

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

BOARD OF TRUSTEES
Regular Meeting

December 9, 2015

REVISED 12.7.15

Closed Session 5:30 p.m.

Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 5:30 P.M.

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

A. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
(Pursuant to Government Code §54957)

EXHIBIT A-1

B. CONFERENCE WITH LABOR NEGOTIATORS
District Negotiators: Kirsten M. Vital/John Roach/Clark Hampton
Employee Organizations:
1) Capistrano Unified Education Association (CUEA)
2) California School Employees Association (CSEA)
3) Teamsters
(Pursuant to Government Code §54957.6)

C. STUDENT EXPULSIONS
Deliberations of Findings of Fact and Recommendations
(Pursuant to Education Code §48918{c} and §35146)

EXHIBIT C-1

Agenda Item 6: Public Hearing: Boundary Adjustments for Crown Valley Study Area

RECORDING OF SCHOOL BOARD MEETINGS
In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded

OPEN SESSION

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA – ROLL CALL

REPORT ON CLOSED SESSION ACTION

REORGANIZATION OF THE BOARD

1. REORGANIZATION OF BOARD – ELECTION OF PRESIDENT:

The Capistrano Unified School District Board of Trustees is conforming to Education Code requirements by holding its annual organizational meeting at the December 9, 2015, meeting. Board Policy 9100, *Annual Organizational Meeting*, presents the order of business for this meeting. Agenda items 1 through 3 may be completed under this agenda item. 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: Kirsten M. Vital, Superintendent

Staff Recommendation

AGENDA ITEM 1

The Superintendent will facilitate the election of the Board President. The Board may do this by oral nominations and voting, or by ballot after oral nominations are made.

AGENDA ITEMS 2 & 3

As soon as the new Board President is elected, he or she will immediately assume the role of President and will commence with the election of the Vice President and Clerk, then proceed with the other items on the evening's agenda.

2. REORGANIZATION OF BOARD – ELECTION OF VICE PRESIDENT:

3. REORGANIZATION OF BOARD – ELECTION OF CLERK:

WINTER MUSIC PROGRAM

San Juan Hills High School Chamber Singers under the direction of Michael Ushino

Student Body President Report – San Juan Hills High School

Vanessa Rodriguez, Student Body President Report

Jennifer Smalley – Principal

Brooke Valderrama – Activities Director

SPECIAL
RECOGNITION

Learning in Capo Spotlight

Project based learning: The only public K-12 International Baccalaureate (IB) pathway in South Orange County: Carl Hankey K-8 and Capistrano Valley High School

BREAK

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.

4. **SELECTION OF TRUSTEE PARTICIPATION ON VARIOUS COMMITTEES:** DISCUSSION/
ACTION
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EXHIBIT 4
- Every year at the organizational meeting in December, Trustee assignments are made to various committees and other groups in which there is an expectation of Board representation. The exhibit is a listing of appointment assignments, with tentative meeting date information, and the name or names of the Trustee(s) who served on the committee during 2015. This agenda item requests the Board of Trustees select a member or members to serve on one or more of the committees during 2016. 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: Kirsten M. Vital, Superintendent

Staff Recommendation

It is recommended the Board of Trustees review the various committees as listed in the exhibit and reach a consensus and/or take a formal vote on which Trustees will participate on the various committees.

Motion by _____ Seconded by _____

5. **RESOLUTION NO. 1516-29, ROLE OF THE BOARD: POWERS AND RESPONSIBILITIES:** DISCUSSION/
ACTION
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EXHIBIT 5

Resolution No. 1516-29, Role of the Board: Powers and Responsibilities, reaffirms the role of the Board.

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Resolution 1516-29, Role of the Board: Powers and Responsibilities.

Motion by _____ Seconded by _____

ROLL CALL:

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

PUBLIC HEARING

6. **PUBLIC HEARING: BOUNDARY ADJUSTMENTS FOR CROWN VALLEY STUDY AREAS:** INFORMATION/
DISCUSSION

The Board will conduct a Public Hearing on boundary adjustments for Crown Valley study areas. Supporting documentation information is located in Exhibit 7.

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.

7. **BOUNDARY ADJUSTMENTS FOR CROWN VALLEY STUDY AREAS:**

DISCUSSION/
ACTION
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EXHIBIT 7

On September 23, 2015, the Board of Trustees voted to close Crown Valley Elementary School beginning in the 2016-2017 school year. At this time, staff is recommending the Crown Valley study areas 0600, 0620, 0621, 0670, 0681, 0690, 0700, and 0710 be reassigned to Moulton Elementary School and Hidden Hills Elementary School as follows: Assign study areas 0600, 0620, and 0621 to the Moulton Elementary School attendance area. Assign study areas 0670, 0681, 0690, 0700, and 0710 to the Hidden Hills Elementary School attendance area. The recommended boundary adjustments allow current middle school and high school feeder patterns to be maintained.

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 the reassignment of study areas 0600, 0620, and 0621 to the Moulton Elementary School attendance area and study areas 0670, 0681, 0690, 0700, and 0710 to the Hidden Hills Elementary School attendance area.

Motion by _____ Seconded by _____

DISCUSSION/ACTION ITEMS

8. **DISCUSSION TO APPROVE OR DENY THE PETITION FOR ORANGE COUNTY ACADEMY OF SCIENCES AND ARTS CHARTER SCHOOL:**

DISCUSSION/
ACTION
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EXHIBIT 8

Orange County Academy of Sciences and Arts (OCASA) submitted a petition on October 19, 2015, seeking approval of a charter school by the Capistrano Unified School District. The charter petition proposes to open in the fall of 2016, with an approximate enrollment of 255 students serving students in kindergarten through sixth grade. OCASA plans to expand to include grades 7 and 8, with an enrollment of 580 students in the 2020-21 school year. Under the Charter School Act of 1992 the governing board of a school district may deny a petition for the establishment of a charter school only if it makes written factual findings, specific to the petition, setting forth specific facts to support one or more of the following: 1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school; 2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition; 3) The petition does not contain the required number of signatures; 4) The petition does not contain an affirmation of each of the required conditions as set forth in Education Code section 47605(d) [i.e. that the school will be nonsectarian in admissions policies, employment practices, and all other operations, will not charge tuition, and will not discriminate against any pupil on the basis of ethnicity, national origin, gender, sexual orientation or disability]; or 5) The petition does not contain a reasonably comprehensive description of one or more of the sixteen (16) specified elements of the program in accordance with Education Code sections 47605(b)(5)(A-P). In accordance with Education Code section 47605 and Board Policy 0420.4, the Board held a public hearing on November 18, 2015, to consider the level of support for the petition by District teachers, other employees, parents, and community members. Following review of the petition and the comments made at the public hearing, the Board is required to either grant or deny the charter petition within sixty (60) days of the receipt. A thorough review of the OCASA petition was conducted by District education, finance and operations staff, as well as legal counsel. This review revealed numerous concerns regarding the OCASA petition, which form the basis of the staff recommendation and the findings in Resolution No. 1516-30.

CUSD WIG 1: Teaching and Learning – Engage students in meaningful,

challenging, and innovative educational experiences to increase post-secondary options for all students.

Contact: Daniel Burch, Interim, Assistant Superintendent, Administrative Services/Community Relations

Staff Recommendation

It is recommended the Board President recognize Dan Burch, Interim, Assistant Superintendent, Administrative Services/Community Relations, to present information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees adopt Resolution No 1516-30, denying the petition to establish the OCASA and stating the findings, contained in the Resolution, upon which the denial is based.

Motion by _____ Seconded by _____

8A. COMMUNITY COMMITTEE ON SCHOOL CLASSROOMS AND CAMPUS FACILITIES CONSENSUS REPORT:

Earlier this year, the District invited all stakeholders in the school District to serve on the *Community Committee on School Classrooms and Campus Facilities*. Volunteering to participate in the meetings were people who live and work within the District, and many are also parents, students, teachers, and staff. Each person serving on the committee only represented themselves as individual community members and not on behalf of any organization.

Four meetings were held on consecutive Thursday evenings from October 15 to November 5, 2015. One meeting was held on each of the following four topics: District facilities, school funding, public information research, and the development of a consensus report. The Committee divided its working time into meeting with all participants together and meeting in smaller break-out groups with focus on Accountability and Finance; Athletics, Outdoors, and Physical Education Class Areas; Classroom Learning; Safety and Security; and Technology (two groups). Collectively, the committee dedicated over 1,000 hours to learning about the District's facilities and coming to consensus.

At each Committee meeting participants studied the issues, shared thoughts in break-out groups, and came back to the Committee to report out their discussions. This report reflects what was agreed upon by the Committee.

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 Board action is necessary.

9. PRESENTATION AND RECEIPT OF THE DISTRICT AND COMMUNITY FACILITIES DISTRICTS ANNUAL FINANCIAL REPORTS FOR THE FISCAL YEAR ENDING JUNE 30, 2015:

State law requires each school district in California have an annual audit conducted by a state-certified independent auditor. The audit is conducted according to generally accepted auditing standards, specific guidelines, and procedures set by the State Controller's office. Under state law, annual fiscal audits are neither accepted nor rejected by a board, but merely received by the district. For record keeping purposes, the Board of Trustees has annually adopted a motion indicating recognition of receipt

INFORMATION/
DISCUSSION
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EXHIBIT 8A

DISCUSSION/
ACTION
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EXHIBIT 9

of the District annual audit report. Additionally, the Board requested staff to provide an audit on the Community Facilities Districts (CFDs). This audit will be conducted annually for all CFDs. This agenda item pertains to the presentation of the 2014-2015 fiscal year Annual Financial Reports to the Board of Trustees. The Annual Financial Reports for the fiscal year ending June 30, 2015 were completed by the firm Vavrinek, Trine, Day & Co., LLP, Certified Public Accountants.

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, who will introduce a partner from the audit firm Vavrinek, Trine, Day & Co., LLP to present a summary of the audit reports for the year ending June 30, 2015.

Following discussion, it is recommended the Board of Trustees receive the District and Community Facilities Districts Annual Financial Reports for the fiscal year ending June 30, 2015.

10. CERTIFICATION OF THE 2015-2016 FIRST INTERIM REPORT AND ADOPTION OF RESOLUTION NO. 1516-25, 2015-2016 REVENUE AND EXPENDITURE INCREASES/DECREASES:

DISCUSSION/
ACTION
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EXHIBIT 10

In accordance with Education Code §42130, school districts are required to prepare and submit Interim Financial Reports to the governing board. Resolution No. 1516-25 adjusts the various fund budgets to reflect the First Interim Report. The purpose of these reports is to satisfy State and County Office of Education officials as to whether or not the District will be able to meet its financial obligations for the remainder of the fiscal year. Additionally, as required by AB 2756, districts must certify that minimum reserve levels are projected to be met in the two subsequent fiscal years.

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 Certification of the 2015-2016 First Interim Report and Adoption of Resolution No. 1516-25, 2015-2016 Revenue and Expenditure Increases/Decreases.

Motion by _____ Seconded by _____

ROLL CALL:

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

11. APPROVAL OF FINAL WILDLY IMPORTANT GOALS (WIGS):

DISCUSSION/
ACTION
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EXHIBIT 11

At the October 28, 2015 Board meeting, the Board of Trustees provided feedback regarding narrowing the focus of CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students. Staff has reviewed this feedback and is bringing back revised Teaching and Learning WIGs for discussion. Staff will re-

present previously reviewed WIGs for CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees and community members in Districtwide and community-specific decisions and, CUSD WIG 3: Optimize facilities and learning environments for all students. Finally, District staff is recommending all WIGs be finalized for Board of Trustees approval.

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: Susan Holliday, Interim Assistant Superintendent, Education Services

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

Contact: Ryan Burris, Public Information Officer

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

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Interim Assistant Superintendent, Education Services, and Mark Miller, Assistant Superintendent, SELPA and Special Education Services, to present information on this item. In addition, Clark Hampton, Deputy Superintendent, Business and Support Services and Ryan Burris, Public Information Officer, are available to answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve the final Wildly Important Goals.

Motion by _____ Seconded by _____

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|---|--|
| <p>12. DISCUSSION TO APPROVE OR DENY THE PETITION FOR ORANGE COUNTY ACADEMY OF SCIENCES AND ARTS CHARTER SCHOOL: This item was moved up to agenda item 8 for the consideration of time.</p> | <p>DISCUSSION/ ACTION SEE AGENDA ITEM 8</p> |
| <p>13. THIRD READING – REVISIONS TO BOARD POLICY 5119, SCHOOL OF CHOICE: After implementing the 2014-2015 revisions of Board Policy 5119, <i>School of Choice</i>, staff identified several unintended consequences of the revision. The updated policy removes Two-way Immersion program enrollment, addresses priority for employees, school closures, siblings of those students placed in specific special education programs, and adds language to address moving after the application window. The proposed revision mitigates those issues among others and also incorporates the recommended policy language outlined in the California School Boards Association’s sample Board Policy on School of Choice. Additional revisions requested by Trustees during the second reading of this item have been made. Changes are underlined, deletions are struck through. <i>CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.</i> <i>Contact: Susan Holliday, Interim Assistant Superintendent, Education Services</i></p> | <p>DISCUSSION/ ACTION Page 211 EXHIBIT 13</p> |

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Interim 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 _____

14. SECOND READING – BOARD POLICIES 0410, NONDISCRIMINATION IN DISTRICT PROGRAMS AND ACTIVITIES; 4030, NONDISCRIMINATION IN EMPLOYMENT; 5180, NONDISCRIMINATION:

DISCUSSION/
ACTION
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EXHIBIT 14

As changes occur in the law it becomes necessary to review Board Policies. Policies will be reviewed as part of a Federal Program Monitoring Audit scheduled in February. During the first reading of the revisions to policies 0410, *Nondiscrimination in District Programs and Activities*; 4030, *Nondiscrimination in Employment*; 5180, *Nondiscrimination*, on November 18, 2015, Trustees requested additional revisions to these policies for clarification. Changes are underlined, deletions are struck through.

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

Contact: John A. Roach, Interim Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize John A. Roach, Interim Assistant Superintendent, Personnel 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 Policies 0410, *Nondiscrimination in District Programs and Activities*; 4030, *Nondiscrimination in Employment*; 5180, *Nondiscrimination*.

Motion by _____ Seconded by _____

15. RESOLUTION NO. 1516-27, RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAPISTRANO UNIFIED PUBLIC FINANCING AUTHORITY TERMINATING THE JOINT EXERCISE OF POWERS AGREEMENT WHICH ESTABLISHED CAPISTRANO UNIFIED PUBLIC FINANCING AUTHORITY:

DISCUSSION/
ACTION
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EXHIBIT 15

The Capistrano Unified Public Financing Authority (CUPFA) was established on August 1, 1996 consisting of parties from the District and the Community Facilities District (CFD) 87-1 of the District. On June 8, 2006, the CUPFA became inactive when CFD 87-1 bonds were refinanced without the use of the CUPFA. The CUPFA has no assets, liabilities, revenue, or expenditures and the District has no plans to use the CUPFA. Additionally, the Grand Jury report “Joint Powers Authorities: Issues of Viability, Control, Transparency, and Solvency” dated June 29, 2015 recommends termination of the CUPFA.

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. 1516-27, Resolution of the Board of Directors of the Capistrano Unified Public Financing Authority Terminating the Joint Exercise of Powers Agreement which Established Capistrano Unified Public Financing Authority

Motion by _____ Seconded by _____

ROLL CALL:

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

16. FIRST READING – BOARD POLICY 5111.5, LANGUAGE IMMERSION AND INTERNATIONAL BACCALAUREATE ADMISSIONS:

DISCUSSION/
ACTION
Page 231
EXHIBIT 16

Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions*, was drafted with staff and stakeholder input, including input from the Language Immersion Advisory Committee made up of parents, teachers and administrators. The policy has been developed due to the separation of the Language Immersion and International Baccalaureate programs from the School of Choice policy and process. This new policy outlines the newly developed admissions and enrollment process for Language Immersion and International Baccalaureate schools and Kindergarten registration. The process will occur prior to the School of Choice window closing to enable participation in the School of Choice application process if not admitted to the program. Pending approval of this policy the enrollment window is tentatively scheduled for the last three weeks of January. The first board meeting in January takes place after the enrollment window is tentatively scheduled to be opened. 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, Interim Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Interim 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 5111.5, *Language Immersion and International Baccalaureate Admissions*.

Motion by _____ Seconded by _____

ROLL CALL:

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

17. SECOND READING - REVISIONS TO BOARD POLICY 2111, ASSISTANTS TO THE CHIEF ADMINISTRATIVE OFFICER:

DISCUSSION/
ACTION
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EXHIBIT 17

Board Policy 2111, *Assistants to the Chief Administrative Officer* was revised on September 24, 2014. Since that time there have been some titles and positions which no longer exist in the District. Revisions recommended by Trustees at the First Reading have been made. 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: Kirsten M. Vital, Superintendent

Staff Recommendation

It is recommended the Board President recognize Kirsten M. Vital, Superintendent, to present information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve Revisions to Board Policy 2111, *Assistants to the Chief Administrative Officer*.

Motion by _____ Seconded by _____

18. SECOND READING - REVISIONS TO BOARD POLICY 2210, ADMINISTRATIVE LEEWAY IN ABSENCE OF GOVERNING BOARD POLICY: DISCUSSION/
ACTION
Page 237
EXHIBIT 18

As a result of changes in Administrators, this policy requires revising. At the November 18, 2015 Board Meeting, Trustees reviewed the First Reading of Board Policy 2210, *Administrative Leeway in Absence of Governing Board Policy*. Staff has made the recommended changes. Revisions to this policy will align the policy with AR 2.24. 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: Kirsten M. Vital, Superintendent

Staff Recommendation

It is recommended the Board President recognize Kirsten M. Vital, Superintendent, 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 2210, *Administrative Leeway in Absence of Governing Board Policy*.

Motion by _____ Seconded by _____

19. FOURTH READING - REVISIONS TO BOARD POLICY 5162, ADMINISTERING MEDICATION: DISCUSSION/
ACTION
Page 239
EXHIBIT 19

Approval of Board Policy 5162, *Administering Medication* has been amended to align with SB 1266 (Ch. 321, Statutes of 2014). Per Education Code §49414 districts are required to provide epinephrine auto-injectors to school nurses or other employees who volunteer and receive training, which they may use to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. SB 1266 deleted the requirement to develop a district plan related to the use of epinephrine auto-injectors. Additional revisions requested by Trustees during the third reading of this item have been made. 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, Interim Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Interim 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 5162, *Administering Medication*.

Motion by _____ Seconded by _____

20. SECOND READING – REVISIONS TO BOARD POLICY 5111, ADMISSIONS: DISCUSSION/
ACTION
Page 243

This proposed revision of Board Policy 5111, *Admissions*, updates this policy and incorporates the recommended policy language outlined in the California School

Boards Association’s sample Board Policy on Admissions. This policy revision eliminates current policy language which identifies specific school years which have past. The new language also addresses enrollment of homeless and foster youth. This revision complies with the Education Code sections regarding student admissions. Additional revisions requested by Trustees during the first reading of this item have been made. 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, Interim Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Interim 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 5111, *Admissions*.

Motion by _____ Seconded by _____

21. SECOND READING – REVISIONS TO BOARD POLICY 5111.1, DISTRICT RESIDENCY:

DISCUSSION/
ACTION
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EXHIBIT 21

This proposed revision of Board Policy 5111.1, *District Residency*, updates this policy and incorporates the recommended policy language outlined in the California School Boards Association’s sample Board Policy on District Residency. The revision includes very specific procedures related to the investigation of suspected fraudulent addresses. It also addresses the use of an outside investigator and the parameters of the investigation. This proposed policy is in alignment with Education Code §35351, Assignment of Students to Particular Schools. Additional revisions requested by Trustees during the first reading of this item have been made. 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, Interim Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Interim 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 5111.1, *District Residency*.

Motion by _____ Seconded by _____

22. SECOND READING – REVISIONS TO BOARD POLICY 5118, INTERDISTRICT ATTENDANCE AGREEMENTS:

DISCUSSION/
ACTION
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EXHIBIT 22

This proposed revision of Board Policy 5118, *Interdistrict Attendance Agreements*, updates this policy and incorporates the recommended policy language outlined in the California School Board Association’s sample Board Policy on Interdistrict Attendance Agreements. This revision will specifically address limits on student transfers out of the District to a school of choice. This policy is aligned with Education Code §46600 – §46611, Inter-district Transfer Agreements. Additional revisions requested by Trustees during the first reading of this item have been made. 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, Interim Assistant Superintendent, Education Services

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Interim 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 5118, *Interdistrict Attendance Agreements*.

Motion by _____ Seconded by _____

- 23. SECOND READING – BOARD POLICIES 1312.1, COMPLAINT PROCEDURES; 1312.2, COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS; 1312.3, UNIFORM COMPLAINT PROCEDURES:** DISCUSSION/
ACTION
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EXHIBIT 23

As changes occur in the law it becomes necessary to review Board Policies. Policies will be reviewed as part of a Federal Program Monitoring Audit scheduled in February. During the first reading of the revisions to policies 1312.1, *Complaint Procedures*; 1312.2, *Complaints Concerning Instructional Materials*; 1312.3, *Uniform Complaint Procedures*, on November 18, 2015, Trustees requested additional revisions to these policies for clarification. Changes are underlined, deletions are struck through.

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

Contact: John A. Roach, Interim Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize John A. Roach, Interim Assistant Superintendent, Personnel 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 Policies 1312.1, *Complaint Procedures*; 1312.2, *Complaints Concerning Instructional Materials*; 1312.3, *Uniform Complaint Procedures*.

Motion by _____ Seconded by _____

- 24. SECOND READING – BOARD POLICIES 4119.11; 4219.11; 4319.11; SEXUAL HARASSMENT:** DISCUSSION/
ACTION
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EXHIBIT 24

As changes occur in the law it becomes necessary to review Board Policies. Policies will be reviewed as part of a Federal Program Monitoring Audit scheduled in February. During the first reading of the revisions to policies 4119.11; 4219.11; 4319.11, *Sexual Harassment*, on November 18, 2015, Trustees requested additional revisions to these policies for clarification. Changes are underlined, deletions are struck through.

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

Contact: John A. Roach, Interim Assistant Superintendent, Personnel Services

Staff Recommendation

It is recommended the Board President recognize John A. Roach, Interim Assistant Superintendent, Personnel 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 Policies 4119.11; 4219.11; 4319.11, *Sexual Harassment*.

Motion by _____ Seconded by _____

- 25. FIRST READING – REVISIONS TO BOARD POLICY 5174, MARRIED, EXPECTANT, PARENTING STUDENTS:** INFORMATION/
DISCUSSION
Page 283
EXHIBIT 25
- As changes occur in the law it becomes necessary to review Board Policies. The revisions to policy 5174, *Married, Expectant, Parenting Students*, provides all stakeholders with current information and ensures legal compliance. Changes are underlined; deletions are struck through. 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, Interim Assistant Superintendent, Education Services**

Staff Recommendation

It is recommended the Board recognize Susan Holliday, Interim 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 required.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all consent Calendar items.

GENERAL FUNCTIONS

- 26. SCHOOL BOARD MINUTES:** Page 289
Approval of the minutes of the October 28, 2015, Regular Board meeting.
Contact: Teresa Teichman, Executive Secretary, Board Office Operations
EXHIBIT 26
- 27. SCHOOL BOARD MINUTES:** Page 291
Approval of the minutes of the November 9, 2015, Special Board meeting.
Contact: Teresa Teichman, Executive Secretary, Board Office Operations
EXHIBIT 27
- 28. SCHOOL BOARD MEETING SCHEDULE FOR JULY THROUGH DECEMBER:** Page 293
Approval of the School Board Meeting Schedule for July through December, 2016. Regular Board meetings are held on the second and fourth Wednesday of each month. This item presents to the Board of Trustees the proposed schedule of the regular Board meetings for the period July through December 2016.
CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.
Contact: Kirsten M. Vital, Superintendent
EXHIBIT 28
- 29. CONFLICT OF INTEREST CODE AMENDMENT:** Page 295
Approval of Conflict of Interest Code Amendment. On February 9, 2010 the Board of Trustees approved Resolution No. 0910-48, adopting Capistrano Unified School District's Conflict of Interest Code, which supersedes all prior Conflict of Interest Codes and amendments previously adopted. Due to District reorganizational changes, there have been changes in job titles. The attached exhibit reflects changes made within
EXHIBIT 29

the organization which delineates current designated filers and removes position titles which no longer exist within the District.

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

Contact: Kirsten M. Vital, Superintendent

CURRICULUM & INSTRUCTION

- 30. INTERNSHIP CONTRACT AGREEMENT – CALIFORNIA STATE UNIVERSITY SAN MARCOS:** Page 299
EXHIBIT 30
- Approval of Internship Contract Agreement with California State University San Marcos. To meet the growing demand of employing qualified teachers in hard-to-fill areas such as Special Education, Mathematics, Physics, Chemistry, and Foreign Language, Personnel Services has several options for attracting and training high quality candidates. The District has partnered with California State University San Marcos to offer intern teaching programs. During the school year, District teachers are selected to work and support intern credentialing by providing teaching experience through directed fieldwork.
- 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, Interim Assistant Superintendent, Education Services**
- 31. AMMENDMENT TO AGREEMENT NO. 41780 FOR QUALITY RATING IMPROVEMENT SYSTEM OF EARLY EDUCATION PROGRAMS WITH ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 303
EXHIBIT 31
- Approval of Amendment to Agreement No. 41780 for Quality Rating and Improvement System of Early Education Programs with the Orange County Superintendent of Schools. The initial funds were approved for 151,800 The additional funds include 39,644 for a total award of 191,444. The Agreement provides support and incentive for the California State Preschool Program for quality improvement based on a tiered rating structure. This Agreement provides services from July 1, 2014, to December 31, 2015, related to preschool age children to improve early childhood development and school readiness services.
- 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, Interim Assistant Superintendent, Education Services**
- 32. MEMORANDUM OF UNDERSTANDING WITH SADDLEBACK COLLEGE REGARDING THE ADULT EDUCATION PROGRAM TRANSITION AGREEMENT:** Page 317
EXHIBIT 32
- Approval of Memorandum of Understanding (MOU) with Saddleback College to formalize the transition of the Adult Education Program to Saddleback College for the 2016-2017 school year and beyond. The purpose of this MOU is to set forth the understandings of the parties with respect to the transition of the District’s Adult Education Programs to Saddleback College. This collaboration benefits the student populations by providing accelerated learning opportunities for adults, including those with disabilities, by offering non-credit pathways leading to a high school diploma or an equivalency certificate, workforce preparation classes including English as a Second Language and Citizenship, and career technical education programs that enhance employment potential.
- 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, Interim Assistant Superintendent, Education Services**

33. **MEMORANDUM OF UNDERSTANDING WITH ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS (ASCA) AND CAPISTRANO UNIFIED SCHOOL DISTRICT FOR PURPOSES OF CREATING MEMBERSHIP INTO THE SYSTEMS LEADERSHIP COLLABORATIVE:** Page 321
EXHIBIT 33
- Approval of the Memorandum of Understanding (MOU) for the October 1, 2015 – June 30, 2016 membership into the Systems Leadership Collaborative. The Systems Leadership Collaborative is a collaborative of districts in California being organized by the Association of California School Administrators (ACSA) to work toward successful implementation of the Local Control Accountability Plan (LCAP). The Systems Leadership Collaborative will focus on research-based frameworks and proven leadership practices for building capacity of district systems, and successful implementation that positively affects both the classroom and student achievement. Expenditures under this MOU are funded by general education 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, Interim Assistant Superintendent, Education Services*

BUSINESS & SUPPORT SERVICES

34. **PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 323
EXHIBIT 34
- 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 \$7,392,985.92 and the commercial warrants total \$5,655,565.64. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved by vendor warrants exceeding \$250,000.
- CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.***
- Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
35. **DONATION OF FUNDS AND EQUIPMENT:** Page 363
EXHIBIT 35
- Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$165,436.73 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*
36. **INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 365
EXHIBIT 36
- 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 four ratifications of new agreements totaling \$55,145 three extensions of new agreements totaling \$61,950, one extension ratification to an existing agreement totaling \$7,000, and one amendment ratification to an existing agreement totaling \$62,400. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District’s Board Agendas and Supporting Documentation page. Agreement listing is attached.
- 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

37. AWARD BID NO. 1516-14, CO-CURRICULAR BUS SERVICE – VARIOUS VENDORS:

Page 433

EXHIBIT 37

Approval of the Award of Bid No. 1516-14, Co-Curricular Bus Service to the following vendors: Certified Transportation Services, Incorporated; First Student, Incorporated; Grand Pacific Charter; and JFK Transportation Company, Incorporated for co-curricular transportation services, as needed by the District. Seventeen vendors registered and downloaded documents; eight bids were received and opened on November 17, 2015, which are listed in Exhibit A. One bid was deemed non-responsive for failing to submit the bid under sealed cover. The bidders include: Certified Transportation Services, Incorporated; First Student, Incorporated; Hot Dogger Tours, Incorporated dba Gold Coast Tours; Grand Pacific Charter; JFK Transportation Company, Incorporated; Lux Bus America; Pacific Coast Sightseeing Tours and Charters, Incorporated; and Transportation Charter Services. Vendors submitted bids for five categories of transportation services under this contract: Category #1 School Buses, Category #2 SPAB Approved Recliners with Restroom, Category #3 Wheelchair Equipped, Category #4 Mountain Trips, and Category #5 Overnight Trips. The lowest bid price for each category was used to determine the lowest responsive bidders and is awarded to the lowest responsive bidder(s). The initial contract term is January 1, 2016 through December 31, 2016, and may be extended by mutual agreement with Board approval, for a total term not-to-exceed five years. Annual expenditures under this contract are estimated to be \$500,000, funded by the appropriate accounts, including ASB and parent groups. Actual expenditures will be dependent on the availability of funds and the amount may be more or less than what is currently estimated. Due to the size of the contracts and awards, the documentation will be posted online on the District 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: Clark Hampton, Deputy Superintendent, Business and Support Services

38. RESOLUTION NO. 1516-23, CONVEY AN EASEMENT TO THE CITY OF SAN CLEMENTE:

Page 439

EXHIBIT 38

Approval to Convey an Easement to the City of San Clemente on a portion of the property owned by the District in order for the City to install and maintain landscaping, hardscaping, vegetation, irrigation, and related improvements consistent with use as a public park. The City of San Clemente's (City) Verde Park is an approximately 3-acre park site that includes a tennis court, playground equipment, picnic benches, sidewalks, parking area, and a large turf area. San Clemente High School Upper campus is located on the west side adjacent to Verde Park. In April 2014, the City of San Clemente hired an arborist to conduct an arboricultural assessment of the Verde Park trees. During the evaluation, it was discovered a portion of Verde Park was constructed on District property. The Board of Trustees is considering granting an easement to the City on a portion of the property owned by the District located at 189 Avenida La Cuesta, San Clemente, CA 92672 and 700 Avenida Pico, San Clemente, CA 92673 in order for the City to install and maintain landscaping, hardscaping, vegetation, irrigation, and related improvements consistent with use as a public park.

Pursuant to Education Code §17556 *et. seq.*, the Board, at its September 23, 2015 meeting, adopted Resolution No. 1516-20 indicating its intention to convey the Easement to the City of San Clemente and calling a noticed “Public Hearing” to address the issue of whether the District should convey the Easement to the City of San Clemente (Resolution of Intent). Consistent with the Resolution of Intent, the District held a noticed public hearing on the Easement on October 14, 2015, and, as a result of its subsequent discussion, requested staff to seek modifications to the Easement to clarify language relative to the maintenance and/or removal of trees within the Easement, as well as other issues relative to termination of the Easement and other liability concerns. The Easement, as modified at the direction of the Board, limits the trimming, pruning, or removal of, or other maintenance to, healthy and mature trees necessary to maintain the Easement area for public park or safety purposes, and requires any decisions to remove healthy, mature, or scenic trees to comply with the applicable requirements of the California Environmental Quality Act (CEQA).

The Board, having both adopted its Resolution of Intent, as required by Education Code §17557, and held a public hearing on whether to convey the Easement to the City of San Clemente as required by Education Code §17558, is permitted to consider a resolution conveying the Easement at any meeting held within 60 days of the October 14, 2015 hearing. As such, the Board may consider the adoption of Resolution No. 1516-23 authorizing the conveyance of the Easement to the City of San Clemente, pursuant to Education Code §17559. This Resolution to Convey an Easement to City of San Clemente must be approved by a vote of at least two-thirds of all the members of the Board.

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

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

39. RESOLUTION NO. 1516-26, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT AUTHORIZING AN AGREEMENT TO EXCHANGE CERTAIN EASEMENT INTERESTS RELATIVE TO THE ALISO VIEJO TRANSPORTATION NORTH YARD WITH USA PROPERTIES AND ALISO VIEJO 1776, L.P., INCLUDING A MUTUAL EXCHANGE OF ACCESS EASEMENTS, AND A SLOPE AND LANDSCAPING MAINTENANCE EASEMENT:

Page 455
EXHIBIT 39

Approval of Resolution No. 1516-26, Resolution of the Board of Trustees of the Capistrano Unified School District Authorizing an Agreement to Exchange Certain Easement Interests Relative to the Aliso Viejo Transportation North Yard with USA Properties and Aliso Viejo 1776, L.P., Including a Mutual Exchange of Access Easements, and a Slope and Landscaping Maintenance Easement. USA Properties and Aliso Viejo 1776, L.P. (Developer) is in escrow to purchase and develop certain real property to the south of the Capistrano Unified School District’s (District) North Transportation Yard in Aliso Viejo, California. In order to meet certain conditions imposed by the City of Aliso Viejo (City), the Developer has approached the District seeking to obtain easements over the District’s property, for purposes of (1) permitting emergency and trash service access over a portion of the District’s existing driveway; and (2) grading, landscaping, and maintaining an unused segment of the District’s property, south of the existing driveway, in order to bring the two properties to grade and allow for aforementioned emergency access (Developer Easements). In exchange, the District is seeking an easement over Developer’s property for purposes of allowing not only reciprocal emergency access to the District’s facilities, but also egress in the event the District needs to rapidly deploy its bus fleet in the event of an emergency elsewhere within the District or otherwise (District Easement). Currently, there is only one access route into and out of the District’s North Yard. Developer is also offering to pay the District \$10,000, to reimburse the District for costs incurred in considering and granting such easements.

In light of these identified needs, the District and Developer have agreed to an exchange of rights, whereby the Developer will grant to the District the District Easement and payment in the amount of \$10,000, in exchange for the District's granting to Developer the Developer Easements. The specific terms of these items are set forth in the Resolution and accompanying exhibits to be considered by the Board. Authority for the District to enter into such an exchange is provided by Education Code §17536 and §17537, with a two-thirds vote of all of the members of the Board required for approval.

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

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

- 40. NOTICE OF CANCELLATION OF SPECIAL TAX LIEN FOR COMMUNITY FACILITIES DISTRICT NO. 88-1:** Page 491
EXHIBIT 40
Approval of the Notice of Cancellation of Special Tax Lien for Community Facilities District (CFD) No. 88-1. The Board of Trustees determine the obligation to pay the special taxes levied by the District within the CFD has been permanently satisfied and the District will no longer levy and collect special taxes with respect to the certain parcels of real properties identified in Exhibit A. Due to the size, Exhibit A 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
- 41. NOTICE OF CANCELLATION OF SPECIAL TAX LIEN FOR COMMUNITY FACILITIES DISTRICT NO. 94-1:** Page 493
EXHIBIT 41
Approval of the Notice of Cancellation of Special Tax Lien for Community Facilities District (CFD) No. 94-1. The Board of Trustees determine the obligation to pay the special taxes levied by the District within the CFD has been permanently satisfied and the District will no longer levy and collect special taxes with respect to the certain parcels of real properties identified in Exhibit A. Due to the size, Exhibit A 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
- 42. JOINT COMMUNITY FACILITIES AGREEMENT BETWEEN THE DISTRICT, COUNTY OF ORANGE, AND RANCHO MISSION VIEJO PA2 DEVELOPMENT, LLC:** Page 495
EXHIBIT 42
Approval of the Joint Community Facilities Agreement between the District, County of Orange, and Rancho Mission Viejo PA2 Development, LLC for Esencia K-8 School.
CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 43. ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR FALL 2015:** Page 509
EXHIBIT 43
Approval of the ratification of the execution of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Fall 2015. The Aliso Viejo Community Association owns and maintains Foxborough Park, adjacent to Aliso Niguel High School. The Fall 2015 LUMA allows the District to use Foxborough Park from early November until mid-December 2015 for a fee of \$300, as detailed in the LUMA. The Fall 2015 LUMA is similar to past years' agreements relating to the use of Foxborough Park.
CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.

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

44. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR WINTER 2016:** Page 525
EXHIBIT 44

Approval of the execution of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Winter 2016. The Aliso Viejo Community Association owns and maintains Foxborough Park, adjacent to Aliso Niguel High School. The Winter 2016 LUMA allows the District to use Foxborough Park during January 2016 for a fee of \$100, as detailed in the LUMA. The Winter 2016 LUMA is similar to past years' agreements relating to the use of Foxborough Park.

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

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

45. **RESOLUTION NO. 1516-28, APPROVING THE ANNUAL AND FIVE-YEAR REPORTABLE FEES REPORT FOR FISCAL YEAR 2014-2015, IN COMPLIANCE WITH GOVERNMENT CODE §66001 AND §66006:** Page 541
EXHIBIT 45

Approval of Resolution No. 1516-28 authorizing the Annual and Five-Year Reportable Fees Reports for Fiscal Year 2014-2015, in compliance with Government Code §66001 and §66006. On February 9, 1998, the Board of Trustees adopted guidelines in Senate Bill 1693, legislation requiring school districts to justify and report the need and reasonableness of any collection and spending of developer fees for new school facilities. In compliance with Government Code §66001 and §66006, findings on the type and amounts of fees are to be published in Annual and Five-Year Reports, as long as the District continues to use developer fees as a funding mechanism for new school facility projects. Also, the District published a "Notice of Public Meeting," and made the reports available to the public at least 15 days prior to the District's Board meeting.

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

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

46. **ESENCIA K-8 SCHOOL, EDUCATIONAL SPECIFICATION PLAN:** Page 555
EXHIBIT 46

Approval of the Esencia K-8 School, Educational Specification Plan per the California Code of Regulations; Title 5 §§14001 and 14030a which states that an education facility that is planned by a school district is "evolved from a statement of educational program requirements which reflect the school district's educational goals and objectives" and that such education specifications are "school board approved" prior to plans being submitted to California Department of Education for final approval.

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

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

47. **EVENT CONTRACT AGREEMENT WITH IRVINE RANCH OUTDOOR EDUCATION CENTER:** Page 627
EXHIBIT 47

Approval of the Event Contract agreement with Irvine Ranch Outdoor Education Center to provide a string orchestra overnight trip. The contractor will provide services at the rates indicated in the Agreement. The scheduled attendance for this program is December 4, 2015 through December 5, 2015, for high school orchestra students attending Dana Hills High School. Expenditures under this contract are estimated to be \$3,960 paid by the Foundation.

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, Interim Assistant Superintendent, Education Services

48. ADVERTISE BID NO. 1516-18, EXTERIOR PAINT AT VIEJO ELEMENTARY SCHOOL:

Approval to advertise Bid No. 1516-18 for exterior painting of Viejo Elementary School. The project will be completed over the 2015-2016 summer break. The estimated cost for the project is approximately \$100,000, funded by Fund 14. Due to the size of the bid packet, the documents 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

49. ADVERTISE BID NO. 1516-17, EXTERIOR PAINT AT WOOD CANYON ELEMENTARY SCHOOL:

Approval to advertise Bid No. 1516-17 for exterior painting of Wood Canyon Elementary School. The project will be completed over the 2015-2016 summer break. The estimated cost for the project is approximately \$100,000, funded by Fund 14. Due to the size of the bid packet, the documents 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

50. MAGNOLIA SCHOOL DISTRICT BID NO. MSIT3 #I-23-2014/15 TECHNOLOGY EQUIPMENT AND PERIPHERALS – CDW GOVERNMENT LLC:

Approval to utilize Magnolia School District Bid No. MSIT3, #I-23-2014/15 Technology Equipment and Peripherals for the purchase of technology equipment and related products from CDW Government LLC, as needed, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for technology and related products, as needed, throughout the District. Anticipated annual expenditures utilizing this contract are estimated to be approximately \$2,000,000. Funding for these expenditures may be from a variety of available sources, including, but not limited, to Fund 14, Microsoft voucher funds, and the general fund. The actual amount of expenditures under the piggyback contract may be more or less than the stated amount, depending of the availability of funding. 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

51. ADVERTISE REQUEST FOR PROPOSALS NO. 5-1516, ENERGY AUDIT SERVICES:

Approval to advertise Request for Proposals (RFP) No. 5-1516 to provide energy audit services to capitalize on the available funding provided by Proposition 39 (Prop 39) - California Clean Energy Jobs Act. This RFP will enable the District to solicit proposals from qualified, competent providers of energy audit and services relating to Prop 39 eligible projects. The total expenditure under this contract is estimated to be approximately \$500,000, funded by Prop 39 funds. Actual expenditures will vary depending on the availability of funding. Due to the size of the proposal packet, the RFP documents will be posted online on the District Purchasing's Supporting Documentation page.

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

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

52. LADERA RANCH MIDDLE SCHOOL RELOCATABLE CLASSROOMS AND RESTROOM PROJECT; APPROVAL OF ARCHITECTURAL AND RELATED SERVICES AGREEMENT; APPROVAL TO ADVERTISE FOR BID:

Approval of Ladera Ranch Middle School Relocatable Classrooms and Restroom; Approval of the Agreement for Architectural and Related Services; Approval to Advertise for Bid No. 1516-15. The District will add five relocatable classroom buildings, a relocatable restroom building, repair and add fencing along the perimeter, and add shade structures over the playground equipment of Ladera Ranch Middle School. WLC Architects provided an estimate of \$1,407,585 for the total project cost. The architectural-related services for this project are \$120,000 and reimbursable expenses of \$19,030 as detailed in the Agreement for Architectural and Related Services. Due to the size of the Agreement for Architectural and Related Services and proposed bid documents, both will be posted online on the District Board Agendas and Supporting Documentation page. This project is funded by CFD 98-2, and Developer Fees.

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

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

53. TIJERAS CREEK ELEMENTARY SCHOOL ROOF REPLACEMENT AND EXTERIOR PAINTING PROJECT; APPROVAL OF ARCHITECTURAL AND RELATED SERVICES AGREEMENT; APPROVAL TO ADVERTISE FOR BID:

Approval of Tijeras Creek Elementary School Roof Replacement and Exterior Painting Project; Approval of the Architectural Agreement for Related Services; Approval to Advertise for Bid No. 1516-16. WLC Architects provided an estimate of \$1,584,781 for the total project cost. The architectural-related services for this project are \$156,252 and reimbursable expenses of \$10,674, as detailed in the Agreement for Architectural and Related Services. Due to the size of the Agreement for Architectural and Related Services and proposed bid documents, both will be posted online on the District Board Agendas and Supporting Documentation page. This project is funded by CFD 94-1 RSMII.

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

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

54. ADVERTISE REQUEST FOR PROPOSALS NO. 4-1516, DISTRICTWIDE BUSINESS SYSTEM SOFTWARE SOLUTION:

Approval to advertise Request for Proposals (RFP) No. 4-1516 to provide a comprehensive fully integrated business systems software solution for the District. This RFP will enable the District to solicit proposals from qualified, competent providers of enterprise application suites. The total expenditure will depend on the program selected and is budgeted from one-time and ongoing recovery funds. Due to the size of the proposal packet, the RFP documents will be posted online on the District Purchasing's Supporting Documentation page.

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

55. SPECIAL EDUCATION SETTLEMENT AGREEMENT:

Approval of the ratification of special education Settlement Agreement Case #2015071204. Due to the confidential nature of the Agreement, supporting information is provided to Trustees under separate cover. Expenditures under this Agreement are limited to \$13,000, funded by special education 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: Mark Miller, Assistant Superintendent, SELPA and Special Education Operations

56. GOVERNMENT CLAIM: No. LBI 1501648 MH

This agenda item pertains to a claim filed against the District by Michele Elizabeth St. John. This claim is based upon an alleged injury of this parent/employee attending Arroyo Vista Middle School’s Back to School Night. 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 for this item is provided to Trustees under separate cover.

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

Contact: John A. Roach, Interim Assistant Superintendent, Personnel Services

PERSONNEL SERVICES

57. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:

Page 633
EXHIBIT 57

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: John A. Roach, Interim Assistant Superintendent, Personnel Services

58. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:

Page 635
EXHIBIT 58

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: John A. Roach, Interim Assistant Superintendent, Personnel 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 | _____ |

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

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS WEDNESDAY,
JANUARY 13, 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.