and regular opportunities for celebration. The plan defines support for student well-being in a three tiered system: universal access for all students (Tier 1), targeted support for some students who need additional support (Tier 2), and individualized comprehensive support for students needing intensive support (Tier 3). CUSD Cares introduces new programs, resources, and services to enhance and support the current programming at District schools.

Upon Board approval, staff will continue with pilot programs, training, and planning for a multi-year implementation which will begin in the 2023-2024 school year. Next steps will include pilot programs at select schools and collaboration with principals, certificated, and classified staff to develop and implement school specific plans. Additionally, District staff will establish baseline data and will provide updates to Trustees as part of the mid-year and end of year MTSS data reports. The CUSD Cares Plan indirectly supports all five of the District's Vision of a CUSD Graduate's competencies, and it defines the District's MTSS in the area of student well-being. Financial implications for staffing, programs, and services are approximately \$1,038,644.37 funded by Local Control Funding Formula Supplemental, Expanded Learning Opportunity Grant, and Proposition 28 funds.

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 CUSD Cares: Multi-tiered System of Support: Well Being.

Motion by _____ Seconded by _____

2. 2023-2024 LOCAL CONTROL ACCOUNTABILITY PLAN AND UPDATE

This is an annual information item. In June 2013, the Legislature adopted the Local Control Funding Formula (LCFF). As part of the LCFF, the Legislature included an accountability component known as the Local Control and Accountability Plan (LCAP). In developing its LCAP, districts must address eight state priorities, solicit input, and consult with educational partners. As part of the process, each district is required to hold one public hearing to solicit the recommendations and comments of the members of the public regarding the specific actions and expenditures proposed. Information in the LCAP includes the Budget Overview for Parents, LCAP Supplement, outcome data, educational partner input, an overview of goals, actions, and expenditures. The proposed 2023-2024 LCAP plan will be the third year of the 3-year static plan. The final 2023-2024 LCAP will be presented for approval at the June 14, 2023, Board meeting.

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

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

CUSD WIG 3: Optimize facilities and learning environments 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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

3. 2023-2024 PROPOSED BUDGET ADOPTION

This is an annual information item. The District is required by law to adopt a budget for the 2023-2024 fiscal year no later than June 30, 2023, for enactment on July 1, 2023. The final budget for 2023-2024 will be based upon revenue assumptions outlined within the Governor's May Revise, as well as District-specific assumptions for revenue and expenditures and will incorporate expenditures listed in the District's Local Control Accountability Plan (LCAP).

This item is a preliminary look at the general fund 2023-2024 budget and the 2022-2023 estimated actuals budget. The budget will be updated, if necessary, based upon information from the Governor's May Revise and recommendations given by the Orange County Department of Education along with the District's LCAP. The final 2023-2024 budget will be presented for Board action at the June 14, 2023, meeting.

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

Contact: Clark Hampton, Interim Superintendent

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Interim Superintendent, 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.

4. RESOLUTION NO. 2223-44, AUTHORIZATION OF TEMPORARY INTERFUND TRANSFERS

This is an annual action item. Education Code § 42603 authorizes the Board of Trustees to temporarily transfer money held in any fund to another fund for payment of obligations by the District. Amounts transferred will be repaid either in the same fiscal year or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. Due to the nature of the current budget situation, it is necessary to secure flexibility to balance cash flow during the 2023-2024 school year. This agenda item requests Board approval to authorize interfund loans between funds. These loans (cash transfers) will be made to and between the general fund and various other District funds.

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

Contact: Clark Hampton, Interim Superintendent

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Interim Superintendent, to present this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 2223-44, Authorization of Temporary Interfund Transfers.

Motion by _____ Seconded by _____

17. ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, JUNE 14, 2023 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.