

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

February 27, 2019

Closed Session 5:30 p.m.
Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 5:30 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin/Kathy Purcell

Attorney – Ernest Bell

Significant Exposure to Litigation – Two Cases

ADR Case Number 20181109

ADR Case Number 20181218

(Pursuant to Government Code § 54956.9(d)(2))

EXHIBIT A-1

EXHIBIT A-2

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell

Attorney – Ernest Bell

Significant Exposure to Litigation – Six Cases

OAH Case Number 2017090988

OAH Case Number 2018070645

OAH Case Number 2018090864

OAH Case Number 2018100166

OAH Case Number 2018110301

OAH Case Number 2018110726

(Pursuant to Government Code § 54956.9(d)(1))

EXHIBIT B-1

EXHIBIT B-2

EXHIBIT B-3

EXHIBIT B-4

EXHIBIT B-5

EXHIBIT B-6

C. LIABILITY CLAIM

Clark Hampton

Significant Exposure to Litigation – One Case

Rejection of Government Claim No. 1805637

(Pursuant to Government Code § 54956.9 (d) (2) or (3))

EXHIBIT C-1

D. STUDENT EXPULSIONS

Mike Beekman

Three Cases

Case # 2019-037

Case # 2019-038

Case # 2019-039

EXHIBIT D-1

EXHIBIT D-2

EXHIBIT D-3

E. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Tim Brooks

(Pursuant to Government Code § 54957)

EXHIBIT E-1

F. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: Kirsten M. Vital/Tim Brooks/Clark Hampton

Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
- 2) California School Employees Association (CSEA)
- 3) Teamsters
- 4) Capistrano Unified Management Association (CUMA)
(Pursuant to Government Code § 54957.6)

EXHIBIT F-1

RECORDING OF SCHOOL BOARD MEETINGS

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

OPEN SESSION AT 7:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

Associated Student Body

San Clemente High School

Chris Carter, *Principal*

Matthew Reid, *Activities Director*

Owen Africa, *Associated Student Body President*

Extra Miler

Rebecca Pianta, Coordinator of Counseling and Student Support, for her work to support and advocate for the School Counseling profession, and her leadership in the implementation of a comprehensive school counseling program. Rebecca is an award recipient of the 2019 Orange County K-12 School Counselor Advocacy Award.

Andrew Fredriksz, School Counselor, for his work to support the needs of our students through a comprehensive school counseling program. Andrew is an award recipient of the 2019 Orange County K-12 Middle/Intermediate School Counselor Award.

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: INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: MIDDLE SCHOOL SEXUAL HEALTH LESSONS, GRADE 7-8:** Page 1
EXHIBIT 1

The Board will conduct a public hearing on Middle School Sexual Health Lessons, Grade 7-8.

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:

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$499,936.29 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

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

Page 3

EXHIBIT 2

3. 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 \$5,012,325.77 and the commercial warrants total \$16,936,954.83. 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

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EXHIBIT 3

4. 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. The exhibit shows six new agreements totaling \$280,245 and four amendments to existing agreements totaling \$117,381. 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

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EXHIBIT 4

5. ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR WINTER-SPRING 2019:

Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Winter-Spring 2019. The Aliso Viejo Community Association (AVCA) owns and maintains Foxborough Park, adjacent to Aliso Niguel High School (ANHS). The Winter-Spring 2019 LUMA allows the District to use Foxborough Park, field 2, from February 11, 2019 through April 26, 2019 for a fee of \$450 paid by ANHS site funds, as detailed in the LUMA. The Winter-Spring 2019 LUMA is identical to other winter and spring agreements relating to the use of AVCA owned parks.

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

Page 162

EXHIBIT 5

6. **AWARD BID NO. 1819-06, PARKING LOT SWEEPING SERVICES – LOPEZ WORKS, INCORPORATED:** Page 182
EXHIBIT 6
Approval of Award of Bid No. 1819-06, Parking Lot Sweeping Services to Lopez Works, Incorporated. Two bids were received and opened on January 24, 2019 and are listed on Exhibit A. The award of bid to the lowest responsive and responsible bidder was determined by weighted percentage of each category. Lopez Works, Incorporated is the lowest responsive, responsible bidder. Annual expenditures under this contract are estimated to be \$100,000 funded by the general fund.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
7. **AWARD BID NO. 1819-10, CO-CURRICULAR BUS SERVICE – MULTIPLE VENDORS:** Page 197
EXHIBIT 7
Approval of Award of Bid No. 1819-10, Co-Curricular Bus Service Category 1 to JFK Transportation Company Incorporated, Category 2 to Zum Services, Incorporated, and create a bench of qualified vendors to include Certified Transportation Services, Incorporated for various co-curricular transportation services as needed by the District when District buses are unavailable to provide such services. Five bids were received and opened on January 29, 2019 and are listed on Exhibit A; however, only three were deemed compliant and considered for award. Bid categories were separately awarded to the lowest responsive, responsible bidder. The initial contract term is March 1, 2019 through February 29, 2020 and may be extended with Board approval. Annual expenditures under this contract are estimated to be \$500,000 funded by the general fund.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
8. **CHANGE ORDER NO. 6, BID NO. 1617-18, ESENCIA K-8 PROJECT:** Page 218
EXHIBIT 8
Approval of Change Order No. 6, Bid No. 1617-18 for the Esencia K-8 Project related to various improvements, SDG&E electrical changes, required changes to the project drawings and code requirements of the Orange County Health Department. 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 \$27,569,000. The new contract sum including Change Order No. 6 is \$28,186,404.03 funded by developer fees, state funding and County of Orange CFD funds. With this change order, the project continues to remain under budget.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
9. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1617-20, TESORO HIGH SCHOOL BUILDING D – PAUL C. MILLER CONSTRUCTION CO., INC.:** Page 400
EXHIBIT 9
Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1617-20, Tesoro High School Building D. 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 capital facilities fund.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
10. **STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NO. 4-18-00-0118A, CALIFORNIA DEPARTMENT OF GENERAL SERVICES BASE SCHEDULE NO. ASSOCIATION OF EDUCATIONAL PURCHASING AGENCIES IFB-017-F, PURCHASE, WARRANTY, AND INSTALLATION OF ROOFING AND RELATED SERVICES - WEATHERPROOFING TECHNOLOGIES, INCORPORATED:** Page 404
EXHIBIT 10
Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract No. 4-18-00-0118A, California Department of General Services Base Schedule No. Association of Educational Purchasing Agencies IFB-017-F, and any subsequent revisions, amendments, and extensions awarded to Weatherproofing Technologies, Incorporated, for the purchase, warranty, and installation of roofing and related services

for the purpose of routine repair and maintenance of roofing systems, 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 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, warranty, and installation of various roofing materials and incidental services. Estimated annual expenditures are estimated to be \$500,000 funded by the general fund and deferred maintenance. Due to the size of the contract and award documentation, it is posted online on the District Board Agendas and Supporting Documentation page.

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

11. COUNTY OF ORANGE, OC PUBLIC WORKS, CONTRACT NO. MA-080-18010280, MISCELLANEOUS BUILDING SUPPLIES AND MATERIAL, MAINTENANCE AND REPAIR OF STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING AND FINISHES OF COUNTY BUILDINGS – GANAHL LUMBER COMPANY: Page 407
EXHIBIT 11

Approval to utilize the County of Orange, OC Public Works, Contract No. MA-080-18010280, Miscellaneous Building Supplies and Material, Maintenance and Repair of Structural, Mechanical, Electrical, Plumbing and Finishes of County Buildings and any subsequent revisions, amendments, and extensions awarded to Ganahl Lumber Company. 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. Staff determined it is in the best interest of the District to utilize the County contract to purchase various hardware supplies, lumber and various building supplies. Anticipated annual expenditures utilizing this contract are approximately \$150,000 funded by the general fund. Due to the size of the contract and award documentation, it is posted online on the District Board Agendas and Supporting Documentation page.

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

12. LOS ANGELES UNIFIED SCHOOL DISTRICT, CONTRACT NO. 4400006668, SWIMMING POOL CHEMICALS AND SUPPLIES – WATERLINE TECHNOLOGIES, INC.: Page 410
EXHIBIT 12

Approval to utilize Los Angeles Unified School District, Contract No. 4400006668, Swimming Pool Chemicals and Supplies and any subsequent revisions, amendments, and extensions awarded to Waterline Technologies, Inc. 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. Staff determined it is in the best interest of the District to utilize the LAUSD contract to purchase various pool chemicals, and various pool supplies. Anticipated annual expenditures utilizing this contract are approximately \$150,000 funded by the general fund. Due to the size of the contract and award documentation, it is posted online on the District Board Agendas and Supporting Documentation page.

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

13. AWARD OF REQUEST FOR PROPOSALS NO. 1-1819, INSPECTOR OF RECORD – MULTIPLE VENDORS: Page 413
EXHIBIT 13

Approval of the Award of Request for Proposals (RFP) No. 1-1819, Inspector of Record to multiple vendors. Eight proposals were received from various inspector/inspection firms. The firms being recommended will comprise a bench of qualified vendors: Vital Inspection Services, TYR, Inc., AWI Industries, Knowland Construction Services, and Sandy Pringle Associates, Inc. When a firm is selected for a particular Facilities/Construction project, an individual agreement will be presented to the Board for approval. Expenditures under these contracts will vary with District needs and selected projects, funded by the general fund, CFD administrative funds and other applicable funding sources associated with the project. All proposals and evaluation score sheets are

available for viewing in the Purchasing department.

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

14. RESOLUTION NO. 1819-33, ADDENDUM TO APPROVED 2011 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE COMPRESSED NATURAL GAS DISPENSER AT THE ALISO VIEJO TRANSPORTATION CENTER: Page 416
EXHIBIT 14

Approval of Resolution No. 1819-33, Addendum to Approved 2011 Initial Study/Mitigated Negative Declaration for the Compressed Natural Gas Dispenser at the Aliso Viejo Transportation Center. The District is proposing the installation of 20 additional fueling hoses, increasing the total number of Compressed Natural Gas (CNG) fueling stations from 20 to 40. The additional 20 fueling hoses allows the District to replace existing diesel-powered buses with CNG-powered buses. The number of buses using the depot remains unchanged, as existing diesel buses are replaced with CNG-powered vehicles. As refueling each bus with CNG takes several hours, additional fueling hoses are needed.

The District prepared an Addendum to the approved 2011 Initial Study/Mitigated Negative Declaration, as required by CEQA § 15164 and identified the new fueling hoses as a minor addition to the previously approved Initial Study/Mitigated Negative Declaration. With the adoption of Resolution No. 1819-33, the District will be able to move forward with the application to the City of Aliso Viejo to install the 20 additional fueling hoses.

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

CURRICULUM AND INSTRUCTION

15. ESENCIA SCHOOL - COUNTY DISTRICT SCHOOL CODES: Page 469
EXHIBIT 15

Approval of Esencia School – County District School Codes. The California Department of Education (CDE) is required to report directory information annually to the United States Department of Education (ED) through the ED Facts Submission System (ESS). To meet this federal requirement, the CDE used the County-District-School (CDS) code system. To request a CDS code for a new school, an application for a County-District-School (CDS) Code form is submitted along with board minutes showing approval of the formation and establishment of the school. A previous Board item regarding Esencia that was provided to CDE described Esencia as a K-8 school. To grant separate CDS codes for Esencia Elementary School and Esencia Middle School, CDE requires board documentation requesting separate codes for the elementary and middle schools versus one code for a K-8 school. Previous K-8 schools, Carl Hankey and Arroyo Vista, also have two CDS codes. Separate codes are necessary for scheduling and staffing purposes. Staff seeks approval to apply for a County-District-School (CDS) Code for Esencia Middle School and update the name from Esencia to Esencia Elementary for CDS code 30-66464-0136762. This change applies only to the CDS State system for operational purposes and does not change the name of the school for District purposes. There is no financial impact.

Contact: Susan Holliday, Associate Superintendent, Education Services

16. CALIFORNIA CAREER TECHNICAL EDUCATION INCENTIVE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING WITH COLLEGE AND CAREER ADVANTAGE: Page 472
EXHIBIT 16

Approval of the California Career Technical Education Incentive Grant (CTEIG) Program Memorandum of Understanding (MOU) with College and Career Advantage (CCA). The purpose of the CTEIG Program MOU is to encourage and maintain the delivery of career technical education programs during implementation of the District's Local Control Funding Formula. The MOU establishes a cooperative and mutually beneficial relationship with CCA and sets forth the responsibilities as related to the implementation of the CTEIG Program.

Contact: Susan Holliday, Associate Superintendent, Education Services

17. **AMENDMENT TO ACADEMIC EVENT CONTRACTS – IRVINE RANCH OUTDOOR EDUCATION CENTER:** Page 478
EXHIBIT 17
Approval of the amendments to the Academic Event Contracts with Irvine Ranch Outdoor Education Center to include camp nurse services. The estimated total expenditure under this contract is unchanged.
Contact: Susan Holliday, Associate Superintendent, Education Services
18. **K12 STRONG WORKFORCE GRANT PROGRAM MEMORANDUM OF UNDERSTANDING WITH COLLEGE AND CAREER ADVANTAGE:** Page 507
EXHIBIT 18
Approval of the K12 Strong Workforce Grant Program Memorandum of Understanding (MOU) with College and Career Advantage (CCA). The purpose of the MOU is to encourage and maintain the delivery of career technical education programs during implementation of the District’s Local Control Funding Formula. The MOU establishes a cooperative and mutually beneficial relationship with CCA and sets forth the responsibilities of the parties as related to the implementation of the K12 Strong Workforce Grant Program.
Contact: Susan Holliday, Associate Superintendent, Education Services
19. **COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT WITH SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT, 2018-2019:** Page 512
EXHIBIT 19
Approval of the College and Career Access Pathways agreement with South Orange County Community College District. The Board conducted a public hearing on the College and Career Access Pathways agreement with South Orange County Community College District on January 24, 2019. Approval of this agreement will enable high school students who enroll in approved courses to receive both college credit and high school credit for courses taught on high school campuses during the 2018-2019 school year.
Contact: Susan Holliday, Associate Superintendent, Education Services
20. **LOW-PERFORMING STUDENTS BLOCK GRANT PLAN:** Page 534
EXHIBIT 20
Approval of the Low-Performing Students Block Grant Plan. The California Department of Education (CDE) notified districts in December 2018 about a new formula grant funding. The Low-Performing Students Block Grant is a state education funding initiative with the goal of providing grant funds to districts serving pupils identified as low-performing on state English language arts or mathematics assessments who are not otherwise identified for supplemental grant funding under the Local Control Funding Formula or eligible for special education services. This is a new three-year grant for 2018-2021 with an estimated allocation of \$2,778,256. As a condition of apportionment, districts must develop a plan describing how the funds will increase or improve evidence-based services for identified pupils to accelerate increases in academic achievement, and how the effectiveness of the services will be measured. The adopted plan for the use of funds is due to the Superintendent of Public Instruction by March 1, 2019. Students in grades K-12 are eligible for services. Funds shall be used for evidence-based services that directly support pupil academic achievement, including, but not limited to professional development activities for certificated staff, instructional materials, or additional supports for pupils. Stakeholders including principals and Capistrano Unified Education Association Executive Board were engaged to assist with the development of the plan, which outlines evidence-based services, budget allocations, evaluation measures and alignment to Local Control Accountability Plan.
Contact: Susan Holliday, Associate Superintendent, Education Services

HUMAN RESOURCE SERVICES

21. **ORANGE COUNTY DEPARTMENT OF EDUCATION SECOND QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION:** Page 539
EXHIBIT 21
Acceptance of Williams Settlement Legislation Orange County Department of Education

(OCDE) Second 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

- 22. STUDENT TEACHING AGREEMENT WITH WHITTIER COLLEGE:** Page 542
Approval of Student Teaching Agreement with Whittier College, effective February 28, 2019 and expiring June 30, 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 **EXHIBIT 22**
- 23. CALIFORNIA STATE UNIVERSITY, FULLERTON FALL 2018 MASTER TEACHER HONORARIUM:** Page 550
Approval of payment of honorarium to District Master Teachers who supported a California State University, Fullerton (CSUF) Student Teacher during the Fall 2018 semester. Current university agreements specify that institutions pay Master Teachers a nominal payment for their supervision and support of Student Teachers. CSUF has agreed to reimburse the District for the cost of these Master Teacher payments. The compensation amounts vary to the nature of the assignments.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services **EXHIBIT 23**
- 24. RESOLUTION NO. 1819-35, NON-REELECTION OF TEMPORARY CERTIFICATED EMPLOYEES:** Page 553
Approval of Resolution No. 1819-35. Non-reelection of Temporary Certificated Employees. Education Code §§ 44909, 44918 and 44920 permit school districts to hire certificated employees on temporary contracts. The District has appropriately classified 159 certificated employees as temporary for the 2018-2019 school year. These employees are replacing other employees on leave, are serving in programs with expiring categorical funding sources, or are placeholders for regular employees who are released from their normal assignments to work in a categorical program. Education Code § 44954 requires the Board to notify temporary employees in a position requiring certification qualification of the District's decision to release the employees from such positions prior to the next school year. The temporary release of employees, as presented in this item, is an annual process the District must utilize to ensure permanent teachers funded through categorical resources and permanent teachers on leaves of absence have a position for the succeeding school year. As the District begins staffing for the 2019-2020 school year, decisions will be made regarding how many permanent teachers will be funded through categorical resources as well how many permanent teachers will request leaves of absence, part-time contracts, and partnership assignments. As permanent teachers "temporarily" vacate their positions, temporary teachers may be rehired.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services **EXHIBIT 24**
- 25. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 558
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 **EXHIBIT 25**

26. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED** Page 578
EMPLOYEES: 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. **SCHOOL BOARD MINUTES:** Page 602
Approval of the February 13, 2019 Special Board Meeting minutes. EXHIBIT 27
Contact: Colleen Hayes, Manager II, Superintendent's Office

DISCUSSION/ACTION ITEMS

28. **INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: MIDDLE SCHOOL SEXUAL HEALTH LESSONS, GRADE 7-8:** DISCUSSION/
ACTION
Page 605
EXHIBIT 28
Twelve comprehensive sexual health lessons were developed by District staff to provide instruction in middle school classrooms required by the California Healthy Youth Act. The content of these lessons was mostly incorporated from published curricula that were previously reviewed by the Adolescent Sexual Health Workgroup. The materials and activities that were selected were reviewed by an administrative panel made up of District and site administrators, a curriculum specialist, a health teacher, a District nurse, and a representative from the Orange County Department of Education. The lessons were deemed to be compliant with the requirements of the law by this review panel. Feedback regarding the lessons was solicited from the District Sexual Health Task Force and from parents and community members through input meetings held around the District during the month of December 2018.
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 Instructional Materials Recommended for Adoption: Middle School Sexual Health Lessons, Grade 7-8.

Motion by _____ Seconded by _____

29. **FIRST READING – BOARD POLICY 5121.1, GRADES/EVALUATION OF STUDENT ACHIEVEMENT:** DISCUSSION/
ACTION
Page 609
EXHIBIT 29
The proposed revisions to Board Policy 5121.1, *Grades/Evaluation of Student Achievement*, are being recommended to ensure the policy is aligned with current District practices. Recommended updates to the policy include the elimination of references to CORE Level tests, the inclusion of literacy tests, which are currently administered annually in elementary school, and updated language about how grades and student progress are reported to parents. In addition, language was added to address grading when assessments have been compromised. 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 BP 5121.1, *Grades/Evaluation of Student Achievement*.

Motion by _____ Seconded by _____

30. SECOND 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 615
EXHIBIT 30**

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 _____

31. PRESENTATION – DISTRICT ELECTIVES PROGRAM:

The purpose of this item is to brief Trustees and the community on the District’s Electives Program and future work sites will conduct to strengthen opportunities for students. Staff will provide information on current elective offerings in elementary, middle and high schools, the philosophy for establishing elective programs, and practical issues tied to the selection of elective classes being provided to students. Information will also be shared on specific family offerings, how decisions are made and opportunities for growth.

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 624
EXHIBIT 31**

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Associate Superintendent, Education Services, to present this item and answer any questions Trustees may have regarding this item. This is an information item only and no Trustee action is necessary.

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, MARCH 13, 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.