

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

BOARD OF TRUSTEES
Regular Meeting

April 13, 2016

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)

<p>A. CONFERENCE WITH LEGAL COUNSEL—EXSISTING LITIGATION Mark Miller/Sara Young Significant Exposure to Litigation—Two Cases <i>(Pursuant to Government Code § 54956.9)((d)2)</i></p>	<p>EXHIBIT A-1 EXHIBIT A-2</p>
---	--

<p>B. PUBLIC EMPLOYEE EMPLOYEEMENT/APPOINTMENT Elementary School Principals <i>(Pursuant to Government Code §54957)</i></p>	<p>EXHIBIT B</p>
--	-------------------------

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)

PUBLIC HEARING:

Agenda Item 1: Resolution No. 1516-41, Convey an Easement to the City of San Clemente for Verde Park

RECORDING OF SCHOOL BOARD MEETINGS

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

OPEN SESSION AT 7:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

Associated Student Body Report

Clint Collins, Principal, and Olivia Willet, Student Representative of Adult Transition Programs will report on their school and activities.

Celebration of Employee Anniversaries

20 Years of Service

Amy Duarte, Teacher

Laurie Flynn, Teacher

Cori Giacchino, Teacher

Deanna Gross, Teacher

Judy Henry, Teacher

Megan Hunner, Teacher

Valerie Kenney, Teacher

Marie Kirk, Teacher

Rachiel Macalistarie-Frey, Teacher

Jennifer Morris, Teacher

Kim Fleischer, Teacher

Nancy Garell, Teacher

Daniel Grassman, Teacher

Christy Heidner, Teacher

Thomas Hogan, Teacher

Robert Jansen, Teacher

Neal Kirby, Teacher

Carolyn Leslie, Teacher

Michelle McKinley, Teacher

District Teacher of the Year Recipients

High School Teacher of the Year from Dana Hills High School, Kristine Clarke

Middle School Teacher of the Year from Las Flores Middle School, Lisa Hoover

Elementary School Teacher of the Year from George White Elementary, Troy Paula Kubly

Orange County Classified Employee of the Year Representative

Classified Employee Denise Yota is an Occupational Therapist and finalist who will represent Orange County in the 2016 California Classified Employee of the Year Program.

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. 1516-41 TO CONVEY AN EASEMENT TO THE CITY OF SAN CLEMENTE FOR VERDE PARK: INFORMATION/ DISCUSSION

The Board will conduct a public hearing on adopting Resolution No. 1516-41, to convey an easement to the City of San Clemente for Verde Park on a portion of property owned by the District located at 189 Avenida La Cuesta, San Clemente, CA 92672 and 700 Avenida Pico, San Clemente, CA 92673 pursuant to Education Code § 17556 *et seq.* in order for the City to install and maintain landscaping, hardscaping, vegetation, irrigation and related improvements consistent with use as a public park. Supporting documentation information is located in Exhibit 28.

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.

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

2. **AWARD BID NO. 1516-15, LADERA RANCH MIDDLE SCHOOL RELOCATABLE CLASSROOM AND RESTROOM PROJECT – R. JENSEN COMPANY, INCORPORATED:** Page 1
EXHIBIT 2

Approval of the Award of Bid No. 1516-15, Ladera Ranch Middle School Relocatable Classroom and Restroom Project to R. Jensen Company, Incorporated. On December 9, 2015, the Board of Trustees authorized staff to advertise for bids to add five relocatable classroom buildings, a relocatable restroom building, repair existing and erect additional fencing along the perimeter of Ladera Ranch Middle School and install shade structures over the playground equipment. Nineteen entities registered and downloaded the bid documents; three bids were received and opened on March 15, 2016. The three bidders include: Allied e Corporation; R. Jensen Company, Incorporated; and States Link Construction, Incorporated. A list of the received bids is provided in the Bid Summary, as Exhibit A. R. Jensen Company, Incorporated is the lowest responsive, responsible bidder at \$790,000, 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

3. **DONATION OF FUNDS AND EQUIPMENT:** Page 33
EXHIBIT 3

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$97,778.90 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

4. **EXTENSION NO. 1 OF AGREEMENT FOR BID NO. 1415-17, MOVEMENT AND RECONFIGURATION OF RELOCATABLE BUILDINGS - G.A. DOMINGUEZ:** Page 35
EXHIBIT 4

Approval of Extension No. 1 of Agreement for Bid No. 1415-17, Movement and Reconfiguration of Relocatable Buildings with G.A. Dominguez, to provide movement and reconfiguration of relocatable buildings as needed throughout the District. The terms of the base contract is for one year beginning March 1, 2015

through February 29, 2016, with two (2) one-year renewal terms at the option of the Board of Trustees, for a total contract term not-to-exceed 36 months. The vendor agrees to maintain their current pricing for the renewal period of March 1, 2016 through February 28, 2017 shown in Exhibit A attached. Annual expenditures utilizing this contract are estimated to be \$250,000, funded by deferred maintenance funds, routine restricted maintenance funds, Developer Fees, and Community Facilities Districts. Actual expenditures will vary on District needs and availability of funding.

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

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

5. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS: Page 47
EXHIBIT 5

Approval of the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements. The expenditures related to the listed agreements were previously authorized as part of the District’s budget approval process. The exhibit shows two new agreements totaling \$5,970, eight ratifications to new agreements totaling \$161,818.05, two amendments to existing agreements totaling \$50,000 and sixteen amendment ratifications to existing agreements totaling \$388,500. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District’s Board Agendas and Supporting Documentation page.

CUSD 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

6. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS: Page 160
EXHIBIT 6

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District’s budget approval process. The purchase orders total \$2,315,928.68 and the commercial warrants total \$2,442,659.76. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.

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

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

7. SPECIAL EDUCATION SETTLEMENT AGREEMENTS:

Approval of the ratification of special education Settlement Agreement Case #2015110501, Informal Dispute Resolution Case #20160210, and Informal Dispute Resolution Case #20160222. Due to the confidential nature of the Agreements, supporting information is provided to Trustees under separate cover. There is no financial impact.

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

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

CURRICULUM AND INSTRUCTION

8. **FIELD EXPERIENCE/STUDENT TEACHING AGREEMENT – LONGY SCHOOL OF MUSIC OF BARD COLLEGE:** Page 195
EXHIBIT 8
Approval of unpaid field experience/student teaching agreement with Longy School of Music of Bard College for placement of teaching candidates. During the school year, master educators are selected to work with teaching candidates to fulfill the fieldwork/student teaching requirements at various institutes of higher education. Fieldwork/student teaching experience is necessary to earn a teaching credential.
CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.
Contact: Susan Holliday, Assistant Superintendent, Education Services
9. **PREMIER PARTNERS PROGRAM AGREEMENT – BRANDMAN UNIVERSITY:** Page 201
EXHIBIT 9
Approval of scholarship agreement between Brandman University and the District will offer 20 percent scholarship for Master of Arts in Educational Leadership and Administration and Masters of Business Administration cohorts, 10 percent for all other degree programs including graduate, Doctorate of Education, credentials, undergraduate, and many School of Extended Education certificate programs. Both parties will announce these scholarship opportunities to potential applicants. 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
10. **BRANDMAN/DISTRICT PROFESSIONAL DEVELOPMENT UNIVERSITY PARTNERSHIP:** Page 206
EXHIBIT 10
Approval of partnership between Brandman University and the District to support and enhance professional development opportunities for classified, certificated, and management employees aligned to the District’s Vision, Mission, and Wildly Important Goals. Education Services and Brandman University will collaborate to develop a comprehensive School Site Leadership Academy, whereas the University will provide faculty expertise to facilitate up to 20 hours of professional development. Brandman University will also provide faculty expertise to help facilitate up to 40 hours additional professional development to address Education Services identified needs for classified, certificated, and management employees. Brandman University masters and doctoral candidates may use the School Site Leadership Academy to conduct action research and collect data, pending District Application to Conduct Educational Research review and approval. 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

HUMAN RESOURCE SERVICES

11. **SECOND READING – BOARD POLICY 5180, NONDISCRIMINATION:** Page 208
EXHIBIT 11
Approval of the second reading Board Policy 5180, *Nondiscrimination*. On March 9, 2016, Trustees adopted additional revisions to the policy as a third reading which should have been listed as a first reading. To correct the clerical error it is presented correctly as a second reading for approval.
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

- 12. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 211
EXHIBIT 12

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: Gordon Amerson, Assistant Superintendent, Human Resource Services

- 13. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 213
EXHIBIT 13

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: Gordon Amerson, Assistant Superintendent, Human Resource Services

GENERAL FUNCTIONS

- 14. **SCHOOL BOARD MINUTES:** Page 215
EXHIBIT 14

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

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

- 15. **SCHOOL BOARD MINUTES:** Page 236
EXHIBIT 15

Approval of the minutes for the January 27, 2016 Regular Board Meeting.

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

- 16. **SCHOOL BOARD MINUTES:** Page 247
EXHIBIT 16

Approval of the minutes for the February 10, 2016 Regular Board Meeting.

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

- 17. **SCHOOL BOARD MINUTES:** Page 255
EXHIBIT 17

Approval of the minutes for the February 24, 2016 Regular Board Meeting.

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

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

18. RECOMMENDATION OF TENTATIVE AGREEMENT WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION, AND ITS CAPISTRANO CHAPTER 224, FOR JULY 1, 2015 – JUNE 30, 2018:

DISCUSSION/
ACTION
Page 256
EXHIBIT 18

The purpose of this agenda item is to seek approval of the Tentative Agreement between the District and the California School Employees Association (CSEA), and its Capistrano Chapter 224. In addition to the Tentative Agreement, the Public Disclosure of Collective Bargaining Agreement is included in the exhibit. The fiscal impact of this agreement is an increase of \$3.5 million for the current year, \$3.2 million of which is ongoing.

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 recognize Gordon Amerson, Assistant Superintendent, Human Resource Services, to present information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve the Tentative Agreement with CSEA, and its Capistrano Chapter 224, for July 1, 2015 – June 30, 2018.

Motion by _____ Seconded by _____

19. RECOMMENDATION OF TENTATIVE AGREEMENT WITH CAPISTRANO UNIFIED EDUCATION ASSOCIATION (CUEA) FOR JULY 1, 2015 – JUNE 30, 2017:

DISCUSSION/
ACTION
Page 274
EXHIBIT 19

The purpose of this agenda item is to seek approval of the Tentative Agreement between the District and the Capistrano Unified Education Association (CUEA). In addition to the Tentative Agreement, the Public Disclosure of Collective Bargaining Agreement is included in the exhibit. The fiscal impact of this agreement is an increase of \$18.6 million for the current year, \$10 million of which is ongoing.

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 recognize Gordon Amerson, Assistant Superintendent, Human Resource Services, to present information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve the Tentative Agreement with CUEA, for July 1, 2015 – June 30, 2017.

Motion by _____ Seconded by _____

20. FIRST READING – BOARD POLICY 5141.27 FOOD ALLERGIES:

DISCUSSION/
ACTION
Page 292
EXHIBIT 20

In recognition of District students with food allergies, this new board policy addresses language to support schools and families as it relates to the desire to prevent student exposure to foods to which they are allergic or intolerant. 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 information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve Board Policy 5141.27, *Food Allergies*.

Motion by _____ Seconded by _____

21. **FIRST READING – REVISIONS TO BOARD POLICY 6146.1 HIGH SCHOOL GRADUATION REQUIREMENTS:** DISCUSSION/
ACTION

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. 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 information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees approve Board Policy 6146.1, *High School Graduation Requirements*.

Motion by _____ Seconded by _____

22. **FIFTH READING – REVISIONS TO BOARD POLICY 5111.5, LANGUAGE IMMERSION AND INTERNATIONAL BACCALAUREATE ADMISSIONS:** DISCUSSION/
ACTION

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

Page 293
EXHIBIT 21

Page 303
EXHIBIT 22

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

Motion by _____ Seconded by _____

23. **SECOND READING – REVISIONS TO BOARD POLICY 5165.1, IMMUNIZATION REQUIREMENTS FOR SCHOOL ENTRY:** DISCUSSION/
ACTION
Page 324
EXHIBIT 23

Legal changes necessitate revisions to BP 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 first reading of this item have been made. 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, 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 _____

24. **SECOND READING – REVISIONS TO BOARD POLICY 5122, PROMOTION/ACCELERATION/RETENTION:** DISCUSSION/
ACTION
Page 327
EXHIBIT 24

This proposed revision of Board Policy 5122, *Promotion/Acceleration/Retention*, updates this policy to align to the 2016-2017 school calendar and revises the dates for parent requests for retention. The policy revision changes the final date that retention requests can be initiated by parents. This change is necessary due to the new school calendar and maintains 21 calendar days for parent initiated requests prior to the final day of the school year. The policy also reflects changes to the final date for late parent requests for retention. This change reflects the new school calendar and defines parent initiated requests that are submitted after the 21st calendar day prior to the final day of the school year as a “late request.” These revisions comply with the Education Code sections regarding retention. Additional revisions requested by Trustees during the first reading of this item have been made. 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, 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 5122, *Promotion/Acceleration/Retention*.

Motion by _____ Seconded by _____

25. **SECOND READING – REVISIONS TO BOARD POLICY 3290, GIFTS, GRANTS AND BEQUESTS:** DISCUSSION/
ACTION
Page 331
EXHIBIT 25
- Board Policy 3290, *Gifts, Grants and Bequests*, was drafted to update and provide more comprehensive information on legal requirements along with best practices. Revisions have been made based on Board input at the first reading. Changes are underlined; deletions are struck through. There is no financial impact.
- CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.**
- Contact: Clark Hampton, Deputy Superintendent, Business and Support Services**

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 3290, *Gifts, Grants and Bequests*.

Motion by _____ Seconded by _____

26. **SECOND READING – REVISIONS TO BOARD POLICY 3300, EXPENDITURES/EXPENDING AUTHORITY:** DISCUSSION/
ACTION
Page 334
EXHIBIT 26
- Board Policy 3300, *Expenditures/Expending Authority*, was drafted to update and provide more comprehensive information on legal requirements along with best practices. Revisions have been made based on Board input at the first reading. Changes are underlined; deletions are struck through. The newly revised Board Policy will be called *Expenditures and Purchases*. There is no financial impact.
- CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.**
- Contact: Clark Hampton, Deputy Superintendent, Business and Support Services**

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 3300, *Expenditures/Expending Authority*, newly titled *Expenditures and Purchases*.

Motion by _____ Seconded by _____

27. **PROPOSITION 39 – THE CLEAN ENERGY JOBS ACT:** INFORMATION/
DISCUSSION
Page 337
EXHIBIT 27
- The Board of Trustees will be provided with a presentation on the Proposition 39 – Clean Energy Jobs Act. This presentation includes a Comprehensive Summary Report containing an overview of an energy master plan and an outline of the necessary steps to achieve energy efficiency.
- 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.

28. RESOLUTION NO. 1516-41, CONVEY AN EASEMENT TO THE CITY OF SAN CLEMENTE:

DISCUSSION/
ACTION

Page 352

EXHIBIT 28

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 March 9, 2016 meeting, adopted Resolution No. 1516-40 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). The Resolution of Intent established that the Public Hearing would be held during the Board's March 23, 2016 meeting and directed the Superintendent or Superintendent's designee, to provide notice of Public Hearing as required by Education Code § 17558. The District complied with the notice requirements by posting three copies of the Resolution of Intent, signed by a majority of the Board members, in three public places by March 13, 2016 (ten days before the Public Hearing), and by publishing notice of the Public Hearing in the *Orange County Register* by March 18, 2016 (five days before the Public Hearing). On March 23, 2016, the Board opened the public hearing, received comments, and then elected to continue the public hearing until April 13, 2016, in order to provide time for discussions with the City of San Clemente. The Board will now re-open the continued public hearing, receive any additional comments, and then close the hearing, before considering the Resolution of Intent.

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, may then consider whether to convey the Easement to the City of San Clemente, unless the Board receives a petition signed by at least ten percent of the qualified voters within the District (Protest Petition) objecting to the proposed conveyance. Absent receipt of a Protest Petition, the Board may consider the adoption of Resolution No. 1516-41 authorizing the conveyance of the Easement to the City of San Clemente, pursuant to Education Code § 17559. If a Protest Petition is received, then the Board must postpone any decision on whether to convey the Easement to the City of San Clemente and first submit the question of whether to convey the Easement to the Orange County Superintendent of Schools. If the Superintendent of Schools approves the Easement, then the Board may consider approval of the conveyance. If the Superintendent disapproves of the Easement, its decision is final and the District may not convey the Easement. 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

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. 1516-41, Convey an Easement to the City of San Clemente.

Motion by _____ Seconded by _____

ROLL CALL:

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

29. RESOLUTION NO. 1516-50, DENY THE PETITION FOR THE GLOBAL BUSINESS ACADEMY CHARTER SCHOOL:

Approval to adopt Resolution No. 1516-50, denying the petition to establish the Global Business Academy (GBA) charter and stating the findings, contained in the Resolution, upon which the denial is based. This comes before the Board of Trustees after the Board fully considered this application and approved Resolution No. 1516-49 GBA Charter with conditions at the March 23 meeting. Since that meeting GBA advised the District that they need confirmation through resolution that the GBA petition is thus deemed denied. The following resolution denies GBA Charter petition per their disagreement with complying with the 42 conditions.

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 adopt Resolution No. 1516-50, to deny the petition for the Global Business Academy Charter School.

Motion by _____ Seconded by _____

ROLL CALL:

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, APRIL 27, 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

DISCUSSION/
ACTION
Page 370
EXHIBIT 29

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.