

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

July 11, 2018

Closed Session 4:00 p.m.

**AGENDA**

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

- 1. CALL TO ORDER**
- 2. CLOSED SESSION COMMENTS**
- 3. CLOSED SESSION** (as authorized by law)
  - A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Kirsten M. Vital/Clark Hampton/Susan Holliday  
Attorney – David Huff  
Significant Exposure to Litigation – One Case  
(Pursuant to Government Code § 54956.9(d)(2)(3))
  - B. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**  
Gordon Amerson  
Interim Associate Superintendent, Human Resource Services  
(Pursuant to Government Code § 54957)
  - C. CONFERENCE WITH LABOR NEGOTIATORS**  
District Negotiators: Kirsten M. Vital/Gordon Amerson/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)
  - D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**  
Gordon Amerson Update (Pursuant to Government Code § 54957)

**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**

**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.

**INFORMATION/DISCUSSION**

**1. STAFF REPORT ON REVOCATION PROCESS OF OXFORD PREPARATORY ACADEMY-SOUTH ORANGE COUNTY CHARTER:**

Staff will provide Trustees with an update on the revocation process and evidence, including a response to information Oxford Preparatory Academy (OPA) submitted to Trustees at the June 20, 2018 Board meeting, the estimated timeline for revocation, and options for continuing the litigation.

*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 of Trustees recognize Susan Holliday, Associate Superintendent, Education Services, to present information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

INFORMATION/  
DISCUSSION  
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**EXHIBIT 1**

**PUBLIC HEARING**

**2. PUBLIC HEARING: CHARTER REVOCATION FOR OXFORD PREPARATORY ACADEMY, GRADES K-8**

The Board will conduct a public hearing on the issue of whether evidence exists to revoke Oxford Preparatory Academy's (OPA) charter in accordance with Education Code § 47607(e).

Education Code § 47607(e) provides that no later than 30 days after providing a notice of intent to revoke a school's charter, the chartering authority shall hold a public hearing in the normal course of business on whether evidence exists to revoke the charter. The Notice of Intent to Revoke was approved by the Board on June 20, 2018 and provided to the charter school in the manner prescribed by law on June 21, 2018. No later than 30 days after the public hearing, the Board shall issue a final decision to revoke or decline to revoke the charter, unless a 30-day extension is agreed to by the charter school and the Board.

*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*

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**EXHIBIT 2**

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.

**DISCUSSION/ACTION**

**3. DEVELOPMENT OF MEMORANDUM OF UNDERSTANDING WITH OXFORD PREPARATORY ACADEMY CHARTER SCHOOL:** DISCUSSION/  
ACTION

This item will provide an opportunity for Trustees to direct staff to develop memorandum of understanding (MOU) with Oxford Preparatory Academy Charter School containing specific remediation steps and a timeline to assure the District of the governance and financial viability of the charter school. Trustees will discuss the potential opportunity to authorize the Superintendent to enter into the MOU on or before the July 25 regular meeting of the Board Trustees.

The Trustees will have a discussion regarding the desirability and viability of such an MOU, along with specific conditions it could include, and a well-defined timeline for meeting those conditions. After gathering input on specific conditions, Trustees and staff will assess whether it is likely that OPA can meet all stated conditions in a timely manner. If deemed feasible, Trustees may approve this item as direction to staff engage with OPA leadership to develop and execute a mutually acceptable MOU at or before the July 25 regular meeting of the Board of Trustees.

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

*Contact: Jim Reardon, Trustee, Capistrano Unified School District*

Staff Recommendation

It is recommended the Board of Trustees recognize Jim Reardon, Trustee, to present this item.

Following discussion, it is recommended the Board of Trustees approve the development of an MOU with Oxford Preparatory Academy Charter School to bring forward for approval at or before the July 25 regular meeting of the Board of Trustees.

Motion \_\_\_\_\_ Second \_\_\_\_\_

**ADJOURNMENT**

Motion \_\_\_\_\_ Second \_\_\_\_\_

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, JULY 25, 2018, 7:00 P.M.  
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM  
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **REASONABLE ACCOMMODATION**

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