

CAPISTRANO UNIFIED SCHOOL DISTRICT  
33122 Valle Road  
San Juan Capistrano, CA 92675  
BOARD OF TRUSTEES  
Regular Meeting

September 23, 2015

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. CONFERENCE WITH LEGAL COUNSEL– ANTICIPATED LITIGATION**

Attorney Daniel K. Spradlin  
Significant Exposure to Litigation – One Case  
*(Pursuant to Government Code §54956.9{d}{2})*

**B. CONFERENCE WITH LABOR NEGOTIATORS**

Kirsten M. Vital/Leona Olson/Clark Hampton  
Employee Organization:  
1) Capistrano Unified Education Association (CUEA)  
2) California School Employees Association (CSEA)  
*(Pursuant to Government Code §54957.6)*

**C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

*(Pursuant to Government Code §54957)*

**D. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

- 1. Coordinator, Visual and Performing Arts
  - 2. High School Assistant Principal
  - 3. Middle School Assistant Principal
- (Pursuant to Government Code §54957)*

**EXHIBIT D1-D3**

President Hatton-Hodson will be participating via remote teleconferencing from:  
11345 Conestoga Drive Grass Valley, California 95949

**PUBLIC HEARING:**

Agenda Item #1 Resolution No. 1516-22, Convey an Easement to the Moulton Niguel Water District for Purposes of Constructing and Operating Certain Water, Reclaimed Water, and Sewer Facilities at Aliso Viejo Transportation Facility

**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**

*Lindsey Pellow – Newhart M.S. Pal Teacher*

**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. 1516-22, CONVEY AN EASEMENT TO THE MOULTON NIGUEL WATER DISTRICT FOR PURPOSES OF CONSTRUCTING AND OPERATING CERTAIN WATER, RECLAIMED WATER, AND SEWER FACILITIES AT ALISO VIEJO TRANSPORTATION FACILITY:** INFORMATION/  
DISCUSSION

The Board will conduct a public hearing on adopting Resolution No. 1516-22, to convey an easement to the Moulton Niguel Water District for purposes of constructing and operating certain water, reclaimed water, and sewer facilities at Aliso Viejo Transportation Facility, 2B Liberty, Aliso Viejo, California. Supporting documentation information is located in Exhibit 2.

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

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

**Staff Recommendation**

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

- 2. **RESOLUTION NO. 1516-22, CONVEY AN EASEMENT TO THE MOULTON NIGUEL WATER DISTRICT FOR PURPOSES OF CONSTRUCTING AND OPERATING CERTAIN WATER, RECLAIMED WATER, AND SEWER FACILITIES AT ALISO VIEJO TRANSPORTATION FACILITY:** DISCUSSION/  
ACTION  
Page 1  
**EXHIBIT 2**

Approval To Convey an Easement to the Moulton Niguel Water District for Purposes of Constructing and Operating Certain Water, Reclaimed Water, and Sewer Facilities at Aliso Viejo Transportation Facility. The Moulton Niguel Water District (MNWD) currently possesses a 20-foot wide easement over certain District property, as necessary to provide water and sewer services to the District’s Aliso Viejo transportation facility. The easement crosses over portions of both the District’s existing property, and the 2C Liberty Property formerly owned by the District and sold to Aliso Viejo 621 (Foundation for Affordable Housing). Now, in order to connect water and sewer facilities for new development occurring on the 2C Liberty property, MNWD requires an additional, smaller easement, to connect the new facilities to those

within the existing easement. The new easement would essentially serve as an extension to the existing easement, and allow MNWD to provide water and sewer services to both the District and the 2C Liberty property. Pursuant to Education Code §17556 *et. seq.*, the Board, at its September 9, 2015 meeting, adopted Resolution No. 1516-19 indicating its intention to convey the New MNWD Easement and calling a noticed “Public Hearing” to address the issue of whether the District should convey the New MNWD Easement to Resolution No. 1516-22, Resolution to Convey an Easement to the Moulton Niguel Water District (MNWD) (Resolution of Intent). The Resolution of Intent established that the Public Hearing would be held during the Board’s September 23, 2015, meeting and directed the Superintendent or Superintendent’s designee, to provide notice of the 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 September 13, 2015 (ten days before the Public Hearing), and by publishing notice of the Public Hearing in *Orange County Register* by September 18, 2015 (five days before the Public Hearing). The Board will now hold the Public Hearing. 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 New MNWD Easement as required by Education Code §17558, may then consider whether to convey the New MNWD Easement to MNWD, 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. 1516-22 authorizing the conveyance of the New MNWD Easement to MNWD, pursuant to Education Code §17559. If a Protest Petition is received, then the Board must postpone any decision on whether to convey the New MNWD Easement and first submit the question of whether to convey the Easement to the Orange County Superintendent of Schools. If the Superintendent of Schools approves of the Easement, then the Board may consider approval of the conveyance. If the Superintendent of Schools disapproves of the Easement, its decision is final and the District may not convey the Easement. This Resolution to Convey the New MNWD Easement 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. 1516-22, Convey an Easement to the Moulton Niguel Water District for Purposes of Constructing and Operating Certain Water, Reclaimed Water, and Sewer Facilities at Aliso Viejo Transportation Facility.

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

ROLL CALL:

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

**DISCUSSION/ACTION ITEMS**

- 3. RE-ENGAGEMENT OF THE COMMUNITY FOR THE 2016-2017 SCHOOL CALENDAR:** DISCUSSION/  
ACTION  
Page 11  
**EXHIBIT 3**

The Board of Trustees will give direction to re-engage the community for the 2016-2017 School calendar and direct staff to bring back options to vote on by the December 2015 Board meeting. Staff requests that the Board provide direction on their calendar values and the rationale staff should consider in the calendar engagement process.

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

***Contact: Michelle Benham, Principal***

Staff Recommendation

It is recommended the Board President recognize Principal Michelle Benham, to provide information on this item.

Following discussion, it is recommended that the Board of Trustees give direction to staff to either continue the current 2016-2017 adopted School Calendar or provide specific information to amend this decision and direct staff to submit calendar options back to the Board by December, 2015.

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

**ROLL CALL:**

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

- 4. STAFF RECOMMENDATIONS FOR NEGOTIATING A LONG-TERM FACILITY LEASE WITH COMMUNITY ROOTS ACADEMY:** DISCUSSION/  
ACTION  
Page 13  
**EXHIBIT 4**

The purpose of this agenda item is to provide the Board of Trustees additional information as directed at the September 9, 2015 meeting. The Board directed staff to continue exploring Crown Valley Elementary School as a potential site for a negotiated long-term lease with Community Roots Academy. Furthermore, the Board directed staff to also conduct an analysis of Wood Canyon Elementary School as a potential site. As a result, staff has conducted engagement with the Wood Canyon community and developed beginning transition plans for both Crown Valley and Wood Canyon Elementary Schools.

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

***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.

The purpose of this Following discussion, it is recommended the Board of Trustees move the staff recommendation for Crown Valley Elementary School as the site to negotiate a long-term facility lease with Community Roots Academy.

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

**ROLL CALL:**

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

**5. DISCUSSION REGARDING UPCOMING WIGS:**

At the June 10, 2015 Board meeting, the Board of Trustees discussed and adopted the District’s new vision, mission, and Wildly Important Goals. At the Board meeting on September 23, 2015, staff will be presenting proposed WIGs under the Facilities WIG. Board WIG Facilities - Optimize learning environments by engaging stakeholders to create safe, warm, dry, clean, cool, healthy, and functional facilities for all students. On October 14, 2015, staff will present the proposed District WIGs for Communications. Board WIG Communications - Increase community outreach by actively engaging students, parents, employees, and community members with Districtwide and community-specific decisions. And on October 28, 2015, staff will present the proposed District WIGs for Teaching and Learning. Board WIG - Teaching and Learning engage students in a meaningful, challenging, and innovative educational experience resulting in increased post-secondary options for all students. In addition, District staff is in the process of aligning all District plans, management evaluations, and site and department work plans to our WIGs. All WIGs will be finalized for Board of Trustees approval at the November 11, 2015 Board meeting.

***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***

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.

**6. TECHNOLOGY PLAN 2015-2018:**

This presentation will provide the Trustees with an overview of the District Technology Plan for 2015-2018. Staff will present the process, stakeholders, and goals of the plan for the next three school years.

***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***

Staff Recommendation

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

INFORMATION/  
DISCUSSION  
Page 15  
**EXHIBIT 5**

INFORMATION/  
DISCUSSION  
Page 25  
**EXHIBIT 6**

**7. RESIDENCY VERIFICATION UPDATE:**

DISCUSSION/  
ACTION  
Page 71  
**EXHIBIT 7**

Last spring, the District implemented a Residency Verification Program at the impacted Ladera Ranch Schools. The process began by requesting proof of residency. The District followed up on suspicious or incomplete documentation. Concurrently, a Fraudulent Address Reporting System was implemented. The District contracted with a private investigator to conduct home visits. Staff recommends continuing the address verification and investigation program in Ladera Ranch. Staff also proposes implementation of a District residency verification form. The recommendation is to pilot the form at additional impacted sites per Board direction.

***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 this item.

Following discussion, it is recommended the Board of Trustees approve the Residency Verification Form.

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

ROLL CALL:

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

**8. GRAND JURY REPORTS AND DISTRICT RESPONSES:**

INFORMATION/  
DISCUSSION  
Page 87  
**EXHIBIT 8**

This presentation will provide the Trustees with a summary of two recent Grand Jury Reports titled Joint Powers Authorities: Issues of Viability, Control, Transparency and Solvency and Mello-Roos: Perpetual Debt Accumulation and Tax Assessment Obligation, and responses to the Orange County Grand Jury prepared by District staff.

***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**

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. FIRST READING – BOARD POLICY 2400, WHISTLEBLOWING AND REPORTS OF SUSPECTED WRONGDOING:**

INFORMATION/  
DISCUSSION  
Page 141  
**EXHIBIT 9**

At the Board of Trustees’ request, staff was directed to create a Whistleblower Board Policy to clarify a process for District employees and others to report suspected unlawful and other improper conduct. *Board Policy 2400, Whistleblowing and Reports of Suspected Wrongdoing* is created to provide the District, the Board, employees, and others clear avenues to report suspected unlawful and other improper conduct without the fear of retaliation as well as define the processes used to investigate such reports.

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

*specific decisions.*

*Contact: Leona Olson, Assistant Superintendent, Personnel Services*

Staff Recommendation

It is recommended the Board President recognize Leona Olson, Assistant Superintendent, Personnel 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.

**10. FIRST READING – REVISIONS TO BOARD POLICY 5162(a), ADMINISTERING MEDICATION:**

As amended by SB 1266 (Ch. 321, Statutes of 2014), Education Code § 49414 requires districts 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.

***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, who will present the revision to BP5162(a), *Administering Medication* and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

**11. THIRD READING – REVISIONS TO BOARD POLICY 1330, USE OF FACILITIES:**

As changes occur in Education Code or precedent-setting lawsuits, it becomes necessary to update policies. Revised Board Policy 1330, *Use of School Facilities*, is to provide the District, the Board, and employees with up-to-date information to ensure the District meets legal provisions surrounding the use of District facilities. Additional revisions requested by Trustees during the second reading of this item have been made. There is no financial impact. Changes are underlined; deletions are struck through.

***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 Third Reading Revisions to Board Policy 1330, *Use of Facilities*.

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

**ROLL CALL:**

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

INFORMATION/  
DISCUSSION  
Page 143  
**EXHIBIT 10**

DISCUSSION/  
ACTION  
Page 147  
**EXHIBIT 11**

## 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

**12. SCHOOL BOARD MINUTES:**

Approval of the minutes of the August 12, 2015, regular Board meeting.

*Contact: Teresa Teichman, Manager, Board Office Operations*

Page 149

**EXHIBIT 12**

### CURRICULUM & INSTRUCTION

**13. EXTENDED-SCHOOL-YEAR PROPOSAL FOR 2016:**

Approval of the proposed 2016 Extended-School-Year (ESY) program. California Code of Regulations §3043, Title 5, establishes that ESY services shall be provided for each individual with exceptional needs who requires special education and related services beyond the regular academic year. A student is eligible for ESY if it is determined by the Individualized Education Program team that interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disability. For 2016, staff is recommending a 19-day program from June 20, 2016 through July 15, 2016 for ESY students. The proposed ESY classes will be offered at three elementary schools, one middle school, one high school, and one adult transition center, and will serve approximately 850 students. The total cost of the special education ESY program is approximately \$1,600,000.

*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*

**14. FIELD EXPERIENCE/STUDENT TEACHING AGREEMENT – UNIVERSITY OF SOUTHERN CALIFORNIA:**

Approval of unpaid field experience/student teaching agreement with University of Southern California 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, Interim Assistant Superintendent, Education Services*

Page 162

**EXHIBIT 14**

### BUSINESS & SUPPORT SERVICES

**15. PURCHASE ORDERS, COMMERCIAL WARRANTS, AND PREVIOUSLY BOARD – APPROVED BIDS AND CONTRACTS:**

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 \$8,277,734.36 and the commercial

Page 168

**EXHIBIT 15**

warrants total \$9,936,181.29. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase orders and commercial warrant listings. Attachment 4 is a list of previously Board-approved 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***

**16. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:**

Page 208  
**EXHIBIT 16**

Approval of the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements. Due to state budget cuts to schools over the last several years, staff requests contractors to reduce their fees for services by ten percent. The expenditures related to the listed agreements were previously authorized as part of the District’s budget approval process. The exhibit shows one new agreement totaling \$795, five ratifications of new agreements totaling \$810,473, five extension ratifications to existing agreements totaling \$125,000, and three amendment ratifications to existing agreements totaling \$150,000. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District’s Board Agendas and Supporting Documentation page.

***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***

**17. DONATION OF FUNDS AND EQUIPMENT:**

Page 284  
**EXHIBIT 17**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$125,638.69 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***

**18. RESOLUTION NO. 1516-20, DECLARING AN INTENTION TO CONSIDER THE CONVEYANCE OF AN EASEMENT TO THE CITY OF SAN CLEMENTE:**

Page 286  
**EXHIBIT 18**

Approval of Resolution No. 1516-20, Declaring an intention to consider the conveyance of an easement to the City of San Clemente. 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 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.

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

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

**19. ESENCIA K-8 SCHOOL SITE MASTER PLAN AND THE PAVILION JOINT USE MULTIPURPOSE BUILDING PLANS:** Page 292  
**EXHIBIT 19**

Approval of the Esencia K-8 School Site Master Plan and The Pavilion Joint Use Multipurpose Building (MPR) Plans. Board approval of the master site plan for the Esencia K-8 School; and The Pavilion MPR site plan, floor plan, and renderings per the School Facilities Funding Agreement executed August 2013.

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

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

**20. MEMORANDUM OF UNDERSTANDING BETWEEN THE DISTRICT, RANCHO MISSION VIEJO COMMUNITY DEVELOPMENT, LLC, AND RANCHO MISSION VIEJO PA2 DEVELOPMENT, LLC:** Page 314  
**EXHIBIT 20**

Approval of the Memorandum of Understanding (MOU) between the District, Rancho Mission Viejo Community Development, LLC (RMV), and Rancho Mission Viejo PA2 Development, LLC for Esencia K-8 School. The MOU outlines, and makes clear for all parties, how the Esencia K-8 School will be funded for construction if a state bond is not passed in the November 2016 general election.

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

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

**21. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTION:**

Approval of special education Informal Dispute Resolution Case #061115. Due to the confidential nature of this Agreement, supporting information is provided to Trustees under separate cover. Expenditures under this Agreement are limited to \$37,430, 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***

**22. SPECIAL EDUCATION INFORMAL DISPUTE RESOLUTIONS:**

Approval of the ratification of special education Informal Dispute Resolution Case #050415, Informal Dispute Resolution Case #060715, Informal Dispute Resolution Case #071115, Informal Dispute Resolution Case #071215, Informal Dispute Resolution Case #082415, and Informal Dispute Resolution Case #082615. Due to the confidential nature of the Agreements, supporting information is provided to Trustees under separate cover. Expenditures under these Agreements are limited to \$8,000, 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***

**23. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NO. 4-14-58-0074A, GENERAL SERVICES ADMINISTRATION SCHEDULE NO. GS-03F-0032T, NON INFORMATION TECHNOLOGY GOODS, DIGITAL NETWORKS GROUP, INCORPORATED:**

Approval to utilize the State of California Multiple Award Schedule Contract No. 4-14-58-007A, General Services Administration schedule GS-03F-0032T, for the purchase of Non Information Technology Goods, from Digital Networks Group, Incorporated, as needed, under the same terms and conditions of the public agency's

contract. This contract provides set pricing for Non Information Technology Goods, as needed, throughout the District. Anticipated annual expenditures utilizing this contract are approximately \$250,000 funded through various sources, including, but not limited to, gift funds, site funds, grants, and general funds. 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 save time and often provide 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 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***

- 24. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1415-18, EXTERIOR PAINT AT PALISADES ELEMENTARY SCHOOL – TONY PAINTING, INCORPORATED:** Page 328  
**EXHIBIT 24**  
Approval of the Final Acceptance and filing of the Notice of Completion for Bid No.1415-18, Exterior Paint at Palisades Elementary School. All work has been inspected and completed to the satisfaction of staff. Funded by Deferred Maintenance.  
***CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.***  
***Contact: Clark Hampton, Deputy Superintendent, Business and Support Services***
- 25. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO 1415-19, LAS FLORES ELEMENTARY SCHOOL NEW PORTABLE RESTROOM BUILDING AND ASSOCIATED SITE WORK – GEORGE A. DOMINGUEZ dba G.A. DOMINGUEZ:** Page 330  
**EXHIBIT 25**  
Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1415-19, Las Flores Elementary School New Portable Restroom Building and Associated Site Work. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. Funded by Community Facilities District (CFD) 92-1 Las Flores.  
***CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.***  
***Contact: Clark Hampton, Deputy Superintendent, Business and Support Services***
- 26. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1415-20, DANA HILLS HIGH SCHOOL NEW PORTABLE WRESTLING ROOM BUILDING, NEW PORTABLE RESTROOM BUILDING, AND ASSOCIATED SITE WORK – R. JENSEN COMPANY, INCORPORATED:** Page 332  
**EXHIBIT 26**  
Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1415-20, Dana Hills High School New Portable Wrestling Room Building, New Portable Restroom Building, and Associated Site Work. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. Funded by Fund 25, Developer Fees and School Facility Improvement (SFID) funds.  
***CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.***  
***Contact: Clark Hampton, Deputy Superintendent, Business and Support Services***
- 27. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1415-21, OXFORD PREPARATORY ACADEMY NEW PORTABLE RESTROOM BUILDING AND ASSOCIATED SITE WORK – GEORGE A. DOMINGUEZ dba G.A. DOMINGUEZ:** Page 334  
**EXHIBIT 27**

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1415-21, Oxford Preparatory Academy New Portable Restroom Building and Associated Site Work. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. Funded by Fund 25, Developer Fees.

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

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

**28. INCOME AGREEMENT NO. 42018 - ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 336  
**EXHIBIT 28**

Approval of Income Agreement No. 42018 with Orange County Superintendent of Schools to provide the services of Jane Vogel for functional vision assessments and consultations for District students. The contractor will provide services at the rates indicated in the Agreement. The term of this Agreement is July 1, 2015 through June 30, 2016. Annual expenditures under this contract are limited to \$5,000, paid 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: Clark Hampton, Deputy Superintendent, Business and Support Services**

**29. INCOME AGREEMENT NO. 42073 - ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 342  
**EXHIBIT 29**

Approval of Income Agreement No. 42073 with Orange County Superintendent of Schools to provide the services of Hope Therapies for speech and language services, including assessments and consultations for District students. The contractor will provide services at the rates indicated in the Agreement. The term of this Agreement is July 1, 2015 through June 30, 2016. Annual expenditures under this contract are limited to \$10,000, paid 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: Clark Hampton, Deputy Superintendent, Business and Support Services**

**30. INCOME AGREEMENT NO. 42078 - ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 348  
**EXHIBIT 30**

Approval of Income Agreement No. 42078 with Orange County Superintendent of Schools to provide Leadership Development training for administrative coaching services to District administrators, specifically provided by the Institute for Leadership Development. Contractor will provide services at the rates indicated in the Agreement. The term of this Agreement is July 1, 2015 through June 30, 2016. Annual expenditures under this contract are estimated to be \$20,000, paid by the general fund.

**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**

**31. LICENSING AGREEMENT WITH DOCUMENT TRACKING SERVICES:** Page 354  
**EXHIBIT 31**

Approval of the Licensing Agreement with Document Tracking Services to provide a license to use a proprietary web-based application to create, edit, update, print, and track the 2015 School Accountability Report Card, the 2015 Single Plan for Student Achievement, translation service for Spanish school Accountability Report, and other documents as needed by the District. The contractor will provide services at the rates indicated in the Agreement. The term of this agreement is October 1, 2015 through September 30, 2016. Annual expenditures under this contract are estimated to be \$13,740, paid by the general fund.

**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*

**PERSONNEL SERVICES**

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

Page 358  
**EXHIBIT 32**

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: Leona Olson, Assistant Superintendent, Personnel Services*

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

Page 360  
**EXHIBIT 33**

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: Leona Olson, Assistant Superintendent, Personnel Services*

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

**ROLL CALL:**

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

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS WEDNESDAY, OCTOBER 14, 2015, 7:00 P.M. AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM, 33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

For information regarding Capistrano Unified School District, please visit our website:  
[www.capousd.org](http://www.capousd.org)

## **INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING**

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

### **WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES**

**ITEMS ON THE AGENDA.** Any person may address the Board concerning any item on the agenda and may, at the discretion of the Board, be granted three (3) minutes to make a presentation to the Board at the time a specific item is under discussion. However, the time assigned for individual presentations could be fewer than three (3) minutes depending upon the total number of speakers who wish to address a specific agenda topic. Prior to the opening of the meeting, a Request to Address the Board card (located in the foyer) should be completed and submitted to the Secretary of the Board. The total time devoted to presentations to the Board shall not exceed twenty (20) minutes, unless additional time is granted by the Board. All presentations shall be heard by the Board prior to the formal discussion of the agenda topic under consideration. Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic.

**ORAL COMMUNICATIONS (Non-Agenda Items).** Citizens may address the Board on any item not appearing on the agenda. Individual presentations are limited to three (3) minutes per individual, with twenty (20) minutes in total being devoted for this purpose, but could be less if there are a large number of Oral Communication speakers. Legally, the Board may not take action on items raised by speakers under Oral Communications. However, at its discretion, the Board may refer items to the administration for follow-up or place topics on a future Board agenda.

**PUBLIC HEARINGS.** Anytime the Board schedules a separate public hearing on any given topic, it shall not hear speakers on that topic before the public hearing, except as to the scheduling of the hearing, nor shall it hear speakers after the hearing, except as to changes in the policy or recommended actions which are directed at the time of the hearing.

**CLOSED SESSION.** In accordance with Education Code §35146 and Government Code §54957, the Board may recess to Closed Session to discuss personnel matters which they consider inadvisable to take up in a public meeting.

#### **REASONABLE ACCOMMODATION**

*In order to help ensure participation in the meeting of disabled individuals, appropriate disability-related accommodations or modifications shall be provided by the Board, upon request, in accordance with the Americans with Disabilities Act (ADA). Persons with a disability who require a disability-related accommodation or modification, including auxiliary aids and services in order to participate in a Board meeting, shall contact the Superintendent or designee in writing by noon on the Friday before the scheduled meeting. Such notification shall provide school district personnel time to make reasonable arrangements to assure accessibility to the meeting.*