

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

BOARD OF TRUSTEES
Regular Meeting

February 24, 2016

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 PERFORMANCE EVALUATION

Superintendent
(Pursuant to Government Code §54957)

B. PUBLIC EMPLOYEE/DISCIPLINE/DISMISSAL/RELEASE

Executive Director, Tim Brooks, Human Resource Services/Investigations
(Pursuant to Government Code §54957)

**EXHIBIT B-1
EXHIBIT B-2**

C. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Kirsten M. Vital/Clark Hampton
Attorney: David Huff
Significant Exposure to Litigation—Two Cases
(Pursuant to Government Code §54956.9(d)(2))

Kirsten Vital/Susan Holliday
Attorney: Mark Bresee
Significant Exposure to Litigation – One Case: Student Complaint
(Pursuant to Government Code §54956.9(d)(2))

D. CONFERENCE WITH LABOR NEGOTIATORS

Kirsten M. Vital/School Services of California/Clark Hampton
Employee Organizations:
1) Capistrano Unified Education Association (CUEA)
2) California School Employees Association (CSEA)
3) Teamsters
4) Unrepresented Employees (CUMA)
(Pursuant to Government Code §54957.6)

EXHIBIT D

E. STUDENT EXPULSIONS

Deliberations of Findings of Fact and Recommendations
(Pursuant to Education Code §48918{c} and §35145)

**EXHIBIT E-1
EXHIBIT E-2
EXHIBIT E-3**

PUBLIC HEARINGS:

Agenda Item 1: Presentation of Petition For Global Business Academy Charter School

Agenda Item 2: California Department of Education Waiver Approval to Offer a Modified Instructional Day Transitional Kindergarten Program at Kinoshita Elementary School

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.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

Associated Student Body Report:

Chris Carter, Principal, Matt Reid, Director of Student Activities and McKenna Brownell, Student Body President from San Clemente High School will report on their school and activities.

Extra Miler:

To recognize Shalin Shah, a Tesoro High School student for the creation of the Vision app that serves the blind and visually impaired. The District is recognizing Shalin as an “Extra Miler.”

Learning in Capo Spotlight:

Innovation in Education: The District raises the bar with the addition of 30 school counselors at the start of the school year to support our students’ needs in social-emotional prevention and support, academics and college and career readiness.

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 HEARINGS

1. PUBLIC HEARING: PRESENTATION OF PETITION FOR GLOBAL BUSINESS ACADEMY CHARTER SCHOOL: INFORMATION/ DISCUSSION/

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. The Global Business Academy has presented a petition for a Charter School within the District. Due to the size of the exhibit, the information can be viewed online, documents are posted online on the District’s Board Agendas and Supporting Documentation page.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

Staff Recommendation

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

2. **PUBLIC HEARING: CALIFORNIA DEPARTMENT OF EDUCATION WAIVER APPROVAL TO OFFER A MODIFIED INSTRUCTIONAL DAY TRANSITIONAL KINDERGARTEN PROGRAM AT KINOSHITA ELEMENTARY SCHOOL:** INFORMATION/
DISCUSSION/

The Board will conduct a public hearing on the waiver approval to offer a modified instructional day Transitional Kindergarten program at Kinoshita elementary school. Supporting information is located in Exhibit 24.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

Staff Recommendation

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

DISCUSSION/ACTION ITEMS

3. **2016 FINANCING PLANS FOR COMMUNITY FACILITIES DISTRICTS:** INFORMATION/
DISCUSSION/
Page 1
EXHIBIT 3

The Board will receive an information presentation on the 2016 financing plans for Community Facilities Districts (CFDs). Four CFDs have potential financing activity this upcoming year:

-CFD 87-1 Mission Viejo/Aliso Viejo

-CFD 90-2 Talega

-CFD 98-1 Pacifica San Juan

-CFD 2005-1 Whispering Hills

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

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

Staff Recommendation

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

4. **FOURTH READING – REVISIONS TO BOARD POLICY 5111.5, LANGUAGE IMMERSION AND INTERNATIONAL BACCALAUREATE ADMISSIONS:** DISCUSSION/
ACTION
Page 32
EXHIBIT 4

Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions*, has been updated to reflect the recommended matriculation pathway for the Mandarin Immersion Program only. Revisions have been made per Trustee feedback. Changes are underlined, deletions are struck-through.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Assistant Superintendent, Education Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions*.

Motion by _____ Seconded by _____

5. FOURTH READING – REVISIONS TO BOARD POLICY 5119, SCHOOL OF CHOICE:

DISCUSSION/
ACTION
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EXHIBIT 5

Board Policy 5119, *School of Choice*, was recently revised and Board approved on December 9, 2015. The School of Choice window opened on February 1, 2016 and closes March 4, 2016. While implementing the 2016-2017 revisions of Board Policy 5119, *School of Choice*, staff identified needed revisions relating to siblings and employee’s children at impacted schools as well as specialized programs and continuing students. The proposed revision mitigates these issues. Changes are underlined; deletions are struck through.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Assistant Superintendent, Education Services, to present information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve Board Policy 5119, *School of Choice*.

Motion by _____ Seconded by _____

6. FIRST READING – REVISIONS TO BOARD POLICY 3100, BUDGET:

DISCUSSION/
ACTION
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EXHIBIT 6

Board Policy 3100, *Budget*, was drafted to update and provide more comprehensive information on legal requirements along with best practices. Changes are underlined; deletions are struck through. There is no financial impact.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve the First Reading Revisions to Board Policy 3100, *Budget*.

Motion by _____ Seconded by _____

7. FIRST READING – DELETION OF BOARD POLICY 3110, FUND DESIGNATION:

DISCUSSION/
ACTION
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EXHIBIT 7

Board Policy 3110, *Fund Balance Designation*, is recommended for deletion as this policy is now incorporated into Board Policy 3100. There is no financial impact.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve the deletion of Board Policy 3110, *Fund Balance Designation*.

Motion by _____ Seconded by _____

8. LOCAL CONTROL ACCOUNTABILITY PLAN UPDATE:

In June 2013, the Legislature adopted a new funding system for schools in California known as the Local Control Funding Formula (LCFF). As part of LCFF, the Legislature included an accountability component known as the Local Control and Accountability Plan (LCAP). In developing its LCAP, the District must solicit input and consult with stakeholders. Tonight staff will share an update that includes implementation progress, enhanced stakeholder engagement strategies, and development of the 2016-2017 LCAP and Annual Update.

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.

Contacts: Susan Holliday, Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Assistant Superintendent, Education 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. 1516-36, NON-REELECTION OF TEMPORARY CERTIFICATED EMPLOYEES:

The Education Code permits school districts to hire certificated employees on temporary contracts only for specific reason per §44909, §44918, and §44920. The District has appropriately classified 157 certificated employees as temporary for the 2015-2016 school year. These employees are replacing other employees on leave, are serving in programs with expiring categorical funding sources, or are placeholders for regular employees who are released from their normal assignments to work in a categorical program. Education Code §44954 requires the Board to notify temporary employees in a position requiring certification qualification of the District's decision to release the employees from such positions prior to the next school year. The District is not recommending laying off permanent and Temporary teachers, nor releasing teachers employed on temporary contracts for budget reduction purposes. The temporary release of employees, as presented in this item, is an annual process the District must utilize to ensure permanent teachers funded through categorical resources and permanent teachers on leaves of absence have a position for the succeeding school year. As the District begins staffing for the 2016-2017 school year, decisions will be made regarding how many permanent teachers will be funded through categorical resources as well how many permanent teachers will request leaves of absence, part-time contracts, and partnership assignments. As permanent teachers "temporarily" vacate their positions, temporary teachers will be rehired. The District intends to have ninety percent of staffing completed before June 30, 2016 including the rehiring of existing temporary teachers and potential new hires.

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

Contact: Tim Brooks, Executive Director, Human Resource Services/Investigations

Staff Recommendation

It is recommended the Board President recognize Tim Brooks, Executive Director, Human Resource Services/Investigations, to present this item.

INFORMATION/
DISCUSSION
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EXHIBIT 8

DISCUSSION/
ACTION
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EXHIBIT 9

Following discussion, it is recommended that the Board of Trustees adopt Resolution No. 1516-36, Non-Reelection of Temporary Certificated Employees and authorize the District to issue notices.

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Sorensen	_____	Trustee McNicholas	_____
Trustee Alpay	_____	Trustee Hanacek	_____
Trustee Pritchard	_____	Trustee Reardon	_____
Trustee Jones	_____	Trustee Hatton-Hodson	_____

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.

BUSINESS & SUPPORT SERVICES

10. DONATION OF FUNDS AND EQUIPMENT:

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$407,877.33 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 WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

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

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EXHIBIT 10

11. PURCHASE ORDERS AND WARRANTS:

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 \$3,311,546.77 and the commercial warrants total \$13,503,424.60. 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.

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

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EXHIBIT 11

12. 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. The expenditures related to the listed agreements were previously authorized as part of the District’s budget approval process. The exhibit shows two new retroactive agreements totaling \$219,150, two retroactive extensions totaling \$16,600, and one retroactive amendment that has no fiscal impact. 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. Agreement listing is attached.

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EXHIBIT 12

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

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

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

13. EXTENSION NO. 1 OF AGREEMENT FOR BID NO. 1415-13, CONCRETE REPAIRS AND MAINTENANCE—ABOVE ALL NAMES, INC.:

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EXHIBIT 13

Approval of Extension No. 1 of Agreement Bid No. 1415-13, Concrete Repairs and Maintenance with Above All Names, Inc., to provide concrete repairs and maintenance as needed throughout the District. The current hourly labor rates for the renewal period of January 1, 2016 through December 31, 2016, will remain the same as under the original bid proposal. Annual expenditures utilizing this contract are estimated to be \$250,000, funded by deferred maintenance and routine restricted maintenance. Actual expenditures will vary on District needs and availability of funding.

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

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

14. EXTENSION NO. 2 OF AGREEMENT FOR BID NO. 1314-17, MILK AND DAIRY PRODUCTS - HOLLANDIA DAIRY, INCORPORATED:

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EXHIBIT 14

Approval of Extension No. 2 of Agreement of Bid No. 1314-17, Milk and Dairy Products with Hollandia Dairy, Incorporated to provide milk and dairy products for all sites throughout the District. The vendor is requesting a decrease of three items, an increase to one item, and four items remain the same to their proposed pricing for 2016-2017 for the renewal period of March 10, 2016 through March 9, 2017 as shown in Exhibit A, due to monthly price adjustments made by the California Department of Food and Agriculture in the farm milk price, grain, energy costs, and labor costs. Milk and dairy prices are adjusted monthly by the California Department of Food and Agriculture. The District cannot obtain fixed pricing for dairy products as it can cause a violation of state law. California law (Food and Agricultural Code Section 61384) prohibits sales of dairy products below cost. Annual expenditures under this contract are estimated to be \$600,000 funded by Food and Nutrition Services. Actual expenditures under this bid will vary depending on the needs of the District and availability of funding.

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

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

15. CHANGE ORDER NO. 1, BID NO. 1516-09, NEWHART MIDDLE SCHOOL AIR HANDLING UNIT REPLACEMENT:

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EXHIBIT 15

Approval of Change Order No. 1 related to the necessary upgrade of electrical wiring for new thermostats and the encapsulation of existing ductwork to seal and mitigate air loss. The existing conditions were not included in the original project scope and were necessary for operation and to maintain maximum airflow. This change order consists of additions, deletions, or other revisions that are now being presented to the Board of Trustees for approval. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$482,000. The new contract sum including Change Order No. 1 is \$508,318, funded by Mission Viejo Redevelopment Successor Agency funds.

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

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

16. CHULA VISTA ELEMENTARY SCHOOL DISTRICT BID NO. 14/15-3, PURCHASE, RELOCATION, DISMANTLE AND REMOVAL OF DEPARTMENT OF STATE ARCHITECT (DSA) APPROVED PORTABLE CLASSROOMS DISTRICTWIDE, SILVER CREEK INDUSTRIES, INCORPORATED:

Approval to utilize the Chula Vista Elementary School District Bid No. 14/15-3 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. 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. Staff has determined that piggy backing on the Chula Vista Elementary School contract with Silver Creek Industries, Inc. is in the best interest of the District as it will save the District time and money by the District not having to hold multiple bids to secure the portable buildings. By approving this request, the Board agrees with and makes such findings and authorizes the Deputy Superintendent, Business and Support Services and/or his designee, to purchase directly from Silver Creek Industries, Inc. during the time the underlying contract between Chula Vista Elementary School District and Silver Creek Industries, Inc. is in force and effect. Annual expenditures utilizing this contract are estimated to be \$750,000, funded by developer fees. Actual expenditures will vary depending on District needs and availability of funding. 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 WIG 3: Facilities – Optimize facilities and learning environments for all students.

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

17. CORONA-NORCO UNIFIED SCHOOL DISTRICT BID NO. 2015/16-006 – JIT CLASSROOM & OFFICE SUPPLIES, SOUTHWEST SCHOOL SUPPLY:

Approval to utilize Corona-Norco Unified School District Bid No. 2015/16-006 JIT Classroom & Office Supplies for the purchase of office supplies and equipment from Southwest School Supply, as needed, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for office supplies and equipment, as needed, throughout the District. Anticipated annual expenditures utilizing this contract are approximately \$100,000. Actual expenditures may vary depending on District needs and the availability of funding. Funding for these expenditures may include, but are not limited to, site funds, gift funds, and the general fund. 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's Board Agendas and Supporting Documentation page.

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

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

18. ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR WINTER 2016:

Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Winter 2016. The Aliso Viejo Community

Association owns and maintains Woodfield Park, adjacent to Aliso Niguel High School. The Winter 2016 LUMA allows the District to use Woodfield Park, baseball field #5 from early February until mid-May 2016 for a fee of \$350, as detailed in the LUMA. The Winter 2016 LUMA is similar to past years' agreements relating to the use of Woodfield Park.

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

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

19. ARCHITECTURAL AND RELATED SERVICES AGREEMENT–WLC ARCHITECTS, INCORPORATED–ALISO NIGUEL HIGH SCHOOL MODULAR PORTABLE:

Approval of the Agreement for Architectural and Related Services with WLC Architects, Incorporated to provide services related to the design and construction of one portable classroom and associated site work at Aliso Niguel High School to accommodate a growing orchestra and band program. The fixed fee for basic services is \$23,000 plus reimbursable expenses in the amount of \$4,620 as detailed in the Agreement. Due to the size of the Agreement for Architectural and Related Services, it will be posted online in the District Board Agendas and Supporting Documentation page. This project is funded by CFD funds.

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

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

20. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION:

Approval of the ratification of special education Informal Dispute Resolution Case #20160121. Due to the confidential nature of the Agreement, supporting information is provided to Trustees under separate cover. There is no financial impact.

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

Contact: Mark Miller, Assistant Superintendent, SELPA, Special Education Services

21. AVID COLLEGE READINESS SYSTEM SERVICES AND PRODUCTS AGREEMENT FOR AVID SECONDARY MEMBERSHIP:

Approval of the Amendment to the AVID College Readiness System Services and Products Agreement for AVID Secondary Membership. This Amendment is to provide additional requested services to new District administrative staff. The term of this Amendment remains July 1, 2015 through June 30, 2016. The additional services requested under this contract are quoted to be \$6,300, funded by Local Control Accountability Plan 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: Susan Holliday, Assistant Superintendent, Education Services

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EXHIBIT 21

22. RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT ADOPTING A NEGATIVE DECLARATION; APPROVING THE ESENCIA K-8 PROJECT; AND DELEGATING AUTHORITY TO STAFF TO EXECUTE THE NOTICE OF DETERMINATION:

Approval of Resolution No. 1516-34 authorizing the adoption of the Negative Declaration for Esencia K-8 in compliance with California Environmental Quality Act (CEQA) Guidelines 15072. The Construction Facilities Department drafted an environmental study in the form of a Negative Declaration for the proposed Esencia K-8 property. On January 11, 2016, the District posted public notice of the Negative Declaration for the Esencia K-8 Project for a 30 day public review and comment

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EXHIBIT 22

period. In compliance with CEQA Guidelines, public comments have been addressed and published in the Negative Declaration. With approval of Resolution No. 1516-34, District staff will procure and execute the Notice of Determination. Due to the size of the Negative Declaration, the documentation will be posted online on the District Board Agendas and Supporting Documentation page.

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

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

Motion by _____ Seconded by _____

ROLL CALL:

Student Advisor Sorensen	_____	Trustee McNicholas	_____
Trustee Alpay	_____	Trustee Hanacek	_____
Trustee Pritchard	_____	Trustee Reardon	_____
Trustee Jones	_____	Trustee Hatton-Hodson	_____

CURRICULUM & INSTRUCTION

23. STUDENT READMISSIONS:

Approval to readmit students from expulsion. Due to the confidential nature of this item, the supporting information for this item is provided to Trustees under separate cover.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

24. CALIFORNIA DEPARTMENT OF EDUCATION WAIVER APPROVAL TO OFFER A MODIFIED INSTRUCTIONAL DAY TRANSITIONAL KINDERGARTEN PROGRAM AT KINOSHITA ELEMENTARY SCHOOL:

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EXHIBIT 24

Approval of waiver to offer modified instructional day Transitional Kindergarten program, Pursuant to Education Code §37202. Transitional Kindergarten programs operated by a district must be of equal length to any kindergarten programs operated by the same district, unless there is an approved State Board of Education [waiver](#) on file. By statute, the maximum school day in kindergarten is four hours (Education Code §46110). An exception to this statute allows schools that have adopted an early primary program (extended-day kindergarten) to exceed four hours (Education Code §8973). The kindergarten program at Kinoshita Elementary School currently offers an extended-day kindergarten program. A waiver is needed to request a modified instructional day for the Transitional Kindergarten class at Kinoshita Elementary School that reflects a different schedule than the kindergarten classroom on site. The waiver would apply to the 2015-2016 and 2016-2017 school years. There is no financial impact.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

25. CALIFORNIA STATE UNIVERSITY, FULLERTON MASTER TEACHER PAYMENT:

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EXHIBIT 25

Approval of payment to District master teachers who supported a student teacher during the 2015 Fall semester. Student teachers from various universities are placed in the District throughout the school year. Current university agreements specify that institutions pay master teachers a nominal stipend for their supervision and support of student teachers. California State University, Fullerton has agreed to reimburse the District for all costs associated with compensating master teachers. The

compensation amounts vary because of different statutory costs and nature of assignments.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

26. FIELD EXPERIENCE/STUDENT TEACHING AGREEMENT – SAN DIEGO CHRISTIAN COLLEGE: Page 194
EXHIBIT 26

Approval of unpaid field experience/student teaching agreement with San Diego Christian College for placement of teaching candidates. During the school year, master educators are selected to work with teaching candidates to fulfill the fieldwork/student teaching requirements at various institutes of higher education. Fieldwork/ student teaching experience is necessary to earn a teaching credential.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

27. FIELD EXPERIENCE/STUDENT TEACHING AGREEMENT – UNIVERSITY OF PHOENIX: Page 196
EXHIBIT 27

Approval of unpaid field experience/student teaching agreement with University of Phoenix for placement of teaching candidates. During the school year, master educators are selected to work with teaching candidates to fulfill the fieldwork/student teaching requirements at various institutes of higher education. Fieldwork/ student teaching experience is necessary to earn a teaching credential.

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

Contact: Susan Holliday, Assistant Superintendent, Education Services

GENERAL FUNCTIONS

28. MODIFICATION TO THE AGENDA:

Approval to change the format of the Board meeting agenda to move the Consent Calendar to the beginning of the agenda following any Public Hearings and before Discussion/Action and Information/Discussion items.

Contact: Kirsten M. Vital, Superintendent

29. SCHOOL BOARD MINUTES: Page 203
EXHIBIT 29

Approval of the minutes for the November 18, 2015 Regular Board Meeting.

Contact: Colleen Hayes, Manager IV, Superintendent's Office

30. SCHOOL BOARD MINUTES: Page 211
EXHIBIT 30

Approval of the minutes for the December 9, 2015 Regular Board Meeting.

Contact: Colleen Hayes, Manager IV, Superintendent's Office

31. SCHOOL BOARD MINUTES: Page 212
EXHIBIT 31

Approval of the minutes for the January 13, 2016 Regular Board Meeting.

Contact: Colleen Hayes, Manager IV, Superintendent's Office

32. SCHOOL BOARD MINUTES: Page 213
EXHIBIT 32

Approval of the minutes for the January 20, 2016 Board workshop minutes.

Contact: Colleen Hayes, Manager IV, Superintendent's Office

HUMAN RESOURCE SERVICES

33. **JOINT POWERS AGREEMENT – THE SCHOOL EMPLOYERS ASSOCIATION OF CALIFORNIA:** Page 215
EXHIBIT 33
Approval of the Joint Powers Agreement with the School Employers Association of California (SEAC) to provide employers services in order to maintain programs, policies, and procedures necessary to understand and be guided by the provisions of the Educational Employment Relations Act, California Government Code Sections 3540, et seq. The SEAC mission is to provide education, support, and professional development to superintendents and management team negotiators through training, research, and advocacy. Services include sharing current information and research; offering conferences, workshops, consultation; and practicing proactive advocacy in support of management’s rights in collective bargaining and human resources management. By becoming a signatory, a member agency agrees to provide the Association with a total annual payment, based upon the number of employees of the member, as set forth in the fee schedule indicated in the Agreement. The Annual fee for the District is estimated to be \$3,413. School districts shall be members of the Association for an initial one-year term. Membership terms shall automatically renew year to year, on the same terms and conditions as the prior term, unless the member notifies the Association in writing 90 days prior to June 30.
CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.
Contact: Tim Brooks, Executive Director, Human Resource Services/Investigations

34. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 225
EXHIBIT 34
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 WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.
Contact: Tim Brooks, Executive Director, Human Resource Services/Investigations

35. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 226
EXHIBIT 35
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 WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.
Contact: Tim Brooks, Executive Director, Human Resource Services/Investigations

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, MARCH 9, 2016, 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

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.