

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

December 12, 2018

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

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

EXHIBIT A-1

Gregory Merwin
Attorney - Ernest Bell
Significant Exposure to Litigation – Two Cases
IDR Case Number 20181008
IDR Case Number 20181018
(Pursuant to Government Code § 54956.9(d)(2))

EXHIBIT A-2
EXHIBIT A-3

Clark Hampton
Attorney – Terry Tao
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d))

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin
Attorney - Ernest Bell
Significant Exposure to Litigation – Three Cases
OAH Case Number 2017090988
OAH Case Number 2018100084
OAH Case Number 2018110436
(Pursuant to Government Code § 54956.9(d)(1))

EXHIBIT B-1
EXHIBIT B-2
EXHIBIT B-3

C. LIABILITY CLAIM

Clark Hampton
Significant Exposure to Litigation – One Case
Rejection of Government Claim No. 1805366
(Pursuant to Government Code § 54956.9(d)(2)(3))

EXHIBIT C-1

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

District Negotiators: Kirsten M. Vital and Clark Hampton
Attorney – Andreas Chialtas
Consultants – George Peterson

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)

E. STUDENT READMISSIONS

Mike Beekman

Five Cases

Case # 2018-021

Case # 2018-023

Case # 2018-034

Case # 2018-039

Case # 2018-041

EXHIBIT E-1

EXHIBIT E-2

EXHIBIT E-3

EXHIBIT E-4

EXHIBIT E-5

F. STUDENT EXPULSIONS

Mike Beekman

Nine Cases

Case # 2019-011

Case # 2019-015

Case # 2019-017

Case # 2019-019

Case # 2019-021

EXHIBIT F-1

EXHIBIT F-2

EXHIBIT F-3

EXHIBIT F-4

EXHIBIT F-5

G. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Tim Brooks/Susan Holliday

(Pursuant to Government Code § 54957)

H. 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.

6:30 p.m.

MUSICAL SHOWCASE

Capistrano Valley High School - Saxophone Trio

Daniel Le, Patrick Polcuch, and Mark Vilchez

Under the direction of Andreas Waldukat, *Director of Instrumental Music*

AGENDA
OATH OF OFFICE
7:00 p.m.

Trustee Judy Bullockus, Trustee Gila Jones, and Trustee Martha McNicholas

OPEN SESSION AT 7:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

OATH OF OFFICE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

REORGANIZATION OF THE BOARD

1. REORGANIZATION OF BOARD – ELECTION OF PRESIDENT:

The Capistrano Unified School District Board of Trustees is conforming to Education Code requirements by holding its annual organizational meeting at the December 12, 2018, meeting. Board Policy 9100 *Annual Organizational Meeting*, presents the order of business for this meeting. Agenda items 1 through 3 may be completed under this agenda item. There is no financial impact.

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

Contact: Kirsten M. Vital, Superintendent

Staff Recommendation

AGENDA ITEM 1

The current presiding Board member 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.

Motion by _____ Seconded by _____

2. REORGANIZATION OF BOARD – ELECTION OF VICE PRESIDENT:

Motion by _____ Seconded by _____

3. REORGANIZATION OF BOARD – ELECTION OF CLERK:

Motion by _____ Seconded by _____

**DISCUSSION/
ACTION**

**DISCUSSION/
ACTION**

**DISCUSSION/
ACTION**

SPECIAL RECOGNITIONS

Associated Student Body

Tesoro High School

Ken Ezratty, *Principal*

Christina Migge, *Activities Director*

Erika Tran, *Associated Student Body President*

Extra Miler

The Pacific Life Foundation, for their charitable giving to support students and programs of the District.

WINTER MUSIC PROGRAM

Students from Bernice Ayer Middle School Chamber Orchestra

Under the Direction of Don Schultz, *Middle School Music Teacher*

BREAK

BOARD AND SUPERINTENDENT COMMENTS

ORAL COMMUNICATIONS (Non-Agenda Items)

Oral Communications will occur immediately following Board and Superintendent Comments. The total time for Oral Communications shall be twenty (20) minutes. Individual presentations are limited to a maximum of three (3) minutes per individual.

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

4. DONATION OF FUNDS AND EQUIPMENT:

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$607,485.36 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

Page 1

EXHIBIT 4

5. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District's budget approval process. The purchase orders total \$4,489,915.77 and the commercial warrants total \$19,950,415.25. 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

Page 6

EXHIBIT 5

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

Approval of the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process.

Page 107

EXHIBIT 6

The exhibit shows eight new agreements totaling \$289,690 and five amendments to existing agreements totaling \$394,465. 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

- 7. STATE OF CALIFORNIA CONTRACT NO. 1-18-23-23, A THROUGH H, SUPPLEMENT 2, FLEET VEHICLES, VANS AND SUVS – MULTIPLE VENDORS:** Page 187
EXHIBIT 7

Approval to utilize the State of California Contract No. 1-18-23-23 A through H, Supplement 2, Fleet Vehicles, Vans and SUVs and any subsequent revisions, amendments, and extensions awarded to Downtown Ford Sales; Elk Grove Auto Group; Freeway Toyota; Winner Chevrolet; Wondries Fleet Group; US Fleet Source, Selma Nissan/Honda; and Leehan of Davis Inc. dba Chrysler Dodge Jeep Ram Kia for the purchase of fleet vehicles, as needed by the District. The District can utilize such contracts pursuant to California Public Contract Code §§ 10298, 10299, and 12100 et. Seq. without going to bid. The prices offered by the contractors have been assessed to be fair, reasonable, and competitive. The District's fleet is aging. The District is developing criteria for a vehicle replacement program to be implemented as funds become available. Staff determined it is in the best interest of the District to utilize the state contract to purchase fleet vehicles.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 8. 2018-2019 INTERNET ACCESS AGREEMENT NO. 45356 – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 213
EXHIBIT 8

Approval of the ratification of 2018-2019 Internet Access Agreement with Orange County Superintendent of Schools (OCDE) to provide Internet access services to the District. The term of this agreement is July 1, 2018 through June 30, 2019. Internet access is provided at no cost to the District.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 9. 2018-2019 NETWORK SUPPORT SERVICES AGREEMENT NUMBER 45357 – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 219
EXHIBIT 9

Approval of the ratification of 2018-2019 Network Support Services Agreement with Orange County Superintendent of Schools (OCDE) to provide network support services to the District from July 1, 2018 through June 30, 2019. Annual expenditures under this contract are limited to \$2,350 funded by the general fund.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 10. PROCURE ELIGIBLE E-RATE ITEMS UTILIZING REQUESTS FOR PROPOSALS PROCESS:** Page 227
EXHIBIT 10

Approval to procure eligible E-Rate items (Categories 1 and 2) utilizing Requests for Proposals (RFP) process. Public Contract Code § 20118.2 states that due to the highly specialized nature of technology, telecommunications, related equipment, software and services, it is in the public's best interest to allow a school district to consider, in addition to price, various factors. Section 20118.2(c) requires that prior to awarding contracts utilizing the competitive negotiation RFP process discussed in § 20118.2(d), the Board must make a finding that the items listed in the proposed Request for Proposal No. 2-1819, E-Rate Multiple Categories is eligible under Public Contract Code § 20118.2.

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 11. RESOLUTION NO. 1819-22, APPROVING THE ANNUAL AND FIVE-YEAR REPORTABLE FEES REPORT FOR FISCAL YEAR 2017-2018, IN COMPLIANCE WITH GOVERNMENT CODE § 66006 AND § 66001:** Page 231
EXHIBIT 11

Approval of Resolution No. 1819-22 authorizing the Annual and Five-Year Reportable Fees Report for Fiscal Year 2017-2018, in compliance with Government Code § 66006 and § 66001.

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 § 66006 and § 66001, 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. In addition, 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*

CURRICULUM AND INSTRUCTION

- 12. AGREEMENT WITH COUNTY OF ORANGE, HEALTH CARE AGENCY:** Page 249
EXHIBIT 12
Approval of the Agreement with County of Orange, Health Care Agency. As stated in the California Healthy Kids Survey (CHKS) Memorandum of Understanding (MOU) Board item on November 12, 2018, the County of Orange, Health Care Agency will provide \$9,006 to the District to cover costs related to the administration of the CHKS to students in grades 5, 7, 9 and 11. This item seeks approval of the agreement with the County of Orange, Health Care Agency to acquire the \$9,006 to offset the anticipated cost of \$19,401. The net cost of \$10,395 will be funded by general funds.
Contact: *Susan Holliday, Associate Superintendent, Education Services*
- 13. AGREEMENT WITH KID HEALTHY/ONE OC:** Page 257
EXHIBIT 13
Approval of the Agreement with Kid Healthy/One OC from December 1, 2018 through June 30, 2019 for Carl Hankey K-8 School. Kid Healthy/One OC will provide six parent education classes and training materials for implementation of an active recess. Topics covered include advocacy, nutrition, physical activity, volunteerism, playground management, and safety. The cost of \$6,800 will be funded by Title I funds.
Contact: *Susan Holliday, Associate Superintendent, Education Services*
- 14. THIRD READING – BOARD POLICY 5132 RELEASE OF DIRECTORY INFORMATION:** Page 260
EXHIBIT 14
Approval of the proposed revisions to Board Policy 5132 *Release of Directory Information*, brings language in alignment to recent changes in law. Revisions also reflect current California School Board Associations sample language. Legal counsel has reviewed the policy. Staff have also included the Trustee recommended changes from the first reading at the October 10, 2018 Board meeting. Changes are underlined; deletions are struck through. There is no financial impact.
Contact: *Susan Holliday, Associate Superintendent, Education Services*
- 15. AGREEMENT FOR SERVICES WITH ORANGE COUNTY DEPARTMENT OF EDUCATION TO PROVIDE GIFTED AND TALENTED EDUCATION CERTIFICATION TRAINING FOR ELEMENTARY TEACHERS IN 2018-2019:** Page 266
EXHIBIT 15
Approval for services with Orange County Department of Education (OCDE) to provide Gifted and Talented Education (GATE) Certification Training for up to 60 District Elementary Teachers. OCDE provides teachers with a comprehensive 3-day training. Upon completion, teachers will receive a certification recognized across Orange County districts. Two cohorts of 30 teachers will participate in 15 hours of seat time, plus lesson development, implementation and portfolio development. The required certification content includes the characteristics and social-emotional needs of gifted learners including served populations, differentiation of instruction, curriculum compacting and universal themes. The estimated total expenditure for this agreement is \$26,100 funded by general and Title IV funds.
Contact: *Susan Holliday, Associate Superintendent, Education Services*

- 16. RECOMMENDATION TO APPROVE R.H. DANA ELEMENTARY SCHOOL AS A SPANISH LANGUAGE IMMERSION PROGRAM:** Page 278
EXHIBIT 16
- Approval of R.H. Dana Elementary School implementing a Spanish Language Immersion program beginning in the 2019-2020 school year. The program would be a 50/50 language immersion with 50 percent of instruction in English and 50 percent of instruction in Spanish. This model is different from the other 3 Language Immersion programs in the District. At the November 14, 2018 Board meeting, staff provided the rationale for the 50/50 model for R.H. Dana Elementary School. Staff also presented the rationale for the school's branding to be changed from the R.H. Dana Science and Technology Academy to the R.H. Dana Language and Science Academy. Language Immersion instruction would begin in kindergarten and add a grade level each year, over 5-6 years. Costs include staffing and Spanish materials estimated at approximately \$288,000 over the next 5-6 years funded by Title I and general funds.
- Contact: Susan Holliday, Associate Superintendent, Education Services*
- 17. MEMBERS OF THE SPECIAL EDUCATION LOCAL PLAN AREA COMMUNITY ADVISORY COMMITTEE:** Page 293
EXHIBIT 17
- Approval of the appointment of Ann Carroll, Mina Carson, Shadi Pourkashef, Jillian Stewart and Rachel Sutherland to serve as a Community Advisory Committee (CAC) voting member for the 2019 and 2020 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*
- 18. MEMORANDUM OF UNDERSTANDING WITH LAGUNA BEACH UNIFIED SCHOOL DISTRICT:** Page 294
EXHIBIT 18
- Approval of the Memorandum of Understanding (MOU) with Laguna Beach Unified School District (LBUSD) for the purpose of implementing special education services and programs to students referred by their Individual Education Program team. This MOU was approved at the November 14, 2018 Board Meeting. It has come to our attention that the MOU provided to Trustees needed to be further revised and updated. The exhibit reflects those changes. This agreement will allow the District to provide Adult Transition Program services to students whose current residence is within LBUSD boundaries. Services will include access to local community supports and independent living. The District will provide oversight of the program and collaborate in decisions related to educational services. There is no financial impact.
- Contact: Gregory Merwin, Associate Superintendent, Student Support Services*
- 19. MEMORANDUM OF UNDERSTANDING WITH SANTA ANA UNIFIED SCHOOL DISTRICT:** Page 301
EXHIBIT 19
- Approval of the Memorandum of Understanding (MOU) with Santa Ana Unified School District (SAUSD) to provide special education Deaf and Hard of Hearing programs and services for District students referred by their Individualized Education Program (IEP) team. SAUSD provides specialized programs for Deaf or Hard of Hearing students in grades K – 6 who require a more intensive special education placement. The District is currently projected to have one student in the SAUSD program, and the approval of the MOU allows the District to place additional students as determined by the IEP team or through a settlement agreement. Estimated cost per student is \$46,000. Annual expenditures under this MOU are estimated to be \$46,000 paid by special education funds.
- Contact: Gregory Merwin, Associate Superintendent, Student Support Services*

20. **RESOLUTION NO. 1819-27, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE MATERIAL REVISION TO CHARTER OF CAPISTRANO CONNECTIONS ACADEMY CHARTER SCHOOL:** Page 308
EXHIBIT 20

Approval of Resolution No. 1819-27 and the Material Revision to Charter of Capistrano Connections Academy Charter School. The Charter School has requested a material revision to its Charter to reflect a name change from Capistrano Connections Academy to California Connections Academy Southern California. The name change is reflected in the renewal petition submitted on October 10, 2018.

Contact: Susan Holliday, Associate Superintendent, Education Services

21. **FIRST AMENDMENT TO JULY 25, 2018 MEMORANDUM OF UNDERSTANDING WITH OXFORD PREPARATORY ACADEMY:** Page 322
EXHIBIT 21

Approval of the First Amendment to July 25, 2018 Memorandum of Understanding (MOU) with Oxford Preparatory Academy. On July 25, 2018 the District and Oxford Preparatory Academy (OPA) entered into a MOU, which extended the timeframe established in Education Code § 47607, subdivision (e) and California Code of Regulations, title 5, § 11968.5.2, subdivision (f) to provide OPA until December 31, 2018 to take the actions identified in Section 3 “A” through “P” of the MOU. OPA has requested an extension of time to May 31, 2019 to take the following action, set forth in Section 3 “A.x.” of the MOU: Relocate Administrative Offices to Orange County with close proximity to schools by December 15, 2018.

Contact: Susan Holliday, Associate Superintendent, Education Services

HUMAN RESOURCE SERVICES

22. **AUTHORIZATION OF COACHES TO PROVIDE FIRST SEMESTER PHYSICAL EDUCATION CREDIT:** Page 335
EXHIBIT 22

Approval of teachers who are credentialed in subjects other than Physical Education (PE) to provide PE credit to students in that respective sport. Districts may assign a teacher with a credential in a subject area other than PE to coach a competitive sport and award PE credit to students. State law requires that such teachers be full-time employees of a district and have completed a minimum of 20 hours of first-aid instruction, have training on the harmful effects of steroid use, and be approved by the Board of Trustees. It has been determined all teachers who do not hold a physical education credential, but are assigned coaching activities for which such credit is given, are full-time employees of the District, and have completed cardiopulmonary resuscitation, first-aid instruction and concussion training. There is no financial impact.

Contact: Tim Brooks, Associate Superintendent, Human Resource Services

23. **ORANGE COUNTY DEPARTMENT OF EDUCATION FIRST QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION:** Page 338
EXHIBIT 23

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) First Quarter Report. 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, Education Code § 1240 requires OCDE to report visits and reviews of District schools conducted by OCDE, if any. Additionally, the law requires the report be provided to the Board of Trustees at a regularly scheduled public meeting each quarter.

Contact: Tim Brooks, Associate Superintendent, Human Resource Services

24. **SUPERVISED FIELDWORK AGREEMENT FOR TEACHER EDUCATION WITH BRANDMAN UNIVERSITY:** Page 343
EXHIBIT 24

Approval of Supervised Fieldwork Agreement for Teacher Education with Brandman University, effective January 7, 2019 and expiring January 6, 2022.

During the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their credential.

Contact: Tim Brooks, Associate Superintendent, Human Resource Services

25. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES: Page 352
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: Tim Brooks, Associate Superintendent, Human Resource Services

26. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES: Page 376
EXHIBIT 26

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: Tim Brooks, Associate Superintendent, Human Resource Services

GENERAL FUNCTIONS

27. RESOLUTION NO. 1819-28, ROLE OF THE BOARD: POWERS AND RESPONSIBILITIES: Page 406
EXHIBIT 27

Resolution No. 1819-28, 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

28. SCHOOL BOARD MINUTES: Page 408
EXHIBIT 28

Approval of the November 14, 2018 Regular Board meeting minutes.

Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

DISCUSSION/ACTION ITEMS

29. THIRD READING – BOARD POLICY 6145.3 PUBLICATIONS: **DISCUSSION/
ACTION**
Page 417
EXHIBIT 29

The proposed revisions to Board Policy 6145.3 *Publications*, are being recommended to ensure the policy is aligned with current issues and realities related to student publications and announcements. Since the second reading on September 12, 2018, staff has added additional language and revised content per stakeholder input. 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 6145.3 *Publications*.

Motion by _____ Seconded by _____

30. POTENTIAL REGIONAL BOND MEASURE UPDATE AND PROPOSAL TO CONDUCT OPINION RESEARCH – TRUE NORTH RESEARCH: **DISCUSSION/ ACTION**

The Board will receive an update on planning for a potential bond measure for March 2020 to include School Facility Improvement District (SFID) options, assessed valuation summary for San Clemente region and Western region proposed SFIDs, and a community polling agreement proposal. True North Research will conduct opinion research among a portion of District residents who are registered to vote and likely to vote in the March 2020 Primary Election. Research options include telephone interviewing and online surveys. The term of this agreement is effective through June 30, 2019. Expenditures using this agreement are not-to-exceed \$51,675 funded by the general fund.

Page 422
EXHIBIT 30

CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.
CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
Contact: Ryan Burris, Chief Communications Officer

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees provide direction to staff and approve the Proposal to Conduct Opinion Research with True North Research.

Motion by _____ Seconded by _____

31. CALIFORNIA SCHOOL DASHBOARD FALL 2018: **INFORMATION/ DISCUSSION**

The state accountability model is focused on one continuous improvement system that meets local, state, and federal needs. The three major components are: (1) Local Control Accountability Plan and Annual Update, (2) California School Dashboard and (3) Support and Assistance System. This item will provide background about the California School Dashboard, information about performance levels and colors, Fall 2018 California School Dashboard changes, District performance on the Fall 2018 release of the California School Dashboard and next steps regarding training and communication.

Page 491
EXHIBIT 31

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.

32. DASHBOARD DEVELOPMENT UPDATE: **INFORMATION/ DISCUSSION**

Work on the District Dashboard began in Spring 2017. The purpose of the District Dashboard is to provide information regarding student progress on several critical academic, social-emotional and behavior indicators from preschool - kindergarten, grade 12 and beyond. This item is a presentation on the development of these indicators, a new timeline for completion and launch, and a live demonstration of the dashboard website.

Page 519
EXHIBIT 32

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, and 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.

- 33. **SELECTION OF TRUSTEE PARTICIPATION ON VARIOUS COMMITTEES:**
 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 2018. This agenda item requests the Board of Trustees select a member or members to serve on one or more of the committees during 2019. 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

**DISCUSSION/
ACTION**
Page 538
EXHIBIT 33

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 _____

- 34. **ESTABLISHING HIGH SCHOOL ASSIGNMENT FOR ESENCIA K-8 SCHOOL:**
 With Esencia K-8 School opening in Fall 2018, the high school assignment will now be established.
CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

**DISCUSSION/
ACTION**
Page 540
EXHIBIT 34

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 high school assignment for Esencia K-8 School.

Motion by _____ Seconded by _____

- 35. **OVERVIEW OF LOCAL CONTROL ACCOUNTABILITY PLAN IN CALIFORNIA:**
 The Local Control and Accountability Plan (LCAP) is a three-year static plan that is updated annually that describes goals, actions, services, and expenditures to support positive student outcomes that address state and local priorities. The LCAP provides an opportunity for districts to share their stories of how, what and why programs and services are selected to meet local needs. The District adheres to the LCAP template adopted by the State Board of Education in November 2016. This item presents an overview of the District’s LCAP development process, communication tools, and timeline for 2018-2019.
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

**INFORMATION/
DISCUSSION**
Page 555
EXHIBIT 35

Staff Recommendation

It is recommended the Board of Trustees 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.

- 36. **RESOLUTION NO. 1819-23, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE THE CHARTER RENEWAL PETITION OF CALIFORNIA CONNECTIONS ACADEMY SOUTHERN CALIFORNIA/CAPISTRANO CONNECTIONS ACADEMY PUBLIC CHARTER SCHOOL SUBJECT TO ENTRY INTO MEMORANDUM OF UNDERSTANDING:** **DISCUSSION/ ACTION**
 Page 570
EXHIBIT 36

A charter petition for Capistrano Connections Academy was approved by the District on June 14, 2004 with subsequent five-year renewals on May 11, 2009 and March 26, 2014. Capistrano Connections Academy/California Connections Academy Southern California submitted a third charter renewal petition to the District on October 10, 2018. District staff has reviewed the renewal petition and finds it to be in compliance with requirements for renewal set forth in Education Code § 47605 if the conditions identified are satisfied by entry into a fully executed Memorandum of Understanding ratified by the Board within 45 days of the Board’s approval with conditions.

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 adopt Resolution No. 1819-23, Resolution of the Board of Trustees to Approve the Charter Petition of Capistrano Connections Academy/California Connections Academy Southern California Subject to Entry into Memorandum of Understanding.

Motion by _____ Seconded by _____

- 37. **FIRST READING – BOARD POLICY 5141 CONDUCT:** **DISCUSSION/ ACTION**
 Page 590
EXHIBIT 37

Board Policy 5141 *Conduct*, defines bullying and cyberbullying, identifies the responsibilities of all stakeholders to prevent bullying and explains the complaint procedure to report bullying. Student codes of conduct are designed to serve both the classroom and the individual. The language outlines students’ responsibilities, thus letting individual students know that they need to meet certain standards for their own sake and that of the entire class. “Conduct” covers such a wide variety of behaviors that establishing a formal code within a school system is essential. Legal counsel has reviewed Board Policy 5141 *Conduct*, and has recommended the bullying portion be removed, and become a stand-alone Board Policy. The proposed new Board Policy 5131.2 *Bullying* will clearly define the District’s focus on the prevention of bullying and is being brought forward for Trustee approval. The proposed revisions to Board Policy 5141 *Conduct* align with the California School Board Association sample policy. Legal counsel has reviewed the policy. Changes are underlined; deletions are struck through. There is no financial impact.

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

Contact: 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 5141 Conduct.

Motion by _____ Seconded by _____

38. FIRST READING - BOARD POLICY 5131.2 BULLYING:

The District currently has a Board Policy in place to address bullying; Board Policy 5141 Conduct, defines bullying and cyberbullying, identifies the responsibilities of all stakeholders to prevent bullying and explains the complaint procedure to report bullying. Legal counsel has reviewed Board Policy 5141, *Conduct*, and has recommended the bullying portion be removed, and become a stand-alone Board Policy. The proposed new Board Policy 5131.2 *Bullying* will clearly define the District’s focus on the prevention of bullying. The proposed policy also aligns with the California School Board Association sample policy. Legal counsel has reviewed the policy. Changes are underlined; deletions are struck through. There is no financial impact.

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

Contact: Susan Holliday, Associate Superintendent, Education Services

**DISCUSSION/
ACTION
Page 602
EXHIBIT 38**

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 5131.2 *Bullying*.

Motion by _____ Seconded by _____

39. FIRST READING – BOARD POLICY 3515 SCHOOL SAFETY AND SECURITY:

The proposed revisions to Board Policy 3515 *School Safety and Security* brings language in alignment to suggestions from Alliance of Schools for Cooperative Insurance Programs (ASCIP), California School Boards Association (CSBA) and other California districts regarding the use of surveillance cameras on school campuses. The policy changes were developed by District staff and all site administrators have had the opportunity to review and comment on the Board Policy as written. 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

**DISCUSSION/
ACTION
Page 611
EXHIBIT 39**

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 Board Policy 3515 *School Safety and Security*.

Motion by _____ Seconded by _____

40. TITLE IV, PART A FORMULA GRANT PLAN:

The District has received \$318,298 in federal grant funding through the Consolidated Application. This Title IV, Part A funding is allocated to improve students’ academic achievement by increasing school district capacity to (1) provide all students with access to a well-rounded education, (2) improve school conditions for student learning and (3) improve the use of technology in order to improve the academic achievement and digital literacy of all students. Funding through an apportionment is provided to districts based on Title I.

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 Title IV, Part A Formula Grant Plan.

Motion by _____ Seconded by _____

**DISCUSSION/
ACTION
Page 616
EXHIBIT 40**

41. CERTIFICATION OF THE 2018-2019 FIRST INTERIM REPORT:

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 2018-2019 First Interim Report.

Motion by _____ Seconded by _____

**DISCUSSION/
ACTION
Page 620
EXHIBIT 41**

42. RESOLUTION NO. 1819-24, PREPARATION OF SEISMIC SCREENING ASSESSMENT OF AB 300 SCHOOLS:

As part of the District’s evaluation of school facilities for a potential bond measure, the District is reviewing buildings listed on the state’s Assembly Bill (AB) 300 list for potential seismic related upgrades and to seek State Seismic Mitigation Program funding.

AB 300 is a statewide seismic structural safety survey of public school buildings. The Division of State Architect (DSA) prepared a list of buildings recommending school districts study to review and compare current building related sciences for evaluating building performance during an earthquake. Resolution No. 1819-24 authorizes staff to hire a qualified structural engineer to evaluate AB 300 buildings located in the District.

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

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

**DISCUSSION/
ACTION
Page 758
EXHIBIT 42**

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. 1819-24, Preparation of Seismic Screening Assessment of AB 300 Schools.

Motion by _____ Seconded by _____

- 43. **ESTABLISHMENT OF THE EDUCATIONAL TECHNOLOGY JOINT POWERS AUTHORITY:** **DISCUSSION/ ACTION**
Page 762
EXHIBIT 43

The District recommends the Board approve an agreement with Irvine Unified School District, whereby the parties will establish a Joint Powers Authority (JPA) for the purpose of procuring digital programs, curriculum and digital hardware. The JPA would be co-hosted by the Executive Directors of the JPA, who are the Chief Technology Officers of our District and Irvine Unified School District. Up to three other districts or County Offices of Education may become founding members to establish a voting board. The JPA would negotiate competitively priced digital technology contracts for the benefit of the District and JPA members, saving all member districts procurement expenses and ensuring all products meet state and federal student data privacy laws. As a founding member of the JPA, the District is expected to provide \$10,000 for the legal preparation of the JPA, website creation and hosting and general administration, which is reimbursable upon the achievement of certain milestones by the JPA. This \$10,000 would come from the general fund.

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

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

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 establish the Educational Technology Joint Powers Authority.

Motion by _____ Seconded by _____

- 44. **RESOLUTION NO. 1819-26, APPROVING AGREEMENT TO SELL THE RIGHT TO PURCHASE REAL PROPERTY AND DIRECTING STAFF TO ASSESS POTENTIAL USES OF THE PROCEEDS (LAS RAMBLAS PROPERTY):** **DISCUSSION/ ACTION**
Page 777
EXHIBIT 44

The Board is asked to adopt Resolution No. 1819-26 approving the Purchase and Sale Agreement and Joint Escrow Instructions with Lennar Homes of California, Inc. where Lennar will acquire the right to purchase the Las Ramblas property. The Resolution also directs staff to assess the potential uses of the 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 adopt Resolution No. 1819-26, Approving Agreement to Sell the Right to Purchase Real Property and Directing Staff to Assess Potential Uses of the Proceeds (Las Ramblas Property).

Motion by _____ Seconded by _____

45. RESOLUTION NO. 1819-25, APPROVING AGREEMENTS TO LEASE DISTRICT SURPLUS REAL PROPERTY AND DIRECTING STAFF TO ASSESS POTENTIAL USES OF THE LEASE PROCEEDS (SOUTH BUS YARD PROPERTY): **DISCUSSION/ ACTION**
Page 823
EXHIBIT 45

The Board is asked to adopt Resolution No. 1819-25 approving the Option to Lease Real Property Agreement and Ground Lease Agreement with Toll Brothers, Inc. to lease certain surplus property known as the South Bus Yard. The Resolution also directs staff to assess the potential uses of the lease 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 adopt Resolution No. 1819-25, Approving Agreements to Lease District Surplus Real Property and Directing Staff to Assess Potential Uses of the Lease Proceeds (South Bus Yard Property).

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
THURSDAY, JANUARY 24, 2019, 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.