

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

November 8, 2017

Closed Session 4:00 p.m.
Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 4:00 P.M.

- 1. CALL TO ORDER**
- 2. CLOSED SESSION COMMENTS**
- 3. CLOSED SESSION (as authorized by law)**
 - A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** **EXHIBIT A-1**

Gordon Amerson
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d)(2))

Gregory Merwin/Sara Young **EXHIBIT A-2**
Attorney - Ernest Bell **EXHIBIT A-3**
Significant Exposure to Litigation – Two Cases
IDR Case Number 20171004
IDR Case Number 20171006
(Pursuant to Government Code § 54956.9(d)(2))
 - B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** **EXHIBIT B-1**

Gordon Amerson
Attorney – Dan Spradlin
Significant Exposure to Litigation - One Case
(Pursuant to Government Code § 54956.9(d)(1))

Gregory Merwin/Sara Young **EXHIBIT B-2**
Attorney - Ernest Bell **EXHIBIT B-3**
Significant Exposure to Litigation – Three Cases **EXHIBIT B-4**
OAH Case Number 2017070076
OAH Case Number 2017070748
OAH Case Number 2017080288
(Pursuant to Government Code § 54956.9(d)(1))
 - C. CONFERENCE WITH LABOR NEGOTIATORS** **EXHIBIT C-1**

District Negotiators: Kirsten M. Vital/Gordon Amerson/Clark Hampton
Attorney – Anthony DeMarco
Employee Organizations:
1) Capistrano Unified Education Association (CUEA)
2) California School Employees Association (CSEA)
3) Teamsters
(Pursuant to Government Code § 54957.6)
 - D. STUDENT EXPULSIONS** **EXHIBIT D-1**

Mike Beekman
One Case
Case Number 2018-006

E. STUDENT READMISSIONS

EXHIBIT E-1

Mike Beekman
One Case
Case Number 2017-060

F. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent
(Pursuant to Government Code § 54957(b))

**G. BOARD POLICY 4301 APPEAL TO THE BOARD REGARDING EXHIBIT G-1
DISCRIMINATION COMPLAINT AGAINST EMPLOYEES**

Gordon Amerson
(Pursuant to Government Code § 54957)

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

Dana Hills High School
Joshua Porter, *Principal*
Ken Nedler, *Activities Director*
Tommy Ferry, *Student Body President*

Extra Miler

Danielle Serio in recognition of her work with the San Juan Hills High School staff and students making an inclusive safe environment for all.

Learning in CAPO Spotlight

Jill O'Connell-Bogle, *Principal, Oak Grove Elementary School*
Madison Ross, *Freshman, Aliso Niguel High School Video Production*
Montse Gray, *Bilingual Community Services Liaison*
Dawn Freeman, *OC Coastal Puppy Raisers*

Over the past 18 months, Oak Grove has worked closely with OC Puppy Raisers/Guide Dogs for the Blind to provide socialization for Guide Dog puppies in training. Dogs gain experience working in a busy environment filled with many distractions; students benefit by having furry friends who calm fears, and have great listening skills. However, the biggest lesson is the importance of making a difference in the life of a visually impaired person.

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 HEARINGS

1. PUBLIC HEARING: BIOTECHNOLOGY COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT WITH SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT: Page 1
EXHIBIT 1

The Board will conduct a public hearing on the College and Career Access Pathways agreement with South Orange County Community College District (SOCCCD). Per SOCCCD and Orange County Pathway, it is required that districts conduct a public hearing and in a separate meeting adopt the course. Due to this item occurring on two separate meeting agendas, staff has included a Board report with this public hearing, which is not typical practice.

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

2. PUBLIC HEARING: FINANCING SOLAR ENERGY PROJECTS: Page 13
EXHIBIT 2

The Board will conduct a public hearing on the intention to request approval of the issuance of New Clean Renewal Energy Bonds for the purpose of financing the installation of energy conservation measures in accordance with Government Code § 4217.13 Supporting documentation is located in Exhibits 36 and 37.

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 or staff 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

3. DONATION OF FUNDS AND EQUIPMENT: Page 14
EXHIBIT 3

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$536,629.67 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

4. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS: Page 19
EXHIBIT 4

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 \$24,833,358.95 and the commercial warrants total \$18,990,405.42. 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

- 5. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE AND MASTER CONTRACT AGREEMENTS:** Page 125
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 16 new agreements totaling \$1,071,367.93 and 7 amendments to existing agreements totaling \$44,564. 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

- 6. RESOLUTION NO. 1718-22, APPROVING THE ANNUAL AND FIVE-YEAR REPORTABLE FEES REPORT FOR FISCAL YEAR 2016-2017, IN COMPLIANCE WITH GOVERNMENT CODE § 66001 AND § 66006:** Page 300
EXHIBIT 6

Approval of Resolution No. 1718-22 authorizing the Annual and Five-Year Reportable Fees Reports for Fiscal Year 2016-2017, 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

- 7. PROPOSAL FOR SERVICES FOR QSS/OASIS VERSION L MIGRATION SUPPORT-HARRIS SCHOOL SOLUTIONS:** Page 318
EXHIBIT 7

Approval of the Proposal for Services agreement with Harris School Solutions for quarterly migration support of all Quintessential School Systems (QSS) data. In May 2017, the District moved to a new Business Services and Human Resource Services software system, but needs to ensure all past archived data is migrated to a new virtual server and converted to a new structured query language database. Harris School Solutions support is needed for many parts of the data migration and conversion. This agreement will provide full data migration and testing support for three months. Expenditures using this contract are \$25,446.50 funded by the general fund.

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

- 8. OLIVER EQUIPMENT LEASE – OLIVER PACKAGING AND EQUIPMENT COMPANY:** Page 321
EXHIBIT 8

Approval of the Oliver Equipment Lease with Oliver Packaging and Equipment Company to lease a heat sealing machine. According to Orange County Health Care Agency Environmental Health Department, all District elementary school kitchens are considered pre-packaged food facilities. The District requires packaging equipment to ensure food is wrapped appropriately. The use of the sealing machine will increase the visual appeal and environmental sustainability of the food packaging and provide the ability to grow current menu selections while maintaining pre-packaged status. Oliver Packaging and Equipment Company will waive the equipment rental fee based on the

District's annual food tray volume of 250,000 units. The cafeteria fund will cover the food tray costs and one-time machine shipping cost of \$575.

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

9. CHANGE ORDER NO. 1, BID NO. 1718-07, CROWN VALLEY ELEMENTARY SCHOOL PORTABLE CLASSROOMS AND RESTROOM PROJECT: Page 326
EXHIBIT 9

Approval of Change Order No. 1, Bid No. 1718-07 for the Crown Valley Elementary School Portable Classrooms and Restroom Project related to soil mitigation, additional asphalt to accommodate path of travel and Division of State Architect (DSA) required modifications to building ramps. This change order consists of additions, deletions, or other revisions that are now being presented to the Board for approval. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$268,000. The new contract sum including Change Order No. 1 is \$319,068.92 funded by capital facilities fund.

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

10. ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR FALL 2017: Page 360
EXHIBIT 10

Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Fall 2017. The Aliso Viejo Community Association owns and maintains Foxborough Park, adjacent to Aliso Niguel High School. The Fall 2017 LUMA allows the District to use Foxborough Park from November 1, 2017 through December 15, 2017 for a fee of \$450 paid by site funds, as detailed in the LUMA. The Fall 2017 LUMA is similar to past years' agreements relating to the use of Foxborough Park.

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

11. AMENDMENT NO. 2, PARKING SPACE RENTAL AGREEMENT – CAPO BEACH CALVARY: Page 379
EXHIBIT 11

Approval of Amendment No. 2 to the parking space Rental Agreement with Capo Beach Calvary to extend the contract term through September 30, 2018. Capo Beach Calvary currently rents one parking space at the South Transportation Yard for their shuttle bus at the price of \$100 per space per month. This agreement generates \$1,200 of revenue per parking space rented.

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

12. SECOND READING - BOARD POLICY 3461, DEBT MANAGEMENT POLICY: Page 387
EXHIBIT 12

Approval of the adoption of Board Policy 3461, *Debt Management Policy* in accordance with new law effective this year, Government Code § 8855.

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

CURRICULUM AND INSTRUCTION

13. AFFILIATION AGREEMENT WITH REGENTS OF THE UNIVERSITY OF CALIFORNIA: Page 392
EXHIBIT 13

Approval of the Affiliation Agreement with the Regents of the University of California, Irvine (UCI), Department of Ophthalmology for the 2017-2018 school year will allow preschool and transitional kindergarten students to receive free vision care services and support with prescription eye glasses for those that fail the District's annual vision screening. The UCI Pediatric Eye Mobile will be available for such services at elementary school sites based upon pre-determined appointments under the supervision of the child's parent. The University supports a project for pediatric vision care through a community service agreement with the Children's and Families Commission of Orange County referred to as "Pediatric Vision Project." The UCI vision project staff

shall be under the supervision of a physician who is a member of the University and who holds a faculty appointment. There is no financial impact.

Contact: Susan Holliday, Associate Superintendent, Education Services

14. **OUTDOOR SCIENCE SCHOOL CONTRACT - HIGH TRAILS INC.:** Page 406
EXHIBIT 14
Approval of the Outdoor Science School Contract with High Trails Inc. to provide an overnight outdoor science school trip aligned with grade level science standards. The contractor will provide services at the rates indicated in the agreement. The scheduled attendance for this program is November 14, 2017 through November 17, 2017 for grade five students attending Ladera Ranch Elementary School. Expenditures under this contract are estimated to be \$35,320 paid by the Ladera Ranch Elementary School gift fund.
Contact: Susan Holliday, Associate Superintendent, Education Services
15. **RESOLUTION NO. 1718-23 AMENDS AGREEMENT CSPP-7335 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES:** Page 409
EXHIBIT 15
Approval of Resolution No. 1718-23, Amends Agreement No. CSPP-7335 with the California Department of Education for the Purpose of Providing Child Care and Development Services. Amendment 01 increases the Maximum Reimbursable Rate from \$2,668,890 to \$3,017,265 from July 1, 2017 to June 30, 2018. This agreement provides services related to preschool age children to enhance optimal early childhood development and school readiness.
Contact: Susan Holliday, Associate Superintendent, Education Services
16. **YMCA PROGRAM SERVICE AGREEMENT:** Page 412
EXHIBIT 16
Approval of the YMCA Program Service Agreement to provide noontime sports activities. The contractor will provide services at the rates indicated in the agreement. The scheduled attendance for this program is September 21, 2017 through December 21, 2017 for students attending Wood Canyon Elementary School. Expenditures under this contract are estimated to be \$2,250 paid by the Wood Canyon Elementary School general fund.
Contact: Susan Holliday, Associate Superintendent, Education Services

STUDENT SUPPORT SERVICES

17. **INCOME AGREEMENT NO. 44777 – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 418
EXHIBIT 17
Approval of Income Agreement No. 44777 with Orange County Superintendent of Schools to provide the Resilient Mindful Counselor workshop (Stress Management for School Counselors and Nurses). The contractor will provide services at the rates indicated in the Agreement. The term of this Agreement is one day on November 1, 2017. Expenditures under this contract are approximately \$600 paid by the general fund.
Contact: Gregory Merwin, Associate Superintendent, Student Support Services
18. **MASTER CONTRACT WITH TERI INC. FOR 2017-2018:** Page 426
EXHIBIT 18
Approval of the Master Contract with TERI Inc. to provide general education programs and special education instruction for eligible District students as determined by Individualized Education Program (IEP) team. The District is currently projected to have one student at TERI, but the approval of this Master Contract allows the District to place additional students as determined by the IEP team or through a settlement agreement. The estimated cost per student is \$65,000. Annual expenditures under this Master Contract are estimated to be \$65,000 paid by special education funds.
Contact: Gregory Merwin, Associate Superintendent, Student Support Services

HUMAN RESOURCE SERVICES

19. **AMENDMENT TO MEMORANDUM OF UNDERSTANDING WITH ALLIANT INTERNATIONAL UNIVERSITY:** Page 463
EXHIBIT 19
Approval of Amendment to Memorandum of Understanding (MOU) with Alliant International University. This Amendment will be made to the January 25, 2017 Board Approved MOU. The Amendment contains two pages from the PPS/School Counseling Handbook, which is required by Alliant International University to be presented by each practicum student, student teacher, or intern placed at the District for a signature by the District Lead School Counselor or District Lead School Psychologist. During the school year, credential candidates will work with District counselors or school psychologists to fulfill practicum/fieldwork requirements.
Contact: Gordon Amerson, Associate Superintendent, Human Resource Services
20. **AFFILIATION AGREEMENT WITH GEORGE WASHINGTON UNIVERSITY:** Page 470
EXHIBIT 20
Approval of Supervised Secondary Special Education and Transition Services Internship Placement, effective September 1, 2017 and expiring August 31, 2020 unless terminated by either party upon 60 days' notice to the other party. During the school year, master's candidates will work with District teachers in secondary special education settings to fulfill practicum/fieldwork requirements.
Contact: Gordon Amerson, Associate Superintendent, Human Resource Services
21. **STUDENT TEACHING AGREEMENT WITH NORTHERN ARIZONA UNIVERSITY:** Page 476
EXHIBIT 21
Approval of Student Teaching Agreement with Northern Arizona University effective January 1, 2018 to December 31, 2022. During the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their teaching credential.
Contact: Gordon Amerson, Associate Superintendent, Human Resource Services
22. **ANNUAL REPORT – WILLIAMS SETTLEMENT LEGISLATION, 2016-2017 SCHOOL YEAR:** Page 481
EXHIBIT 22
Approval of Annual Report – Williams Settlement Legislation, 2016-2017 School Year. As a result of the Williams Settlement, Education Code § 35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, the law requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting. Both quarterly and annually the Orange County Department of Education (OCDE) conducts a review to determine if deficiencies exist. The annual report for the District, conducted by OCDE, was found to be in compliance. The inspection of Kinoshita and Viejo Elementary Schools revealed the schools have sufficient instructional materials. The inspection of the facility conditions revealed four minor deficiencies for Kinoshita. These have been resolved. Data reported on School Accountability Report Cards (SARC) was found to be accurately reported. Teacher assignments were reviewed at both schools and found to be in compliance. The schools are considered to have met all expectations established under the Williams Settlement Legislation.
Contact: Gordon Amerson, Associate Superintendent, Human Resource Services
23. **FIRST QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT:** Page 488
EXHIBIT 23
Acceptance of Williams Settlement Legislation Uniform Complaint First Quarter Report. Board Policy 1312.4 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher

vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, Education Code § 35186 requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. During the first quarter, the District received two facility complaints both have been resolved.

Contact: Gordon Amerson, Associate Superintendent, Human Resource Services

24. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES: Page 491
EXHIBIT 24

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

25. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES: Page 520
EXHIBIT 25

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

DISCUSSION/ACTION ITEMS

26. SECOND READING – BOARD POLICY 5142, DRESS AND GROOMING: DISCUSSION/
ACTION
Page 562
EXHIBIT 26

The proposed revisions to Board Policy 5142, *Dress and Grooming*, provides recommended language based on committee feedback. Last Spring 2017, the Board received public feedback from students regarding the District’s dress code policy and its relevancy. Due to the feedback, a committee was established to review the dress code policy and make recommendations for revisions. Recommended modifications include gender equity, concealing certain body parts, what items of clothing students can and cannot wear and how the policy is implemented. Additional changes have been made after being reviewed by legal counsel. 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 5142, *Dress and Grooming*.

Motion by _____ Seconded by _____

27. GIFTED AND TALENTED EDUCATION PROGRAM REVIEW: INFORMATION/
DISCUSSION
Page 576
EXHIBIT 27

Staff will present an overview of the study conducted on the District’s Gifted and Talented Education (GATE) program, an update on recent stakeholder feedback and outline next steps on moving forward in refining the GATE program. The study’s findings centered on five areas: a vision for GATE; GATE as a core program; program design; identification and equity; and the performance of GATE and high-performing students. Out of the study and stakeholder feedback, staff identified clear next steps to support and enhance the District’s GATE program.

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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

28. MEMORANDUM OF UNDERSTANDING FOR THE CALIFORNIA HEALTHY KIDS SURVEY 2017-2018:

Approval of Memorandum of Understanding for the California Healthy Kids Survey (CHKS) 2017-2018. This agreement outlines conditions to be met by the District as they relate to access to and the administration of the CHKS, the California School Staff Survey, and the California School Parent Survey. Data from the surveys is intended to help schools foster a positive school climate and student learning engagement, prevent risky behaviors and other impediments to academic achievement and to promote positive health habits and behaviors. The surveys have multiple modules. The administration is planned for January 2018, where students in grades 5, 7, 9, and 11 will complete the core module of the survey. Students in middle and high school will also complete the supplemental Resilience and Youth Development module. A pilot of the California School Staff Survey and California School Parent Survey will also be conducted. The District will receive approximately \$9,802 to help offset the anticipated cost of \$10,419 associated with survey administration. The net cost to the District is anticipated to be \$617 paid by general funds. Students and parents will have the opportunity to opt-out and fifth grade students require an opt-in to participate. Student personally identifiable information is not collected or released when participating.

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 Memorandum of Understanding for the California Healthy Kids Survey (CHKS) 2017-2018.

Motion by _____ Seconded by _____

29. STUDY OF LANGUAGE IMMERSION K-12 PROGRAM:

The Board will receive a presentation on the Language Immersion program and progress. Language Immersion was established in the District in 1992 and is based on a model that has been in place in North America since the 1960s. Language Immersion (LI) is a unique educational model where children learn to think, read, write and communicate naturally in two languages. Classes are composed of students who are both native English speakers and native speakers of the target language. Beginning in kindergarten students are taught academic subjects in the target language and English thereby developing proficiency in both languages and resulting in students' biliteracy. There are currently four K-12 LI pathways, with three offering instruction in Spanish and one in Mandarin. In 2015-2016, the District's LI programs served approximately 2,797 students.

DISCUSSION/
ACTION

Page 597

EXHIBIT 28

INFORMATION/
DISCUSSION

Page 667

EXHIBIT 29

The District contracted with Hanover Research Group to conduct a study of program data related to the LI program implementation. The review covers a range of topics related to student enrollment, attrition and performance within the program, with special emphasis on differential outcomes for students who arrive in the program fluent in English and those who are English learners (ELs). The study also covers the results of surveys distributed to program parents, teachers and students in Spring 2017. The goal of this analysis was to support the District in its evaluation of the effectiveness of the Two Way Immersion program, and examination of strategic investments and interventions that might be made. District staff independently analyzed Hanover results with a closer examination of specific student data to better understand the noted trends and results. The reported research results and subsequent analyses are foundational for future work. A detailed outline of progress and future work can be found in the corresponding Board report.

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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

30. STATE ACCOUNTABILITY LOCAL INDICATORS:

The new state accountability system has Local Control Funding Formula priority areas that meet the criteria established for state indicators. Other remaining priority areas are considered local indicators and require districts to identify a measurement and determine whether they have Met or Not Met each applicable local indicator. The local indicators only apply at the district level, not the school level. Districts use the local indicators to evaluate and report their progress on priority areas. This item will provide an update on each of the local indicator measurements that were approved at the May 24, 2017 Board meeting.

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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

31. PARENT RESOURCE TO SUPPORT INDIVIDUALIZED EDUCATION PROGRAM PROCESS:

Through consultation with Trustees, Principals, Parents and staff, Student Support Services developed a resource to support individuals through the Individualized Education Program development process.

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

Contact: Gregory Merwin, Associate Superintendent, Student Support Services

INFORMATION/
DISCUSSION
Page 711
EXHIBIT 30

INFORMATION/
DISCUSSION
Page 746
EXHIBIT 31

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Student 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.

32. SECOND READING – BOARD POLICY 6158, INDEPENDENT STUDY:

DISCUSSION/
ACTION
Page 749
EXHIBIT 32

The proposed revisions to Board Policy 6158, *Independent Study*, have been necessitated based on compliance concerns raised in May 2017 during the District’s most recent audit. The annual audit recommended that changes be made in order to comply with state law. The changes that are being recommended are technical in nature and do not substantively alter the current Independent Study program. 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 6158, *Independent Study*.

Motion by _____ Seconded by _____

33. BOARD POLICY 4031 APPEAL TO THE BOARD REGARDING DISCRIMINATION COMPLAINT AGAINST EMPLOYEES (GOVERNMENT CODE § 54957):

INFORMATION/
DISCUSSION

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

It is recommended the Board President recognize Gordon Amerson, Associate Superintendent, Human Resource 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.

34. RESOLUTION NO. 1718-21, INTENT TO CONSIDER THE CONVEYANCE OF AN EASEMENT TO THE SANTA MARGARITA WATER DISTRICT FOR THE PURPOSES OF PROVIDING NECESSARY WATER SERVICES TO ESENCIA K-8 SCHOOL:

DISCUSSION/
ACTION
Page 754
EXHIBIT 34

The Santa Margarita Water District (SMWD) requires an easement in order to install and connect necessary water services, including fire protection services, to the new construction of Esencia K-8 School. The District has the authority to grant easements pursuant to Education Code § 17556 *et seq.* Before granting an easement under this process; however, the Board must first adopt a “Resolution of Intent” declaring its intention to consider the conveyance of the easement and setting a public hearing at least ten days after the adoption of the Resolution of Intent allowing the public to comment on the proposed conveyance. After holding such hearing, the Board may, unless it receives a written protest signed by at least ten percent of the District’s qualified electorate, consider a resolution conveying the requested easement. The hearing must be noticed both through the posting of the Resolution of Intent in at least

three public places at least ten days before the hearing, and the publication of notice once in a newspaper of general circulation within the District at least five days before such hearing.

The Resolution of Intent currently before the Board will set a public hearing for December 6, 2017, after which the Board may consider a resolution to convey the easement. Both the Resolution of Intent, which is currently before the Board, and the subsequent resolution to convey the easement interests, must be approved by a vote of at least two-thirds of all the members of the Board. This easement is in no way related to the toll road.

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. 1718-21, Intent to Consider the Conveyance of an Easement to the Santa Margarita Water District for the Purposes of Providing Necessary Water Services to Esencia K-8 School.

Motion by _____ Seconded by _____

35. UPDATE ON SOLAR ENERGY PROJECTS:

The Board will receive an information presentation from ARC Alternatives, the District's energy advisor, with an update on the Request for Proposals process for solar energy projects.

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.

36. RESOLUTION NO. 1718-24, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT AUTHORIZING THE EXECUTION AND DELIVERY OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT 2017 CERTIFICATES OF PARTICIPATION (NEW CLEAN RENEWABLE ENERGY BONDS) (SERIES A – DIRECT SUBSIDY) AND THE CAPISTRANO UNIFIED SCHOOL DISTRICT 2017 CERTIFICATES OF PARTICIPATION (SERIES B – TAXABLE) IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$26,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION THEREWITH, AND AUTHORIZING THE EXECUTION OF VARIOUS DOCUMENTS, AGREEMENTS, AND RELATED ACTIONS:

Following the information presentation on October 11, 2017, the Board is asked to consider adoption of Resolution No. 1718-24 authorizing the issuance of bonds for solar energy projects and approving several bond legal documents.

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

INFORMATION/
DISCUSSION
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EXHIBIT 35

DISCUSSION/
ACTION
Page 788
EXHIBIT 36

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. 1718-24, A Resolution of the Board of Trustees of the Capistrano Unified School District Authorizing the Execution and Delivery of the Capistrano Unified School District 2017 Certificates of Participation (New Clean Renewable Energy Bonds) (Series A – Direct Subsidy) and the Capistrano Unified School District 2017 Certificates of Participation (Series B – Taxable) in an Aggregate Principal Amount of Not to Exceed \$26,000,000, Authorizing the Distribution of an Official Statement in Connection Therewith, and Authorizing the Execution of Various Documents, Agreements, and Related Actions.

Motion by _____ Seconded by _____

37. **RESOLUTION NO. 1718-25, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT SCHOOL FACILITIES CORPORATION AUTHORIZING DELIVERY AND SALE OF CAPISTRANO UNIFIED SCHOOL DISTRICT 2017 CERTIFICATES OF PARTICIPATION (NEW CLEAN RENEWABLE ENERGY BONDS) (SERIES A – DIRECT SUBSIDY) AND THE CAPISTRANO UNIFIED SCHOOL DISTRICT 2017 CERTIFICATES OF PARTICIPATION (SERIES B – TAXABLE) IN THE MAXIMUM PRINCIPAL AMOUNT OF \$26,000,000 AND APPROVING RELATED DOCUMENTS, AGREEMENTS AND ACTIONS:** DISCUSSION/
ACTION
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EXHIBIT 37

Following the information presentation on October 11, 2017, the Board is asked to consider adoption of Resolution No. 1718-25 authorizing the issuance of bonds for solar energy projects and approving several bond legal documents.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1718-25, A Resolution of the Board of Directors of the Capistrano Unified School District School Facilities Corporation Authorizing Delivery and Sale of Capistrano Unified School District 2017 Certificates of Participation (New Clean Renewable Energy Bonds) (Series A – Direct Subsidy) and the Capistrano Unified School District 2017 Certificates of Participation (Series B – Taxable) in the Maximum Principal Amount of \$26,000,000 and Approving Related Documents, Agreements and Actions.

Motion by _____ Seconded by _____

38. **PA2 SCHOOL IMPLEMENTING AGREEMENT – RMV COMMUNITY DEVELOPMENT, LLC AND RMV PA2 DEVELOPMENT, LLC:** DISCUSSION/
ACTION
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EXHIBIT 38
- The Board is asked to consider approval of the PA2 School Implementing Agreement with RMV Community Development, LLC, a California limited liability company and RMV PA2 Development, LLC, a California limited liability company, collectively, RMV. The purpose of this agreement, as anticipated in the School Facilities Agreement, is to identify the manner and means by which the cash flow requirement

for the completion of Esencia K-8 School will be satisfied pending the receipt of state funds and reimbursement. There is no financial impact.

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 PA2 School Implementing Agreement with RMV Community Development, LLC and RMV PA2 Development, LLC.

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, DECEMBER 6, 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

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

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.

Members of the public shall have an opportunity to address the Board regarding items on the agenda to be considered during Closed Session prior to the Board adjourning the meeting to Closed Session. Individual presentations are limited to a maximum of three minutes; however, the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers who wish to address a specific agenda topic.

ORAL COMMUNICATIONS (Non-Agenda Items): Regular, scheduled meetings of the Board shall have a portion of each meeting devoted to Oral Communications. Oral Communications, will take place following Special Recognitions. The total time for the Oral Communications portion of regular meetings shall be twenty minutes. Individual presentations are limited to a maximum of three minutes per individual 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. The Board may, however, at its discretion, refer items to the administration for follow-up or place topics on a future Board agenda.

ORAL COMMUNICATIONS (Agenda Items): Members of the public shall also have an opportunity to address the Board on Open Session agenda items before their consideration by the Board. Individual presentations for the Consent Calendar are limited to a maximum of five minutes for all Consent Calendar items. Individual presentations for Discussion/Action agenda items are limited to a maximum of three minutes however; the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers, who wish to address a specific agenda topic. The total time for presentations shall be limited to twenty minutes per agenda topic, unless the Board grants additional time. The Board shall hear all presentations after any staff comments but prior to the formal discussion by Board members 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 unless otherwise approved by the Board. When addressing a specific item on the agenda, the Board may vote to allow additional public speaker time for an individual Discussion/Action item.

PUBLIC HEARINGS: Any time the Board schedules a separate public hearing on a 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 recommended action at the time of the hearing.

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.