

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

February 28, 2018

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

**AGENDA**

**CLOSED SESSION AT 4:30 P.M.**

**1. CALL TO ORDER**

**2. CLOSED SESSION COMMENTS**

**3. CLOSED SESSION (as authorized by law)**

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

Gregory Merwin/Sara Young  
Attorney - Ernest Bell  
Significant Exposure to Litigation – Two Cases  
IDR Case Number 20171211  
IDR Case Number 20171219  
(Pursuant to Government Code § 54956.9(d)(2))

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

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

Kirsten M. Vital/Clark Hampton/Susan Holliday  
Attorney – David Huff  
Significant Exposure to Litigation – Two Cases  
(Pursuant to Government Code § 54956.9(d)(2)(3))

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

Gregory Merwin/Sara Young  
Attorney - Ernest Bell  
Significant Exposure to Litigation – Three Cases  
OAH Case Number 2017080967  
OAH Case Number 2017120258  
OAH Case Number 2017120775  
(Pursuant to Government Code § 54956.9(d)(1))

**EXHIBIT C-1**  
**EXHIBIT C-2**  
**EXHIBIT C-3**

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

Gordon Amerson/Susan Holliday  
Attorney – Mark Bresee  
Significant Exposure to Litigation - One Case  
*Cal200 v. Apple Valley USD, et al.*  
San Francisco Superior Court Case No. CPF-15-514477  
(Pursuant to Government Code § 54956.9(d)(1))

**EXHIBIT D-1**

**E. CONFERENCE WITH LABOR NEGOTIATORS**

District Negotiators: Kirsten M. Vital/Gordon Amerson/Clark Hampton  
Employee Organizations:  
1) Capistrano Unified Education Association (CUEA)  
2) California School Employees Association (CSEA)  
3) Teamsters

**EXHIBIT E-1**

4) Capistrano Unified Management Association (CUMA)  
(Pursuant to Government Code § 54957.6)

**F. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

District Negotiators: Kirsten M. Vital and Clark Hampton  
Attorney: Andreas Chialtas

Property: Pacifica San Juan property. 7.292 acre property located at the north east corner of Camino Las Ramblas and Avenida California

Negotiating Party: One or more potential buyers for the Property who may purchase the Property through a request for proposals process

Property: South Transportation and Groundskeeping Facility. 5.51 acre property located at 26126 Victoria Blvd, Dana Point, CA 92624

Negotiating Party: One or more potential buyers or lessees for the Property who may purchase or lease the Property through a surplus property bid auction process

Property: Paseo de Colinas property. 2.47 acre property located on Paseo de Colinas adjacent to Niguel Hills Middle School

Negotiating Party: One or more potential buyers for the Property who may purchase the Property through a surplus property bid auction process

Under Negotiation: Price and Terms of Payment  
(Pursuant to Education Code § 54956.9)

**G. STUDENT EXPULSIONS**

Mike Beekman  
Four Cases  
Case # 2018-012  
Case # 2018-021  
Case # 2018-022  
Case # 2018-023

**EXHIBIT G-1**  
**EXHIBIT G-2**  
**EXHIBIT G-3**  
**EXHIBIT G-4**

**H. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

Gordon Amerson  
Principal, Elementary School  
(Pursuant to Government Code § 54957)

**EXHIBIT H-1**

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

Gordon Amerson  
Attorney – Anthony De Marco  
Four Cases  
(Pursuant to Government Code § 54957)

**EXHIBIT I-1**  
**EXHIBIT I-2**  
**EXHIBIT I-3**  
**EXHIBIT I-4**

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

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

**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

Adult Transition Program/Bridges

Clint Collins, *Principal*

Rachel Cook, *Student Representative*

### Extra Miler

In recognition of their dedication to the students in the District and participation in Monarch Beach Resort Tree Lighting Ceremony.

Yeon Choi, Niguel Hills Middle School

Kathi Haack, Don Juan Avila Middle School

Jeff Long, Carl Hankey K-8

Cathy Olinger, Tesoro High School

Debbie Peterson, Elementary Block Music

Elena Rodriguez, Don Juan Avila Middle School

Misha Voss, Elementary Block Music

## 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: GRADE 6-8 ENGLISH LANGUAGE ARTS/ENGLISH LANGUAGE DEVELOPMENT INSTRUCTIONAL MATERIALS; GRADE 9-11 ENGLISH LANGUAGE ARTS/ENGLISH LANGUAGE DEVELOPMENT INSTRUCTIONAL MATERIALS; GRADE 10-12 BEGINNING PERSONAL FINANCE INSTRUCTIONAL MATERIALS; GRADE 10-12 ALGEBRA II FINANCIAL APPLICATION INSTRUCTIONAL MATERIALS:**

Page 1

**EXHIBIT 1**

The Board will conduct a public hearing on grade 6-8 English Language Arts/English Language Development Instructional Materials; grade 9-11 English Language Arts/English Language Development Instructional Materials; grade 10-12 Beginning Personal Finance Instructional Materials and grade 10-12 Algebra II with Financial Application Instructional Materials.

***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.

## **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**

- 2. DONATION OF FUNDS AND EQUIPMENT:** Page 2  
**EXHIBIT 2**  
Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$282,224.84 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*
- 3. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 8  
**EXHIBIT 3**  
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 \$8,494,834.36 and the commercial warrants total \$25,009,388.59. 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*
- 4. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE AND MASTER CONTRACT AGREEMENTS:** Page 111  
**EXHIBIT 4**  
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 26 new agreements totaling \$1,477,333 and 4 amendments to existing agreements totaling \$185,000. 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.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 5. EMPLOYEE CELL PHONE ALLOWANCE:** Page 263  
**EXHIBIT 5**  
Approval of the revised employee cell phone allowance list. Certain District management employees have been designated by the Board of Trustees to be paid a \$35 monthly allowance for the use of a personally owned cell phone or mobile communication device for District-related business. These positions have been designated as needing to be contacted while off-site or away from a District land line phone. The revised list includes the addition of the job title of Manager I, Energy, Safety and Environmental and removes the outdated job title of Director, Construction. Changes are underlined; deletions are struck through.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 6. EXTENSION NO. 1 OF REQUEST FOR PROPOSALS NO. 1-1617, E-RATE MULTIPLE CATEGORIES – COX BUSINESS COMMUNICATIONS:** Page 265  
**EXHIBIT 6**  
Approval of Extension No. 1 of Request for Proposals No. 1-1617, E-Rate Multiple Categories award with Cox Business Communications. The vendor agrees to provide the services at the rates in the proposed agreement for the available extension term of

July 1, 2018 through June 30, 2019. The total annual expenditures utilizing this contract are estimated to be \$49,200 funded 50 percent by the federal E-Rate program and the balance by the general fund.

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

7. **EXTENSION NO. 2 OF REQUEST FOR PROPOSALS NO. 10-1314, WIDE AREA NETWORK SERVICES – COX BUSINESS COMMUNICATIONS:** Page 270  
**EXHIBIT 7**  
Approval of Extension No. 2 of Request for Proposals No. 10-1314, Wide Area Network Services with Cox Business Communications. The vendor agrees to provide the services at the rates in the proposed agreement for the last available extension term of July 1, 2018 through June 30, 2019. The total annual expenditures utilizing this contract are estimated to be \$306,300 funded 50 percent by the federal E-Rate program and the balance by the general fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
8. **EXTENSION NO. 1 OF BID NO. 1617-07, ELECTRICAL, FIRE PROTECTION AND LOW VOLTAGE SYSTEMS SERVICES – GILBERT & STEARNS, INCORPORATED:** Page 276  
**EXHIBIT 8**  
Approval of Extension No. 1 of Bid No. 1617-07, Electrical, Fire Protection and Low Voltage Systems Services with Gilbert & Stearns, Incorporated. The vendor agrees to maintain the pricing for categories 1 and 3 provided in Exhibit 1-A of the agreement for the renewal period of January 1, 2018 through December 31, 2018. Annual expenditures utilizing this contract are estimated to be \$450,000 funded by the general fund. Actual expenditures during this term may vary depending on availability of funds and District needs.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
9. **CHANGE ORDER NO. 5, BID NO. 1516-10, SAN CLEMENTE HIGH SCHOOL BUILDING 800 PROJECT:** Page 297  
**EXHIBIT 9**  
Approval of Change Order No. 5, Bid No. 1516-10 for the San Clemente High School Building 800 Project related to: work orders involving the acceleration of the project schedule, Division of the State Architect required items, and owner improvement items. 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 \$8,988,888. The new contract sum including Change Order No. 5 is \$9,604,751.05 funded by developer fees, school facility funds, special reserve funds and CFD 90-2. With this change order, the project continues to remain under budget.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
10. **CHANGE ORDER NO. 5, BID NO. 1617-01, SAN JUAN HILLS HIGH SCHOOL BUILDING J PROJECT:** Page 588  
**EXHIBIT 10**  
Approval of Change Order No. 5, Bid No. 1617-01 for the San Juan Hills High School Building J Project related to the final costs for the project and the completion of all project accounting. 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 \$8,495,000. The new contract sum including Change Order No. 5 is \$9,145,938.41 funded by developer fees, CFD 90-2, CFD 98-2 and CFD 2004-1. With this change order, the project continues to remain under budget.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

11. **CHANGE ORDER NO. 1, BID NO. 1617-15, MODULAR BUILDING SERVICES AT TESORO HIGH SCHOOL:** Page 713  
**EXHIBIT 11**

Approval of Change Order No. 1, Bid No. 1617-15 for the Modular Building Services at Tesoro High School due to unforeseen existing conditions and existing Santa Margarita Water District easements, the contractor is required to relocate four modular classrooms and provide reconfigured American with Disabilities Act 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 \$276,661. The new contract sum including Change Order No. 1 is \$298,723 funded by capital facilities fund, developer fees, CFD 92-1 and CFD 98-2 funds. With this change order, the project continues to remain under budget.

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

12. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1617-01, SAN JUAN HILLS HIGH SCHOOL BUILDING J – PAUL C. MILLER CONSTRUCTION CO., INC.:** Page 716  
**EXHIBIT 12**

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1617-01, San Juan Hills High School Building J. 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. The project was funded by developer fees, CFD 90-2, CFD 98-2 and CFD 2004-1.

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

### CURRICULUM AND INSTRUCTION

13. **AGREEMENT FOR PARTICIPATION WITH KNOX EDUCATIONAL ASSOCIATES TO PROVIDE SERVICES TO DEL OBISPO AND KINOSHITA ELEMENTARY SCHOOLS IN 2017-2018:** Page 720  
**EXHIBIT 13**

Approval of Agreement for Participation with Knox Educational Associates to provide teachers with 20 hours of professional development which results in students increased performance on the Smarter Balanced Assessment for 2017 – 2018. Knox Educational Associates will provide professional development in the form of targeted planning and strategic lessons that maximize student achievement on the Smarter Balanced Assessment. The 20 hours of professional development would take place during March 13-14, 2018 with 14 hours designated to teachers and 6 hours dedicated to leadership teams and administration, building a school community and culture of success. The cost for Knox Educational Associates for 20 hours of teacher training, including teacher subscription to the Knox Educational website is \$3,000 per school for Kinoshita and Del Obispo Elementary Schools, paid from site Title I funds.

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

### STUDENT SUPPORT SERVICES

14. **MEMORANDUM OF UNDERSTANDING WITH SIMON YOUTH FOUNDATION ACADEMY:** Page 725  
**EXHIBIT 14**

Approval of the Memorandum of Understanding (MOU) with Simon Youth Foundation (SYF) Academy at Serra High School will expand the existing partnership between SYF at the Shops of Mission Viejo and the District. This MOU will support educational services for students enrolled in Serra High School as a personalized and accessible way for students to plan for graduation and post-secondary success. There is no financial impact.

*Contact: Gregory Merwin, Associate Superintendent, Student Support Services*

### HUMAN RESOURCE SERVICES

15. **ORANGE COUNTY DEPARTMENT OF EDUCATION SECOND QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION:** Page 767  
**EXHIBIT 15**  
Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) Second Quarter Report. Education Code § 1240 requires OCDE to report visits and reviews of District schools conducted by OCDE, if any. Furthermore, the law requires the report be provided to the Board of Trustees at a regularly scheduled public meeting each quarter.  
*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*
16. **STUDENT TEACHING AGREEMENT WITH SAN DIEGO CHRISTIAN COLLEGE:** Page 769  
**EXHIBIT 16**  
Approval of Student Teaching Agreement with San Diego Christian College, effective February 28, 2018 and expiring June 8, 2018. During the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their credential.  
*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services*
17. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 772  
**EXHIBIT 17**  
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*
18. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 791  
**EXHIBIT 18**  
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*

#### **GENERAL FUNCTIONS**

19. **2019 BOARD MEETING SCHEDULE:** Page 812  
**EXHIBIT 19**  
Approval of the Board Meeting Schedule for January – June, 2019.  
*Contact: Pauline Colvin, Executive Secretary, Board Operations*
20. **SCHOOL BOARD MINUTES:** Page 813  
**EXHIBIT 20**  
Approval of the January 24, 2018 Regular Board Meeting minutes.  
*Contact: Pauline Colvin, Executive Secretary, Board Operations*

#### **DISCUSSION/ACTION ITEMS**

21. **INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY ENGLISH LANGUAGE ARTS/ENGLISH LANGUAGE DEVELOPMENT, GRADE 6-8:** DISCUSSION/  
ACTION  
Page 827  
**EXHIBIT 21**  
A teacher committee has recommended the adoption of the following Secondary English language arts/English language development program for grade 6-8: *Amplify California Edition* ©2017 Amplify Education. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption for 8 years is \$1,513,193. One-time mandate funds and restricted lottery funds will be used for this expenditure.  
*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 following Secondary English language arts/English language development program for grade 6-8: *Amplify California Edition* ©2017 Amplify Education.

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

- 22. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY ENGLISH LANGUAGE ARTS/ENGLISH LANGUAGE DEVELOPMENT, GRADE 9-11:** DISCUSSION/  
ACTION  
Page 830

A teacher committee has recommended the adoption of the Secondary English language arts/English language development program for grade 9-11: *California Collections* ©2017 Houghton Mifflin Harcourt. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption for 8 years is \$1,432,045. One-time mandate funds and restricted lottery funds will be used for this expenditure.

***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**

**EXHIBIT 22**

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 Secondary English language arts/English language development program for grade 9-11: *California Collections* ©2017 Houghton Mifflin Harcourt.

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

- 23. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY MATHEMATICS – BEGINNING PERSONAL FINANCE, GRADE 10-12:** DISCUSSION/  
ACTION  
Page 833

A teacher committee is requesting the adoption of *Foundations in Personal Finance*, ©2014 Ramsey Solutions for Secondary Mathematics – Beginning Personal Finance, grade 10-12. This title was approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption for 8 years would be \$31,764. One-time mandate funds and restricted lottery funds will be used for this expenditure.

***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**

**EXHIBIT 23**

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



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

- 24. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY MATHEMATICS – ALGEBRA II WITH FINANCIAL APPLICATION, GRADE 10-12:** DISCUSSION/  
ACTION  
Page 836  
**EXHIBIT 24**

A teacher committee is requesting the adoption of *Financial Algebra, Advanced Algebra with Financial Applications*, ©2018 Cengage Learning for Secondary Mathematics – Algebra II with Financial Application, grade 10-12. This title was approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption for 8 years would be \$52,716. One-time mandate funds and restricted lottery funds will be used for this expenditure.

***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 *Financial Algebra, Advanced Algebra with Financial Applications*, ©2018 Cengage Learning for Secondary Mathematics – Algebra II with Financial Application, grade 10-12.

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

- 25. HIGH SCHOOL BOUNDARY ADJUSTMENT FOR RANCHO MISSION VIEJO:** INFORMATION/  
DISCUSSION

With the establishment of the Esencia K-8 boundary at the October 25, 2017 Board meeting, the Board directed staff to return to discuss the Board’s determination of the high school(s) that will serve Esencia. An information presentation will be given including enrollment projections data for Tesoro and San Juan Hills High Schools that project out to 2027 with three possible boundary options for planning areas two, three, four and five.

***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.

- 26. SECOND READING – BOARD POLICY 5124, GRADUATION CEREMONIES AND ACTIVITIES:** DISCUSSION/  
ACTION

The proposed revisions to Board Policy 5124, *Graduation Ceremonies and Activities*, are being recommended to clarify which grades are considered in calculations for academic distinction and to ensure the accuracy of student records prior to planning to recognize students for their distinctive academic accomplishments during graduation ceremonies and other awards recognition events. Changes are underlined; deletions are

Page 859  
**EXHIBIT 26**

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 5124, *Graduation Ceremonies and Activities*.

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

- 27. **SECOND READING AND PRESENTATION - BOARD POLICY 6146.1, HIGH SCHOOL GRADUATION REQUIREMENTS:** DISCUSSION/  
ACTION  
Page 863  
**EXHIBIT 27**

During the past three years, several components of Board Policy 6146.1, *High School Graduation Requirements*, have been revised to align to past policy decisions. Prior to this most current series of revisions, the policy had not been updated since February 9, 2009. It has subsequently been revised on May 18, 2016, January 25, 2017, and May 24, 2017. The purpose of this presentation is to provide Trustees an overview of the implications and recommendations involved with changing College and Career Planning (CCP) to an elective rather than a graduation requirement. The policy has been revised to reflect removing CCP as a graduation requirement. 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 6146.1, *High School Graduation Requirements*.

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

- 28. **POTENTIAL BOND MEASURES FOR LOCAL SCHOOLS:** INFORMATION/  
DISCUSSION  
Page 885  
**EXHIBIT 28**

The Board will receive information presentations from the Deputy Superintendent, Business and Support Services reviewing facilities condition assessments, the Principal of San Clemente High School on the need for a bond measure in the San Clemente family of schools, Government Financial Strategies, the District’s financial advisor, on the financial features of the bond measures, and the Chief Facilities Officer on the process for prioritizing facilities projects. The staff will present a phased approach of examining multiple bonds over multiple years to cover different geographic areas of CUSD. Following discussion, the Board will be asked to give direction to District staff.

**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 give direction to District staff.

- 29. **PROPOSAL TO CONDUCT OPINION RESEARCH – FAIRBANK, MASLIN, MAULLIN, METZ AND ASSOCIATES:** DISCUSSION/  
ACTION  
Page 928  
**EXHIBIT 29**

Fairbank, Maslin, Maullin, Metz and Associates (FM3) will conduct opinion survey research with District residents who are registered to vote in the San Clemente High School boundary and likely to vote in the November 2018 General Election. Research options include telephone voter surveys, telephone interviews and online interviews. Expenditures using this agreement are \$26,500 for a term of March 1, 2018 through November 30, 2018 funded by the general fund.

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

*Contact: Ryan Burris, Chief Communications Officer*

Staff Recommendation

It is recommended the Board President recognize Ryan Burris, Chief Communications Officer, to present this item.

Following discussion, it is recommended the Board of Trustees approve the Proposal to Conduct Opinion Research with Fairbank, Maslin, Maullin, Mertz and Associates in the geographic area that the Board directs based on Board guidance this evening on a potential geographic area for a bond.

- 30. **PROFESSIONAL SERVICES MASTER AGREEMENT – KITCHELL CORPORATION:** DISCUSSION/  
ACTION  
Page 931  
**EXHIBIT 30**

This agreement would allow the District to work with Kitchell on defining the facilities needs, amount and scope for the San Clemente family of schools, plus potential additional services on an as-needed basis. Work is expected to involve master tracking facilities projects incorporating both the facilities condition assessment reports and potential new projects from the facilities master plan, and helping to prioritize projects within the potential scope and budget of a local bond measure. Expenditures for the facilities planning are \$27,000 with up to an additional \$25,000 for as-needed support services 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*

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 Professional Services Master Agreement with Kitchell Corporation.

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

- 31. **AGREEMENT FOR PROFESSIONAL SERVICES – DANNIS WOLIVER KELLEY:** DISCUSSION/  
ACTION  
Page 934  
**EXHIBIT31**

The District desires to retain Dannis Woliver Kelley to provide legal services associated with considering and calling a bond election in 2018 to benefit the District’s schools and the issuance and sale of general obligation bonds. The attorney would

represent, advise and counsel the District from January 1, 2018 and continuing thereafter in connection with the District's 2018 general obligation bond election and bond issuance. Expenditures using this agreement are \$68,000 funded by the general fund and bond proceeds.

***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 Agreement for Professional Services with Dannis Woliver Kelley.

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

- 32. RESOLUTION NO. 1718-37, REDUCTION OR ELIMINATION OF PARTICULAR KINDS OF SERVICES PERFORMED BY CERTIFICATED EMPLOYEES:** DISCUSSION/  
ACTION  
Page 940

Consideration and approval of Resolution No. 1718-37, Reduction or Elimination of Particular Kinds of Services Performed by Certificated Employees.

***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 recognize Gordon Amerson, Associate Superintendent, Human Resource Services, to present information on this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1718-37, Reduction or Elimination of Particular Kinds of Services Performed by Certificated Employees.

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

- 33. RESOLUTION NO. 1718-38, NON-REELECTION OF TEMPORARY CERTIFICATED EMPLOYEES:** DISCUSSION/  
ACTION  
Page 949

Education Code §§ 44909, 44918 and 44920 permit school districts to hire certificated employees on temporary contracts. The District has appropriately classified 126 certificated employees as temporary for the 2017-2018 school year. These employees are replacing other employees on leave, are serving in programs with expiring categorical funding sources, or are placeholders for regular employees who are released from their normal assignments to work in a categorical program. Education Code § 44954 requires the Board to notify temporary employees in a position requiring certification qualification of the District's decision to release the employees from such positions prior to the next school year. The temporary release of employees, as presented in this item, is an annual process the District must utilize to ensure permanent teachers funded through categorical resources and permanent teachers on leaves of absence have a position for the succeeding school year. As the District begins staffing for the 2018-2019 school year, decisions will be made regarding how many permanent teachers will be funded through categorical resources as well how many permanent teachers will request leaves of absence, part-time contracts, and partnership assignments. As permanent teachers "temporarily" vacate their positions, temporary

**EXHIBIT 33**

teachers may be rehired.

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

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

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 that the Board of Trustees adopt Resolution No. 1718-38, Non-Reelection of Temporary Certificated Employees and authorize the District to issue notices.

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

- 34. **RESOLUTION NO. 1718-34, INTENT TO CONSIDER THE CONVEYANCE OF AN EASEMENT TO SAN DIEGO GAS & ELECTRIC COMPANY FOR THE PURPOSES OF PROVIDING NECESSARY ELECTRICAL AND COMMUNICATION FACILITIES TO ESENCIA K-8 SCHOOL:** DISCUSSION/  
ACTION  
Page 955  
**EXHIBIT 34**

San Diego Gas & Electric (SDG&E) requires an easement in order to erect, construct, change the size of, improve, reconstruct, relocate, repair, maintain and use facilities consisting of: (1) underground facilities, together with above-ground structures consisting of, but not limited to, pad-mounted electrical equipment, and appurtenances for the transmission and distribution of electricity; and (2) communication facilities, and appurtenances for 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 10 days after the adoption of the Resolution of Intent allowing the public to comment on the proposed conveyance. The Resolution of Intent currently before the Board will set a public hearing for March 14, 2018, after which the Board may consider a resolution to convey the easement.

**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. 1718-34, Intent to Consider the Conveyance of an Easement to San Diego Gas & Electric Company for the Purposes of Providing Necessary Electrical and Communication Facilities to Esencia K-8 School.

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

- 35. **ACCEPTANCE OF HIGHEST BID AND DELEGATION OF AUTHORITY TO EXECUTE FINAL PURCHASE AND SALE AGREEMENT FOR PASEO DE COLINAS PROPERTY:** DISCUSSION/  
ACTION  
Page 965  
**EXHIBIT 35**

The Board has authorized and instructed District staff to pursue selling the Paseo de Colinas property located in the City of Laguna Niguel pursuant to the process required

by Education Code § 17455 et seq. The District held a public bid on February 28, 2018 at 1:00 p.m. accepting bids for the Property to determine the highest bidder willing to purchase the Property agreeing to the terms and condition established by the District through a Purchase and Sale Agreement.

***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 accept of highest bid and delegate authority to Deputy Superintendent Clark Hampton to execute the final Purchase and Sale Agreement for the Paseo de Colinas property.

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

**ADJOURNMENT**

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

**THE NEXT MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, MARCH 14, 2018, 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**

**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.*