

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

October 10, 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**

Gregory Merwin  
Attorney - Ernest Bell  
Significant Exposure to Litigation – Five Cases  
IDR Case Number 20180601  
IDR Case Number 20180625  
IDR Case Number 20180813  
IDR Case Number 20180814  
IDR Case Number 20180815  
(Pursuant to Government Code § 54956.9(d)(2))

**EXHIBIT A-1**  
**EXHIBIT A-2**  
**EXHIBIT A-3**  
**EXHIBIT A-4**  
**EXHIBIT A-5**

Susan Holliday  
Attorney – Anthony DeMarco  
Significant Exposure to Litigation – One Case  
(Pursuant to Government Code § 54956.9(d)(2))

**EXHIBIT A-6**

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

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 2018040679  
OAH Case Number 2018060424  
OAH Case Number 2018070937  
(Pursuant to Government Code § 54956.9(d)(1))

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

**C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

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

Consultants – George Peterson/Keith Weaver

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)

**D. STUDENT READMISSIONS**

Mike Beekman  
One Case  
Case # 2017-038

**EXHIBIT D-1**

**E. STUDENT EXPULSIONS**

Mike Beekman  
Four Cases  
Case # 2019-001  
Case # 2019-002  
Case # 2019-003  
Case # 2019-005

**EXHIBIT E-1**  
**EXHIBIT E-2**  
**EXHIBIT E-3**  
**EXHIBIT E-4**

**RECORDING OF SCHOOL BOARD MEETINGS**

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

**OPEN SESSION AT 7:00 P.M.**

**CALL TO ORDER – ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF THE AGENDA**

**REPORT ON CLOSED SESSION ACTION**

**SPECIAL RECOGNITIONS**

**Extra Miler**

*The Services for English Learners Department, for their work in supporting language learners and their families to ensure that all students may access and benefit from the many educational opportunities provided by the District.*

**BOARD AND SUPERINTENDENT COMMENTS**

**ORAL COMMUNICATIONS (Non-Agenda Items)**

Oral Communications will occur immediately following Board and Superintendent Comments. The total time for Oral

Communications shall be twenty (20) minutes. Individual presentations are limited to a maximum of three (3) minutes per individual.

## **PUBLIC HEARING**

1. **PUBLIC HEARING: RESOLUTION NO. 1819-17, STATEMENT OF ASSURANCE FOR INSTRUCTIONAL MATERIALS REALIGNMENT FUND, FISCAL YEAR 2018-2019:** Page 1  
**EXHIBIT 1**

The Board will conduct a public hearing on Resolution No. 1819-17, Statement of Assurance for Instructional Materials Realignment Fund, Fiscal Year 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***

### **Staff Recommendation**

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

## **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board or staff request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all Consent Calendar items.

## **BUSINESS AND SUPPORT SERVICES**

2. **DONATION OF FUNDS AND EQUIPMENT:** Page 3  
**EXHIBIT 2**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$327,864.47 cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

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

3. **PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 7  
**EXHIBIT 3**

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District's budget approval process. The purchase orders total \$21,147,826.32 and the commercial warrants total \$20,480,819.93. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.

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

4. **INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 95  
**EXHIBIT 4**

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. The exhibit shows 28 new agreements totaling \$2,911,253 and 4 amendments to existing agreements totaling \$141,140. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page.

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

**5. CHANGE ORDER NO. 1, RESOLUTION NO. 1718-28, ENTER INTO ENERGY SERVICE CONTRACT – REC SOLAR PROJECT:** Page 266  
**EXHIBIT 5**

Approval of Change Order No. 1, Resolution. No. 1718-28 for the Energy Service Contract – REC Solar Project. Due to governmental tariffs implemented earlier in the year, it has impacted the cost of the solar panels for the project. This increase was anticipated and is accounted for in the contract. Staff budgeted for a \$0.15/watt increase and was able to obtain the panels at a \$0.09/watt increase. This change order consists of additions, deletions, or other revisions now being presented to the Board for approval. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$17,563,660. The new contract sum including Change Order No. 1 is \$18,236,240.26 funded by Clean Renewable Energy Bonds. With this change order, the project continues to remain under budget.

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

**6. DECLARATION OF SURPLUS ITEMS:** Page 275  
**EXHIBIT 6**

Approval of the declaration of surplus items listed and described as surplus and the approval of the public and private disposition of the surplus items in accordance with Education Code §§ 17545-17546 and Board Policy 3270, *Sale and Disposal of Books, Equipment, and Supplies*. The surplus items list is posted on the Purchasing Board Agenda Supporting Documentation webpage. District schools and departments have accumulated various pieces of equipment, vehicles, materials, and other items that are beyond economical repair, obsolete, no longer required within the current curriculum, or no longer necessary for any other school purpose. The vehicles and other items on this list will be disposed of by public sale, or if no reasonable bids are received, by private sale for salvage. All items are subject to reallocation within the District prior to sale or disposal. The District may utilize a third party vendor for the surplus items. Revenues from the sale are unknown. Sale proceeds may be deposited into the original fund from which the purchase was made.

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

**7. AUCTION AGREEMENT – GENERAL AUCTION COMPANY:** Page 278  
**EXHIBIT 7**

Approval of Auction Agreement with General Auction Company (GAC). Under the terms of the agreement, GAC would serve as the District’s agent to conduct public auctions of surplus property approved by the Board. Surplus items can include but are not limited to cars, trucks, vans, buses, trailers, equipment, machinery, tools, parts and/or miscellaneous items used, including office equipment and furniture. Proceeds of auction sales, minus commissions are deposited into the District’s general fund. Actual revenue generated is unknown.

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

**8. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NO. 3-18-70-2486H, GENERAL SERVICES ADMINISTRATION SCHEDULE NO. GS-35F-0143R TO PURCHASE NETWORK INFRASTRUCTURE PRODUCTS – CONVERGEONE, INCORPORATED:** Page 282  
**EXHIBIT 8**

Approval of utilize the State of California Multiple Award Schedule Contract No. 3-18-70-2486H, General Services Administration Schedule No. GS-35F-0143R, and any subsequent revisions, amendments, and extensions awarded to ConvergeOne, Incorporated, for the purchase of network infrastructure products, as needed by the District. The contract provides set pricing for Hewlett Packard wireless products for the District’s network refresh. The District can utilize such contract pursuant to California Public Contract Code §§ 10298, 10299, and 12100 et. seq. without going to bid. The prices offered by the contractor have been assessed to be fair, reasonable, and competitive. Staff determined it is in the best interest of the District to utilize the state contract for the purchase of information technology goods and services. It is often advantageous to utilize

piggyback bids when contract items are identical to the District's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Anticipated expenditure utilizing these contracts and others for Hewlett Packard equipment is an approximated one-time \$1.3 million this year funded by the general fund. Due to the size of the contracts and awards, the documentation is posted online on the District Board Agendas and Supporting Documentation page.

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

9. **SECOND EXTENSION OF BID NO. 1617-02, TREE TRIMMING MAINTENANCE SERVICE – WEST COAST ARBORISTS, INCORPORATED:** Page 285  
**EXHIBIT 9**  
Approval of Second Extension of Bid No. 1617-02, Tree Trimming Maintenance Service with West Coast Arborists, Incorporated. Bid No. 1617-02 was awarded to the lowest responsive, responsible bidder on September 14, 2016. The vendor agrees to maintain the same pricing under the initial bid award term for the proposed renewal period of September 27, 2018 through September 26, 2019. Annual expenditures utilizing this contract are estimated to be \$350,000 funded by the general fund. Actual expenditures may vary depending on availability of funds and District needs.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
  
10. **THIRD EXTENSION OF BID NO. 1516-08, DISTRICTWIDE ROOF ASSESSMENT AND PREVENTATIVE ROOF MAINTENANCE – WEATHERPROOFING TECHNOLOGIES, INCORPORATED:** Page 295  
**EXHIBIT 10**  
Approval of Third Extension of Bid No. 1516-08, Districtwide Roof Assessment and Preventative Roof Maintenance with Weatherproofing Technologies, Incorporated. Bid No. 1516-08 was awarded to the lowest responsive, responsible bidder on September 9, 2015. The vendor agrees to maintain the pricing as described in Exhibit 1 for the renewal period of September 10, 2018 through September 9, 2019. Annual expenditures utilizing this contract are estimated to be \$250,000 funded by deferred maintenance. Actual expenditures may vary depending on availability of funds and District needs.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
  
11. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1718-12, SAN CLEMENTE HIGH SCHOOL UPPER CAMPUS DEMOLITION – STANDARD INDUSTRIES, INC.:** Page 317  
**EXHIBIT 11**  
Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-12, San Clemente High School Upper Campus Demolition. In order to obtain legal protection from undisclosed and unknown potential lien claimants, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. The project was funded by the building fund and CFD 90-2.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
  
12. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1718-18, CHAPARRAL ELEMENTARY SCHOOL PLAYGROUND MODERNIZATION AND REPAINT – PAINTING AND DÉCOR, INCORPORATED:** Page 320  
**EXHIBIT 12**  
Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-18, Chaparral Elementary School Playground Modernization and Repaint. 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 CFD 98-2.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
  
13. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1718-19, ALISO VIEJO MIDDLE SCHOOL MODULAR CLASSROOMS – R. JENSEN COMPANY, INC.:** Page 323  
**EXHIBIT 13**

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-19, Aliso Viejo Middle School Modular Classrooms. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. The project was funded by developer fees.

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

- 14. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1718-21, DANA HILLS HIGH SCHOOL STRUCTURAL REPAIRS – NEW DIMENSION GENERAL CONSTRUCTION:** Page 326  
**EXHIBIT 14**

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-21, Dana Hills High School Structural Repairs. 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 deferred maintenance.

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

- 15. RIGHT OF ENTRY AGREEMENT – MISSION RESOURCE CONSERVATION DISTRICT:** Page 329  
**EXHIBIT 15**

Approval of the Right of Entry Agreement for the purpose of granting a non-exclusive license to Mission Resource Conservation District to enter upon District property to control and/or remove the invasive non-native plant *Arundo donax* (giant reed). Mission Resource Conservation District entered into a Memorandum of Understanding with the City of San Juan Capistrano to preserve and maintain San Juan Creek, which crosses over District property at Harold Ambuehl Elementary School. The right of entry would begin on the effective date of the agreement and remain effective for a period of ten years, unless mutually extended. The agreement may be terminated by either party with or without cause with 30 days written notice. There is no financial impact to the District.

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

## **CURRICULUM AND INSTRUCTION**

- 16. EXTENDED SCHOOL YEAR PROPOSAL FOR 2019:** Page 334  
**EXHIBIT 16**

Approval of the proposed 2019 Extended School Year (ESY) program. California Code of Regulations § 3043, Title 5, establishes that ESY services shall be provided for each individual with exceptional needs who requires special education and related services beyond the regular academic year. A student is eligible for ESY if it is determined by the Individualized Education Program team that interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her disability. For 2019, staff is recommending a 19-day program from June 17, 2019 through July 18, 2019 for ESY students. This will be a five-week program with ESY being offered four days per week (Monday – Thursday) during the five-week period. The proposed ESY classes will be offered at three elementary schools, one middle school, one high school, and one adult transition center, and will serve approximately 1,100 students. The total cost of the special education ESY program is approximately \$1,600,000.

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

- 17. AGREEMENT WITH ASSOCIATION FOR SUPERVISION AND CURRICULUM DEVELOPMENT FOR SERVICES WITH AIDA ALLEN TO PROVIDE PROFESSIONAL DEVELOPMENT TO TEACHERS AT HIDDEN HILLS ELEMENTARY SCHOOL FOR 2018-2019:** Page 335  
**EXHIBIT 17**

Approval of Agreement with Association for Supervision and Curriculum Development (ASCD) will provide a variety of resources including professional learning services. Aida Allen is a consultant for ASCD who provides training and support in the Framework for

Intentional and Targeted Teaching (FIT) model. The model emphasizes the importance of effective and intentional planning, cultivating a positive learning environment, focused instruction, gradual release of responsibility, and effective use of assessment data. Teachers at Hidden Hills Elementary School would receive one full day of professional development per grade level, and four additional days of job embedded coaching and professional development. The cost for the contract is \$27,400 funded by site Title I funds.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*

**18. SECOND READING – BOARD POLICY 6172, GIFTED AND TALENTED EDUCATION PROGRAM:**

Page 342

**EXHIBIT 18**

Based upon the October 2017 Hanover Study, Gifted and Talented Education (GATE) Program Review, a GATE Task Force was formed in January 2018 consisting of parents, community members, teachers, and site and District level administrators representing both elementary and secondary levels. The Task Force met over a five-month period to address next steps, as reported in the Hanover study. The Task Force developed a District GATE Vision Statement, recommendations for program model options and identification criteria including multiple measures allowing multiple opportunities for qualification. In addition, teacher training and parent education recommendations were made. Board Policy 6172, *Accelerated Academic Achievement Program*, has been updated to reflect these changes including a change from the usage of Accelerated Academic Achievement Program to describe the supports provided to GATE students to the more commonly recognized GATE Program. Revisions also reflect current California School Board Associations sample language. Staff also included the Trustee recommended changes from the first reading at the September 12, 2018 Board meeting. Changes are underlined; deletions are struck through.

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

**19. AGREEMENT FOR SERVICES WITH CONSERVA TO PROVIDE SPANISH LANGUAGE INSTRUCTION AT CARL HANKEY K-5 INTERNATIONAL BACCALAUREATE ACADEMY IN 2018-2019:**

Page 346

**EXHIBIT 19**

Approval of agreement for services with Conserva to provide Spanish language instruction to students at Carl Hankey International Baccalaureate (IB) Academy. Students at Carl Hankey K-5 IB Academy are required, being a Primary Years IB school in grades K-5, to receive instruction in a second language. Conserva has been providing this instruction at Carl Hankey for the past 4 years. Students receive 1, 30-minute class each week for 27 weeks. The estimated total expenditure for this agreement is \$19,056 funded by site gift funds.

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

**20. AMENDMENT TO DISCOVERY EDUCATION AGREEMENT FOR SERVICES FOR 2018-2019 AND 2019-2020:**

Page 355

**EXHIBIT 20**

Approval of Amendment to Discovery Education Agreement for Services for 2018-2019 and 2019-2020. Discovery Education has been providing professional development services for 11 schools in the District as part of a three-year contract, beginning in 2017-2018, to support teachers and principals in implementing Science, Technology, Engineering and Mathematics instruction. Schools receiving this training include the seven #CapoForward schools (Wood Canyon, Del Obispo, Kinoshita, RH Dana, Hidden Hills, Marblehead and Clarence Lobo Elementary Schools) and Laguna Niguel, John Malcom, Castille, and Tijeras Creek Elementary Schools. The contract included a variety of services provided each year. After the first year (2017-2018), staff received feedback from teachers and principals that while some of the support was highly valued, other services in the contract were less valued. Staff approached Discovery Education with the feedback and a recommendation to better align the training to staff need and to eliminate some features of the services. Discovery Education agreed to these changes and provided an amended contract that reduces the three-year contract commitment from \$269,500 to \$188,500. Costs for the contract are funded by general funds.

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

21. **AGREEMENT FOR USE OF DOCUMENT TRACKING SERVICES SCHOOL YEAR 2018-2019:** Page 367  
**EXHIBIT 21**  
Approval of the Agreement for Use of Document Tracking Services School Year 2018-2019 to provide a web-based application that allows staff to streamline the completion of various school and District-level reports. Some key features are pre-population of data, customization, application for up to five separate reports, document history, multiple logins, and translation services. The District has previously used Document Tracking Services to complete the mandated annual School Accountability Report Card, Single Plan for Student Achievement and Local Control Accountability Plan documents. Expenditures under this contract are estimated to be \$14,240 funded by general funds.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
22. **LOCAL CONTROL ACCOUNTABILITY PLAN PARENT ADVISORY COMMITTEE FOR 2018-2019:** Page 373  
**EXHIBIT 22**  
Approval of the Local Control Accountability Plan (LCAP) Parent Advisory Committee (PAC) members. The Local Control Funding Formula, California's school funding model, requires the development of an LCAP that links spending to specific District goals for student achievement. Districts are held accountable to the specific ways in which money is spent and how those decisions are improving student outcomes. A key aspect of the LCAP process is the engagement of and consultation with specific parent/guardian groups, including representation of students who are English learners, foster-youth and low socio-economic status. One way this is facilitated is through the formation of a PAC. The LCAP PAC will meet regularly to review the sections of the LCAP and provide ongoing input into the monitoring and revision of the LCAP. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
23. **MEMORANDUM OF UNDERSTANDING WITH WESTERN YOUTH SERVICES, INCORPORATED - MENTAL HEALTH SERVICES FOR CHILDREN AND FAMILIES:** Page 376  
**EXHIBIT 23**  
Approval of the ratification of the Memorandum of Understanding (MOU) with Western Youth Services, Incorporated (WSY). In the 2017-2018 school year, WSY provided students accessibility to mental health services through the Alternatives to Suspension program. The MOU provides a continued level of support for the 2018-2019 school year with no significant change in language from previous year's agreements. The community welcomes the opportunity to continue the partnership with WSY. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*

## **HUMAN RESOURCE SERVICES**

24. **AMENDMENT TO STUDENT TEACHING AGREEMENT WITH UNIVERSITY OF CALIFORNIA, IRVINE:** Page 382  
**EXHIBIT 24**  
Approval of Amendment to Student Teaching Agreement with University of California, Irvine. The Amendment to the 2012 Agreement with University of California, Irvine, effective September 1, 2018 and expiring upon 30 days written notice by either party, states during the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their credential. This amendment aligns the original amendment with updated California Commission on Teacher Credentialing requirements.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
25. **APPROVAL OF HIGH SCHOOL PRINCIPAL AND ASSOCIATE SUPERINTENDENT, STUDENT SUPPORT SERVICES SALARY RECLASSIFICATION:** Page 386  
**EXHIBIT 25**



Approval of the reclassification of High School Principal and Associate Superintendent, Student Support Services salaries retroactive to July 1, 2018. A prior recommendation to reclassify the salaries of these positions was approved on July 11, 2018, but the effective date of July 1, 2018 was not specifically stated in the recommendation. The cost of this one-time retroactive payment totals \$1,055 from the general fund for High School Principals and \$760 for Associate Superintendent, Student Support Services.

*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*

26. **SECOND READING - BOARD POLICY 4313, MANAGEMENT/SUPERVISORY/CONFIDENTIAL SERVICE DAYS:** Page 387  
**EXHIBIT 26**  
Approval of Board Policy 4313, *Management/Supervisory/Confidential Service Days*, revises this policy to reflect recent updates to job descriptions and impact on work calendars. The updates include removal of the Teaching Assistant Principal position as a management position, and the addition of the Coordinator II classification. Changes are underlined; deletions are struck through. There is no financial impact.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
27. **APPROVAL OF JOB DESCRIPTION – ADMINISTRATIVE ASSISTANT, LEGAL COMPLIANCE:** Page 390  
**EXHIBIT 27**  
Approval of a new job description for the position of Administrative Assistant, Legal Compliance. Due to a tremendous increase in request, for CPRAs, District has found it necessary to recruit and fund a permanent position to do this ongoing work. There is an interest in public records requests being monitored and addressed by someone with a legal background. Additional responsibilities will include support in the area of compliance and acting as a resource for District leaders regarding policies and guidelines. The estimated financial impact annually would range from \$60,988 at Step 1 to \$77,838 at Step 6 on the Confidential salary schedule.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
28. **APPROVAL OF JOB DESCRIPTION – COORDINATOR, COUNSELING AND STUDENT SUPPORT:** Page 394  
**EXHIBIT 28**  
Approval of closing the Lead Counselor position and creating a Coordinator, Counseling and Student Support position due to increased oversight and responsibility. The total estimated fiscal impact of this agreement is approximately \$5,061 annually (if the recruitment is made from inside the District and a current position is not replaced) and will add five additional work days to the employee’s work calendar. If the recruitment is filled by a person outside the District and the Lead Counselor is not replaced for the 2019-2020 school year the one-time cost in 2018-2019 for the Coordinator would be approximately \$112,000.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
29. **EFFICIENCY PLAN RESTRUCTURE FOR THE HUMAN RESOURCE SERVICES DEPARTMENT:** Page 398  
**EXHIBIT 29**  
Approval of the Human Resource Services (HRS) Efficiency Plan Restructure. With current multiple vacancies in the department, HRS has the opportunity to proactively restructure the department as part of the District’s efficiency plan for the 2019-2020 school year. Any positions not filled in 2018-2019 would be considered one time savings. These positions include: Executive Director, Human Resource Services/Investigations, Human Resource Specialist, and Senior Staff Secretary.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
30. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 408  
**EXHIBIT 30**  
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*

31. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 434  
**EXHIBIT 31**  
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*

### GENERAL FUNCTIONS

32. **SCHOOL BOARD MINUTES:** Page 459  
**EXHIBIT 32**  
Approval of the September 12, 2018 Regular Board meeting minutes.  
*Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office*
33. **SCHOOL BOARD MINUTES:** Page 468  
**EXHIBIT 33**  
Approval of the September 26, 2018 Special Board meeting minutes.  
*Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office*

### DISCUSSION/ACTION ITEMS

34. **STRATEGIC PLAN IMPLEMENTATION GUIDE:** INFORMATION/  
**DISCUSSION**  
In June 2016, the Fiscal Crisis Management Assistance Team (FCMAT) completed a thorough review of the District's special education programs and services. In response to the findings and recommendations in the FCMAT review, the Strategic Plan was created with specific goals, priorities, strategies and action steps. The implementation guide is a document that prioritizes the action steps in the Strategic Plan and defines a multi-year timeline for implementation. Page 470  
**EXHIBIT 34**  
*CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.*  
*CUSD WIG 2: Communications - Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.*  
*Contact: Gregory Merwin, Associate Superintendent, Student Support Services*

#### Staff Recommendation

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

35. **DISTRICT TECHNOLOGY PLAN 2018-2021:** INFORMATION/  
**DISCUSSION**  
This presentation will provide the Trustees with an overview of the District Technology Plan for 2018-2021. The accomplishments from the last technology plan will be summarized as well as the goals the Technology and Information Services Department plans to accomplish over the next three years. Page 533  
**EXHIBIT 35**  
*CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.*  
*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*

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services to present information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

- 36. **RESOLUTION NO. 1819-17, STATEMENT OF ASSURANCE FOR INSTRUCTIONAL MATERIALS REALIGNMENT FUND, FISCAL YEAR 2018-2019:** **DISCUSSION/ ACTION**  
Page 583

Education Code § 60119 specifies a public hearing shall be held in order to receive funding for the Pupil Textbook and/or Instructional Materials Realignment Program and encourages participation by parents, teachers, members of the community and bargaining unit leaders. Education Code § 60252 specifies all purchases of instructional materials made from State Instructional Materials Fund shall conform to the law and applicable rules and regulations. The Board of Trustees shall make a determination through a resolution as to whether each pupil in each school in the District has sufficient textbooks and/or instructional materials in each of the following subject areas: English/Language Arts, History/Social Science, Health, Mathematics, Science, World Languages and science laboratory equipment. 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***

**EXHIBIT 36**

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 the Resolution No.1819-17, Statement of Assurance for Instructional Materials Realignment Fund, Fiscal Year 2018-2019.

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

- 37. **SMARTER BALANCED ASSESSMENT RESULTS:** **INFORMATION/ DISCUSSION**  
Page 609  
**EXHIBIT 37**

During the Spring of 2018, over 25,000 District students in grades 3 through 8 and 11 participated in the Smarter Balanced Assessment (SBA) computerized test as part of the California Assessment of Student Performance and Progress (CAASPP). The assessments measure students’ mastery of The State Standards in mathematics and English-language arts/Literacy as well as readiness for college-level work. This item presents a summary of the SBA results.

***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.

- 38. **THIRD READING – BOARD POLICY 6145.3, PUBLICATIONS:** **DISCUSSION/ ACTION**  
Page 632  
**EXHIBIT 38**

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. Staff has added additional language and clarified statements per

Trustee feedback at the September 12, 2018 Board meeting. 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 \_\_\_\_\_

- 39. FIRST READING – BOARD POLICY 5022, STUDENT AND FAMILY PRIVACY RIGHTS:** **DISCUSSION/ ACTION**  
Page 636  
**EXHIBIT 39**

The proposed revisions to Board Policy 5022, *Student and Family Privacy Rights*, 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. 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 5022, *Student and Family Privacy Rights*.

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

- 40. FIRST READING – BOARD POLICY 5131.1, USE OF INDIVIDUAL STUDENT RECORD INFORMATION FOR ACADEMIC ACHIEVEMENT DATA DISAGGREGATION:** **DISCUSSION/ ACTION**  
Page 641  
**EXHIBIT 40**

The proposed revisions to Board Policy 5131.1, *Use of Individual Student Record Information for Academic Achievement Data Disaggregation*, 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. 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 5131.1, *Use of Individual Student Record Information for Academic Achievement Data Disaggregation*.

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

**41. FIRST READING – BOARD POLICY 5132, RELEASE OF DIRECTORY INFORMATION: DISCUSSION/ ACTION**

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. Changes are underlined; deletions are struck through. There is no financial impact.

Page 644  
**EXHIBIT 41**

***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 5132, *Release of Directory Information*.

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

**42. FIRST READING – BOARD POLICY/BYLAW – 9100, ORGANIZATION: DISCUSSION/ ACTION**

The proposed revisions to Board Policy 9100, *Organization*, bring in alignment current procedures by the Board using California School Board Associations sample language. Revisions reflect updates to the selection of Board Members to serve on various committees and councils both inside and outside of the District. Revisions add language to address the Election of Officers. Changes are underlined; deletions are struck through.

Page 650  
**EXHIBIT 42**

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

**Contact: Kirsten Vital, Superintendent**

Staff Recommendation

It is recommended the Board President recognize Kirsten Vital, Superintendent, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy/Bylaw 9100, *Organization*.

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

**43. RESOLUTION NO. 1819-18, RESOLUTION REGARDING THE CAPISTRANO UNIFIED SCHOOL DISTRICT FOUNDATION FOR EDUCATION: DISCUSSION/ ACTION**

At the September 26, 2018 Board workshop, the Board of Trustees directed staff to prepare a resolution addressing the failure of the CUSD Foundation to meaningfully comply with the demands of the District or comply with applicable Board policies.

Page 652  
**EXHIBIT 43**

***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 adopt Resolution No. 1819-18, Resolution Regarding the Capistrano Unified School District Foundation for Education.

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

**44. NEW VISTA SCHOOL MASTER CONTRACT 2018-2019:**

Approval of the Master Contract agreement with New Vista School, to provide special education and/or related services to District students for the 2018-2019 school year, which will nullify and supersede a prior Master Contract with New Vista School.

*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*

**DISCUSSION/  
ACTION  
Page 657  
EXHIBIT 44**

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 New Vista School Master Contract 2018-2019.

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, NOVEMBER 14, 2018, 7:00 P.M.  
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM  
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

For information regarding Capistrano Unified School District, please visit our website:

[www.capousd.org](http://www.capousd.org)

## **INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING**

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

### **WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES**

**CLOSED SESSION:** In accordance with Education Code § 35146 and Government Code § 54957, the Board may recess to Closed Session to discuss personnel matters which they consider inadvisable to take up in a public meeting.

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

**ORAL COMMUNICATIONS (Non-Agenda Items):** Regular, scheduled meetings of the Board shall have a portion of each meeting devoted to Oral Communications. Oral Communications, will take place following Special Recognitions. The total time for the Oral Communications portion of regular meetings shall be twenty minutes. Individual presentations are limited to a maximum of three minutes per individual but could be less if there are a large number of Oral Communication speakers. Legally, the Board may not take action on items raised by speakers under Oral Communications. The Board may, however, at its discretion, refer items to the administration for follow-up or place topics on a future Board agenda.

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

Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic unless otherwise approved by the Board. When addressing a specific item on the agenda, the Board may vote to allow additional public speaker time for an individual Discussion/Action item.

**PUBLIC HEARINGS:** Any time the Board schedules a separate public hearing on a given topic, it shall not hear speakers on that topic before the public hearing, except as to the scheduling of the hearing, nor shall it hear speakers after the hearing, except as to changes in the recommended action at the time of the hearing.

#### **REASONABLE ACCOMMODATION**

*In order to help ensure participation in the meeting of disabled individuals, appropriate disability-related accommodations or modifications shall be provided by the Board, upon request, in accordance with the Americans with Disabilities Act (ADA). Persons with a disability who require a disability-related accommodation or modification, including auxiliary aids and services in order to participate in a Board meeting, shall contact the Superintendent or designee in writing by noon on the Friday before the scheduled meeting. Such notification shall provide school district personnel time to make reasonable arrangements to assure accessibility to the meeting.*