

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

BOARD OF TRUSTEES
Regular Meeting

May 11, 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. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION EXHIBIT A

Kirsten M. Vital/Susan Holliday

Attorney: Anthony P. De Marco, Atkinson, Andelson, Loya, Ruud & Romo

Significant Exposure to Litigation – One Case

(Pursuant to Subdivisions (d)(2) and (e) of Government Code § 54956.9)

B. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Elementary School Principals (2)

Principal on Special Assignment (1)

(Pursuant to Government Code § 54957)

EXHIBIT B-1

EXHIBIT B-2

C. CONFERENCE WITH LABOR NEGOTIATORS

Kirsten M. Vital/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)

D. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent

Deputy Superintendent

(Pursuant to Government Code § 54957(b))

PUBLIC HEARINGS:

Agenda Item 1: Resolution No. 1516-52, a Resolution of the Board of Trustees of the Capistrano Unified School District of Formation of Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan) Authorizing the Levy of a Special Tax within the District and Establishing an Appropriations Limit for the District.

Agenda Item 2: Resolution No. 1516-53, a Resolution of the Board of Trustees of the Capistrano Unified School District Deeming it Necessary to Incur Bonded Indebtedness within Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan).

Agenda Item 3: Instructional Materials Recommended for Adoption: Secondary Mathematics, Grade 6 – 8.

Agenda Item 4: Capistrano Unified Education Association Initial Proposal for Negotiations and District’s Initial Proposal to Capistrano Unified Education Association for 2016-2017 Negotiations.

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

Celebration of Employee Anniversaries

30 Years of Service

Mark Allen, Store Keeper/Delivery Driver

Nancy Blackburn, Teacher

Deborah Daniels, Teacher

Brian Devaney, Teacher

Taine Gavin, Teacher

Lisa Hoover, Teacher

Deanna Maass, Teacher

Mark Pearson, Teacher

Maria Pino-Miranda, Preschool Site Facilitator

Eric Benson, Teacher

Maureen Cordina, Teacher

Geri Dendel, Academic Advisor

Michelle English, Teacher

Joyce Hogan, Teacher

Cynthia Johnson, Teacher

Helen Marty, Campus Supervisor

20 Years of Service

Laura Lyon, Principal

Jennifer Cortez, Teacher

Bobbi Sue Yslas, Manager

Extra Miler

Thank you to C.D. "Brud" LeTourneau and Sonia LeTourneau for their dedication to the Social Committee and their commitment to the Employees of Capistrano Unified School District they are recognized as "Extra Milers".

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. 1516-52, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT OF FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE DISTRICT:** INFORMATION/
DISCUSSION

The Board will conduct a public hearing on adopting Resolution No. 1516-52, A Resolution of the Board of Trustees of the Capistrano Unified School District of Formation of Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan), Authorizing the Levy of a Special Tax Within the District and Establishing an Appropriations Limit for the District. Supporting documentation information is located in Exhibit 18.

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

2. **PUBLIC HEARING: RESOLUTION NO. 1516-53, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN):** INFORMATION/
DISCUSSION

The Board will conduct a public hearing on adopting Resolution No. 1516-53, A Resolution of the Board of Trustees of the Capistrano Unified School District Deeming it Necessary to Incur Bonded Indebtedness within Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan). Supporting documentation information is located in Exhibit 19.

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

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.

3. **PUBLIC HEARING: INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY MATHEMATICS, GRADE 6 - 8:** INFORMATION/
DISCUSSION

The Board will conduct a public hearing on instructional materials for secondary mathematics, grade 6-8. Supporting documentation information is located in Exhibit 38.

CUSD WI 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 the item, and after hearing any speakers, formally close the public hearing.

4. PUBLIC HEARING: CAPISTRANO UNIFIED EDUCATION ASSOCIATION'S INITIAL PROPOSAL FOR NEGOTIATIONS AND DISTRICT'S INITIAL PROPOSAL TO CAPISTRANO UNIFIED EDUCATION ASSOCIATION FOR 2016-2017 NEGOTIATIONS: INFORMATION/
DISCUSSION

The Board will conduct a Public Hearing on receiving the Capistrano Unified Education Association's (CUEA) and Capistrano Unified School District's initial proposals for negotiations for the 2016-2017 school year. This Public Hearing is conducted to meet the sunshine requirements set forth in Government Code § 3547.

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

Contact: Gordon Amerson, Assistant Superintendent, Human Resource Services

Staff Recommendation

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

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 AND SUPPORT SERVICES

5. AMENDMENT TO AGREEMENT BID NO. 1415-12, CHROMEBOOKS – CDW GOVERNMENT, LLC: Page 1
EXHIBIT 5

Approval of the Amendment to Agreement Bid No. 1415-12 for the purchase of Chromebooks with CDW Government LLC, adding a replacement model to the current price list. The contract allows for product changes in the event an item is discontinued or no longer available. The product will be deemed acceptable only if it meets or exceeds original specifications, is provided at the same or lesser price of the original item, and the District approves the replacement. If the upgrade provides additional or enhanced functionality, the price of the new item must be mutually accepted by the District and the vendor. Estimated annual expenditures utilizing this contract are \$3,500,000, depending upon the availability of funds. Chromebooks may be funded through many sources, such as Common Core, gift, site funds, and grants.

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

6. AMERICAN RED CROSS SHELTER AGREEMENT: Page 24
EXHIBIT 6

Approval of the American Red Cross Shelter Agreement to permit the American Red Cross to use District facilities on a temporary basis as an emergency public shelter during a disaster. The agreement is valid until termination is requested, and ends 30 days after written notice by either party. All costs incurred will be reimbursed by the American Red Cross. There is no financial impact.

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

7. AWARD BID NO. 1516-12, SAN JUAN HILLS HIGH SCHOOL ADDITION PHASE I, WEST PARKING UPGRADES – PAUL C. MILLER CONSTRUCTION CO., INC.: Page 25
EXHIBIT 7

Approval of the Award of Bid No. 1516-12, San Juan Hills High School Addition Phase I, West Parking Upgrades, to Paul C. Miller Construction Co., Inc. On July 22, 2015, the Board of Trustees authorized staff to advertise for bids for a two-story

classroom building to accommodate additional enrollment projections. Four bids were received and opened on April 14, 2016, which are listed in Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. Paul C. Miller Construction Co., Inc. was the lowest responsive bidder at \$1,023,681. The project is funded by Developer fees, sale proceeds of north transportation yard property, CFD No. 90-2, CFD No. 90-2 Improvement Area No. 2002-1, and CFD No. 98.2

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

8. **AWARD BID NO. 1516-22, ALISO NIGUEL HIGH SCHOOL RELOCATABLE CLASSROOMS – R. JENSEN COMPANY INCORPORATED:** Page 59
EXHIBIT 8

Approval of Award of Bid No. 1516-22, Aliso Niguel High School Relocatable Classrooms to R. Jensen Company, Incorporated. Bids were received and opened on April 15, 2016; the four bids obtained are included in Exhibit A. The lowest base bid was used to determine the lowest responsive bidder. Aghapy Group, Incorporated was the lowest responsive bidder at \$154,200, and has requested relief of bid due to a clerical error resulting in a materially lower-than-intended bid. Per Public Contract Code §§ 5100-5110, Relief of Bidders; the District may relieve a bidder due to a mistake in bid submission, causing the bid to be materially different than intended, and award the contract to the second lowest bidder, if it is in the best interest of the District to do so. Staff is recommending the relief of Aghapy Group, Incorporated, from the bid for the Aliso Niguel High School Relocatable Classrooms project due to a mistake in bid submission, and award the second lowest bid to R. Jensen Company, Incorporated, at the price of \$213,800, funded by CFD funds.

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

9. **AWARD BID NO. 1516-25, ASPHALT PAVING, SEALCOATING AND REPAIR – BEN’S ASPHALT, INCORPORATED:** Page 60
EXHIBIT 9

Approval of the Award of Bid No. 1516-25, Asphalt Paving, Sealcoating and Repair to Ben’s Asphalt, Incorporated. Four bids were received and opened on April 13, 2016, which are listed in Exhibit A. The low bid is determined by select line items representing the most common District projects at a weighted percentage. Ben’s Asphalt Incorporated is the lowest responsive, responsible bidder. The initial contract term is July 1, 2016 through June 30, 2017, and may be extended by mutual agreement for a renewal term not-to-exceed two additional one-year periods. The project will be funded by deferred maintenance.

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

10. **CHARTER FACILITIES AGREEMENT FOR 2016-2017 THROUGH 2018-2019, COMMUNITY ROOTS ACADEMY:** Page 102
EXHIBIT 10

Approval of Charter Facilities Agreement with Community Roots Academy in-lieu of Proposition 39 where Community Roots Academy (Charter School) will operate at Crown Valley Elementary School starting the 2016-2017 school year. Terms of this agreement include the use of the administrative offices, classrooms, outdoor spaces, parking, and other spaces described and depicted in Exhibit A for a term of three years July 1, 2016 to June 30, 2019. Lease payments will be calculated at \$0.5517 per month, per square foot of 50,332 building space for a total of \$333,323.12 for one year or \$27,776.93 per month for twelve months. This rate is based on an 80/20 percent split of District/out-of-District students. On or before October of each year, including any extensions, the Charter School will provide evidence to the District establishing the percentage of enrolled students who are residents. If the percentage of enrolled students who are residents of the District is demonstrated to be 85 percent higher or 75 percent lower, the rate will be adjusted to reflect the actual percentage split of in-District/out-of-District students for that year. Additionally, Community Roots Academy will be responsible for 100 percent of all utilities services during the applicable years. The proposed agreement has been

reviewed and approved by the District's legal counsel.

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

- 11. DIABLO VALLEY COLLEGE ACADEMY SUPPORT CENTER WESTERN ACADEMY SUPPORT AND TRAINING CENTER AFFILIATION AGREEMENT:** Page 121
EXHIBIT 11

Approval of Diablo Valley College Academy Support Center Western Academy Support and Training Center Affiliation Agreement to establish an association with Contra Costa Community College District's Diablo Valley College to provide various forms of operational support. This agreement will be effective on July 1, 2016. The anticipated expenditure under this agreement is \$550, funded from the general fund.

Contact: Susan Holliday, Assistant Superintendent, Education Services
- 12. DONATION OF FUNDS AND EQUIPMENT:** Page 123
EXHIBIT 12

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$70,272.74 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 13. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 124
EXHIBIT 13

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 three new agreements totaling \$46,150, and seven amendment ratifications to existing agreements totaling \$87,000. 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.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 14. PROCURE ELIGIBLE E-RATE ITEMS UTILIZING REQUESTS FOR PROPOSALS PROCESS:** Page 163
EXHIBIT 14

Approval to procure eligible E-Rate items (Categories 1 and 2) utilizing Requests for Proposals (RFP) process. Public Contract Code Section 20118.2 states that due to the highly specialized nature of technology, telecommunications, related equipment, software and services, it is in the public's best interest to allow a school district to consider, in addition to price, various factors. Section 20118.2(c) requires that prior to awarding contracts utilizing the competitive negotiation RFP process discussed in Section 20118.2(d), the governing board must make a finding that the items listed in the attached proposed Request for Proposal No. 1-1617 E-Rate Multiple Categories is eligible under the Public Contract Code Section 20118.2.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 15. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 193
EXHIBIT 15

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 \$3,841,215.42 and the commercial warrants total \$2,566,432.25. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.

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

16. **QUINTESSENTIAL SCHOOL SYSTEMS SERVICES AND SUPPORT AGREEMENT (FY 16-17):** Page 228
EXHIBIT 16
Approval of Quintessential School Systems Services and Support Agreement (FY 16-17), a business administrative software system. The term of the contract for annual support services expires June 30, 2017. The agreement provides professional consulting services related to regular support and maintenance for the product, as well as system software updates and opportunities for free professional training for staff. By taking advantage of the early payment discount of four percent, the annual fee of \$82,527 will be reduced to \$79,225.92, funded by the general fund.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
17. **QUARTERLY REPORT – WILLIAMS SETTLEMENT UNIFORM COMPLAINT:** Page 239
EXHIBIT 17
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 any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. During the third quarter, no complaints were filed.
Contact: Gordon Amerson, Assistant Superintendent, Human Resource Services
18. **RESOLUTION NO. 1516-52, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT OF FORMATION OF COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN), AUTHORIZING THE LEVY OF A SPECIAL TAX WITHIN THE DISTRICT AND ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE DISTRICT:** Page 240
EXHIBIT 18
Following the information presentation on February 24, 2016, and the Board's adoption of a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-52 and related documents on the formation of CFD 98-1B for the Pacifica San Juan community.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
19. **RESOLUTION NO. 1516-53, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT DEEMING IT NECESSARY TO INCUR BONDED INDEBTEDNESS WITHIN COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN):** Page 267
EXHIBIT 19
Following the information presentation on February 24, 2016, and the Board's adoption of a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-53 determining it is necessary to issue bonds to help fund the share of mitigation owed by new homes within CFD 98-1B. The bonds will finance school facilities and city infrastructure.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
20. **RESOLUTION NO. 1516-54, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT CALLING SPECIAL ELECTION FOR COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN):** Page 275
EXHIBIT 20
Following the information presentation on February 24, 2016, and the Board's adoption of a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-54 calling for a special

election of the landowners within CFD 98-1B. The Clerk of the Board will conduct the election by receiving and counting the ballots.

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

21. **RESOLUTION NO. 1516-55, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT DECLARING RESULTS OF SPECIAL ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN:** Page 286
EXHIBIT 21
Following the information presentation on February 24, 2016, and the Board's adoption of a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-55 declaring the results of the special election of the landowners within CFD 98-1B.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
22. **RESOLUTION NO. 1516-56, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN) PERMANENTLY REDUCING THE LEVY OF SPECIAL TAXES WITHIN COMMUNITY FACILITIES DISTRICT NO. 98-1A, MAKING CERTAIN FINDINGS WITH RESPECT THERETO, AND DIRECTING THE EXECUTION AND RECORDATION OF A SECOND AMENDED NOTICE OF SPECIAL TAX LIEN:** Page 294
EXHIBIT 22
Following the information presentation on February 24, 2016, the Board is asked to consider approval of Resolution No. 1516-56 permanently reducing the maximum special tax levy for CFD 98-1A to 39.67 percent of the prior maximum special tax levy.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
23. **RESOLUTION NO. 1516-58, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 87-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (MISSION VIEJO/ALISO VIEJO) RATIFYING AND APPROVING ACTIONS PREVIOUSLY AUTHORIZED BY THE BOARD OF TRUSTEES IN RESOLUTION NO. 1314-30 REGARDING SCHOOL FACILITIES, RETIREMENT OF BONDS AND CESSATION OF SPECIAL TAXES, MAKING CERTAIN DETERMINATIONS AND TAKING RELATED ACTIONS:** Page 324
EXHIBIT 23
Following the information presentation on February 24, 2016, the Board is asked to consider approval of Resolution No. 1516-58 acting on behalf of CFD 87-1 authorizing the prepayment of the outstanding bonds for CFD 87-1.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
24. **RESOLUTION NO. 1516-60, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT RATIFYING AND APPROVING ACTIONS PREVIOUSLY AUTHORIZED BY THE DISTRICT IN RESOLUTION NO. 1314-29 IN CONNECTION WITH COMMUNITY FACILITIES DISTRICT NO. 87-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (MISSION VIEJO/ALISO VIEJO) REGARDING SCHOOL FACILITIES, RETIREMENT OF BONDS AND CESSATION OF SPECIAL TAXES, MAKING CERTAIN DETERMINATIONS AND TAKING RELATED ACTIONS:** Page 332
EXHIBIT 24
Following the information presentation on February 24, 2016, the Board is asked to consider approval of Resolution No. 1516-60 authorizing the prepayment of the outstanding bonds for CFD 87-1.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

CURRICULUM AND INSTRUCTION

25. **INTERAGENCY AGREEMENT BETWEEN REGIONAL CENTER OF ORANGE COUNTY, ORANGE COUNTY SPECIAL EDUCATION LOCAL PLAN AREAS, ORANGE COUNTY HEAD START INC., AND RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT EARLY HEAD START PROGRAM:** Page 339
EXHIBIT 25
- Approval of the Interagency Agreement between Regional Center of Orange County and Orange County Special Education Local Plan Areas also referred to as California Early Start Agencies (CES) and Early Head Start grantees which include Orange County Head Start Inc. and Rancho Santiago Community College District Early Head Start Program, also referred to as Early Head Start Agencies (EHS). CES provides early intervention services to families of infants and toddlers, birth to 36 months of age, who meet eligibility within the categories of Developmental Delay and Established Risk. EHS programs offer home-based and center-based program options for eligible children and families. For pregnant women and families with infants and toddlers, birth to 36 months, EHS offers a home-based option that includes home visits and monthly socialization opportunities. The center-based option includes age-appropriate child development services in a classroom setting. There is no financial impact.
- Contact: Mark Miller, Assistant Superintendent, SELPA, Special Education Services*

HUMAN RESOURCE SERVICES

26. **GOVERNMENT CLAIM: NO. EMP 1602220 DP**
Rejection of Government Claim: No. EMP 1602220 DP, this agenda item pertains to a claim filed against the District by William W. Crosby, Esq. This claim is based upon alleged subjection to unwanted aggressive behavior, intimidation and bullying toward an employee. The employee claims past and future loss of earnings and general damages in the sum of \$1,000,000 for severe mental and emotional distress. Rejection of this claim does not have any financial implications on the general fund budget and establishes procedural timelines. Due to the confidential nature of this item, supporting information is provided to Trustees under separate cover.
Contact: Gordon Amerson, Assistant Superintendent, Human Resource Services
27. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 347
EXHIBIT 27
Approval of the activity list for employment, separation, and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.
Contact: Gordon Amerson, Assistant Superintendent, Human Resource Services
28. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 353
EXHIBIT 28
Approval of the activity list for employment, separation, and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.
Contact: Gordon Amerson, Assistant Superintendent, Human Resource Services

GENERAL FUNCTIONS

29. **SCHOOL BOARD MINUTES:** Page 363
EXHIBIT 29
Approval of the minutes for the March 9, 2016 Regular Board Meeting.
Contact: Colleen Hayes, Manager IV, Superintendent's Office

30. **SCHOOL BOARD MINUTES:**
Approval of the minutes for the February 24, 2016 Regular Board Meeting.
Contact: Colleen Hayes, Manager IV, Superintendent's Office

Page 371
EXHIBIT 30

Motion by _____ Seconded by _____

ROLL CALL:

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

DISCUSSION ACTION ITEMS

31. **SECOND READING – REVISIONS TO BOARD POLICY 6146.1 HIGH SCHOOL GRADUATION REQUIREMENTS:**

DISCUSSION/
ACTION
Page 381
EXHIBIT 31

Following three Special Board Study Sessions, held over the course of the 2015-2016 school year, regarding the District's High School Graduation Requirements, the following suggested revisions to Board Policy 6146.1 have been made: the Mathematics requirement has been increased from 20 credits to 30 credits to begin with the Class of 2020; the removal of the Reading Skills Development Class, as this class is no longer offered; the addition of College and Career Planning (CCP) and Health flexibility options where the language outlines how students may take both courses over the summer through various District approved providers and/or accredited institutions; and the removal of the California High School Exit Exam which is no longer required or offered. Changes are underlined; deletions are struck through. For 2016-2017 planning purposes, a decision is needed regarding the proposed increase in the mathematics requirements as well as a decision on the College and Career Planning course waiver. The remaining changes to the policy and conversation regarding overall goals and philosophy can be finalized at the June 8, 2016 Board Meeting. 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: 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 6146.1, *High School Graduation Requirements*.

Motion by _____ Seconded by _____

32. **UPDATE ON CALENDAR COMMITTEE AND CALENDAR DEVELOPMENT PROGRESS:**

INFORMATION/
DISCUSSION
Page 382
EXHIBIT 32

In preparation for the May 25, 2016 Board meeting where Trustees will be requested to approve the 2017-2018 School Calendar, staff will be presenting a brief update on the community outreach process as well as the Calendar Committee progress towards developing calendar options for Board approval. The Calendar 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 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 as a result of increased average daily attendance. Staff will present the feedback from three community forums, the summarized results of the phone poll, and the Calendar Committee's lead guiding factors as determined through consensus by which the calendar should be developed.

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.

33. FIRST READING – BOARD POLICY 1221, COMMUNITY FACILITIES DISTRICT CITIZENS' OVERSIGHT AND ADVISORY COMMISSION: DISCUSSION/
ACTION

On December 9, 2015 the Board received a Consensus Report presented by members of the Community Committee on School Classrooms and Campus Facilities that included a recommendation to establish a citizens' oversight and advisory commission on Community Facilities Districts (CFD). The Board subsequently received an information presentation on January 27, 2016 and an update on March 23, 2016. The Board is asked to consider adoption of new Board policy 1221 and an application process for the CFD commission.

Page 383

EXHIBIT 33

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 this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 1221, *Community Facilities District Citizens' Oversight and Advisory Commission*.

Motion by _____ Seconded by _____

34. THIRD READING – REVISIONS TO BOARD POLICY 5165.1, IMMUNIZATION REQUIREMENTS FOR SCHOOL ENTRY : DISCUSSION/
ACTION

Legal changes necessitate revisions to Board Policy 5165.1, *Immunization Requirements for School Entry*, to comply with State and Federal laws. Senate Bill 277 repeals the personal belief exemption from immunization. In accordance with the law, the District will no longer be able to enroll students without the required vaccinations unless the family submits a medical exemption from a licensed physician. The law also notes the allowable temporary and permanent exemptions from immunization. Additional revisions requested by Trustees during the second reading of this item have been made. Changes are underlined; deletions are struck through.

Page 387

EXHIBIT 34

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 5165.1, *Immunization Requirements for School Entry*.

Motion by _____ Seconded by _____

35. **FIRST READING – REVISIONS TO BOARD POLICY 5181, SECTION 504 OF THE REHABILITATION ACT NONDISCRIMINATION FOR STUDENTS WITH DISABILITIES:** DISCUSSION/
ACTION
Page 391
EXHIBIT 35

This proposed revision of Board Policy 5181, *Section 504 of the Rehabilitation Act Nondiscrimination for Students with Disabilities*, updates this policy to provide clear and consistent language regarding Section 504. In recognition of District students with disabilities, this new policy addresses standardization of practices to be implemented. These revisions are necessary to ensure consistency of language for future revisions of the current “CUSD Section 504 of the Rehabilitation Act of 1973 Parent Information” and current “CUSD Notification of Parent/Child Rights Afforded by Section 504 of the Rehabilitation Act of 1973.” The policy also reflects updates to Section 504 law and aligns with the proposed revisions of Board Policy 5141.27, *Food Allergies*. These revisions comply with Education Code § 56500 and the Individuals with Disabilities Education Act. 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 5181, *Section 504 of the Rehabilitation Act Nondiscrimination for Students with Disabilities*.

Motion by _____ Seconded by _____

36. **DELETION OF BOARD POLICY 6164.6, IDENTIFICATION AND EDUCATION UNDER SECTION 504:** DISCUSSION/
ACTION
Page 400
EXHIBIT 36

In the process of updating Board Policy 5181, *Section 504 of the Rehabilitation Act Nondiscrimination for Students with Disabilities*, staff discovered that a secondary policy regarding 504s existed, Board Policy 6164.6, *Identification and Education Under Section 504*. Board Policy 6164.6 contains much of the same language outlined in Board Policy 5181. Staff is recommending to Trustees to remove Board Policy 6164.6 as much of the language is covered in Board Policy 5181 and will also be addressed in future Administrative Regulations.

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 the removal of Board Policy 6164.6, *Identification and Education Under Section 504*.

Motion by _____ Seconded by _____

- 37. FIRST READING – REVISIONS TO BOARD POLICY 7511, NAMING OF FACILITY:** DISCUSSION/
ACTION
Page 401
EXHIBIT 37

As part of the reimagining process on the seven focused elementary schools, staff brings forward the first reading of Board Policy 7511, *Naming of Facility*, to address the process of renaming an existing school. The participating schools in the reimagining program are: Del Obispo Elementary School, Hidden Hills Elementary School, Kinoshita Elementary School, Lobo Elementary School, Marblehead Elementary School, R. H. Dana Elementary School and Wood Canyon Elementary School. Through stakeholder and community input, schools are requesting Board approval to rename their school by adding a term or phrase to highlight the focus of their schools' academic program. In June, staff will return to the Board with the three year blue prints per school site which will further outline their differentiated programs as well as detail the fiscal implications of the program initiatives. 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 revisions to Board Policy 7511, *Naming of Facility*, and provide direction to staff on the suggested renaming terminology.

Motion by _____ Seconded by _____

- 38. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY MATHEMATICS, GRADE 6 – 8:** DISCUSSION/
ACTION
Page 403
EXHIBIT 38

A teacher committee has recommended the adoption of *California Go Math, Middle School, Grade 6, Grade 7, Grade 7 Accelerated & Grade 8*, Houghton Mifflin Harcourt ©2015, grade 6-8. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption for six years would be \$1,150,000. District Lottery funds would be used for this expenditure.

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 the adoption of *California Go Math, Middle School, Grade 6, Grade 7, Grade 7 Accelerated & Grade 8*, Houghton Mifflin Harcourt ©2015, grade 6-8.

Motion by _____ Seconded by _____

39. RESOLUTION NO. 1516-61, RESOLUTION AND ORDER OF BIENNIAL TRUSTEE ELECTION SPECIFICATIONS OF THE ELECTION ORDER: DISCUSSION/
ACTION
Page 404
EXHIBIT 39

Adoption of Resolution No. 1516-61, pertaining to the election of Trustees to serve in Trustee Area 1 (Amy Hanacek), Trustee Area 2 (Jim Reardon), Trustee Area 3 (John M. Alpay), and Trustee Area 5 (Dr. Gary Pritchard) will consolidate the Trustee election with the federal, state, and municipal elections to be held on November 8, 2016. The financial impact for the election expenses will be included in the 2016-2017 budget.

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

Contact: Kirsten Vital, Superintendent

Staff Recommendation

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1516-61, Resolution and Order of Biennial Trustee Election and Specifications of the Election Order.

Motion by _____ Seconded by _____

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

40. RESOLUTION NO. 1516-57, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$6,500,000 AGGREGATE PRINCIPAL AMOUNT OF COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN) SPECIAL TAX BONDS, SERIES 2016, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE CERTIFICATE AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO: DISCUSSION/
ACTION
Page 406
EXHIBIT 40

Following the information presentation on February 24, 2016, the Board is asked to consider approval of Resolution No. 1516-57 authorizing the issuance of bonds for CFD 98-1A and approving several bond documents.

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 this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1516-57, A Resolution of the Board of Trustees of the Capistrano Unified School District Authorizing the Issuance of Not to Exceed \$6,500,000 Aggregate Principal Amount of Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan) Special Tax Bonds, Series 2016, Approving the Execution and Delivery of an Indenture, a Bond Purchase Agreement and a Continuing Disclosure Certificate and the Preparation of an Official Statement and Other Matters Related Thereto.

Motion by _____ Seconded by _____

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

41. RESOLUTION NO. 1516-59, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$48,000,000 AGGREGATE PRINCIPAL AMOUNT OF COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) SPECIAL TAX REFUNDING BONDS, SERIES 2016, APPROVING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE CERTIFICATE AND THE PREPARATION OF AN OFFICIAL STATEMENT AND OTHER MATTERS RELATED THERETO:

INFORMATION/
DISCUSSION
Page 618
EXHIBIT 41

Following the information presentation on February 24, 2016, the Board is asked to consider approval of Resolution No. 1516-59 authorizing the issuance of bonds for the purpose of refinancing the outstanding bonds for CFD 90-2 and approving several bond documents.

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 this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1516-59, A Resolution of the Board of Trustees of the Capistrano Unified School District Authorizing the Issuance of Not to Exceed \$48,000,000 Aggregate Principal Amount of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega) Special Tax Refunding Bonds, Series 2016, Approving the Execution and Delivery of an Indenture, a Bond Purchase Agreement and a Continuing Disclosure Certificate and the Preparation of an Official Statement and Other Matters Related Thereto.

Motion by _____ Seconded by _____

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

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, MAY 25, 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.