

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

March 27, 2019

Closed Session 5:00 p.m.
Open Session 6:00 p.m.

AGENDA

CLOSED SESSION AT 5:00 P.M.

1. CALL TO ORDER
2. CLOSED SESSION COMMENTS
3. CLOSED SESSION (as authorized by law)

A. STUDENT READMISSION

Mike Beekman/Susan Holliday
One Case
Case # 2018-038

EXHIBIT A-1

B. 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
(Pursuant to Government Code § 54957.6)

EXHIBIT B-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 6:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

PUBLIC HEARINGS

1. **PUBLIC HEARING: COMMUNITY ROOTS ACADEMY CHARTER SCHOOL ADMISSIONS PREFERENCES:**

Page 1
EXHIBIT 1

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. Community Roots Academy charter school has presented a renewal petition for a Charter School within the District that includes admission preferences on page 135. Due to the size of the exhibit, the information can be viewed by clicking: [here](#)
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 this item, and after hearing any speakers, formally close the hearing.

2. PUBLIC HEARING: PRESENTATION OF RENEWAL PETITION FOR OXFORD PREPARATORY ACADEMY CHARTER SCHOOL: Page 3
EXHIBIT 2

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. Oxford Preparatory Academy charter school has presented a renewal petition for a Charter School within the District. Due to the size of the exhibit, the information can be viewed by clicking: [here](#)

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 this item, and after hearing any speakers, formally close the 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.

CURRICULUM AND INSTRUCTION

3. RESOLUTION NO. 1819-37, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE MATERIAL REVISION TO CHARTER OF COMMUNITY ROOTS ACADEMY CHARTER SCHOOL: Page 5
EXHIBIT 3

Approval of Resolution 1819-37 and the Material Revision to the Charter of Community Roots Academy Charter School. The Charter School has requested a material revision to its Charter to reflect an increase in projected enrollment. The projected increase in enrollment is reflected in the renewal petition submitted on January 24, 2019.

Contact: Susan Holliday, Associate Superintendent, Education Services

4. COMMUNITY ROOTS ACADEMY CHARTER SCHOOL ADMISSIONS PREFERENCES: Page 12
EXHIBIT 4

Approval of the admissions preferences identified in Community Roots Academy Charter School's (CRA) Charter Petition Renewal in the following priority order 1) Pupils currently attending CRA and pupils who reside in the school District, except as provided for in Education Code § 47614.5; 2) Siblings of currently enrolled students attending CRA; 3) Children of CRA employees (not to exceed 10 percent of total enrollment); and 4) Children who reside within the Crown Valley neighborhood (per District requirement).

Contact: Susan Holliday, Associate Superintendent, Education Services

GENERAL FUNCTIONS

5. SCHOOL BOARD MINUTES: Page 15
EXHIBIT 5

Approval of the March 13, 2019 Regular Board meeting minutes.

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

DISCUSSION/ACTION ITEMS

6. **RESOLUTION NO. 1819-38, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE THE CHARTER RENEWAL PETITION OF COMMUNITY ROOTS ACADEMY PUBLIC CHARTER SCHOOL SUBJECT TO ENTRY INTO MEMORANDUM OF UNDERSTANDING:**

**DISCUSSION/
ACTION**

Page 23

EXHIBIT 6

A charter petition for Community Roots Academy was approved by the District on September 14, 2010 with a subsequent five-year renewal on March 26, 2014. Community Roots Academy submitted a second charter renewal petition to the District on January 24, 2019. 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 that the Board of Trustees adopt Resolution No. 1819-38, Resolution of the Board of Trustees to Approve the Charter Renewal Petition of Community Roots Academy Public Charter School Subject to Entry into Memorandum of Understanding.

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
THURSDAY, APRIL 25, 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.

CAPISTRANO UNIFIED SCHOOL DISTRICT
San Juan Capistrano, California

March 27, 2019

**PUBLIC HEARING: COMMUNITY ROOTS ACADEMY CHARTER SCHOOL
ADMISSIONS PREFERENCES:**

Community Roots Academy's Charter School Renewal Petition may be inspected at 33122 Valle Road, San Juan Capistrano, CA 92675 until March 27, 2019, between the hours of 8:30 a.m. and 4:30 p.m.

CAPISTRANO UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC HEARING

The Capistrano Unified School District Board of Trustees hereby gives notice that a Public Hearing will be held as follows:

TOPIC OF HEARING

During the Board meeting of March 27, 2019, the Capistrano Unified School District Board of Trustees will hold a hearing to accept comments from members of the public on the admissions preferences identified in the Community Roots Academy Charter School Renewal Petition on page 135. Copies of Community Roots Academy's Charter School Renewal Petition may be inspected at 33122 Valle Road, San Juan Capistrano, CA 92675 until March 27, 2019, between the hours of 8:30 a.m. and 4:30 p.m.

HEARING DATE: March 27, 2019
TIME: 6:00 p.m.
LOCATION: CUSD Education Center
33122 Valle Road
San Juan Capistrano, CA
949-234-9200

CAPISTRANO UNIFIED SCHOOL DISTRICT
San Juan Capistrano, California

March 27, 2019

**PUBLIC HEARING: PRESENTATION OF RENEWAL PETITION FOR OXFORD
PREPARATORY ACADEMY CHARTER SCHOOL:**

Oxford Preparatory Academy's Charter School Renewal Petition may be inspected at 33122 Valle Road, San Juan Capistrano, CA 92675 until March 27, 2019, between the hours of 8:30 a.m. and 4:30 p.m.

CAPISTRANO UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC HEARING

The Capistrano Unified School District Board of Trustees hereby gives notice that a Public Hearing will be held as follows:

TOPIC OF HEARING

During the Board meeting of March 27, 2019, the Capistrano Unified School District Board of Trustees will hold a hearing to accept comments from members of the public on the Renewal of the Oxford Preparatory Academy Charter School Petition. Copies of Oxford Preparatory Academy's Charter School Renewal Petition may be inspected at 33122 Valle Road, San Juan Capistrano, CA 92675 until March 27, 2019, between the hours of 8:30 a.m. and 4:30 p.m.

HEARING DATE: March 27, 2019
TIME: 6:00 p.m.
LOCATION: CUSD Education Center
33122 Valle Road
San Juan Capistrano, CA
949-234-9200

**CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD REPORT**

To: Board of Trustees

From: Susan Holliday, Associate Superintendent, Education Services

Prepared by: Heidi Crowley, Coordinator Charter Schools and Strategic Initiatives

Date: March 27, 2019

Board Item: Resolution No. 1819-37, Resolution of the Board of Trustees to Approve Material Revision to Charter of Community Roots Academy Charter School

HISTORY

During the term of its charter, a charter school may wish to amend its current approved charter. The District must approve any proposed change to the provisions of a charter before the change may be implemented. While any non-material change can be handled administratively by the Charter Office, any desired revision considered “material” must be approved by the governing board of the charter school and the District’s Board of Trustees (Board) in accordance with Education Code § 47607, subdivision (a)(1). Material revisions are governed by the same standards and criteria that apply to new charter petitions. (Ed. Code, § 47607, subd. (a)(2).) Therefore, the District must determine whether the charter, as amended, would be reasonably comprehensive, educationally sound and likely to be successfully implemented. (Ed. Code, § 47605, subd. (b)(1)-(2), (5).)

The District considers the following to be among, but not limited to, those changes constituting material revisions:

1. Substantial changes to a charter school’s educational program, mission or vision.
2. Changing or adding a non-classroom-based program.
3. Changes in enrollment that increases or decreases by one or more classrooms the enrollment originally maximum in the charter petition in any given year.
4. Addition or deletion of grades or grade levels to be served.
5. Changing the location of the charter school, or opening of resource centers, meeting spaces or other satellite facilities, including the opening of a new facility. Temporary locations rented for annual student testing purposes or a temporary meeting place for up to 5 students does not require a material revision of the charter.
6. Changes to admissions requirements or procedures.

7. Changes to governance structure, including but not limited to, number of board members, method of new board member selection, and provisions relating to resolution approval.
8. Entering into or revising a contract with an Educational/Charter Management Organization (E/CMO).

Community Roots Academy's (CRA) material revision is based on bullet point number 3, as a substantial increase in enrollment, is a significant material change to the charter petition.

The increased maximum enrollment has been incorporated into the charter renewal process and therefore the charter renewal documents submitted on January 24, 2019 reflect the proposed increased maximum enrollment throughout all sections. The governing board for the charter approved the increase in maximum enrollment as part of an action item at its regular meeting on December 3, 2018, when the submission of the charter renewal to the District was approved. CRA previously submitted the charter renewal documents which can serve as the backup documents.

BACKGROUND INFORMATION

CRA followed District protocol and submitted a request for a material revision to their charter petition. CRA seeks to increase its maximum enrollment from 684 students to 794 students for the 2019-2020 school year, 826 students for the 2020-2021 school year, and 858 students for the 2021-2022, 2022-2023 and 2023-2024 school years.

CURRENT CONSIDERATIONS

CRA has requested a material revision to its Charter to reflect an increase in maximum enrollment. The maximum increase in enrollment is reflected in the renewal petition submitted on January 24, 2019.

FINANCIAL IMPLICATIONS

Unknown at this time.

STAFF RECOMMENDATION

Approval of Resolution No. 1819-37, Resolution of the Board of Trustees to Approve Material Revision to Charter of Community Roots Academy Charter School.

PREPARED BY: Heidi Crowley, Coordinator Charter Schools and Strategic Initiatives

APPROVED BY: Susan Holliday, Associate Superintendent, Education Services

**CAPISTRANO UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 1819-37**

**Resolution of the Board of Trustees to Approve Material Revision to
Charter Renewal Petition of Community Roots Academy**

WHEREAS, on September 10, 2010, the Capistrano Unified School District (“District”) approved a Charter Petition submitted by Community Roots Academy (“Charter School”);

WHEREAS, Charter School’s Charter Renewal Petition was approved by the District’s Board on March 26, 2014 for a term commencing July 1, 2014 and expiring June 30, 2019 (“2014 Charter Renewal Petition”);

WHEREAS, Charter School seeks to increase its maximum enrollment from 684 students to 794 students for the 2019-20 school year, 826 students for the 2020-21 school year, and 858 students for the 2021-22, 2022-23 and 2023-24 school years;

WHEREAS, District and Charter School agree to materially revise Charter School’s 2014 Charter Renewal Petition to reflect the changes noted below.

NOW, THEREFORE, the parties hereby acknowledge the adequacy of the consideration given for this Material Revision and, notwithstanding any provision to the contrary set forth in the 2014 Charter Renewal Petition, the parties hereto expressly agree as follows:

1. The language at the top of page 7 of the 2014 Charter Renewal Petition under the section entitled “PROJECTED GROWTH” shall be amended to read: “Community Roots Academy will expand annually to serve a maximum of 858 students by the 2021-22 school year.”
2. The chart on page 7 of the 2014 Charter Renewal Petition entitled “PROJECTED ENROLLMENT BY YEAR” shall be replaced with the following chart:

PROJECTED ENROLLMENT BY GRADE LEVEL										
	K	1	2	3	4	5	6	7	8	TOTAL
2019-20	90	96	96	96	96	96	96	64	64	794
2020-21	90	96	96	96	96	96	96	96	64	826
2021-22	90	96	96	96	96	96	96	96	96	858
2022-23	90	96	96	96	96	96	96	96	96	858
2023-24	90	96	96	96	96	96	96	96	96	858

3. The portion of the second sentence under the heading “TARGET POPULATION” at the top of page 16 of the 2014 Charter Renewal Petition which reads “is expanding to serve a total of 504 students in grades K-8, by the 2014-15 school year” shall be replaced with “is expanding to serve a total of 858 students in grades K-8, by the 2021-22 school year.”
4. The chart on page 16 of the 2014 Charter Renewal Petition entitled “PROJECTED ENROLLMENT BY YEAR” shall be replaced with the same chart identified in Item 2 above.

PASSED AND ADOPTED this 27th day of March 2019 by the Board of Trustees of the
Capistrano Unified School District by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

MATERIAL REVISION TO RENEWAL CHARTER PETITION OF
COMMUNITY ROOTS ACADEMY

This Material Revision to the Charter Renewal Petition of Community Roots Academy ("Material Revision") is made between Capistrano Unified School District ("District"), a California public school district and Community Roots Academy ("Charter School"). It is to be read in conjunction with, and shall expressly amend, the Charter Renewal Petition of Charter School approved by the District's Board of Trustees ("Board") on March 26, 2014. The effective date of this Material Revision is the date of its approval by the District's Board.

RECITALS

WHEREAS, on September 10, 2010, the Capistrano Unified School District ("District") approved a Charter Petition submitted by Community Roots Academy ("Charter School");

WHEREAS, Charter School's Charter Renewal Petition was approved by the District's Board on March 26, 2014 for a term commencing July 1, 2014 and expiring June 30, 2019 ("2014 Charter Renewal Petition");

WHEREAS, Charter School seeks to increase its maximum enrollment from 684 students to 794 students for the 2019-20 school year, 826 students for the 2020-21 school year, and 858 students for the 2021-22, 2022-23 and 2023-24 school years;

WHEREAS, Education Code section 47607, subdivision (a)(2) mandates that material revisions of charters shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was last renewed;

WHEREAS, all descriptions of new requirements of charter schools enacted into law after the charter was last renewed are addressed in connection with Charter School's latest Charter Renewal Petition submitted to the District on January 24, 2019 and to be considered by the Board on March 27, 2019 the same date this Board considers this Material Revision; and

WHEREAS, District and Charter School agree to materially revise Charter School's 2014 Charter Renewal Petition to reflect the changes noted below.

NOW, THEREFORE, the parties hereby acknowledge the adequacy of the consideration given for this Material Revision and, notwithstanding any provision to the contrary set forth in the 2014 Charter Renewal Petition, the parties hereto expressly agree as follows:

1. The language at the top of page 7 of the 2014 Charter Renewal Petition under the section entitled "PROJECTED GROWTH" shall be amended to read: "Community Roots Academy will expand annually to serve a maximum of 858 students by the 2021-22 school year."
2. The chart on page 7 of the 2014 Charter Renewal Petition entitled "PROJECTED ENROLLMENT BY YEAR" shall be replaced with the following chart:

PROJECTED ENROLLMENT BY GRADE LEVEL										
	K	1	2	3	4	5	6	7	8	TOTAL
2019-20	90	96	96	96	96	96	96	64	64	794
2020-21	90	96	96	96	96	96	96	96	64	826
2021-22	90	96	96	96	96	96	96	96	96	858
2022-23	90	96	96	96	96	96	96	96	96	858
2023-24	90	96	96	96	96	96	96	96	96	858

3. The portion of the second sentence under the heading "TARGET POPULATION" at the top of page 16 of the 2014 Charter Renewal Petition which reads "is expanding to serve a total of 504 students in grades K-8, by the 2014-15 school year" shall be replaced with "is expanding to serve a total of 858 students in grades K-8, by the 2021-22 school year."
4. The chart on page 16 of the 2014 Charter Renewal Petition entitled "PROJECTED ENROLLMENT BY YEAR" shall be replaced with the same chart identified in Item 2 above.

IN WITNESS WHEREOF, the parties hereto have caused this Material Revision to be duly executed and delivered in their respective names by their authorized representatives as of the date set forth below.

CAPISTRANO UNIFIED SCHOOL DISTRICT

By: _____
Authorized Representative of Capistrano Unified School District

Name: _____

Title: _____

Date: _____

COMMUNITY ROOTS ACADEMY

By:  _____
Authorized Representative of Community Roots Academy

Name: Jeremy Cavallaro

Title: Executive Director of Education

Date: 3/13/19



March 4, 2019
Capistrano Unified School District
ATTN: Heidi Crowley
23122 Valle Rd.
San Juan Capistrano, CA 92675

Dear Ms. Crowley,

Please allow this letter to serve as a material revision request to the charter petition for Community Roots Academy. Pursuant to Capistrano Unified School District policy, we provide the following information to support the material revision request.

1. The reason for the material revision request is to increase the maximum enrollment of Community Roots Academy from 707 to 885. The only provisions of the charter that will be changed include any statement of maximum enrollment in the Community Roots Academy charter renewal petition.
2. There are no other external documents to support the material revision request other than the Community Roots Academy charter renewal petition, which is being considered by the Capistrano Unified School District at the same meeting as the request for a material revision.
3. The charter school's board-approved budget that reflects the impact of the revision for each remaining year in the charter term has been submitted separately with the Community Roots Academy charter renewal petition, which is being considered by the Capistrano Unified School District at the same meeting as the request for a material revision. The Community Roots Academy board-approved budget is thus incorporated by reference herein.
4. The Community Roots Academy charter renewal petition, which is being considered simultaneously with this request for a material revision, includes the requested maximum enrollment projections by grade on pages 7 and 46 of the charter renewal petition.
5. The Community Roots Academy charter renewal petition includes reasonably comprehensive descriptions of any new requirements for charter schools enacted into law after the charter was originally granted or last renewed.
6. Evidence that the charter school's governing board has approved the submission of the request for the material revision is included in the form of approved meeting minutes from our 12/3/18 Board of Directors meeting for said action.

Sincerely,

Jeremy Cavallaro
Executive Director of Education

Eve Fein
Executive Director of Operations

Community Roots Charter School

Email: info@communityrootsacademy.org Web Page: www.communityrootsacademy.org
29292 Crown Valley Parkway, Laguna Niguel, CA 92677 - (949) 831-4272 (4CRA) Fax (949) 643-2434

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD REPORT

To: Board of Trustees

From: Susan Holliday, Associate Superintendent, Education Services

Prepared by: Heidi Crowley, Coordinator Charter Schools and Strategic Initiatives

Date: March 27, 2019

Board Item: Community Roots Academy Charter School Admissions Preferences

HISTORY

Pursuant to changes made by Assembly Bill 1360, effective October 13, 2017, a charter school's petition must include admission policies and procedures. Additionally, any priority order for preferences in admission must be in a charter school's petition and have been approved by the authorizer at a public hearing. Education Code § 47605(d) (2) (B) (i):

(B) If the number of pupils who wish to attend the charter school exceeds the charter school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the school district except as provided for in Section 47614.5. Preferences, including, but not limited to, siblings of pupils admitted or attending the charter school and children of the charter school's teachers, staff, and founders identified in the initial charter, may also be permitted by the chartering authority on an individual charter school basis. Priority order for any preference shall be determined in the charter petition in accordance with all of the following:

(i) *Each type of preference shall be approved by the chartering authority at a public hearing.*

(ii) Preferences shall be consistent with federal law, the California Constitution, and Section 200.

(iii) Preferences shall not result in limiting enrollment access for pupils with disabilities, academically low-achieving pupils, English learners, neglected or delinquent pupils, homeless pupils, or pupils who are economically disadvantaged, as determined by eligibility for any free or reduced-price meal program, foster youth, or pupils based on nationality, race, ethnicity, or sexual orientation.

(iv) In accordance with Section 49011, preferences shall not require mandatory parental volunteer hours as a criterion for admission or continued enrollment.

BACKGROUND INFORMATION

Following guidance from legal counsel, the District must hold a public hearing and vote on Community Roots Academy Charter School's (CRA) admissions preferences. Staff and legal counsel have reviewed the following preferences listed in the CRA's Renewal Petition:

- 1) Pupils currently attending CRA and pupils who reside in the school district, except as provided for in Education Code § 47614.5 (see below)
- 2) Siblings of currently enrolled students attending CRA
- 3) Children of CRA employees (not to exceed 10 percent of total enrollment)
- 4) Children that reside within the Crown Valley neighborhood (per District requirement)

Education Code 47604.4(g) If an existing charter school located in an elementary attendance area in which less than 50 percent of pupil enrollment is eligible for free or reduced-price meals relocates to an attendance area identified in paragraph (2) of subdivision (c), admissions preference shall be given to pupils who reside in the elementary school attendance area into which the charter school is relocating.

CURRENT CONSIDERATIONS

Approval of the admissions preferences identified in Community Roots Academy Charter School's (CRA) Charter Petition Renewal in the following priority order 1) Pupils currently attending CRA and pupils who reside in the school district, except as provided for in Education Code § 47614.5; 2) Siblings of currently enrolled students attending CRA; 3) Children of CRA employees (not to exceed 10 percent of total enrollment); and 4) Children that reside within the Crown Valley neighborhood (per District requirement).

FINANCIAL IMPLICATIONS

None.

STAFF RECOMMENDATION

Approval of Community Roots Academy Charter School Admissions Preferences.

PREPARED BY: Heidi Crowley, Coordinator Charter Schools and Strategic Initiatives

APPROVED BY: Susan Holliday, Associate Superintendent, Education Services

CAPISTRANO UNIFIED SCHOOL DISTRICT
San Juan Capistrano, California

March 27, 2019

**COMMUNITY ROOTS ACADEMY CHARTER SCHOOL ADMISSIONS
PREFERENCES:**

Community Roots Academy's Charter School Renewal Petition may be inspected at 33122 Valle Road, San Juan Capistrano, CA 92675 until March 27, 2019, between the hours of 8:30 a.m. and 4:30 p.m.

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
March 13, 2019
EDUCATION CENTER – BOARD ROOM

President Jones called the meeting to order at 4:32 p.m.

**Call to Order/
Adjourn to Closed
Session
Closed Session
Comments**

The following speaker addressed the Board:

- *Dawn Urbanek spoke regarding the toll road*

The Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Student Expulsion; Public Employment and Evaluation of Performance; and Student Readmission.

The regular meeting of the Board of Trustees reconvened to open session and was called to order by President Gila Jones at 7:12 p.m.

ROLL CALL:

Present: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, Pritchard, Reardon and Student Advisor Amirseyedian

Absent: None

The Pledge of Allegiance was led by John Misustin, Principal CVHS.

**Pledge of
Allegiance
Permanent Record**

The Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website: www.capousd.org

It was moved by Trustee McNicholas, seconded by Trustee Holloway and motion carried by a 6-0-1 vote to adopt the Board agenda.

**Adoption of the
Board Agenda**

AYES: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, and Pritchard

NOES: None

ABSENT: Reardon

Trustee Reardon returned to the meeting.

President Jones asked Colleen Hayes, Manager II - Board Operations/ Superintendent's Office to read the report out of closed session:

**President's Report
from Closed
Session Meeting**

Agenda Item #3A– Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation – Two Cases

Trustees voted 7-0 to approve the staff recommendation on the following cases:

ADR Case Number 20181205

ADR Case Number 20190213

Significant Exposure to Litigation – Three Cases
Trustees gave direction to staff.

Significant Exposure to Litigation – One Case

Trustees gave direction to staff

Agenda Item #3B – Conference with Legal Counsel – Existing Litigation

Significant Exposure to Litigation – Two Cases

Trustees voted 7-0 to approve the staff recommendation on the following case:

OAH Case Number 2018100548

Trustees voted 5-1-0-1 with Trustee Reardon recusing himself, to approve the staff recommendation on the following case:

Federal Case 8:17-cv-01460-JLS-KES

Agenda Item #3C – Student Expulsion

Trustees voted 7-0 to approve staff recommendation on:

Case # 2019-042

Agenda Item #3D – Public Employment and Evaluation of Performance

Trustees gave direction to staff.

Agenda Item #3E – Student Readmission

Trustees voted 7-0 to approve staff recommendation on:

Case # 2018-032

Associated Student Body

Capistrano Valley High School

John Misustin, *Principal*

Steven Bryant, *Activities Director*

Andy Ceja, *Associated Student Body President*

**Special
Recognitions**

Extra Milers

Capistrano Valley High School Marching Band for placing first in Division 3 and winning the State Championship in the Division 1-3 Grand Championships, under the direction of Drum Major Ben Young and Assistant Drum Major Daniel Le.

Capistrano Valley High School “Musical Mentors” for receiving national recognition and the Silver Medal in High School Recruitment Programs during *Music for All’s 2019 Advocacy in Action Campaign*.

2017-2018 Musical Mentors – Class of 2018:

Rebecca Blyn, President

Leila Salem, Vice President

Keenan Prijoles, Videographer

2018-2019 Musical Mentors – Class of 2020:

Maya Salem, President

Emily Phu, Vice President

Superintendent Vital reported on the various activities at our sites in the past weeks.

**Board and
Superintendent
Comments**

Trustee Bullockus spoke regarding the event Saturday, March 16 at CVHS. She also spoke regarding the OTC shuttle in the City of Mission Viejo.

The following speakers addressed the Board:

**Oral
Communications**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
March 13, 2019
EDUCATION CENTER – BOARD ROOM

- *Sage Groves, student at San Juan Hills High School spoke regarding Mental Health*
- *Ajay Bhatia, student at San Juan Hills High School spoke regarding Mental Health*
- *Grace Aitken, student at San Juan Hills High School spoke regarding Mental Health*
- *Ella Friess, student at San Juan Hills High School spoke regarding Mental Health*
- *Isabel Royal, student at San Juan Hills High School spoke regarding Mental Health*
- *Cheyenne Torres, student at San Juan Hills High School spoke regarding Mental Health*
- *Jason Kepple, student at San Juan Hills High School spoke regarding Mental Health*
- *Nick Wyckoff, student at San Juan Hills High School spoke regarding Mental Health*
- *Kiley Espineira, student at San Juan Hills High School spoke regarding Mental Health*
- *Michele Ploessel-Campbell spoke regarding Mental Health*

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, staff, or the public 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.

The following speaker addressed the Board:

- *Michele Ploessel-Campbell spoke regarding Course of Study Foods Around the World*

Staff clarified this course will be offered at Aliso Niguel High School and San Clemente High School will offer the course in a subsequent year.

President Gila Jones asked Trustees for items they wished to pull from the Consent Calendar.

It was moved by Trustee Reardon, seconded by Trustee McNicholas, motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar.

AYES:	Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, Pritchard, and Reardon
NOES:	None
ABSENT:	None

Approval of donations of funds and equipment.

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2).

**Donation of Funds
and Equipment
Agenda Item 1
Purchase Orders,
Commercial**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
March 13, 2019
EDUCATION CENTER – BOARD ROOM

Approval of the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-16, Dana Hills High School Turf Replacement.

Approval of Award of Bid No. 1819-11, Fire Alarm Inspection Services to CAL Building Systems for Categories 1 and 2 and Time and Alarm Systems for Category 3.

Approval of Award of Bid No. 1819-12, Fresh Produce (Fruit and Vegetables) Products and Services Categories 1 and 2 to Gold Star Foods.

Approval of the Award of Request for Proposals No. 3-1819, E-Rate Multiple Categories to multiple vendors.

Approval of the Chromebook Buyback Contract with PlanITROI to dispose of chromebooks that have reached end-of-life dates.

Approval to utilize Corona-Norco Unified School District Bid No. 2018/2019-023 Just-In-Time Office and Classroom Supply for the purchase of office supplies and

**Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 2
Independent
Contractor,
Professional
Services, Field
Service, and
Master Contract
Agreements
Agenda Item 3
Final Acceptance
and Filing of
Notice of
Completion for
Bid No. 1718-16,
Dana Hills High
School Turf
Replacement –
Asphalt, Fabric &
Engineering, Inc.
Agenda Item 4
Award Bid No.
1819-11, Fire
Alarm Inspection
Services – Cal
Building Systems
and Time and
Alarm Systems
Agenda Item 5
Award Of Bid No.
1819-12, Fresh
Produce (Fruits
and Vegetables)
Products and
Services – Gold
Star Foods
Agenda Item 6
Award of Request
For Proposals No.
3-1819, E-Rate
Multiple
Categories –
Multiple Vendors
Agenda Item 7
Chromebook
Buyback Contract
– PlanITROI
Agenda Item 8
Corona-Norco
Unified School**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
March 13, 2019
EDUCATION CENTER – BOARD ROOM

equipment from Southwest School Supply under the same terms and conditions of the public agency's contract.

**District Bid No.
2018/2019-023 –
Just-In-Time
Office and
Classroom Supply
Agenda Item 9**

Approval of T-COBRAWeb End User License Agreement with Travis Software, Incorporated.

**T-COBRAWeb
End User License
Agreement –
Travis Software,
Incorporated
Agenda Item 10**

Approval of the First Amendment to Newhart Middle School Supplemental Joint Facilities Use Agreement No. 2 with the City of Mission Viejo.

**First Amendment
to Newhart
Middle School
Supplemental
Joint Facilities
Use Agreement
No. 2
Agenda Item 11**

Approval of Broadening the Course of Study: New Career Technical Education Course, Foods Around the World. Foods Around the World is proposed for the 2019-2020 course catalog in accordance with Board Policy 6143, *Courses of Study*.

**Broadening the
Course of Study –
New Career
Technical
Education Course,
Foods Around the
World
Agenda Item 12**

Approval of the partnership between Orange County Human Relations and San Juan Hills High School to offer the Bridges program will enable students, staff, and parents to receive support and coaching as they seek to create a campus where all people feel safe, respected and connected.

**Partnership with
Orange County
Human Relations
and San Juan
Hills High School
to Offer Bridges
Program
Agenda Item 13**

Approval of agreement for services with Educational Software for Guiding Instruction (ESGI) to provide software licenses for its product to each Kindergarten teacher in the 2019-2020 school year.

**Agreement for
Services with
Educational
Software for
Guiding
Instruction to
Provide Software
Licenses for
Kindergarten
Teachers in the
2019-2020 School
Year
Agenda Item 14**

Approval of Service Agreement #47439 with Orange County Department of Education to enter into partnership to provide a stipend for certificated staff who work with students at Fred Newhart Middle School (FNMS) and Ladera Ranch Middle School (LRMS) as part of their Friday Night Live program.

**Service
Agreement #47439
with Orange
County**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
March 13, 2019
EDUCATION CENTER – BOARD ROOM

Approval of the activity list for employment, separation and additional assignments of certificated employees.

Approval of the activity list for employment, separation and additional assignments of classified employees.

Approval of the February 27, 2019 Special Board Meeting minutes.

President Jones recognized Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

It was moved by Trustee Reardon and seconded by Trustee Holloway to approve Resolution No. 1819-36, Opposition of Toll Road Extensions That Could Significantly Impact or Harm Pupils, Teachers, and Staff as amended. The motion carried 5-2 by a roll call vote.

AYES:	Trustees Bullockus, Hanacek, Holloway, Pritchard, and Reardon
NOES:	Trustees Jones and McNicholas
ABSENT:	None

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

This is an information item only and no Board action was necessary.

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

This is an information item only and no Board action was necessary.

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

It was moved by Trustee Hanacek and seconded by Trustee McNicholas to approve Third Reading - Board Policy 5131.2, *Bullying*. The motion carried 7-0.

AYES:	Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, Pritchard, and Reardon
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**Department of
Education for
Provision of
Friday Night Live
Partnership
Agenda Item 15
Resignations/
Retirements/
Employment -
Certificated
Employees
Agenda Item 16
Resignations/
Retirements/
Employment -
Classified
Employees
Agenda Item 17
School Board
Minutes
Agenda Item 18
Resolution No.
1819-36,
Opposition of Toll
Road Extensions
That Could
Significantly
Impact or Harm
Pupils, Teachers,
and Staff
Agenda Item 19**

**Presentation –
Update on Gifted
and Talented
Education
Agenda Item 20
Presentation –
District Electives
Program
Agenda Item 21**

**Third Reading -
Board Policy
5131.2, *Bullying*
Agenda Item 22**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
March 13, 2019
EDUCATION CENTER – BOARD ROOM

NOES: None
ABSENT: None

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

It was moved by Trustee McNicholas and seconded by Trustee Hanacek to approve Second Reading – Board Policy 5121.1, *Grades/Evaluation of Student Achievement*. The motion carried 7-0.

AYES: Trustees Bullockus, Hanacek, Holloway, Jones,
McNicholas, Pritchard, and Reardon
NOES: None
ABSENT: None

**Second Reading –
Board Policy
5121.1, Grades/
Evaluation of
Student
Achievement
Agenda Item 23**

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

It was moved by Trustee Reardon and seconded by Trustee McNicholas to waive second reading and approve First Reading – Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions*. The motion carried 7-0.

AYES: Trustees Bullockus, Hanacek, Holloway, Jones,
McNicholas, Pritchard, and Reardon
NOES: None
ABSENT: None

**First Reading –
Board Policy
5111.5, Language
Immersion and
International
Baccalaureate
Admissions
Agenda Item 24**

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

Trustees gave direction to bring back Board Policy 5153, *Questioning and Apprehension* for a Second Reading at the next Board meeting.

**First Reading -
Board Policy 5153,
Questioning and
Apprehension
Agenda Item 25**

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

Trustees gave direction to bring back Board Policy 5145.13, *Immigration Enforcement*, for a Second Reading at the next Board meeting.

**First Reading –
Board Policy
5145.13,
Immigration
Enforcement
Agenda Item 27**

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.

It was moved by Trustee McNicholas and seconded by Trustee Bullockus to approve Certification of the 2018-2019 Second Interim Financial Report. The motion carried 7-0.

**Certification of
the 2018-2019
Second Interim
Financial Report
Agenda Item 26**

AYES: Trustees Bullockus, Hanacek, Holloway, Jones,
McNicholas, Pritchard, and Reardon
NOES: None
ABSENT: None

It was moved by Trustee Reardon and seconded by Trustee McNicholas to adjourn the meeting, motion carried 7-0.

Adjournment

**CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
March 13, 2019
EDUCATION CENTER – BOARD ROOM**

AYES: Trustees Bullockus, Hanacek, Holloway, Jones,
McNicholas, Pritchard, and Reardon
NOES: None
ABSENT: None

President Jones announced the meeting adjourned at 10:14 p.m.

Board Clerk

Secretary, Board of Trustees

Minutes submitted by Colleen Hayes, Manager II, Board Operations/Superintendent's Office

**CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD REPORT**

To: Board of Trustees

From: Susan Holliday, Associate Superintendent, Education Services

Prepared by: Heidi Crowley, Coordinator Charter Schools and Strategic Initiatives

Date: March 27, 2019

Board Item: Resolution No.1819-38, Resolution of the Board of Trustees to Approve the Charter Renewal Petition of Community Roots Academy Public Charter School Subject to Entry into Memorandum of Understanding

HISTORY

California Code of Regulations, Title 5 §11966.4: Submission of a Charter School Renewal Petition to the Governing Board of a School District.

(a) A petition for renewal submitted pursuant to Education Code § 47607 shall be considered by the district governing board upon receipt of the petition with all of the requirements set forth in this subdivision:

(1) Documentation that the charter school meets at least one of the criteria specified in Education Code § 47607(b).

(2) A copy of the renewal charter petition including a reasonably comprehensive description of how the charter school has met all new charter school requirements enacted into law after the charter was originally granted or last renewed.

(A) The signature requirement set forth in Education Code §47605(a) is not applicable to a petition for renewal.

(b)(1) When considering a petition for renewal, the district governing board shall consider the past performance of the school's academics, finances, and operation in evaluating the likelihood of future success, along with future plans for improvement if any.

(2) The district governing board may deny a petition for renewal of a charter school only if the district governing board makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the grounds for denial set forth in Education Code § 47605(b) or facts to support a failure to meet one of the criteria set forth in Education Code § 47607(b).

(c) If within 60 days of its receipt of a petition for renewal, a district governing board has not made a written factual finding as mandated by Education Code § 47605(b), the absence of written factual findings shall be deemed an approval of the petition for renewal.

(1) The district governing board and charter petitioner may extend this date by an additional thirty days only by written mutual agreement.

BACKGROUND INFORMATION

Community Roots Academy (CRA) formally submitted a second charter renewal petition on January 24, 2019, and a public hearing was held on February 13, 2019. CRA agreed to an extension to the 60 day charter review timeline, and the vote to renew/non renew will take place on day 62 of the timeline, March 27, 2019. The District's charter review team, which consists of 17 staff members from various departments and District's legal counsel, thoroughly reviewed the CRA renewal petition. Eight areas were identified in the renewal petition as necessary conditions to be addressed in a Memorandum of Understanding ("MOU") with the District. Resolution 1819-38 states the MOU shall be finalized by June 7, 2019 and its terms will become part of the Renewal Petition.

CURRENT CONSIDERATIONS

A charter petition for Community Roots Academy was approved by the District on September 14, 2010 with a subsequent 5-year renewal on March 26, 2014. Community Roots Academy submitted a second charter renewal petition to the District on January 24, 2019. 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 MOU ratified by the Board within 45 days of the Board's approval with conditions.

FINANCIAL IMPLICATIONS

None

STAFF RECOMMENDATION

It is recommended the Board President recognize Susan Holliday, Associate Superintendent, Education Services, to present this item.

Following discussion, it is recommended that the Board of Trustees adopt Resolution No. 1819-38 Resolution of the Board of Trustees to Approve the Charter Petition of Community Roots Academy Subject to Entry into Memorandum of Understanding.

PREPARED BY: Heidi Crowley, Coordinator Charter Schools and Strategic Initiatives

APPROVED BY: Susan Holliday, Associate Superintendent, Education Services

CAPISTRANO UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 1819-38

**Resolution of the Board of Trustees to Approve
the Charter Petition Renewal of Community Roots Academy, Subject to Entry into
Memorandum of Understanding**

WHEREAS, on September 14, 2010, the Capistrano Unified School District (“District”) approved a Charter Petition submitted by Community Roots (“CRA”);

WHEREAS, pursuant to Education Code section 47607, subdivision (a)(1), a charter granted by a school district governing board may be granted one or more subsequent renewals by that entity, and each renewal shall be for a period of five years;

WHEREAS, pursuant to Education Code section 47607, subdivision (a)(2), renewals of charters are governed by the standards and criteria set forth in Education Code section 47605;

WHEREAS, on March 26, 2014, the District renewed CRA’s charter for a five-year term;

WHEREAS, on January 24, 2019, CRA submitted a Charter Petition Renewal (“Renewal Petition”) and supporting documentation to the District for the renewal of its charter for a new five-year term beginning July 1, 2019 and ending June 30, 2024;

WHEREAS, on February 13, 2019, in accordance with Education Code section 47605, subdivision (b), the District’s Board of Trustees (“Board”) held a public hearing to determine the level of support for the renewal by teachers employed by the school district, other employees of the school district, and parents;

WHEREAS, pursuant to Education Code section 47605, subdivision (b), CRA provided the District with an extension of time to March 27, 2019 to grant or deny the charter renewal;

WHEREAS, the Renewal Petition is now before the Board for final action on March 27, 2019, in accordance with Education Code section 47605, subdivision (b);

WHEREAS, in reviewing the Renewal Petition, the Board is cognizant of the intent of the Legislature that charter schools are, and should become, an integral part of the California educational system, and that the establishment of charter schools should be encouraged; and

WHEREAS, the Superintendent and/or her designees have reviewed the Renewal Petition and supporting documentation submitted by CRA;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board, having fully considered and evaluated the Renewal Petition, hereby grants the renewal for a five-year term, commencing July 1, 2019, subject to CRA’s agreement to enter into a Memorandum of

Understanding (“MOU”) with the District addressing the issues set forth below. The MOU shall be finalized by June 7, 2019 and its terms will become part of the Renewal Petition.

ISSUES TO BE ADDRESSED IN MOU

1. Educational Program. [Ed. Code, § 47605, subd. (b)(5)(A).]

(a) Special Education.

(i) On page 88 of its Renewal Petition, CRA states that “[p]ursuant to Education Code Section 47640 et seq., Community Roots Academy will operate as a charter school that is its own LEA and responsible for complying with all provisions of the IDEIA and implementing regulations as they relate to local educational agencies. As such, Community Roots Academy shall participate in an approved special education local plan (SELPA) that is consistent with subdivision (a), (b), or (c) of Education Code section 56195.1 and shall be deemed a local educational agency (“LEA”) that is responsible for complying with all provisions of the IDEIA and implementing regulations as they relate to local educational agencies. Community Roots Academy will participate as a local educational agency for the purpose of Special Education. Should Community Roots Academy choose to change SELPAs, Community Roots Academy will provide the Authorizer with proof of acceptance to another State Board of Education approved SELPA that is consistent with subdivision (a), (b) or (c) of Education Code Section 56195.1 at least one month prior to the proposed effective date of the change.” CRA must acknowledge that it may only seek to join a particular SELPA or change its SELPA membership through a material revision of its charter, which must be approved by the District’s Board. (Ed. Code, §47607, subd. (a)(1).)

(ii) CRA does not include a sufficient description of its process for notifying the District when a special education student enrolls, becomes eligible or ineligible for special education and/or leaves CRA. The MOU must explain this process.

(iii) CRA does not sufficiently explain how special education services will be provided consistent with SELPA policies and does not explain how it will adhere to a fiscal allocation plan. The MOU must provide this information.

(iv) CRA states in the first paragraph under “Service Provision” on page 91 that “[f]or students with exceptional needs for whom CRA’s distinctive educational program is determined to be appropriate and the least restrictive environment, CRA intends to provide special education services within an inclusion model.” CRA then details the services that will be provided. This appears to be inconsistent with the CRA’s statement on page 89 that it assumes full responsibility for providing special education and related services to all charter school students eligible for special education. It is also inconsistent with CRA’s statements regarding its intention to provide special education students with a continuum of options. The MOU must provide clarifications. If applicable, it must also explain what happens if the program is determined to be inappropriate for a particular student.

(b) The final paragraph on page 94 is incomplete as drafted and must either be removed or edited. It reads: “Provides a balance of direct instruction on core content, enrichment, collaborative groups and pairing, social/emotional/physical time. Middle school students rotate through 55 minute class periods. Students are engaged and their talents are fostered. Include project work as well as traditional instruction. You might mention specials, electives, and other shuffling of kids in new environments including the library and garden.”

2. Employee Qualifications. [Ed. Code, § 47605, subd. (b)(5)(E).] CRA does not include a clear plan for evaluating staff and administration. The MOU must include this information.

3. Health and Safety. [Ed. Code, § 47605, subd. (b)(5)(F).]

(a) Education Code section 47605, subdivision (b)(5)(F)(ii) requires CRA to develop a school safety plan, which includes the safety topics listed in Education Code section 32282, subdivision (a)(2)(A)-(H) and the procedures for conducting tactical responses to criminal incidents. CRA states at the bottom of page 129 that it will maintain and adhere to a “School Safety Plan,” but it does not clearly specify that the plan will address all of the safety topics identified in Education Code section 32282, subdivision (a)(2)(A)-(H) and the procedures for conducting tactical responses to criminal incidents. No school safety plan was provided with the Renewal Petition. The MOU must provide this information.

(b) Education Code section 47605, subdivision (b)(5)(F)(iii) requires that a charter petition state that the school safety plan will be reviewed and updated by March 1 of every year by the charter school. CRA does not state that its school safety plan will be reviewed and updated by March 1 of every year. The MOU must make it clear that CRA will adhere to this requirement.

4. Racial and Ethnic Balance. [Ed. Code, § 47605, subd. (b)(5)(G).] CRA has not achieved a racial and ethnic balance among its students that is reflective of the general population residing within the territorial jurisdiction of the District. The MOU must identify the specific actions CRA is taking to attract a diverse applicant pool.

5. Admission Policies and Procedures. [Ed. Code, § 47605, subd. (b)(5)(H), (d).]

(a) Education Code section 47605, subdivision (d)(2)(B) provides that if the number of students who wish to attend a charter school exceeds the charter school’s capacity, attendance, except for existing students of the school, shall be determined by a random public drawing. Preference shall be extended to students currently attending the school and students who reside in the school district, except as provided for in Education Code section 47614.5. Preferences, including but not limited to, siblings of students admitted or attending the charter school and children of the charter school’s teachers, staff and founders identified in the initial charter, may

also be permitted by the chartering authority on an individual charter school basis. However, each type of preference must be approved by the chartering authority at a public hearing. On page 135 of its Renewal Petition, CRA identifies admissions preferences that it intends to utilize in the event it holds a random public drawing, and its desired order of those preferences. Those preferences must be approved at a public hearing. If the Board does not approve CRA's admissions preferences, the Renewal Petition must be revised accordingly.

(b) In the third paragraph under the heading "PUBLIC RANDOM DRAWING" on page 134 of the Renewal Petition, CRA states that before students are enrolled, their parent(s)/guardian will be required to attend an orientation meeting. That language shall be revised to state that their parent(s)/guardian will be invited to attend an orientation meeting.

(c) Disenrollment. Paragraph "D" on page 9 of Appendix G (Parent/Student Handbook), entitled "Disenrollment," enables CRA to disenroll a child who has more than five unexcused absences or who is absent for more than five consecutive days without notification to the school, and to allocate that child's space to another student on the waiting list. That penalty is too harsh, and the entire paragraph must be removed in its entirety.

6. Annual Financial Audits. [Ed. Code, § 47605, subd. (b)(5)(I).] The Renewal Petition does not specify the procedure by which CRA will select a new auditor, if necessary. The MOU must explain how such a decision would be made and who would be responsible for making that decision.

7. Suspension and Expulsion. [Ed. Code, § 47605, subd. (b)(5)(J).]

(a) The language of paragraph E.4. on page 148 must be revised, as the wording does not make sense in the context in which it is used. Education Code section (b)(5)(J)(iii) requires that CRA's suspension procedures contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five school days before the effective date of the action, and so on. It does not require that the notice itself make that statement.

(b) The word "may" in the first part of the fourth sentence in the first paragraph under "Notice to Parents/Guardians" on page 149 of the Renewal Petition must be replaced with "shall." The MOU must state that the sentence now reads: "In addition, the notice shall also state the date and time when the student may return to school and the notice shall contain a clear statement that no pupil shall be involuntarily removed by the charter school for any reason unless the parent or guardian of the pupil has been provided written notice of intent to remove the pupil no less than five (5) school days before the effective date of the action."

(c) Item number 8 on page 153 must be removed, as it is duplicative of number 7.

(d) Readmission. Paragraph I on page 156, entitled “Readmission,” references a “CEO.” CRA must clarify in the MOU whether those references must be revised to read “Executive Director.”

8. Operating Budget/Cash Flow Analysis. [Ed. Code, § 47605, subd. (g).] The District cannot determine the underlying cost-of-living and inflation/funding reduction assumptions CRA utilized in preparing its budget or its expenditures for special education costs from reviewing the budget documents provided. The MOU must include this information.

If the Board does not grant the Renewal Petition, the items identified above as issues to be addressed in the MOU shall serve as findings of fact to support the Board’s determination that the Petition does not contain reasonably comprehensive descriptions of the identified items, as required by Education Code section 47605, subdivision (b)(5).

PASSED AND ADOPTED this 27th day of March 2019 by the Board of Trustees of the Capistrano Unified School District by the following vote:

AYES: _____
NOES: _____
ABSENT: _____

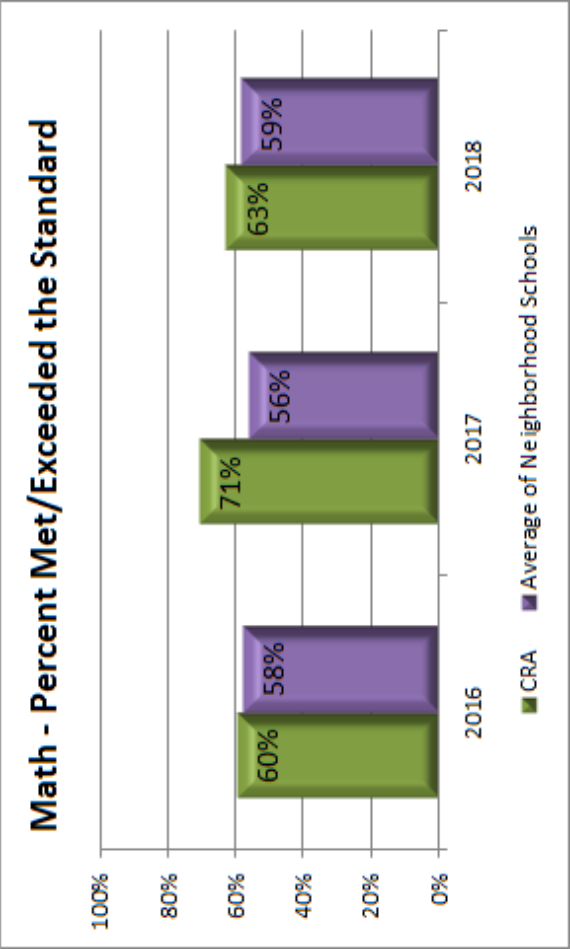
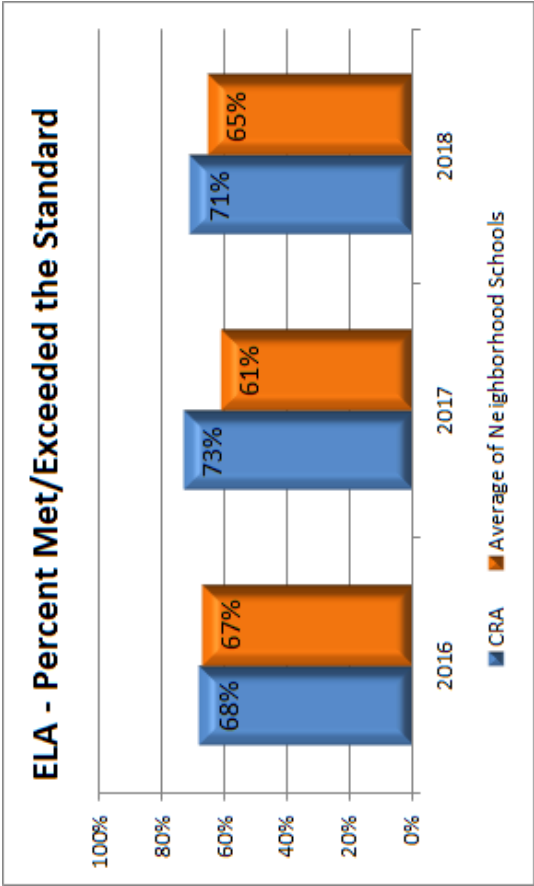
Community Roots Academy Charter Renewal Petition

March 27, 2019
Staff Recommendation

Charter Renewal Criteria

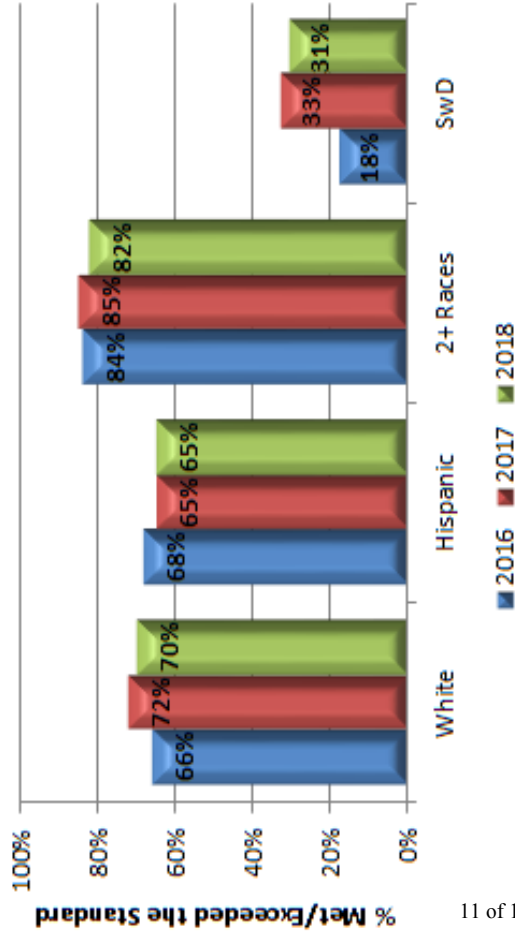
- EC 47607(b) provides the criteria for charter renewal. To be eligible, a charter school must meet one (1) of the following five (5) criteria:
 - (1) *Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.*
 - (2) *Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.*
 - (3) *Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.*
 - (4)(A) *The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school...*
 - (5) *Qualified for an alternative accountability system pursuant to subdivision (h) of section 52052.*

SBA Results - ELA and Math



SBA Results - Student Groups

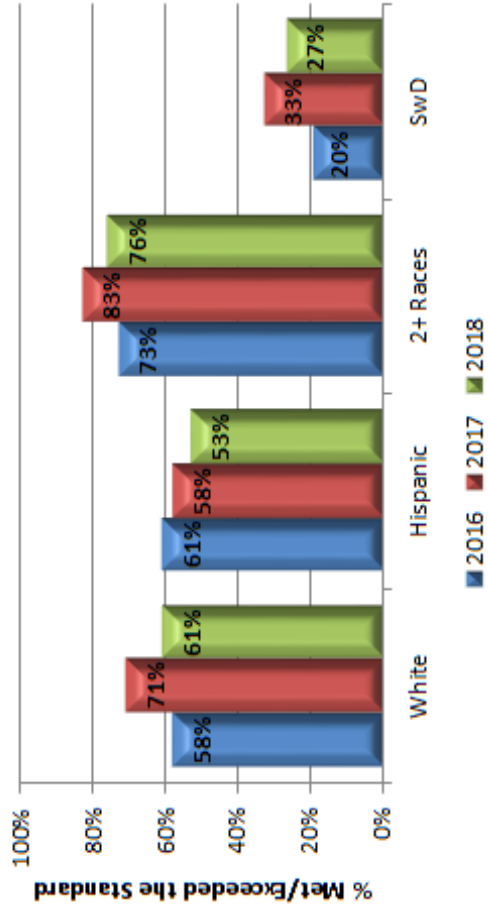
ELA - Student Groups



11 of 14

EXHIBIT #6

Math - Student Groups



33 of 36

Students Served by CRA

Student Groups

2017-18 DEMOGRAPHIC OF ELEMENTARY SCHOOLS IN CUSD (Source: Dataquest)							
	GRADES	ENROLLMENT	% ELL	%SPED *	% FRL	% SOC ECON	% FOSTER *
Arroyo Vista Elementary	K-5	560	12.9%	12.5%	7.5%	12.5%	0.7%
Arroyo Vista Middle	6-8	397	13.4%	11.8%	2.0%	10.0%	0.5%
Carl Hankey Elementary	K-5	385	23.6%	9.7%	44.4%	42.4%	0.8%
Carl Hankey Middle	6-8	234	10.7%	13.9%	35.9%	29.1%	0.4%
Community Roots Academy	K-8	667	2.2%	10.0%	8.7%	2.2%	0.1%
Hidden Hills Elementary	K-5	366	35.2%	11.2%	65.7%	70.9%	0.3%
Moulton Elementary	K-5	632	10.1%	10.8%	21.5%	15.9%	0.2%
Oak Grove Elementary	K-5	682	11.4%	9.3%	18.0%	13.4%	0.4%
OC Academy of Science & Arts	K-8	295	2.7%	8.6%	9.5%	7.4%	0.7%
Wood Canyon Elementary	K-5	512	19.3%	19.5%	36.9%	31.5%	0.9%

Data found on page 10 of the CRA Renewal Petition: 2019-2024

Recommended Conditions

- Special Education (a-b)
- Employee Qualifications
- Health and Safety (a-b)
- Racial and Ethnic Balance
- Admissions and Procedures (a-c)
- Annual Financial Audits
- Suspensions and Expulsions (a-d)
- Operating Budget/Cash Flow Analysis

EXHIBIT #6

Recommendation

Staff recommends approval
of the Charter Petition of
Community Roots Academy
subject to entry into
Memorandum of Understanding.