

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

REVISED  
1-9-15

BOARD OF TRUSTEES  
Regular Meeting

January 14, 2015

Closed Session 5:00 p.m.  
Open Session 7:00 p.m.

**AGENDA**

**CLOSED SESSION AT 5:00 P.M.**

1. **CALL TO ORDER**
2. **CLOSED SESSION COMMENTS**
3. **CLOSED SESSION** (as authorized by law)

**A. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT**

**EXHIBIT A**

Supervisor IV, Early Childhood Programs  
(Pursuant to Government Code §54957)

**B. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION EXHIBIT B1-B5**

Kirsten Vital/Clark Hampton/Jodee Brentlinger/Michelle Le Patner/  
Attorney Dan Shinoff/Attorney Dan Spradlin  
Significant Exposure to Litigation – Five Cases  
(Pursuant to Government Code §54956.9)

**C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

**EXHIBIT C**

Kirsten Vital/Clark Hampton/John Forney/Attorney Jeff Hoskinson  
Property: Capistrano Valley High School, 26301 Via Escolar, Mission Viejo  
Negotiating Parties: American Tower Corporation  
Under Negotiation: Price and Terms of Payment  
(Pursuant to Education Code §54956.8)

**D. CONFERENCE WITH LABOR NEGOTIATORS**

Kirsten M. Vital/Jodee Brentlinger/Clark Hampton/Attorney Jon Pearl  
Employee Organization:  
1) Capistrano Unified Education Association (CUEA)  
2) California School Employees Association (CSEA)  
3) Teamsters  
4) Unrepresented Employees (CUMA)  
(Pursuant to Government Code §54957.6)

**E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

**EXHIBIT E**

Attorney Dan Shinoff  
Manager, Board Office Operations  
(Pursuant to Government Code §54957{b}{1})

**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**

*Patrick Levens – Exceptional Service to the District and Scholarship Donor  
Keith Hancock, Andy Magana, and Cathy Olinger – Tesoro High School Performing Arts  
Department Named Semi-finalists for the Grammy Foundation Award  
Student Body President's Report – Capistrano Valley 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.

### **DISCUSSION/ACTION ITEMS**

#### **1. ~~EARLY CHILDHOOD PROGRAMS UPDATE:~~**

~~The connection between preschool services and school readiness for school success is important in preparing the 21<sup>st</sup> century student for kindergarten programs and beyond. This report will review data regarding the impact of Early Childhood Programs (ECP) on student success in compulsory education programs, demographic trends that have impacted ECP within the District, and proposed changes within ECP to maximize operational efficiency. There is no financial impact.~~

~~*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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.~~

#### **2. RESOLUTION NO. 1415-31, NOTICE OF INTENTION TO GRANT AN EASEMENT (RIGHT OF WAY) TO THE CITY OF SAN JUAN CAPISTRANO AND TAKING ACTIONS RELATED THERETO:**

The Board of Trustees is considering granting an easement and right of way to the City of San Juan Capistrano (City) on a portion of the property owned by the District located at 31422 Camino Capistrano pursuant to Education Code §17556 *et seq.* in order for the City to construct, maintain, adjust, repair, replace, and use, as applicable, roadway surfaces and foundations, curbs, gutters, sidewalks, landscaping, irrigation, utilities, and drainage facilities, and any improvements or facilities appurtenant thereto, and for other similar uses and improvements, including the right of ingress and egress, over, across, along, and under a portion of the District property located at 31422 Camino Capistrano.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

INFORMATION/  
DISCUSSION  
Page 1

#### **EXHIBIT 1**

*Item was pulled  
on 1/7/15, prior  
to posting*

DISCUSSION/  
ACTION  
Page 21

#### **EXHIBIT 2**

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. 1415-31, Notice of Intention to Grant an Easement (Right of Way) to the City of San Juan Capistrano and Taking Actions Related Thereto.

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

ROLL CALL:

Student Advisor Akhil Patel \_\_\_\_\_

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

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

Trustee Jones \_\_\_\_\_

Trustee McNicholas \_\_\_\_\_

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

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

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

**3. PRESENTATION AND RECEIPT OF THE ANNUAL FINANCIAL REPORT FOR THE COMMUNITY FACILITIES DISTRICTS – YEAR ENDING JUNE 30, 2014:**

Last year, the Board requested staff to provide an audit on the Community Facilities Districts (CFDs). This audit will be conducted annually for all CFDs. Under state law, annual fiscal audits are neither accepted nor rejected by a board, but merely received by the district. For record keeping purposes, the Board of Trustees has annually adopted a motion indicating recognition of receipt of the annual audit report. This agenda item pertains to the presentation of the 2013-2014 fiscal year Annual Financial Report to the Board of Trustees. The Annual Financial Report for the fiscal year ending June 30, 2014, was completed by the firm Vavrinek, Trine, Day & Co, LLP, Certified Public Accountants.

***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, who will introduce a partner from the audit firm Vavrinek, Trine, Day & Co., LLP to present a summary of the audit report for the year ending June 30, 2014.

Following discussion, it is recommended the Board of Trustees receive the Annual Financial Report for the District for the fiscal year ending June 30, 2014.

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

**4. COMMUNITY FACILITIES DISTRICT – DEFINING TERMINOLOGY:**

The Board will be provided with an overview of terms used in Community Facility District (CFD) mitigation agreements to describe authorized uses of CFD funds.

***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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

DISCUSSION/  
ACTION

Page 25

**EXHIBIT 3**

INFORMATION/  
DISCUSSION

Page 65

**EXHIBIT 4**

**5. SCHOOL BOARD MEETING SCHEDULE FOR JULY THROUGH DECEMBER:**

DISCUSSION/  
ACTION  
Page 125  
**EXHIBIT 5**

At the December 10 Board meeting, Trustees continued the approval of the proposed July through December 2015 School Board Meeting Schedule to allow staff to research if eliminating the August 12 Board meeting would affect District operations. Following staff research, Deputy Superintendent Clark Hampton reported that the statutory deadline for submitting special tax levies to the County is August 10. However, the County of Orange regularly provides an extension until August 20 or 21 but they do not like to extend beyond that date. Therefore, it would be preferable for the Board to approve the special tax levies on August 12. Based on this information, staff prepared three calendars for Trustee consideration. The first proposed calendar is the same calendar presented at the December 10 meeting. The second calendar eliminates the August 26 Board meeting, and the third calendar has one meeting in July and one meeting in August. Typically, Board meetings in July last less than an hour, so one meeting in July would be sufficient to conduct business. Having only one meeting in July and/or August would allow Trustees an opportunity to take a vacation during the summer months without missing a Board meeting.

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

***Contact: Kirsten M. Vital, Superintendent***

**Staff Recommendation**

It is recommended the Board President recognize Kirsten Vital, Superintendent, to present this item.

Following discussion, it is recommended the Board of Trustees approve one of the proposed July through December 2015 School Board Meeting Schedule or provide direction to staff.

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

**6. FIRST READING – REVISIONS TO BOARD POLICY 6151, CLASS SIZE:**  
Board Policy 6151, *Class Size*, is the governing policy for establishment of class sizes within the District. Due to the elimination of the Class Size Reduction Program in grades K-3, this policy is being brought to the Board to align with current practice.

INFORMATION/  
DISCUSSION  
Page 129  
**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 recognize Julie Hatchel, Assistant Superintendent, Education Services, Elementary, 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.

**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**

**7. SCHOOL BOARD MINUTES:**

Approval of the minutes of the December 10, 2014, regular Board meeting.

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

Page 131  
**EXHIBIT 7**

8. **CALIFORNIA SCHOOL BOARDS ASSOCIATION MEMBERSHIP:**  
Approval of membership in CSBA and GAMUT Online. Membership in the California School Boards Association (CSBA) would give Board members and administrators access to high-quality resources, support, and services that would help them fulfill their complex governance and leadership roles. One of the benefits of being a member of CSBA is membership provides a service entitled *Governance and Management Using Technology* (GAMUT). The GAMUT online policy information service provides easy access to CSBA's more than 650 sample policies, regulations, and bylaws; pertinent laws; and other resources, and is updated continuously. It includes all of CSBA's sample policies, the entire Education Code, Title 5, other referenced state and federal code sections, California Department of Education advisories, a "keyword" index, and the ability to download sample policies and regulations to word processing programs for editing, which would maximize efficiency. GAMUT would assist staff with bringing current Board policy into compliance. The vast majority of Board policies are outdated and many have not been updated since 1995. District membership fees in CSBA (\$7,196) and GAMUT Online services (\$2,188) for this year would be pro-rated from February 1 – June 30, 2015. Membership fees would be paid from the general fund.

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

***Contact: Kirsten M. Vital, Superintendent***

### **CURRICULUM & INSTRUCTION**

9. **LOCAL CONTROL ACCOUNTABILITY PLAN PARENT ADVISORY COMMITTEE:**

Approval of the Local Control Accountability Plan (LCAP) Parent Advisory Committee (PAC) members. The Local Control Funding Formula, California's school funding model, requires the development of an LCAP that links spending to specific district goals for student achievement. Districts are held accountable to the specific ways in which money is spent and how those decisions are improving student outcomes. A key aspect of the LCAP process is the engagement of and consultation with specific parent/guardian groups, including representation of foster-youth and low socio-economic status students. One way this is facilitated is through the formation of a PAC. The LCAP PAC will meet regularly to review the sections of the LCAP and provide ongoing input into the monitoring and revision of the LCAP. Applications for membership were available between December 5, 2014, through December 19, 2014, at all school sites, the Education Center reception desk, and on the District website.

***CUSD Strategic Plan Pillar 1: Community Relations***

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

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

10. **RESOLUTION NO. 1415-30, AMENDMENTS TO AGREEMENT CSPP-4309 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES:**

Approval of Resolution No. 1415-30, Amendments to Agreement No. CSPP-4309 with the California Department of Education for Child Development Services. This contract is a ratification of Amendment 01 to Contract No. CSPP-4309 with the California Department of Education for Child Development Services. Amendment 01 increases the maximum reimbursable rate from \$2,210,692 to \$2,521,512 from July 1, 2014, to June 30, 2015. This Agreement provides services related to preschool-age children to enhance optimal early childhood development and school readiness. The District's current enrollment within the state-funded program is operating above current minimum capacity levels. There is no financial impact.

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

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

Page 141

**EXHIBIT 8**

Page 143

**EXHIBIT 9**

Page 145

**EXHIBIT 10**

- 11. STUDENT TEACHING AGREEMENT – AZUSA PACIFIC UNIVERSITY:** Page 149  
**EXHIBIT 11**  
 Approval of student teaching agreement with Azusa Pacific University. During the school year, master teachers are selected to work with student teachers to fulfill the requirements for student teaching at various institutes of higher education. Student teaching is the fieldwork experience necessary to earn a teaching credential.  
*CUSD Strategic Plan Pillar 1: Community Relations*  
*Contact: Julie Hatchel, Assistant Superintendent, Education Service, Elementary*
- BUSINESS & SUPPORT SERVICES**
- 12. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 153  
**EXHIBIT 12**  
 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 \$2,509,054.79 and the commercial warrants total \$10,547,851.70. 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*
- 13. DONATION OF FUNDS AND EQUIPMENT:** Page 203  
**EXHIBIT 13**  
 Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$138, 171.12 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*
- 14. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 205  
**EXHIBIT 14**  
 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 two new agreements totaling \$11,000; eight ratifications to new agreements totaling \$151,027; one extension to an existing agreement totaling \$56,000; two extension ratifications to an existing agreements totaling \$10,500; and four amendment ratifications to existing agreements totaling \$68,400. 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*
- 15. SPECIAL EDUCATION SETTLEMENT AGREEMENTS:**  
 Approval of special education Settlement Agreement Case #2014090634 and Informal Dispute Resolution Case #092314. Due to the confidential nature of the Agreements, supporting information is provided to Trustees under separate cover. Expenditures under these Agreements are limited to \$66,060, funded by special education funds.  
*CUSD Strategic Plan Pillar 3: Academic Achievement & Enrichment*  
*Contact: Sara Jocham, Assistant Superintendent, SELPA and Special Education Operations*

**16. SPECIAL EDUCATION SETTLEMENT AGREEMENTS:**

Approval of the ratification of special education Settlement Agreement Case #2014100964, Informal Dispute Resolution Case #102814, and Case #112914. Due to the confidential nature of the Agreements, supporting information is provided to Trustees under separate cover. Expenditures under these Agreements are limited to \$21,000, funded by special education funds.

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

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

**17. INCOME AGREEMENT WITH ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:**

Ratification of the Income Agreement No. 41333 with the Orange County Superintendent of Schools to provide Leadership Development training for administrative coaching services for District administrators, specifically provided by Sheri Loewenstein of Instructional Services Programs – Institute for Leadership Development. The contractor will provide services at the rates indicated in the Agreement. The term of this Agreement is July 1, 2014, through June 30, 2015. Annual expenditures under this contract are limited to \$20,000, paid by the general fund.

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

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

Page 297

**EXHIBIT 17**

**18. EXTENSION OF INDEPENDENT CONTRACTOR AGREEMENT WITH KNOWLAND CONSTRUCTION SERVICES:**

Approval of the Extension of Independent Contractor Agreement No. I1011109 (ICA No. I1011109) with Knowland Construction Services (Knowland), to provide Department of State Architect (DSA) Inspector of Record (IOR) inspections, as required by the District. ICA No. I1011109 was awarded to Knowland pursuant to RFQ No. 4-1011 in 2011 for a one-year term. The District's Board of Trustees subsequently extended ICA No. I1011109 for a one-year term (ending in January 2013) and, then again, on January 27, 2014, for an additional year (ending on January 11, 2015). Knowland will provide services at the originally negotiated pricing, set forth in the 2011 Agreement, for the upcoming renewal period. Annual expenditures under this contract are limited to \$400,000, funded by the applicable project account.

*CUSD Strategic Plan Pillar 5: Effective Operations*

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

Page 305

**EXHIBIT 18**

**PERSONNEL SERVICES**

**19. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:**

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*

Page 321

**EXHIBIT 19**

**20. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:**

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*

Page 331

**EXHIBIT 20**

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

**ROLL CALL:**

Student Advisor Akhil Patel \_\_\_\_\_

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

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

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

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

**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, JANUARY 28, 2015, 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.*