

CAPISTRANO UNIFIED SCHOOL DISTRICT  
33122 Valle Road  
San Juan Capistrano, CA 92675

BOARD OF TRUSTEES  
Regular Meeting

April 23, 2014

Closed Session 6:45 p.m.  
Open Session 7:00 p.m.

**AGENDA**

**CLOSED SESSION AT 6:45 P.M.**

**1. CALL TO ORDER**

**2. CLOSED SESSION COMMENTS**

**3. CLOSED SESSION** (as authorized by law)

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** **EXHIBIT 3A**  
Dr. Joseph M. Farley/Clark Hampton/John Forney/Wendy Wiles/Jeff Hoskinson  
Real Property, 4.038 gross acres of vacant land at 2 Liberty, Aliso Viejo, CA 92656  
Under Negotiation: Term of payment  
(Pursuant to Government Code §54956.8)
- B. STUDENT EXPULSIONS** **EXHIBIT 3B1-B6**  
Deliberations of Findings of Fact and Recommendations  
(Pursuant to Education Code §48918{c} and §35145)
- C. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT** **EXHIBIT 3C1-C5**  
1. Chief Communications Officer  
2. K-8 Principal  
3. Elementary Principal  
4. Director I, Construction  
5. Autism Specialist  
(Pursuant to Government Code §54957)
- D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE** **EXHIBIT 3D**  
(Pursuant to Government Code §54957)

**PUBLIC HEARINGS:**

**Agenda Item #1 – Resolution No. 1314-40, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction**

**Agenda Item #3 – Instructional Materials Recommended for Adoption: High School English Language Arts – English II Accelerated**

**Agenda Item #5 – Instructional Materials Recommended for Adoption: High School World Language – French IV for the International Baccalaureate Program, Standard Level and Higher Level**

**RECORDING OF SCHOOL BOARD MEETINGS**

**In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded**

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

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF THE AGENDA – ROLL CALL**

**REPORT ON CLOSED SESSION ACTION**

**SPECIAL RECOGNITIONS**

*Eco-Adventure Center's Gray Whale Essay Contest Winners  
Student Body President's Report – Aliso Niguel High School*

**BOARD AND SUPERINTENDENT COMMENTS**

**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.

**PUBLIC HEARING**

**1. PUBLIC HEARING: RESOLUTION NO. 1314-40, AN INCREASE IN STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL CONSTRUCTION PURSUANT TO EDUCATION CODE §17620 AND GOVERNMENT CODE §65995:**

INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on adopting Resolution No. 1314-40, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code §17620 and Government Code §65995. Supporting information is located in Exhibit 2.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Clark Hampton, Deputy Superintendent, Business 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. RESOLUTION NO. 1314-40, AN INCREASE IN STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL CONSTRUCTION PURSUANT TO EDUCATION CODE §17620 AND GOVERNMENT CODE § 65995:**

DISCUSSION/  
ACTION  
Page 1  
**EXHIBIT 2**

AB 181 authorizes the State Allocation Board (SAB) to approve an increase in developer fees every two years. On January 22, 2014, the SAB authorized an increase in the amount of the developer fees that a school district can levy. Developer fees for new residential development were increased from \$3.20 to \$3.36 per square foot, and commercial/industrial fees were increased from \$0.51 to \$0.54 per square foot, as long as such increases are properly justified by the District pursuant to the law. State legislation pertaining to developer fees allows the increase of fees every two years, as determined by the SAB. This agenda item pertains to the adoption of Resolution No. 1314-40, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code §17620 and Government Code §65995.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

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 Resolution No. 1314-40, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code §17620 and Government Code §65995.

Motion by _____	Seconded by _____
ROLL CALL:	
Student Advisor Leilah Rodriguez ____	
Trustee Addonizio _____	Trustee Hatton-Hodson _____
Trustee Bryson _____	Trustee Pritchard _____
Trustee Hanacek _____	Trustee Reardon _____
	Trustee Alpay _____

**3. PUBLIC HEARING: INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL ENGLISH LANGUAGE ARTS – ENGLISH II ACCELERATED:** INFORMATION/ DISCUSSION

The Board will conduct a public hearing on instructional materials recommended for adoption: high school English Language Arts – English II Accelerated. Supporting information is located in Exhibit 4.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services, Elementary***

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.

**4. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL ENGLISH LANGUAGE ARTS – ENGLISH II ACCELERATED:** DISCUSSION/ ACTION

A Districtwide teacher committee is requesting the adoption of *Bless Me, Ultima* by Rudolfo Anaya, published by Warner Books ©1972, for high school English Language Arts - English II Accelerated. This title was approved by the Instructional Materials Review Committee. It would be adopted for a seven-year period. The purchase of this supplemental title would be paid with site funds.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary***

Staff Recommendation

It is recommended the Board President recognize Michelle Le Patner, Assistant Superintendent, Education Services, Secondary, to present this item.

Following discussion, it is recommended the Board of Trustees approve the adoption of *Bless Me, Ultima* by Rudolfo Anaya, published by Warner Books ©1972, for high school English Language Arts - English II Accelerated.

Motion by _____	Seconded by _____
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5. **PUBLIC HEARING: INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL WORLD LANGUAGE – FRENCH IV FOR THE INTERNATIONAL BACCALAUREATE PROGRAM, STANDARD LEVEL AND HIGHER LEVEL:** INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on instructional materials recommended for adoption: high school World Language – French IV for the International Baccalaureate Program, Standard Level and Higher Level. Supporting information is located in Exhibit 6.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services, Elementary***

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.

6. **INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: HIGH SCHOOL WORLD LANGUAGE – FRENCH IV FOR THE INTERNATIONAL BACCALAUREATE PROGRAM, STANDARD LEVEL AND HIGHER LEVEL:** DISCUSSION/  
ACTION

A Districtwide teacher committee is requesting the adoption of *French B: IB Skills and Practice*, published by Oxford University Press ©2012, for high school World Language – French IV for the International Baccalaureate Program, Standard Level and Higher Level. This title was approved by the Instructional Materials Review Committee. It would be adopted for a seven-year period. Purchase of this supplemental title would be paid with site funds.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary***

Staff Recommendation

It is recommended the Board President recognize Michelle Le Patner, Assistant Superintendent, Education Services, Secondary, to present this item.

Following discussion, it is recommended the Board of Trustees approve the adoption of *French B: IB Skills and Practice*, published by Oxford University Press ©2012, for high school World Language – French IV for the International Baccalaureate Program, Standard Level and Higher Level.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**DISCUSSION/ACTION ITEMS**

7. **REQUEST FOR CHARTER PETITION RENEWAL OF OXFORD PREPARATORY ACADEMY:** DISCUSSION/  
ACTION

The District received the initial Oxford Preparatory Academy-South Orange County (OPA-SOC) Charter Petition on October 31, 2010. The District granted a three-year approval of the charter petition beginning with the 2011-2012 school year. In accordance with Education Code §47605(b), the District held a public hearing on the provisions of the charter to consider the level of support for the petition by parents, teachers, and employees of the District on January 22, 2014. Following the public hearing, the Board of Trustees formally accepted receipt of OPA-SOC's request to renew its charter petition. This item presents staff's recommendation regarding the approval of OPA-SOC's request for a five-year renewal of its charter petition. Due to the size of the Petition, a copy will be posted online on the District Board Agendas and Supporting Documentation page.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services, Elementary***

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, Elementary to present this item.

Following discussion, it is recommended the Board of Trustees consider the Request for Charter Petition Renewal of Oxford Preparatory Academy.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**8. REPORT ON COMMUNITY FACILITIES DISTRICTS:**

The Board of Trustees will be provided with a report on Community Facilities Districts (CFDs) and how they are used to meet community facilities needs as a result of new development. The report will outline the impact CFDs have on various stakeholders including homeowners, cities, developers, school districts, and bond holders.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

INFORMATION/  
DISCUSSION  
Page 63  
**EXHIBIT 8**

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.

**9. RESOLUTION NO. 1314-41, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA), DECLARING INTENTION TO ADOPT LEVIES OF SPECIAL TAXES AT RATES LESS THAN THE MAXIMUM PERMITTED SPECIAL TAX RATES PURSUANT TO THE AMENDED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES OF COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) AND TAKING ACTIONS RELATED THERETO:**

At the special Board meeting on March 7, 2014, the Board of Trustees directed staff to bring back to Trustees legal opinions on three questions relating to Community Facilities District (CFD)No. 90-2 (Talega). The questions related to potential levies of special taxes less than the Maximum Special Tax rates permitted under the applicable Amended Rate and Method of Apportionment (RMA) of Special Taxes of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega) associated with applicable parcels within the boundaries of CFD No. 90-2. In addition, Trustees requested an opportunity to consider a levy of special taxes less than the Maximum Special Tax rates permitted under the Amended RMA.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

DISCUSSION/  
ACTION  
Page 95  
**EXHIBIT 9**

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 consider Resolution No. Resolution No. 1314-41, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega), Declaring Intention to Adopt Levies of Special Taxes at Rates Less Than the Maximum Permitted Special Tax Rates Pursuant to the Amended Rate and Method of Apportionment of Special Taxes of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega) and Taking Actions Related Thereto.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Leilah Rodriguez \_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hanacek \_\_\_\_\_

Trustee Hatton-Hodson \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Reardon \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

**10. AMENDED AND RESTATED PURCHASE AND SALE AGREEMENT AND ESCROW INSTRUCTIONS BETWEEN THE FOUNDATION FOR AFFORDABLE HOUSING II, INCORPORATED, AND THE CAPISTRANO UNIFIED SCHOOL DISTRICT:**

DISCUSSION/  
ACTION  
Page 101  
**EXHIBIT 10**

On March 5, 2007, the District entered into a purchase and sale agreement with the Foundation for Affordable Housing II, Incorporated (Foundation), for the purchase of certain surplus real property owned by the District at 2 Liberty in Aliso Viejo (Property). The Foundation intended to purchase the Property for \$6.10 million in order to develop an affordable senior housing project. Due to delays in obtaining entitlements from the City of Aliso Viejo, the sale of the Property was delayed. The Foundation, however, is again moving forward with entitlements through the City, and, as a result, has negotiated an amended and restated purchase and sale agreement with the District, setting forth a new time table to complete the purchase of the Property.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

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 Amended and Restated Purchase and Sale Agreement and Escrow Instructions Between the Foundation for Affordable Housing II, Incorporated, and the Capistrano Unified School District.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**11. CAPISTRANO UNIFIED EDUCATION ASSOCIATION CONTRACT REOPENER PROPOSAL, 2014-2015 SCHOOL YEAR:**

DISCUSSION/  
ACTION  
Page 123  
**EXHIBIT 11**

The current collective bargaining agreement between the District and Capistrano Unified Education Association (CUEA) expires on June 30, 2014. On March 26, 2014, CUEA presented the District with the association's proposal. Board Policy 4143.1, Public Notice-Issues of Meeting and Negotiations, describes the steps to be taken by the Board and its authorized representatives in order to enter into a new agreement with an exclusive bargaining unit.

*CUSD Strategic Plan Pillar 5: Effective Operations*

*Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services*

Staff Recommendation

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, to present this item.

Following discussion, it is recommended the Board of Trustees accept receipt of the CUEA contract reopener proposal.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**12. RESOLUTION NO. 1314-43, CLASSIFIED LAYOFF NON-MANAGEMENT EMPLOYEES:**

With the economic recovery, the District will not be recommending classified layoffs for general fund budget reduction purposes. The purpose of this resolution is to eliminate vacant positions no longer intended to be filled and eliminate positions due to the lack of certainty surrounding existing categorical funding sources. California Education Code §45117 (a) states: When, as a result of the expiration of a specially funded program, classified positions must be eliminated at the end of any school year, and classified employees will be subject to layoff for lack of funds, the employees to be laid off at the end of the school year shall be given written notice on or before April 29 informing them of their layoff effective at the end of the school year and of their displacement rights, if any, and reemployment rights. However, if the termination date of any specially funded program is other than June 30, the notice shall be given not less than 60 days prior to the effective date of their layoff. In addition, §45117, states classified employees may be laid off due to a bona fide reduction, elimination of a service being performed, or lack of funds. The layoff process considers length of service (e.g., seniority) and any other higher classifications, with no skipping permitted for special expertise. This year with the implementation of the Local Control Funding Formula, categorical funding revenues have become embedded into the funding system. As a result, uncertainty remains regarding categorical funding sources; therefore, the District must consider eliminating positions due to a lack of funds. In addition, grant-funded and fee-based programs, permitted by law, are also uncertain at this time. As of January 1, 2013, classified employees must now be given a sixty (60) day notice prior to the effective date of any layoff. Individuals laid off shall be eligible for reemployment for a period of 39 months pursuant to Education Code §45298. Open/vacant positions will no longer encumber funds from general or restricted budgets. Positions funded through categorical revenues will be eliminated, preventing the general fund from incurring those expenses if not eliminated.

***CUSD Strategic Plan Pillar 5: Effective Operations***

***Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services***

Staff Recommendation:

It is recommended the Board President recognize Jodee Brentlinger, Assistant Superintendent, Personnel Services, who will present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 1314-43, Classified Layoff Non-Management Employees, in the designated classifications.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**ROLL CALL:**

Student Advisor Leilah Rodriguez \_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hanacek \_\_\_\_\_

Trustee Hatton-Hodson \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Reardon \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

INFORMATION/  
DISCUSSION  
Page 125  
**EXHIBIT 12**

**13. PROPOSED 2014-2015 SCHOOL CALENDAR:**

In November 2006, a Calendar Task Force was established. The Task Force meets annually to reach consensus on recommended school calendars for upcoming school years. The committee utilizes the following tenets in making recommendations for school calendars: the calendar should support the educational purpose of the District; Student holidays, aside from legal holidays, should be minimized and placed strategically in order to optimize learning; to the extent possible, the calendar should follow a consistent pattern from year to year so teachers can plan for instruction and families can make long-range plans; to the extent possible, the calendar should retain some of the features that produced the higher District revenue realized during the three-year pilot as a result of increased Average Daily Attendance.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary***

Staff Recommendation

It is recommended the Board President recognize Michelle LePatner, Assistant Superintendent, Education Services, Secondary, to present this item.

Following discussion, it is recommended the Board of Trustees approve the proposed 2014-2015 School Calendar.

Motion by \_\_\_\_\_ Secoded by \_\_\_\_\_

DISCUSSION/  
ACTION  
Page 127  
**EXHIBIT 13**

**14. INSTRUCTIONAL MATERIALS RECOMMENDED FOR PILOT: ELEMENTARY SCHOOL LANGUAGE ARTS/TWO-WAY IMMERSION LANGUAGE ARTS:**

A teacher committee at Las Palmas Elementary School is requesting to pilot a writing program entitled: *Writing Reform and Innovation for Teaching Excellence* (WRITE), published by the San Diego County Office of Education, ©2002 (revised 2013). The WRITE pilot program would be implemented in K-5 Language Arts at Las Palmas Elementary School throughout the 2014-2015 school year. The cost of this supplemental program is subscription based and would be paid with site Title I funds. This pilot program was approved by the Instructional Materials Review Committee.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Julie Hatchel, Assistant Superintendent, Education Services, Elementary***

Staff Recommendation

It is recommended the Board President recognize Julie Hatchel, Assistant Superintendent, Education Services, Elementary, to present this item.

Following discussion, it is recommended the Board of Trustees approve the pilot of *Writing Reform and Innovation for Teaching Excellence* (WRITE), published by the San Diego County Office of Education, ©2002 (revised 2013) for use with K-5 Language Arts and Two-Way Language Arts at Las Palmas Elementary School for the 2014-2015 school year.

Motion by \_\_\_\_\_ Secoded by \_\_\_\_\_

DISCUSSION/  
ACTION



**15. CONSIDERATION TO ALLOW A MULTI-SCHOOL AGREEMENT BETWEEN THE CAPISTRANO UNIFIED SCHOOL DISTRICT SCHOOLS IN THE COAST VIEW ATHLETIC ASSOCIATION AND CAPISTRANO CONNECTIONS ACADEMY CHARTER SCHOOL:**

DISCUSSION/  
ACTION  
Page 129  
**EXHIBIT 15**

This agreement would enable students enrolled at Capistrano Connections Academy Charter School to participate in athletic programs and competitions for the comprehensive District high school within the student’s attendance boundary. This agreement was proposed to the Coast View Athletic Association and its members on January 22, 2014, and was unanimously voted down. District Board approval would send this item to the California Interscholastic Federation Southern Section for consideration of an appeal.

***CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment***

***Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary***

Staff Recommendation

It is recommended the Board President recognize Michelle Le Patner, Assistant Superintendent, Education Services, Secondary, to present this item.

Following discussion, it is recommended the Board of Trustees approve the Multi-School Agreement between the Capistrano Unified School District schools in the Coast View Athletic Association and Capistrano Connections Academy Charter School.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**16. RESOLUTION NO. 1314-42, RIGHT OF ENTRY LICENSE AGREEMENT BETWEEN THE CITY OF SAN JUAN CAPISTRANO AND THE CAPISTRANO UNIFIED SCHOOL DISTRICT AND TAKING ACTIONS RELATED THERETO:**

DISCUSSION/  
ACTION  
Page 135  
**EXHIBIT 16**

The City of San Juan Capistrano desires to engage in a public construction project (Retaining Wall Project) on property owned by the City of San Juan Capistrano, which is directly adjacent to District property located at 31422 Camino Capistrano (Junipero Serra High School). The proposed Retaining Wall Project includes the construction of a retaining wall and related improvements, along certain portions of El Camino Real at Don Juan Avenue in the City of San Juan Capistrano. The Board of Trustees is considering a temporary Right of Entry License Agreement with the City of San Juan Capistrano, granting the City and its authorized agents access over portions of Junipero Serra High School beginning June 25, 2014, and terminating no later than September 1, 2014, in order to complete the Retaining Wall Project.

***CUSD Strategic Plan Pillar 5: Effective Operations***

***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 adopt Resolution No. 1314-42, Right of Entry License Agreement Between the City of San Juan Capistrano and the Capistrano Unified School District and Taking Actions Related Thereto.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

ROLL CALL:

Student Advisor Leilah Rodriguez \_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hanacek \_\_\_\_\_

Trustee Hatton-Hodson \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Reardon \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

## 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, staff, or the public 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.

### GENERAL FUNCTIONS

**17. SCHOOL BOARD MINUTES:**

Approval of the minutes of the March 25, 2014, regular Board meeting.

*Contact: Jane Boos, Manager, Board Office Operations*

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**EXHIBIT 17**

### CURRICULUM & INSTRUCTION

**18. PETITION TO WAIVE CALIFORNIA HIGH SCHOOL EXIT EXAM:**

Approval to waive California Education Code §60851(c) and Board Policy 6162.52 for five students who have completed all requirements for passing the California High School Exit Examination (CAHSEE) subtest in Mathematics and/or English/Language Arts, case number 1314-021 through 1314-025. California Education Code §60851(c) and Board Policy 6162.52 provide authority for the Board of Trustees to review and approve waivers for special education students to pass the CAHSEE with modifications stated in the pupil's Individualized Education Program. Supporting information is provided to Trustees under separate cover to protect the student's rights under the Family Educational Rights and Privacy Act. There is no financial impact.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary*

**19. MEMORANDUM OF UNDERSTANDING WITH NEXTED, THE FEDERAL INVESTING IN INNOVATION (i3) GRANT AWARDEE:**

Approval of the Memorandum of Understanding (MOU) with NextEd, the federal Investing in Innovation (i3) grant awardee. NextEd contracted with Project Lead the Way (PLTW) to provide programs, services, and materials to school districts participating in the study. NextEd developed an MOU with all schools participating in the PLTW implementation. NextEd and PLTW selected the schools to participate in the study. The District was asked to submit for all high schools, but only Capistrano Valley High School (CVHS) was approved. The PLTW course(s), professional development, and materials will be utilized as part of the new Science, Technology, Engineering, and Mathematics Career Academy at CVHS. This MOU details the agreement between NextEd, PLTW, and the District. NextEd will offer PLTW materials, technology hardware, resources, professional development, and data support for evaluation. NextEd will provide additional information on the exact amount of funds CVHS will receive in programs, services, and materials. This MOU covers the period starting from March 2014 through December 2018.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary*

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**EXHIBIT 19**

**20. COUNSELING INTERN AGREEMENTS:**

Approval of the School Counselor Candidate Practicum/Fieldwork Agreement with Concordia University Irvine and the Fieldwork Training Affiliation Agreement with Capella University. School counseling plays a vital role in supporting a safe school climate. The use of school counselor interns within the District provides additional resources for schools while providing an opportunity for field work for students in a credentialed counseling program. The school counseling field study program works similar to the student teaching program. A mentor counselor oversees the intern in practical counseling experiences, including: group and individual counseling; familiarization with 504s, SSTs, IEPs; working with school-based programs (e.g., Character Counts, PBIS, GRIP, and anti-bullying programs); and becoming familiar with school based and community resources.

*CUSD Strategic Plan Pillar 2: Safe and Healthy Schools*

*Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary*

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**EXHIBIT 20**

**21. MEMORANDUM OF UNDERSTANDING AGREEMENT FOR THE CALIFORNIA HEALTHY KIDS SURVEY:**

Approval of the Memorandum of Understanding (MOU) Agreement for the California Healthy Kids Survey (CHKS) for the 2013-2014 school year. CHKS provides a reliable and cost-effective method of collecting countywide data on student health-risk behaviors and youth development factors that are used by the Orange County Health Care Agency (HCA) and schools, districts, and many community-level youth-oriented programs. To ensure the continuing availability of such countywide CHKS data for the 2013-2014 school year, HCA is providing funding to administer the CHKS for Orange County school districts not receiving Tobacco Use Prevention Education funds. The survey is administered by WestEd and costs \$.30 per pupil. Duplicating costs are approximately \$2,000. This MOU will provide \$7,740 in funding from the HCA to cover the costs associated with the survey.

*CUSD Strategic Plan Pillar 2: Safe and Healthy Schools*

*Contact: Michelle Le Patner, Assistant Superintendent, Education Services, Secondary*

Page 179  
**EXHIBIT 21**

**BUSINESS & SUPPORT SERVICES**

**22. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:**

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 \$3,894,443.59 and the commercial warrants total \$8,427,325.21. 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 by vendor warrants exceeding \$250,000.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

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**EXHIBIT 22**

**23. DONATION OF FUNDS AND EQUIPMENT:**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$282,866.62 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.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

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

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**EXHIBIT 23**

**24. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:**

Approval of the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements. Due to state budget cuts to schools over the last several years, staff requests contractors to reduce their fees for services by ten percent. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The exhibit shows three new agreements totaling \$63,620, eight new agreement ratifications totaling \$152,981, five extensions to an existing agreement totaling \$86,000, one extension ratification to an existing agreement totaling \$2,500, three amendments to an existing agreement totaling \$166,000, and two amendment ratifications to an existing agreement totaling \$7885. 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.

*CUSD Strategic Plan Pillar 2: Safe and Healthy Schools*

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**25. SPECIAL EDUCATION SETTLEMENT AGREEMENTS:**

Approval of the ratification of special education Settlement Agreement Case #2014020376, Informal Dispute Resolution Agreement Case #024714, Case #035114, Case #035214, Case #035514, Case #036114, Case #045113, Case #055613, and Case #070313. Due to the confidential nature of the agreements, supporting information is provided to Trustees under separate cover. Expenditures under these agreements are limited to \$44,118, funded by special education funds.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations*

**26. SPECIAL EDUCATION SETTLEMENT AGREEMENT:**

Approval of special education Settlement Agreement Case #2014020119. Due to the confidential nature of the agreement, supporting information is provided to Trustees under separate cover. Expenditures under this agreement are limited to \$35,192, funded by special education funds.

*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*

*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations*

**27. MEMORANDUM OF UNDERSTANDING AGREEMENT FOR STUDENT TRANSFERS TO THE COMMUNITY SCHOOL PROGRAM AND SPECIAL SCHOOLS AND SERVICES PROGRAM WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS AND THE DISTRICT:**

Approval of the Memorandum of Understanding (MOU) Agreement for Student Transfers to the Community School Program and Special Schools and Services Program with the Orange County Superintendent of Schools (OCDE) and the District. Under the previous funding method, the transfer of funds to the County was automatic. Under the new funding formula, it is expected the state will develop an automatic funding method; therefore, during the transition, the District will need an MOU agreement with the OCDE to formalize a fund transfer agreement. This agreement allows the District to continue to transfer funds to the OCDE for the students served by their programs.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**28. AGREEMENT FOR ARCHITECTURAL AND RELATED SERVICES WITH HMC GROUP:**

Approval of Agreement for Architectural and Related Services with HMC Group (HMC) to provide services related to the design and construction of the new K-8 School in Rancho Mission Viejo (Project). HMC will be the architect of record with the Division of State Architect on the Project. The Project construction budget is \$24M. HMC's fixed fee for basic services is \$1,387,200, plus reimbursable expenses, funded from the Rancho Mission Viejo mitigation payments per agreement. Due to the size of the Agreement, the document will be posted online on the District Board Agendas and Supporting Documentation page.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**29. NETWORK SUPPORT SERVICES AGREEMENT – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:**

Page 351  
**EXHIBIT 29**

Approval of the Network Support Services Agreement with the Orange County Superintendent of Schools to provide network support services for data connectivity to the District at a cost not-to-exceed \$1,500 for the period of July 1, 2014, through June 30, 2015.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**30. AWARD REQUEST FOR PROPOSAL NO. 6-1314, CREDIT RECOVERY SERVICE, APEX LEARNING, INCORPORATED:**

Page 359  
**EXHIBIT 20**

Approval of the award of Request for Proposal No. 6-1314, Credit Recovery Service to Apex Learning, Incorporated. The District received three proposals. Apex Learning, Incorporated was selected based on the company's competence and experience in providing a comprehensive, integrated, full-featured program using a web-based architecture. The program offers a prescriptive component, training in its effective use, technical support, and staff development in meeting the needs of all District students. The custom Apex Learning Bundle includes Comprehensive Courses, Tutorials, and CAHSEE Exam Prep. The total expenditure under this contract will be \$121,000 annually, funded from Adult Education Tier III funds. The contract term is July 1, 2014, through June 30, 2018. The proposal, evaluation criteria, and rating sheets are available in the Purchasing Department for review. For more information, please contact Terry Fluent, Director, Purchasing, at (949) 234-9436.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**31. AMENDMENT TO THE AGREEMENT ARCHITECTURAL SERVICES - WLC ARCHITECTS INCORPORATED:**

Page 369  
**EXHIBIT 31**

Approval of the Amendment to the Agreement Architectural Services with WLC Architects (WLC) to add the Ladera Ranch Middle School (LRMS) Modular Classroom Buildings Project (Project), and the San Juan Hills High School (SJHHS) Modular Classroom Buildings Project (Project) and Scoreboard Project. The costs for services are \$29,350 for the LRMS Project, \$59,940 for the SJHHS Project, and \$9,120 for the SJHHS Scoreboard Project. The scope of work and services are as indicated in each proposal. The services related to these projects increase the not-to-exceed amount on the contract to \$850,000, funded by Measure A, Developer Fees, Community Facilities District funds, and donations.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

32. **AMENDMENT TO AGREEMENT BID NO. 1011-13, SNACK AND BEVERAGE PRODUCTS, A&R WHOLESALE DISTRIBUTORS, INCORPORATED:** Page 409  
**EXHIBIT 32**  
Approval of the Amendment to Agreement Bid No. 1011-13 for snack and beverage products provided by A&R Wholesale Distributors, Incorporated. This contract shall be amended increasing the not-to-exceed amount to \$850,000 annually for additional snack and beverage products, as needed by the District. The additional purchase of snack and beverage products is due to the change in the U.S. Department of Agriculture regulations for menus and an increase in ordering whole grain items and canned goods to accommodate the new regulations. Purchases utilizing this contract are funded by Food and Nutrition Services.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
33. **AMENDMENT TO AGREEMENT BID NO. 1011-14, GROCERY PRODUCTS, A&R WHOLESALE DISTRIBUTORS, INCORPORATED:** Page 433  
**EXHIBIT 33**  
Approval of the Amendment to Agreement Bid No. 1011-14 for grocery products provided by A&R Wholesale Distributors, Incorporated. This contract shall be amended increasing the not-to-exceed amount to \$140,000 annually for additional grocery products, as needed by the District. The additional purchase of grocery products is due to the change in the U.S. Department of Agriculture regulations for menus and an increase in ordering whole grain items and canned goods to accommodate the new regulations. Purchases utilizing this contract are funded by Food and Nutrition Services.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
34. **AMENDMENT TO AGREEMENT BID NO. 1314-15, CO-CURRICULAR BUS SERVICE, FIRST STUDENT, INCORPORATED:** Page 463  
**EXHIBIT 34**  
Approval of the Amendment to Agreement Bid No. 1314-15 for co-curricular bus service provided by First Student, Incorporated, adding special conditions to the contract. Changes to the contract language were negotiated related to Hold Harmless and Disputes as shown in Exhibit A to the Amendment. Annual expenditures utilizing this contract are estimated to be \$50,000, funded by the appropriate accounts, including ASB and parent groups.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
35. **AMENDMENT TO AGREEMENT BID NO. 1314-19, ROOF REPAIRS AND MAINTENANCE DISTRICTWIDE, ARCHITECTURAL ROOFING SYSTEMS, INCORPORATED DBA PACIFIC ROOFING SYSTEMS:** Page 473  
**EXHIBIT 35**  
Approval of the Amendment to Agreement Bid No. 1314-19 for roof repairs and maintenance Districtwide provided by Architectural Roofing Systems, Incorporated, dba Pacific Roofing Systems. This amended contract reduces the Faithful Performance Bond and the Payment Bond each to \$250,000 from \$750,000. Annual expenditures utilizing this contract are not-to-exceed \$750,000, funded by the appropriate accounts.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
36. **AMENDMENT TO INTERNET NETWORK SUPPORT SERVICES AGREEMENT, ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 483  
**EXHIBIT 36**  
Approval of the Amendment to the Internet Network Support Services Agreement with the Orange County Superintendent of Schools to provide Internet access and support to the District. This amendment changes the contract term. This contract will end June 30, 2014, at an annual fee of \$78,000, paid from the general fund.  
*CUSD Strategic Plan Pillar 5: Effective Operations*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**37. DECLARATION OF SURPLUS ITEMS:**

Approval of the declaration of surplus items listed and described as surplus, and the approval of the public and private disposition of the surplus items in accordance with Education Code §§17545-17546 and Board Policy 3270. District schools and programs have accumulated various pieces of equipment, vehicles, materials, and other items that are beyond economical repair, obsolete, no longer required within the current curriculum, or necessary for any other school purpose. These items will be disposed of by public sale, or if no reasonable bids are received, by private sale for salvage. All items are subject to reallocation within the District prior to sale or disposal. Revenues from the sale are unknown. Sale proceeds may be deposited into the original fund from which the purchase was made.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

**38. ~~ADVERTISE BID NO. 1415-07, ABATEMENT SERVICES:~~**

~~Approval to advertise Bid No. 1415-07 to provide abatement services as requested by the District. The formal bid process allows the District to secure the lowest possible prices and enter into an annual contract with a vendor that meets all of the legal requirements. This bid provides all labor, materials, and equipment required for abatement work. Annual expenditures utilizing this contract are not to exceed \$250,000, funded by deferred maintenance, routine restricted maintenance, and modernization funds. Due to the size of the bid package, the documents will be posted online on the District Board Agendas and Supporting Documentation page.~~

~~*CUSD Strategic Plan Pillar 5: Effective Operations*~~

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

Pulled on  
4/18/14

**39. ~~ADVERTISE BID NO. 1415-08, ELEVATOR SERVICE, MAINTENANCE, AND REPAIR:~~**

~~Approval to advertise Bid No. 1415-08 to provide elevator service, maintenance, and repair work as requested by the District. The formal bid process allows the District to secure the lowest possible prices and enter into an annual contract with a vendor that meets all of the legal requirements. This bid provides all labor, materials, and equipment required for elevator service, maintenance, and repair work. Annual expenditures utilizing this contract are not to exceed \$150,000, funded by routine restricted maintenance funds. Due to the size of the bid package, the documents will be posted online on the District Board Agendas and Supporting Documentation page.~~

~~*CUSD Strategic Plan Pillar 5: Effective Operations*~~

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

Pulled on  
4/18/14

**40. LOS ALAMITOS UNIFIED SCHOOL DISTRICT BID NO. 2010-0001, PURCHASE, RELOCATION, DISMANTLE AND REMOVAL OF DEPARTMENT OF STATE ARCHITECT (DSA) APPROVED PORTABLE CLASSROOMS DISTRICTWIDE, SILVER CREEK INDUSTRIES, INCORPORATED:**

Approval to utilize the Los Alamitos Unified School District Bid No. 2010-0001 for the purchase, relocation, dismantle, and removal of DSA approved portable classroom buildings from Silver Creek Industries, Incorporated, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for portable classroom buildings, as needed, throughout the District. Annual expenditures utilizing this contract are estimated to be \$750,000, funded by developer fees. 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.

Due to the size of the contract and award, the documentation will be posted online on the District Board Agendas and Supporting Documentation page.

**CUSD Strategic Plan Pillar 5: Effective Operations**

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

**PERSONNEL SERVICES**

- 41. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 493  
**EXHIBIT 41**

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.

**CUSD Strategic Plan Pillar 5: Effective Operations**

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

- 42. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 507  
**EXHIBIT 42**

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.

**CUSD Strategic Plan Pillar 5: Effective Operations**

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

- 43. **QUARTERLY REPORT – WILLIAMS SETTLEMENT UNIFORM COMPLAINT:** Page 515  
**EXHIBIT 43**

Acceptance of Williams Settlement 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, facility conditions posing a threat to student/staff health or safety, and instruction and services for the California High School Exit Examination. Furthermore, the law requires that any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. There are no deficiencies or complaints to report this quarter.

**CUSD Strategic Plan Pillar 5: Effective Operations.**

Contact: Jodee Brentlinger, Assistant Superintendent, Personnel Services

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**ROLL CALL:**

Student Advisor Leilah Rodriguez \_\_\_\_

Trustee Addonizio \_\_\_\_\_

Trustee Bryson \_\_\_\_\_

Trustee Hanacek \_\_\_\_\_

Trustee Hatton-Hodson \_\_\_\_\_

Trustee Pritchard \_\_\_\_\_

Trustee Reardon \_\_\_\_\_

Trustee Alpay \_\_\_\_\_

**NOTE: BY USING A ROLL CALL VOTE FOR THE CONSENT CALENDAR, IT WILL MEET THE NEED FOR ACTION ITEMS WHICH REQUIRE A SIMPLE MOTION OR ROLL CALL VOTE.**

**ADJOURNMENT**

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS WEDNESDAY, MAY 14, 2014, 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](http://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**

**ITEMS ON THE AGENDA.** Any person may address the Board concerning any item on the agenda and may, at the discretion of the Board, be granted three (3) minutes to make a presentation to the Board at the time a specific item is under discussion. However, the time assigned for individual presentations could be fewer than three (3) minutes depending upon the total number of speakers who wish to address a specific agenda topic. Prior to the opening of the meeting, a Request to Address the Board card (located in the foyer) should be completed and submitted to the Secretary of the Board. The total time devoted to presentations to the Board shall not exceed twenty (20) minutes, unless additional time is granted by the Board. All presentations shall be heard by the Board prior to the formal discussion of the agenda topic under consideration. Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic.

**ORAL COMMUNICATIONS (Non-Agenda Items).** Citizens may address the Board on any item not appearing on the agenda. Individual presentations are limited to three (3) minutes per individual, with twenty (20) minutes in total being devoted for this purpose, 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. However, at its discretion, the Board may refer items to the administration for follow-up or place topics on a future Board agenda.

**PUBLIC HEARINGS.** Anytime the Board schedules a separate public hearing on any 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 policy or recommended actions which are directed at the time of the hearing.

**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.

#### **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.*