

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

BOARD OF TRUSTEES  
Regular Meeting

December 14, 2016

**REVISED**  
Closed Session 5:00 p.m.  
Oath of Office/Open Session 7:00 p.m.

**AGENDA**

**CLOSED SESSION AT 5:00 P.M.**

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

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Janie Hoy/Sara Young  
Attorney - Ernest Bell  
Significant Exposure to Litigation – Two Cases  
IDR Case Number 20161108  
IDR Case Number 20161114  
(Pursuant to Government Code § 54956.9(d)(2))

**EXHIBIT A-1**  
**EXHIBIT A-2**  
**EXHIBIT A-3**

Attorney – Anthony De Marco  
Significant Exposure to Litigation – One Case  
(Pursuant to Government Code § 54957(b))

Attorney – Anthony De Marco  
Significant Exposure to Litigation – One Case  
(Pursuant to Education Code § 49070(c))

Attorney – David M. Huff  
Significant Exposure to Litigation – One Case  
(Pursuant to Government Code § 54956.9(d)(2))

**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Janie Hoy/Sara Young  
Attorney - Ernest Bell  
Significant Exposure to Litigation – Four Cases  
OAH Case Number 2016100640  
OAH Case Number 2016100858  
OAH Case Number 2016100979  
OAH Case Number 2016110441  
(Pursuant to Government Code § 54956.9(d)(1))

**EXHIBIT B-1**  
**EXHIBIT B-2**  
**EXHIBIT B-3**  
**EXHIBIT B-4**

Attorney – Anthony De Marco  
Significant Exposure to Litigation – One Case  
(Pursuant to Government Code § 54956.9(d)(1))

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

Gordon Amerson  
One Case  
Case Number 16716  
(Pursuant to Government Code § 54957)

**EXHIBIT C-1**

**D. STUDENT EXPULSIONS**

Mike Beekman  
One Case  
Case Number 2017-012

**EXHIBIT D-1**

**E. STUDENT READMISSIONS**

Mike Beekman  
One Case  
Case Number 2016-022

**EXHIBIT E-1**

**F. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE**

Superintendent  
*(Pursuant to Government Code § 54957)*

**PUBLIC HEARINGS:**

**Agenda Item 6:** California School Employees Association’s Initial Proposal for Negotiations and District’s Initial Proposal to California School Employees Association for 2016-2017 Negotiations.

**Agenda Item 7:** Teamsters Initial Proposal for Negotiations and District’s Initial Proposal to Teamsters for 2016-2017 Negotiations.

**RECORDING OF SCHOOL BOARD MEETINGS**

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

**AGENDA  
OATH OF OFFICE  
7:00 p.m.**

*Trustee Hanacek, Trustee Holloway, Trustee Pritchard and Trustee Reardon*

**OPEN SESSION**

**PLEDGE OF ALLEGIANCE**

**OATH OF OFFICE**

**ADOPTION OF THE AGENDA – ROLL CALL**

**REPORT ON CLOSED SESSION ACTION**

**REORGANIZATION OF THE BOARD**

**1. REORGANIZATION OF BOARD – ELECTION OF PRESIDENT:**

**DISCUSSION/  
ACTION**

The Capistrano Unified School District Board of Trustees is conforming to Education Code requirements by holding its annual organizational meeting at the December 14, 2016, 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:**

DISCUSSION/  
ACTION

**3. REORGANIZATION OF BOARD – ELECTION OF CLERK**

DISCUSSION/  
ACTION

**WINTER MUSIC PROGRAM**

**Tesoro High School String Quartet**

*Violins: Elise Esplin, Shannon Zhuang*

*Viola: Addison Jadwin*

*Cello: Abigail (Abby) Jensen*

**SPECIAL RECOGNITIONS**

**Extra Miler**

*David and Laura Simmons for their support of the Dana Hills High School Football Program and their commitment to the Honor the Valor Football Game. This annual game honors the Veterans in our community.*

**Associated Student Body**

*San Juan Hills High School*

*Jennifer Smalley, Principal*

*Brooke Valderrama, Activities Director*

*Macey Bergstrom, Associated Student Body President*

**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

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 2016. This agenda item requests the Board of Trustees select a member or members to serve on one or more of the committees during 2017. There is no financial impact.

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**EXHIBIT 4**

***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. 1617-48, ROLE OF THE BOARD: POWERS AND RESPONSIBILITIES:**

Resolution No. 1617-48, 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*

DISCUSSION/  
ACTION  
Page 3  
**EXHIBIT 5**

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 adopt Resolution 1617-48, Role of the Board: Powers and Responsibilities.

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

**ROLL CALL:**

|                         |       |                    |       |
|-------------------------|-------|--------------------|-------|
| Student Advisor Darling | _____ | Trustee Jones      | _____ |
| Trustee Hanacek         | _____ | Trustee McNicholas | _____ |
| Trustee Hatton-Hodson   | _____ | Trustee Pritchard  | _____ |
| Trustee Holloway        | _____ | Trustee Reardon    | _____ |

**PUBLIC HEARINGS**

**6. PUBLIC HEARING: CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION’S INITIAL PROPOSAL FOR NEGOTIATIONS AND DISTRICT’S INITIAL PROPOSAL TO CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION FOR 2016-2017 NEGOTIATIONS:**

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

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

*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, received CSEA’s initial proposals, receive the District’s initial proposals, and then formally close the public hearing.

INFORMATION/  
DISCUSSION  
Page 4  
**EXHIBIT 6**

**7. PUBLIC HEARING: TEAMSTERS INITIAL PROPOSAL FOR NEGOTIATIONS AND DISTRICT’S INITIAL PROPOSAL TO TEAMSTERS FOR 2016-2017 NEGOTIATIONS:**

The Board will conduct a Public Hearing to receive the Teamsters’ and the Capistrano Unified School District’s initial proposals for negotiations for the 2016-2017 school year. This Public Hearing is conducted to meet the sunshine requirements set forth in Government Code § 3547.

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

*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*

INFORMATION/  
DISCUSSION  
Page 7  
**EXHIBIT 7**

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, receive Teamsters initial proposals, receive the District's initial proposals, and then 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**

- 8. DONATION OF FUNDS AND EQUIPMENT:** Page 11  
**EXHIBIT 8**  
Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$312,496.09 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 9. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 14  
**EXHIBIT 9**  
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 \$1,323,269.15 and the commercial warrants total \$18,338,737.32. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 10. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE AND MASTER CONTRACT AGREEMENTS:** Page 70  
**EXHIBIT 10**  
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 seven new agreements totaling \$194,119.89 and six amendments to existing agreements totaling \$378,600. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 11. ADDENDUM TO CONTRACT FOR E-RATE COMPLIANCE SERVICES - CSM CONSULTING, INC.:** Page 160  
**EXHIBIT 11**  
Approval of the Addendum to Contract for E-Rate Compliance Services. This addendum to the previously approved E-Rate compliance contract with CSM Consulting, Inc. modifies the services provided to include monitoring the Funding Request Number (FRN) utilization to determine the District is reimbursed appropriately. This monitoring service does not increase the cost and will ensure the consultants are actively watching all the E-Rate vendors and their discount utilizations.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

12. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR FALL 2016:** Page 167  
**EXHIBIT 12**
- Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Fall 2016. The Aliso Viejo Community Association owns and maintains Foxborough Park, adjacent to Aliso Niguel High School. The Fall 2016 LUMA allows the District to use Foxborough Park from early November until mid-December 2016 for a fee of \$300, as detailed in the LUMA. The Fall 2016 LUMA is similar to past years' agreements relating to the use of Foxborough Park.
- Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
13. **APPROVAL TO PROCURE ELIGIBLE COMPUTER HARDWARE AND SOFTWARE UTILIZING REQUESTS FOR PROPOSALS PROCESS RELATING TO LEARNING MANAGEMENT SYSTEM:** Page 183  
**EXHIBIT 13**
- Approval to procure eligible computer hardware and software items utilizing a Requests for Proposals (RFP) process. Public Contract Code Section 20118.2 states that due to the highly specialized nature of technology, telecommunications, related equipment, software and services, it is in the public's best interest to allow a school district to consider, in addition to price, various factors. Section 20118.2(c) requires that prior to awarding contracts utilizing the competitive negotiation RFP process discussed in Section 20118.2(d), the governing board must make a finding that the items listed in the proposed Request for Proposal No. 3-1617 Learning Management System is eligible under the Public Contract Code Section 20118.2. Due to the size of the document, the Request for Proposal No. 3-1617 Learning Management System is posted online on the District's Board Agendas and Supporting Documentation page.
- Contact: Susan Holliday, Associate Superintendent, Education Services*
14. **AWARD BID NO. 1617-07, ELECTRICAL, FIRE PROTECTION, AND LOW VOLTAGE SYSTEMS SERVICES – GILBERT & STEARNS, INCORPORATED AND X-ACT TECHNOLOGY SOLUTIONS, INCORPORATED:** Page 184  
**EXHIBIT 14**
- Approval of the Award of Bid No. 1617-07 Electrical and Fire Protection Systems services categories to Gilbert & Stearns, Incorporated and the Low Voltage Systems services category to X-Act Technology Solutions, Incorporated. Three bids were received and opened on November 21, 2016, which include those listed in Exhibit A. Each category of this bid award was determined by creating four, three, and four job scenarios, respectively, of the most common District projects with select line items at a weighted percentage and awarded to the lowest responsive bidder as indicated on Exhibit A. The initial contract term is January 1, 2017 through December 31, 2017, and may be extended by mutual agreement with Board approval, for a total term not-to-exceed three years. The total annual expenditures under this contract are estimated to be \$575,000 funded by deferred maintenance and the general fund. Actual expenditures will be dependent on the availability of funds and the amount may be more or less than what is currently estimated.
- Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
15. **EMPLOYEE MILEAGE AND CELL PHONE ALLOWANCE:** Page 222  
**EXHIBIT 15**
- Approval of employee mileage and cell phone allowance. Certain District-based and site-based employees have been designated by the Board of Trustees to be paid a monthly mileage allowance for use of a personal vehicle for District business-related travel in lieu of reimbursement for actual mileage. Employees assigned a District vehicle are not eligible to receive a stipend. Due to the requirement for some employees to respond to District emergencies or work extended hours, certain positions require significantly higher rates of travel between sites, specifically, the area of Facilities Services. The realignment of the management, supervisory and confidential salary schedule necessitates a review of the employees so designated and their classifications. Changes are underlined; deletions are struck through.

Certain administrative positions have been designated by the Superintendent or designee to receive a \$35 monthly allowance for the business portion of their personal cell phone use. These positions have been designated as needing to be contacted while off-site or away from a District land line phone. Staff members who currently have a District-issued cellular phone will turn in this phone at the end of the current contract and be assigned the allowance to be paid quarterly. Labor Code § 2802 and Education Code § 44032 require employers to compensate its employees for any expense incurred in the discharge of duties on behalf of the employer.

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

**16. RESOLUTION NO. 1617-45, APPROVING THE ANNUAL AND FIVE-YEAR REPORTABLE FEES REPORT FOR FISCAL YEAR 2015-2016, IN COMPLIANCE WITH GOVERNMENT CODE § 66001 AND § 66006:**

Page 224  
EXHIBIT 16

Approval of Resolution No. 1617-45 authorizing the Annual and Five-Year Reportable Fees Reports for Fiscal Year 2015-2016, 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.

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

**17. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NO. 4-16-84-0054A, GENERAL SERVICES ADMINISTRATION SCHEDULE NO. GS-07F-0011H, INFORMATION TECHNOLOGY GOODS AND SERVICES – SYSTEMS ENGINEERING INC. DBA ASSI SECURITY:**

Page 241  
EXHIBIT 17

Approval to utilize the State of California Multiple Award Schedule Contract No. 4-16-84-0054A, General Services Administration Schedule No. GS-07F-0011H, for the purchase of information technology goods and services, from Systems Engineering Inc. dba ASSI Security, as needed, such as security cameras, DVR appliances, cabling and installation services. The District can utilize such contracts pursuant to California Public Contract Code §§ 10298, 10290, 10290.1, and 12100 without going to bid. The prices offered by the contractor have been assessed to be fair, reasonable and competitive. Staff determined it is in the best interest of the District to utilize the state contract for the purchase of these technology products and related services. The contract term is September 29, 2016 through August 30, 2018. Annual expenditures under this contract are estimated to be \$200,000 based on the number of sites adding security cameras. Expenditures are funded by site funds. Due to the size of the contract and award documentation, it will be posted online on the District Board Agendas and Supporting Documentation page.

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

**18. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NOS. 3-08-70-0876Y, 3-11-70-0876AG, 3-13-70-0876AL, 3-15-70-0876AM, 3-15-84-0018B, 3-16-70-2382B, 3-11-70-0876AK, 3-01-70-0879H, 3-08-70-0876W AND 3-16-84-0018C, GENERAL SERVICES ADMINISTRATION SCHEDULE NOS. GS-35F-0505U, GS-35F-0563U, GS-35F-0308U, GS-35F-0511T, GS-07F-0206W, GS-35F-183DA, GS35F-0143R, GS-35F-4748G, GS-35F-0814N AND GS-07F-0200W, RESPECTIVELY, INFORMATION TECHNOLOGY GOODS AND SERVICES, VECTOR RESOURCES, INC.:**

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EXHIBIT 18

Approval to utilize the State of California Multiple Award Schedule Contract Nos. 3-08-70-0876Y, 3-11-70-0876AG, 3-13-70-0876AL, 3-15-70-0876AM, 3-15-84-0018B, 3-16-70-2382B, 3-11-70-0876AK, 3-01-70-0879H, 3-08-70-0876W and 3-16-84-

0018C, General Services Administration Schedule Nos. GS-35F-0505U, GS-35F-0563U, GS-35F-0308U, GS-35F-0511T, GS-07F-0206W, GS-35F-183DA, GS35F-0143R, GS-35F-4748G, GS-35F-0814N and GS-07F-0200W, respectively, awarded to Vector Resources, Inc., for the purchase of information technology goods and services, as needed, such as security cameras, DVR appliances, data center appliances, networking appliances, cabling and installation services, audio-visual installs, engineering and design support services, project management services, mesh network appliances and services, VOIP telephone services and other product and services. The District can utilize such contracts pursuant to California Public Contract Code §§ 10298, 10290, 10290.1, and 12100 without going to bid. The prices offered by the contractor have been assessed to be fair, reasonable and competitive. Staff determined it is in the best interest of the District to utilize the state contract for the purchase of these technology products and related services. The length of contract terms vary for each awarded contract. Annual expenditures under this contract are estimated to be \$1,000,000 based on the number of sites adding security cameras, the development of the District's mesh network, the acceleration of the District VOIP phone project, and other projects. Expenditures are funded by site funds and the general funds. Due to the size of the contracts and award documentation, it will be posted online on the District Board Agendas and Supporting Documentation page.

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

## **CURRICULUM & INSTRUCTION**

**19. AMENDMENT NO. 1 TO RESOLUTION NO. 1516-68, APPROVAL OF LOCAL AGREEMENT FOR CSPP-6313 CALIFORNIA DEPARTMENT OF EDUCATION AND CAPISTRANO UNIFIED SCHOOL DISTRICT FOR CHILD DEVELOPMENT SERVICES:**

Page 243  
**EXHIBIT 19**

Approval of Amendment No. 1 to Resolution No. 1516-68, approval of local agreement for CSPP-6313 California Department of Education and Capistrano Unified School District for the purpose of providing services related to early childhood development and school readiness. The amended contract increases the Maximum Reimbursable Amount (MRA) from \$2,661,123 to \$2,797,811 beginning July 1, 2016 and ending June 30, 2017. This agreement is related to preschool age children to enhance optimal early childhood development.

*Contact: Susan Holliday, Associate Superintendent, Education Services*

**20. MEMBERS OF THE SPECIAL EDUCATION LOCAL PLAN AREA COMMUNITY ADVISORY COMMITTEE:**

Approval of the appointment of Ann Carroll, Mina Carson, Roxanne Cortez, Kelly Ferjulian, Lisa Klipfel, Shadi Pourkashef, Stacey Rojo, Rachel Sutherland, and Michelle Tieri to serve as a Community Advisory Committee (CAC) voting member for the 2017 and 2018 calendar years. In accordance with the California Education Code § 56190, each Special Education Local Plan Area (SELPA) shall establish a CAC with parents of special education students forming the majority. Based on the bylaws of the SELPA, a committee of voting members is established annually, comprised of District parents, teachers, administrators, and community representatives who serve District students. The term of appointment for voting members is two years, staggered annually. There is no financial impact.

*Contact: Janie Hoy, Interim Associate Superintendent, SELPA, Special Education Services*

**21. SECONDARY COURSE CATALOG:**

Approval of the Secondary Course Catalog will support parents and students by providing them with a detailed resource covering all secondary instructional, academic, co-curricular and extracurricular program information. The document is divided into six major sections: 1) General Information and Policies; 2) School Services and Resources; 3) Academic, Extracurricular and Co-Curricular Programs; 4) Graduation

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**EXHIBIT 21**



Requirements and Suggested Programs; 5) College Information, Eligibility and Overview; 6) High School Course Descriptions and Course Offerings by School. The catalog will be available electronically and printed for high school front offices and guidance offices.

*Contact: Susan Holliday, Associate Superintendent, Education Services*

**22. SOFTWARE LICENSE AND SUPPORT AGREEMENT:**

Approval of the Software License and Support Agreement with Illuminate Education, Inc. to provide a web-based software system for student data and assessment management. Illuminate Education will provide services at the rates indicated in the agreement. Expenditures under this contract are estimated to be \$257,395.50 paid by the general fund and lottery funds.

*Contact: Susan Holliday, Associate Superintendent, Education Services*

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**EXHIBIT 22**

**HUMAN RESOURCE SERVICES**

**23. ANNUAL REPORT – EMPLOYMENT OF RELATIVES:**

Board Policy 4112.8, 4212.8, 4312.8, *Employment of Relatives*, requires the Board of Trustees be provided the names, positions, and work locations of close relatives employed within the same department or work location. The purpose of this policy is to ensure that assignments do not interfere with the orderly supervision, security or morale of the school, department, or work location. For purposes of this policy, relative includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, stepchildren, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse or domestic partner. District department administrators and principals were asked to provide information regarding the names and positions of close relatives employed within their work location. The information provided confirms that the assignment of close relatives at the identified work locations is not interfering with the orderly supervision, security or morale of those work locations.

*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*

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**EXHIBIT 23**

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

Approval of the activity list for employment, separation and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*

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**EXHIBIT 24**

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

Approval of the activity list for employment, separation and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.

*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*

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**EXHIBIT 25**

**GENERAL FUNCTIONS**

**26. SCHOOL BOARD MEETING SCHEDULE FOR JULY THROUGH DECEMBER 2017:**

Approval of the School Board Meeting Schedule for July through December, 2017. Regular Board meetings are held on the second and fourth Wednesday of each month. Per Board Policy where there are holidays the schedule may be adjusted. This item presents to the Board of Trustees the proposed schedule of the regular Board meetings for the period July 2017 through December 2017.

*Contact: Kirsten M. Vital, Superintendent*

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**EXHIBIT 26**

27. **SCHOOL BOARD MINUTES:**  
Approval of the September 14, 2016 Regular Board Meeting minutes.  
*Contact: Nicole Perez, Executive Secretary, Board Operations*

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**EXHIBIT 27**

**DISCUSSION/ACTION ITEMS**

28. **SECOND READING – REVISIONS TO BOARD POLICY 5111.5, LANGUAGE IMMERSION AND INTERNATIONAL BACCALAUREATE ADMISSIONS:**  
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. As decided at the November 16, 2016 Board meeting, this policy is being presented for ratification by the Board to finalize the Mandarin Immersion Program (MIP) feeder pattern. 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, Associate Superintendent, Education Services*

DISCUSSION/  
ACTION  
Page 499  
**EXHIBIT 28**

Staff Recommendation

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

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

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

29. **RESOLUTION NO. 1617-47, ADOPTING A CONFLICT OF INTEREST CODE TO SUPERSEDE ALL PRIOR CODES AND AMENDMENTS:**  
This agenda item pertains to the adoption of Resolution No. 1617-47, Adopting a Conflict of Interest Code to Supersede all Prior Codes and Amendments.  
***CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.***  
*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*

DISCUSSION/  
ACTION  
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**EXHIBIT 29**

Staff Recommendation

It is recommended the Board President recognize Gordon Amerson, Associate Superintendent, Human Resource Services, to present this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1617-47, Adopting a Conflict of Interest Code to Supersede all Prior Codes and Amendments.

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

30. **#CAPOFORWARD “RE-IMAGINING” PLAN AND HIGHLIGHT OF PROGRAMMATIC AND THEMATIC CHANGES AT RH DANA, CLARENCE LOBO, AND HIDDEN HILLS:**  
Staff brings forward an informational presentation regarding the “re-imagining” initiative at seven elementary schools: RH Dana, Clarence Lobo, Hidden Hills, Wood Canyon, Marblehead, Kinoshita and Del Obispo. The presentation includes information regarding strategic vision for the seven schools, re-imagining strategies and metrics for success. General information will be shared, and specific thematic and programmatic changes at RH Dana, Hidden Hills and Lobo will be featured.

INFORMATION/  
DISCUSSION  
Page 529  
**EXHIBIT 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: Susan Holliday, Associate Superintendent, Education Services***

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Associate Superintendent, Education Services, to present this item and answer any questions the Trustees may have. This is an information item only and no Board action is necessary.

**31. FIRST READING - BOARD POLICY 5119, SCHOOL OF CHOICE:**

Board Policy 5119, *School of Choice (SOC)*, has been updated to reflect the following changes: clarifying language was added regarding students moving and continuous enrollment at impacted schools; language was updated due to No Child Left Behind being phased out, and new language was added to provide access to specific high schools for families residing in specific CFD Study Areas. Pending Board approval of this policy, the SOC enrollment window will be open February 2017. 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, Associate Superintendent, Education Services***

Staff Recommendation

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

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

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

DISCUSSION/  
ACTION  
Page 548  
**EXHIBIT 31**

**32. CERTIFICATION OF THE 2016-2017 FIRST INTERIM REPORT AND ADOPTION OF RESOLUTION NO. 1617-46, 2016-2017 REVENUE AND EXPENDITURE INCREASES/DECREASES:**

In accordance with Education Code § 42130, school districts are required to prepare and submit Interim Financial Reports to the governing board. Resolution No. 1617-46 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 2016-2017 First Interim Report and Adoption of Resolution No. 1617-46, 2016-2017 Revenue and Expenditure Increases/Decreases.

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

DISCUSSION/  
ACTION  
Page 552  
**EXHIBIT 32**

**33. INSTRUCTIONAL MATERIALS RECOMMENDED FOR PILOT: DISCUSSION/  
SECONDARY SEXUAL AND HEALTH EDUCATION, GRADE 7-8: ACTION**

A teacher committee has recommended the following Secondary Sexual and Health Education program to pilot for grade 7-8 for the 2016-2017 school year: *Teen Talk Middle School* published by Health Connected ©2016. This program has been approved by the Instructional Materials Review Committee. These materials are required to be compliant with the Healthy Youth Act, Education Codes § 51930-51939. The cost to pilot this program is approximately \$6,000. District Lottery funds will be used for this purpose.

***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, Associate Superintendent, Education Services**

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve the following Secondary Sexual and Health Education program to pilot for grade 7-8 for the 2016-2017 school year: *Teen Talk Middle School* published by Health Connected ©2016.

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

**34. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: DISCUSSION/  
SECONDARY SCIENCE, MARINE ECOLOGY, GRADE 11-12: ACTION**

A teacher committee has recommended the adoption of *The Death and Life of Monterey Bay a Story of Revival* (written by Stephen R. Palumbi and Carolyn Sotka) Island Press ©2011 as a supplemental title for Marine Ecology, grade 11-12. This title has been approved by the Instructional Materials Review Committee. It would be adopted for an eight-year period. Site funds would be used for this supplemental title. Current cost of this book is approximately \$9 in paperback.

***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, Associate Superintendent, Education Services**

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve the adoption of *The Death and Life of Monterey Bay a Story of Revival* (written by Stephen R. Palumbi and Carolyn Sotka) Island Press ©2011 as a supplemental title for Marine Ecology, grade 11-12.

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, JANUARY 25, 2017, 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.*