

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

**REVISED**

December 6, 2017

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

**AGENDA**

**CLOSED SESSION AT 4:00 P.M.**

*Trustee Jim Reardon will be teleconferencing into the meeting from the following location:  
Marriott Summit Watch, 780 Main St, Park City, UT 84060*

- 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))*
  - B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** **EXHIBIT B-1**

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-15514477  
*(Pursuant to Government Code § 54956.9(d)(1))*

**CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** **EXHIBIT B-2**  
Gregory Merwin/Sara Young  
Attorney – Ernest Bell  
Significant Exposure to Litigation – One Case  
OAH Case Number 2017080906  
*(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 – Jonathan Pearl  
Employee Organizations:
    - 1) Capistrano Unified Education Association (CUEA)
    - 2) California School Employees Association (CSEA)
    - 3) Teamsters
    - 4) Capistrano Unified Management Association (CUMA)*(Pursuant to Government Code § 54957.6)*
  - D. LIABILITY CLAIMS** **EXHIBIT D-1**

Clark Hampton  
Significant Exposure to Litigation – Three Cases  
Rejection of Government Claim: No. LBI 1704063  
Rejection of Government Claims: No. LBI 1704255 MH/LBI 1704256 MH  
*(Pursuant to Subdivision (d) of Government Code § 54956.9, Paragraph (2) or (3))*

**EXHIBIT D-2**  
**EXHIBIT D-3**

- |   |   |
|---|---|
| <p><b>E. STUDENT EXPULSIONS</b><br/> Mike Beekman<br/> One Case<br/> Case Number #2018-011</p>  | <p><b>EXHIBIT E-1</b></p>                         |
| <p><b>F. STUDENT READMISSIONS</b><br/> Mike Beekman<br/> Two Cases<br/> Case Number #2017-028<br/> Case Number #2017-041</p>                      | <p><b>EXHIBIT F-1</b><br/> <b>EXHIBIT F-2</b></p> |
| <p><b>G. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE</b><br/> Gordon Amerson<br/> One Case<br/> <i>(Pursuant to Government Code § 54957)</i></p> | <p><b>EXHIBIT G-1</b></p>                         |
| <p><b>H. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE</b><br/> Superintendent<br/> <i>(Pursuant to Government Code § 54957(b))</i></p>         | <p><b>EXHIBIT H-1</b></p>                         |

**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**

**REORGANIZATION OF THE BOARD**

- |   |                                       |
|---|---------------------------------------|
| <p><b>1. REORGANIZATION OF BOARD – ELECTION OF PRESIDENT:</b><br/> The Capistrano Unified School District Board of Trustees is conforming to Education Code requirements by holding its annual organizational meeting at the December 6, 2017, meeting. Board Policy 9100, <i>Annual Organizational Meeting</i>, 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.<br/> <b><i>CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.</i></b><br/> <b><i>Contact: Kirsten M. Vital, Superintendent</i></b></p> | <p><b>DISCUSSION/<br/> ACTION</b></p> |
|---|---------------------------------------|

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 ITEM 2 AND ITEM 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

- 4. **SELECTION OF TRUSTEE PARTICIPATION ON VARIOUS COMMITTEES:** DISCUSSION/  
ACTION  
Page 1  
**EXHIBIT 4**

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 2017. This agenda item requests the Board of Trustees select a member or members to serve on one or more of the committees during 2018. There is no financial impact.

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

*Contact: 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. 1718-30, ROLE OF THE BOARD: POWERS AND RESPONSIBILITIES:** DISCUSSION/  
ACTION  
Page 3  
**EXHIBIT 5**

Resolution No. 1718-30, 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*

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 No. 1718-30, Role of the Board: Powers and Responsibilities.

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

**SPECIAL RECOGNITIONS**

Associated Student Body

San Clemente High School  
Chris Carter, *Principal*  
Matt Reid, *Activities Director*  
Trey Russell, *ASB President*

### **Winter Music Program**

Fifth Grade Students from the following Elementary Schools:

Concordia Elementary School

Las Palmas Elementary School

Marblehead Elementary School

Palisades Elementary School

Truman Benedict Elementary School

Vista Del Mar Elementary School

Under the Direction of Debra Peterson, *Elementary Music Teacher*

### **BREAK**

### **BOARD AND SUPERINTENDENT COMMENTS**

- 6. BUDGET UPDATE IN SUPPORT OF THE 2017-2018 FIRST INTERIM REPORT AND ADOPTION OF RESOLUTION NO. 1718-26, 2017-2018 REVENUE AND EXPENDITURE INCREASES/DECREASES:** INFORMATION/  
DISCUSSION  
Page 4  
**EXHIBIT 6**

In accordance with Education Code § 42130, school districts are required to prepare and submit Interim Financial Reports to the governing board. 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. Action to be taken in Agenda Item 35.

### **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**

- 7. PUBLIC HEARING: RESOLUTION NO. 1718-27, RESOLUTION OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT TO AUTHORIZE CONVEYANCE OF AN EASEMENT TO THE SANTA MARGARITA WATER DISTRICT FOR PURPOSES OF PROVIDING NECESSARY WATER SERVICES TO ESENCIA K-8 SCHOOL:** Page 34  
**EXHIBIT 7**

The Board will conduct a public hearing on adopting Resolution No. 1718-27, Resolution of the Capistrano Unified School District to Authorize Conveyance of an Easement to the Santa Margarita Water District for Purposes of Providing Necessary Water Services to Esencia K-8 School. Supporting documentation is located in Exhibit 32.

*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.

**8. PUBLIC HEARING: ENERGY SERVICE CONTRACT FOR SOLAR ENERGY PROJECTS:** Page 35  
**EXHIBIT 8**

The Board will conduct a public hearing on the intention to request approval to award an energy service contract for design, installation, and commissioning of solar energy projects, in accordance with Government Code § 4217.12. Supporting documentation is located in Exhibit 34.

*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**

**9. DONATION OF FUNDS AND EQUIPMENT:** Page 36  
**EXHIBIT 9**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$340,628.35 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*

**10. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 40  
**EXHIBIT 10**

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 \$3,117,482.66 and the commercial warrants total \$14,249,506.96. 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*

**11. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE AND MASTER CONTRACT AGREEMENTS:** Page 109  
**EXHIBIT 11**

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 eight new agreements totaling \$208,735 and four amendments to existing agreements totaling \$350,500. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page.

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

12. **RESOLUTION NO. 1718-29, RETIREMENT INCENTIVE FOR CLASSIFIED NON-MANAGEMENT TEAMSTERS 952 EMPLOYEES:** Page 205  
**EXHIBIT 12**  
 Approval of Resolution No. 1718-29, Retirement Incentive for Classified Non-Management Teamsters 952 Employees. The District has worked with Public Agency Retirement Services (PARS) to design a Supplementary Retirement Plan (SRP), which is a retirement incentive designed to encourage senior Classified Non-Management Teamsters employees to retire early. The goal of the program is to generate savings, or at a minimum, no cost to the District by increasing the number of retirements in the 2017-2018 school year. As the administrator of the SRP, PARS will assist the District in the initial design, perform plan communication and enrollment, and conduct all ongoing administration of the program. PARS will hold orientation meetings at District locations to provide information regarding the program to eligible employees and will be available for questions and additional information throughout the enrollment period. Pacific Life Insurance Company will serve as the plan insurer.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
13. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1718-07, CROWN VALLEY ELEMENTARY SCHOOL PORTABLE CLASSROOMS AND RESTROOM – R. JENSEN CO., INC.:** Page 233  
**EXHIBIT 13**  
 Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-07, Crown Valley Elementary School Portable Classrooms and Restroom. 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 the capital facilities fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
14. **AWARD BID NO. 1718-12, SAN CLEMENTE HIGH SCHOOL UPPER CAMPUS DEMOLITION – STANDARD INDUSTRIES, INCORPORATED:** Page 236  
**EXHIBIT 14**  
 Approval of Award Bid No. 1718-12, San Clemente High School Upper Campus Demolition to Standard Industries, Incorporated. The ten bids received and opened on November 3, 2017 are listed in Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. Standard Industries, Incorporated is the lowest responsive, responsible bidder at \$498,721. This project will be funded by the building fund and CFD 90-2.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
15. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR WINTER 2018:** Page 267  
**EXHIBIT 15**  
 Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Winter 2018. The Aliso Viejo Community Association owns and maintains Woodfield Park, adjacent to Aliso Niguel High School. The Winter 2018 LUMA allows the District to use Woodfield Park from January 15, 2018 through May 11, 2018 for a fee of \$600 paid by site funds, as detailed in the LUMA. The Winter 2018 LUMA is similar to past years' agreements relating to the use of Woodfield Park.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

**CURRICULUM AND INSTRUCTION**

16. **ACADEMIC EVENT CONTRACTS – IRVINE RANCH OUTDOOR EDUCATION CENTER:** Page 287  
**EXHIBIT 16**  
 Approval of the Academic Event Contracts with Irvine Ranch Outdoor Education Center 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 agreements. The scheduled attendance and contracted amounts for these programs for fifth grade students varies for Canyon Vista Elementary School, Del Obispo

Elementary School, Hidden Hills Elementary School and Clarence Lobo Elementary School. The estimated total expenditure under this contract is \$88,800 paid by site and/or gift funds from each participating school site.

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

- 17. AGREEMENT NUMBER: 10024 FOR PARTICIPATION INSIDE THE OUTDOORS FIELD PROGRAM PUBLIC SCHOOLS 2017-2018:** Page 314  
**EXHIBIT 17**

Approval of Agreement Number: 10024 for Participation Inside the Outdoors Field Program Public School 2017-2018. District schools routinely participate in the Orange County Department of Education’s outdoor science school/field trip programs and “Traveling Scientist” programs and assemblies. Tijeras Creek Elementary School and Castille Elementary School have expressed interest in the Traveling Scientist program for the 2017-2018 school year which will provide school assemblies by traveling naturalists on various science topics. The estimated expenditure under this contract is \$1,947.50 paid by site and/or gift funds from each participating school site.

*Contact: Susan Holliday, Associate Superintendent, Education Services*
- 18. AGREEMENT FOR ADDITIONAL SCHOOL PARTICIPATING IN INSIDE THE OUTDOORS’ SCHOOL PROGRAMS AGREEMENT NUMBER: #10004:** Page 330  
**EXHIBIT 18**

Approval of Agreement for Additional School Participating in Inside the Outdoors’ School Programs Agreement Number: #10004. The Board approved the original agreement at the August 23, 2017 Board meeting for five schools to participate in Orange County Department of Education’s Inside the Outdoors “Traveling Scientist” program in which classroom sessions are provided at schools on a variety of science topics. Arroyo Vista Elementary School, Oak Grove Elementary School, Dana Hills High School and Tesoro High School have expressed an interest in adding additional sessions to those already scheduled and approved. The addendum to the original agreement is required in order to add these additional requested sessions. The scheduled attendance and contracted amounts for these programs varies by school site at a total expenditure of \$140 paid by gift or site funds.

*Contact: Susan Holliday, Associate Superintendent, Education Services*
- 19. ADDENDUM NO. #01 TO STATEMENT OF WORK UNDER THE AGREEMENT FOR USE OF EMERALD COVE OUTDOOR SCIENCE INSTITUTE, FACILITIES, SUPPLIES, EQUIPMENT, AND SERVICES, PUBLIC SCHOOL DISTRICTS, SCHOOL YEAR 2017-2018:** Page 353  
**EXHIBIT 19**

Approval of Addendum No. #01 to Statement of Work Under the Agreement for Use of Emerald Cove Outdoor Science Institute, Facilities, Supplies, Equipment, and Services Public School Districts School Year 2017-2018 to the original Agreement of Use of Emerald Cove Outdoor Science with the Emerald Cove Outdoor Science Institute school program for public schools. The Board approved the original agreement at the July 26, 2017 Board meeting for five schools to participate in the Emerald Cove Outdoor Science Institute overnight science camp. San Juan Elementary School has recently expressed an interest in attending the outdoor science camp from December 11 – 14, 2017. An addendum to the original Agreement is required in order to add this additional request. The total estimated expenditure by this addendum is \$41,610 paid by Title I and gift funds from the school site.

*Contact: Susan Holliday, Associate Superintendent, Education Services*
- 20. AGREEMENT WITH CENTER FOR APPLIED LINGUISTICS FOR 2017-2018:** Page 357  
**EXHIBIT 20**

Approval of Agreement with Center for Applied Linguistics (CAL) for 2017-2018. CAL, a Washington D.C. based company, provides professional learning in the area of dual language. The agreement outlines the services for a two-hour session for teachers and administrators from Las Palmas, San Juan, and Viejo Elementary Schools on December 22, 2017 which will be held at San Juan Elementary School. The session

content will be based on research-aligned strategies and hands-on activities that promote bilingualism, biliteracy and multicultural competence from CAL's Guiding Principles for Dual Language Education. The cost will not exceed \$3,594 paid by school site Title I funding.

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

**21. INCOME AGREEMENT #45290 WITH ORANGE COUNTY DEPARTMENT OF EDUCATION FOR PARENT ENGAGEMENT SURVEY:** Page 365  
**EXHIBIT 21**

Approval of Income Agreement #45290 with Orange County Department of Education (OCDE) for Parent Engagement Survey data collection. Staff from OCDE Evaluation Assessment and Data Center will assist the District with survey development, survey administration, reporting and analysis of the parent survey as part of the State accountability Parent Engagement local indicator. The cost will not exceed \$2,600 paid by Local Control Funding Formula (LCFF) supplemental funding.

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

**STUDENT SUPPORT SERVICES**

**22. MEMBERS OF THE SPECIAL EDUCATION LOCAL PLAN AREA COMMUNITY ADVISORY COMMITTEE:** Page 377  
**EXHIBIT 22**

Approval of the appointment of Kim Costello, Pam Ender, Barbara Kakuda and Stephanie Maciborski to serve as a Community Advisory Committee (CAC) voting member for the 2018 and 2019 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: Gregory Merwin, Associate Superintendent, Student Support Services*

**HUMAN RESOURCE SERVICES**

**23. ORANGE COUNTY DEPARTMENT OF EDUCATION FIRST QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION:** Page 378  
**EXHIBIT 23**

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) First 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*

**24. EMPLOYEE MILEAGE ALLOWANCE:** Page 383  
**EXHIBIT 24**

Approval of the revised employee mileage allowance. Certain District-based and site-based employees have been designated by the Board 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 employee mileage allowance list was approved at the September 13, 2017 Board meeting; unfortunately, the job titles of Secondary Assistant Principal and Executive Director, Construction, Maintenance and Operations were inadvertently omitted. Changes are underlined; deletions are struck through.

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



25. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 386  
**EXHIBIT 25**  
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*
26. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 408  
**EXHIBIT 26**  
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**

27. **SCHOOL BOARD MINUTES:** Page 429  
**EXHIBIT 27**  
Approval of the October 11, 2017 Regular Board Meeting minutes.  
*Contact: Nicole Berkman, Executive Secretary, Board Operations*
28. **SCHOOL BOARD MINUTES:** Page 442  
**EXHIBIT 28**  
Approval of the October 25, 2017 Special Board Meeting minutes.  
*Contact: Colleen Hayes, Manager II, Superintendent's Office*

**DISCUSSION/ACTION ITEMS**

29. **THIRD READING – BOARD POLICY 5142, DRESS AND GROOMING:** DISCUSSION/  
ACTION  
Page 445  
**EXHIBIT 29**  
The proposed revisions to Board Policy 5142, *Dress and Grooming*, provides recommended language based on committee feedback and two Board presentations. At the direction of the Board during the November 8, 2017 meeting, staff prepared two sample revised Board policies. The first Board policy draft is an updated version from the November 8, 2017 Board meeting. Staff included recommendations shared by Trustees as well as removed language that was repetitive and proposes that the language removed be placed in an Administrative Regulation. The second Board policy draft is the California School Board Association version with added language on gender neutrality, safety and inclusion. 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 \_\_\_\_\_

30. **BIOTECHNOLOGY COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT WITH SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT, 2016-2018:** DISCUSSION/  
ACTION  
Page 462  
**EXHIBIT 30**  
Approval of Biotechnology College and Career Access Pathways Partnership Agreement with South Orange County Community College District (SOCCCD). The Board conducted a public hearing on the College and Career Access Pathways

agreement with SOCCCD on November 8, 2017. Approval of this agreement will enable Dana Hills High School students who take Biotechnology at Dana Hills High School to receive college credit for the course and qualify to apply to receive the Biotechnology Lab Assistant Certificate of Achievement at Irvine Valley College for the 2016-2017 and 2017-2018 school years.

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

***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 Biotechnology College and Career Access Pathways Partnership Agreement with South Orange County Community College District 2016-2018.

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

**31. BOND MEASURE CONSIDERATION:**

The Board will receive an information presentation on the consideration of a possible new bond measure, which responds to lessons learned from the Measure M process by incorporating additional community feedback.

***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.

**32. RESOLUTION NO. 1718-27, RESOLUTION OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT TO AUTHORIZE CONVEYANCE OF AN EASEMENT TO THE SANTA MARGARITA WATER DISTRICT FOR PURPOSES OF PROVIDING NECESSARY WATER SERVICES TO ESENCIA K-8 SCHOOL:**

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.

Pursuant to Education § 17556 et. seq., the Board, at its November 8, 2017 meeting, adopted Resolution No. 1718-21 indicating its intention to convey the SMWD Easement and calling a noticed “Public Hearing” to address the issue of whether the District should convey the SMWD Easement (Resolution of Intent). The Resolution of Intent established that the Public Hearing would be held during the Board’s December 6, 2017 meeting and directed the Superintendent, or Superintendent’s designee, to provide notice of the Public Hearing as required by Education Code § 17558.

The District complied with the notice requirements by posting three copies of the Resolution of Intent, signed by the Secretary of the Board on behalf of a majority of the Board members, in three public places by November 26, 2017 (ten days before the Public Hearing), and by publishing notice of the Public Hearing in the Orange County Register by December 1, 2017 (five days before the Public Hearing).

The Board, having both adopted its Resolution of Intent, as required by Education Code

INFORMATION/  
DISCUSSION  
Page 474  
**EXHIBIT 31**

INFORMATION/  
DISCUSSION  
Page 507  
**EXHIBIT 32**

§ 17557, and held a public hearing on whether to convey the SMWD Easement as required by Education Code § 17558, may then consider whether to convey the SMWD Easement to SMWD, unless the Board receives a petition signed by at least ten percent of the qualified voters within the District (Protest Petition) objecting to the proposed conveyance. Absent receipt of a Protest Petition, the Board may consider the adoption of Resolution No. 1718-27, authorizing the conveyance of the SMWD Easement to SMWD, pursuant to Education Code § 17559.

If a Protest Petition is received, then the Board must postpone any decision on whether to convey the SMWD Easement and first submit the question of whether to convey the Easement to the Orange County Superintendent of Schools (Superintendent of Schools). If the Superintendent of Schools approves of the Easement, then the Board may consider approval of the conveyance. If the Superintendent of Schools disapproves of the Easement, its decision is final and the District may not convey the Easement.

This Resolution to Convey the SMWD Easement must be approved by a vote of at least two-thirds of all the members of the Board.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1718-27, Resolution of the Capistrano Unified School District to Authorize Conveyance of an Easement to the Santa Margarita Water District for Purposes of Providing Necessary Water Services to Esencia K-8 School.

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

- 33. UPDATE ON SOLAR ENERGY PROJECTS AND REQUEST FOR PROPOSALS RESULTS:** INFORMATION/  
DISCUSSION  
Page 520  
**EXHIBIT 33**

The Board will receive an information presentation from ARC Alternatives, the District's energy advisor, with the results of the Request for Proposals process to solar vendors, a recommendation for award and an updated financial plan and savings analysis for the 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.

- 34. RESOLUTION NO. 1718-28, RESOLUTION TO ENTER INTO ENERGY SERVICE CONTRACT:** DISCUSSION/  
ACTION  
Page 532  
**EXHIBIT 34**

Following the information presentation on the solar energy projects and Request for Proposals results, the Board is asked to consider approval of Resolution No. 1718-28 authorizing awarding a proposed energy service contract for design, installation, and commission of 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 this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1718-28, Resolution to Enter into Energy Service Contract.

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

- 35. CERTIFICATION OF THE 2017-2018 FIRST INTERIM REPORT AND ADOPTION OF RESOLUTION NO. 1718-26, 2017-2018 REVENUE AND EXPENDITURE INCREASES/DECREASES:** DISCUSSION/  
ACTION  
Page 538  
**EXHIBIT 35**

In accordance with Education Code § 42130, school districts are required to prepare and submit Interim Financial Reports to the governing board. 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 2017-2018 First Interim Report and Adoption of Resolution No. 1718-26, 2017-2018 Revenue and Expenditure Increases/Decreases.

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, JANUARY 24, 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.*