

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

REVISED

November 14, 2018

Closed Session 4:00 p.m.
Open Session 7:00 p.m.

AGENDA

CLOSED SESSION AT 4:00 P.M.

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

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin

Attorney - Ernest L. Bell

Significant Exposure to Litigation – One Case

IDR Case Number 20181002

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

EXHIBIT A-1

Clark Hampton

Attorney - Terry Tao

Significant Exposure to Litigation - One Case

(Pursuant to Government Code § 54956.9(d))

Kirsten M. Vital and Clark Hampton

Attorney – Stan Barankiewicz

Initiation of Litigation - One Case

(Pursuant to Government Code § 54956.9(c))

Clark Hampton

Attorney – Jeff Hoskinson

Significant Exposure to Litigation – One Case

(Pursuant to Government Code § 54956.9(d))

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin

Attorney - Ernest L. Bell

Significant Exposure to Litigation – Five Cases

OAH Case Number 2017120274

OAH Case Number 2018050836

OAH Case Number 2018060379

OAH Case Number 2018060800

OAH Case Number 2018070889

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

EXHIBIT B-1

EXHIBIT B-2

EXHIBIT B-3

EXHIBIT B-4

EXHIBIT B-5

Tim Brooks

Attorney – Sara Young

Significant Exposure to Litigation – One Case

Orange County Superior Court Case 30-2018-01007399

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

EXHIBIT B-7

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

District Negotiators: Kirsten M. Vital and Clark Hampton

Attorney – Andreas Chialtas

Consultants – George Peterson/Keith Weaver

Property: Pacifica San Juan Property. 7.292 Acre Property Located at The North East Corner Of Camino Las Ramblas and Avenida California

Negotiating Party: One Or More Potential Buyers For The Property Who May Purchase The Property Through A Request For Proposals Process

Property: South Transportation and Groundskeeping Facility. 5.51 Acre Property Located At 26126 Victoria Blvd, Dana Point, Ca 92624

Negotiating Party: One Or More Potential Buyers Or Lessees For The Property Who May Purchase Or Lease The Property Through A Surplus Property Bid Auction Process

Property: Paseo De Colinas Property. 2.47 Acre Property Located On Paseo De Colinas Adjacent To Niguel Hills Middle School

Negotiating Party: One Or More Potential Buyers For The Property Who May Purchase The Property Through A Surplus Property Bid Auction Process

Under Negotiation: Price And Terms of Payment

(Pursuant to Education Code § 54956.9)

D. STUDENT EXPULSIONS

Mike Beekman

Five Cases

Case # 2019-006

Case # 2019-007

Case # 2019-008

Case # 2019-009

Case # 2019-010

EXHIBIT D-1

EXHIBIT D-2

EXHIBIT D-3

EXHIBIT D-4

EXHIBIT D-5

E. STUDENT EXPULSION REHABILITATION PLAN

Mike Beekman

EXHIBIT E-1

F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Tim Brooks/Susan Holliday

(Pursuant to Government Code § 54957)

G. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent

(Pursuant to Government Code § 54957(b))

RECORDING OF SCHOOL BOARD MEETINGS

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

OPEN SESSION AT 7:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

Extra Miler

The Family Assistance Ministries and South County Outreach Programs, for their work in preventing hunger and homelessness in Orange County, as well as providing programs and resources to the 3,407 homeless children in the District.

Associated Student Body

San Juan Hills High School
Jennifer Smalley, Principal
Brooke Valderrama, Activities Director
Izzy Bolotin, Associated Student Body President

BOARD AND SUPERINTENDENT COMMENTS

ORAL COMMUNICATIONS (Non-Agenda Items)

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

CONSENT CALENDAR

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

BUSINESS AND SUPPORT SERVICES

1. DONATION OF FUNDS AND EQUIPMENT:

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$464,918.63 cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

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

Page 1

EXHIBIT 1

2. 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 \$14,121,587.18 and the commercial warrants total \$19,287,114.06. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.

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

Page 6

EXHIBIT 2

3. 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 18 new agreements totaling \$335,202 and 5 amendments to existing agreements totaling \$59,480. Due to the size of the contract documents, the General

Page 135

EXHIBIT 3

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

- 4. CHANGE ORDER NO. 4, BID NO. 1617-20, TESORO HIGH SCHOOL BUILDING D PROJECT:** Page 239
EXHIBIT 4
Approval of Change Order No. 4, Bid No. 1617-20 for the Tesoro High School Building D Project for costs related to maintaining Americans with Disabilities Act and California State Elevator requirements, while ensuring the aesthetics and functionality of the building are in line with the standards of the District. 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 \$9,410,000. The new contract sum including Change Order No. 4 is \$9,824,625.47 funded by capital facilities fund. With this change order, the project continues to remain under budget.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 5. CHANGE ORDER NO. 5, BID NO. 1617-18, ESENCIA K-8 PROJECT:** Page 622
EXHIBIT 5
Approval of Change Order No. 5, Bid No. 1617-18 for the Esencia K-8 Project is related to additional costs associated with Orange County Health Department and Division of State Architect additional requirements along with required corrections to minor discrepancies on the drawings. 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. 5 is \$28,069,761.06 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
- 6. FONTANA UNIFIED SCHOOL DISTRICT BID NO. 18/19-1505, PAPER PRODUCTS FOR PRINTING SERVICES – SPICERS PAPER, INCORPORATED:** Page 832
EXHIBIT 6
Approval to utilize the Fontana Unified School District Bid No. 18/19-1505 and any subsequent revisions, amendments, and extensions awarded to Spicers Paper, Incorporated for the purchase of paper products for printing services, as needed by the District, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for paper products for printing services. Anticipated annual expenditures utilizing this contract are approximately \$300,000. Actual expenditures may vary depending on District needs and the availability of funding. Funding for these expenditures may include, but are not limited to, site funds, gift funds, and the general fund. School boards have the authority to "piggyback" on another public agency's bid, per Public Contract Code § 20118, when it is in the best interest of a district. It is often advantageous to utilize piggyback bids when contract items are identical to the District's specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Due to the size of the contact and award, the documentation will be posted online on the District Board Agendas and Supporting Documentation page.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 7. NEWPORT-MESA UNIFIED SCHOOL DISTRICT BID NO. 104-18, OFFICE AND SCHOOL SUPPLIES AND EQUIPMENT – OFFICE DEPOT:** Page 835
EXHIBIT 7
Approval to utilize the Newport-Mesa Unified School District Bid No. 104-18 and any subsequent revisions, amendments, and extensions awarded to Office Depot, for the purchase of office and school supplies and equipment, as needed by the District, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for office and school supplies and equipment. Expenditures

utilizing this contract are estimated to be \$100,000 funded by the general fund, deferred maintenance and CFDs. School boards have the authority to “piggyback” on another public agency’s bid, pursuant to Public Contract Code § 20118 when it is in the best interest of a district. It is often advantageous to utilize piggyback contracts when items are identical to the District’s specifications. Using piggyback contracts saves time and often provides lower prices than a single jurisdiction would be able to obtain. Due to the size of the contract and award, the documentation will be posted online on the District Board Agendas and Supporting Documentation page.

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

8. STATE OF CALIFORNIA CONTRACT NO. 1-18-23-10 A THROUGH H, SUPPLEMENT 2, FLEET VEHICLES AND CARS – MULTIPLE VENDORS: Page 838
EXHIBIT 8

Approval to utilize the State of California Contract No. 1-18-23-10 A through H, Supplement 2, Fleet Vehicles – Cars, and any subsequent revisions, amendments, and extensions awarded to Downtown Ford Sales; Elk Grove Auto Group; Freeway Toyota; Winner Chevrolet; Wondries Fleet Group; US Fleet Source, Selma Nissan; and Toyota Sunnyvale for the purchase of fleet vehicles, as needed by the District. The District can utilize such contracts pursuant to California Public Contract Code §§ 10298, 10299, and 12100 et. seq. without going to bid. The prices offered by the contractors have been assessed to be fair, reasonable, and competitive. The District’s fleet is aging. The District is developing criteria for a vehicle replacement program to be implemented as funds become available. Staff determined it is in the best interest of the District to utilize the state contract to purchase fleet vehicles. Due to the size of the contract and award documentation, it will be posted online on the District Board Agendas and Supporting Documentation page.

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

9. DECLARATION OF SURPLUS ITEMS: Page 841
EXHIBIT 9

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

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

CURRICULUM AND INSTRUCTION

10. MEMORANDUM OF UNDERSTANDING WITH LAGUNA BEACH UNIFIED SCHOOL DISTRICT: Page 843
EXHIBIT 10

Approval of the Memorandum of Understanding with Laguna Beach Unified School District (LBUSD) for the purpose of implementing special education services and programs to students referred by their Individual Education Program team. This agreement will allow the District to provide Adult Transition Program services to students whose current residence is within LBUSD boundaries. Services will include access to local community supports and independent living. The District will provide oversight of the program and collaborate in decisions related to educational services. There is no financial impact.

Contact: Gregory Merwin, Associate Superintendent, Student Support Services

11. **AGREEMENT FOR SERVICES WITH IMAGINATION MACHINE TO PROVIDE ASSEMBLIES TO STUDENTS AT ARROYO VISTA ELEMENTARY SCHOOL:** Page 850
EXHIBIT 11
- Approval of Agreement for Services with Imagination Machine to Provide Assemblies to Students at Arroyo Vista. Imagination Machine is a professional children’s theater company that provides assemblies to schools throughout California. Imagination Machine promotes the importance of creative writing with performers actually “acting out” stories written ahead of time by the school’s students. In the Fall 2018, Imagination Machine will come to the school to provide an assembly that will provide motivation to students to engage in creative writing. Later, in the Spring 2019, they return to “act out” stories written by students. Arroyo Vista Elementary School has requested approval of a contract with Imagination Machine. The total cost is \$3,120 funded by gift funds.
Contact: Susan Holliday, Associate Superintendent, Education Services
12. **ADDENDUM TO THE AGREEMENT FOR PARTICIPATION WITH INSIDE THE OUTDOORS FIELD PROGRAM PUBLIC SCHOOLS 2018 – 2019 AGREEMENT NUMBERS F11029-1 AND F11029-2:** Page 854
EXHIBIT 12
- Approval of Addendum to the Agreement for Participation with Inside the Outdoors Field Program Public Schools 2018-2019, Agreement Numbers F11029-1 and F11029-2. District schools routinely participate in the Orange County Department of Education’s outdoor science school/field trip programs and “Traveling Scientist” programs and assemblies. Additional sites have expressed interest in the Field Trip Program for the 2018-2019 school year, which will allow students to move out of the classroom and into the real world of science and social science. Each program is designed to support the curriculum for each grade level. The estimated expenditure under this contract is \$1,011.50 funded by grants, site and/or gift funds from each participating school site.
Contact: Susan Holliday, Associate Superintendent, Education Services
13. **ADDENDUM TO THE AGREEMENT FOR PARTICIPATION WITH INSIDE THE OUTDOORS FIELD PROGRAM PUBLIC SCHOOLS 2018 – 2019 AGREEMENT NUMBERS S11046-4, S11046-5 AND S11046-6:** Page 860
EXHIBIT 13
- Approval of Addendum to the Agreement for Participation with Inside the Outdoors Field Program Public Schools 2018-2019 Agreement Numbers S11046-4, S11046-5 and S11046-6. District schools routinely participate in the Orange County Department of Education’s outdoor science school/field trip programs and “Traveling Scientist” programs and assemblies. Multiple sites have expressed interest in the Field Trip Program for the 2018-2019 school year, which will allow students to move out of the classroom and into the real world of science and social science. Each program is designed to support the curriculum for each grade level. The estimated expenditure under these contracts is \$7,468.50 funded by grants, site and/or gift funds from each participating school site.
Contact: Susan Holliday, Associate Superintendent, Education Services
14. **AGREEMENT NO. 47274, THREE-PARTY AGREEMENT FOR QUALITY RATING IMPROVEMENT SYSTEM IMPLEMENTATION OF EARLY EDUCATION PROGRAMS WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS AND EARLY QUALITY SYSTEMS, LLC:** Page 870
EXHIBIT 14
- Approval of Agreement No. 47274 for Quality Rating and Improvement System of Early Education Preschool Programs with the Orange County Superintendent of Schools and Early Quality Systems. The agreement allows the Parties to implement the Orange County Quality Rating Improvement System (QRIS) program for quality improvement based on a tiered rating structure, satisfying grant requirements. The District will receive incentive funds of \$3,000 and access covered information in compliance with federal and state laws and regulations related to student privacy. This agreement is for the term of July 1, 2018 to June 30, 2019. The agreement establishes participation in the tiered rating system (QRIS) for quality purposes and allows for funding for materials for the District’s fee-based preschool classrooms. The District enters into this agreement annually.
Contact: Susan Holliday, Associate Superintendent, Education Services

15. MEMORANDUM OF UNDERSTANDING WITH MODERN STATES ALLIANCE: Page 883
EXHIBIT 15

Approval of the Memorandum of Understanding with Modern States Alliance and Capistrano Valley High School (CVHS) will enable CVHS to offer free College Level Examination Program (CLEP) exams to students, free of charge, if students agree to use Modern States test preparation materials. An entrepreneurial group, Modern States Alliance (Modern States), offers free online exam prep for all 33 exams. Modern States' slogan is "Freshman Year for Free", and offers the online prep free to high school students, college students, and adult learners, including active duty military personnel, their families, and veterans. CVHS would like to run a "Limited" CLEP testing center open only to CVHS students during the initial pilot year. Testing will take place outside of normal school hours. CVHS is requesting to partner with Modern States to guarantee at least 100 free CLEP exams for students who complete one or more free online exam prep courses. After providing proof of completion of a prep course, the students will receive a waiver covering the cost of College Board's fee for the test. There is no financial impact to the District.

Contact: Susan Holliday, Associate Superintendent, Education Services

16. RESOLUTION NO. 1819-21 FOR AMENDING AGREEMENT CALIFORNIA STATE PRESCHOOL PROGRAM CONTRACT NUMBER - 8336 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES: Page 909
EXHIBIT 16

Approval of Resolution No. 1819-21 for Amending Agreement California State Preschool Program Contract Number - 8336 with the California Department of Education for Child Development Services. Amendment 01 increases the Maximum Reimbursable Rate from \$2,941,376 to \$3,088,856 from July 1, 2018 to June 30, 2019. This agreement provides services related to preschool age children to enhance optimal early childhood development and school readiness. The amended agreement provides additional funding per student for the District's state preschool program allowing the District to cover expenses such as staffing, training and materials. This amendment is typically entered into annually depending on the state allocation of funding.

Contact: Susan Holliday, Associate Superintendent, Education Services

17. TITLE I SCHOOLWIDE STATUS AND REVISED SINGLE PLAN FOR STUDENT ACHIEVEMENT 2018-2019 FOR HANKEY ELEMENTARY SCHOOL: Page 912
EXHIBIT 17

Approval of Title I schoolwide status and the revised Single Plan for Student Achievement (SPSA) for Carl Hankey Elementary School for 2018-2019. Carl Hankey Elementary School was approved as a Title I school at the August 22, 2018 Board meeting. The School Site Council voted to change from a Title I targeted assistance program and pursue Title I schoolwide status which enables the school to make certain expenditures that can benefit students in an entire class, grade level and/or school. An estimated Title I allocation has been added to the school's SPSA as well as the required schoolwide documents including the Preschool to Kindergarten Transition Plan, Parent Engagement Policy, Compact and Schoolwide Plan Components.

Contact: Susan Holliday, Associate Superintendent, Education Services

HUMAN RESOURCE SERVICES

18. FIRST QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT: Page 976
EXHIBIT 18

Acceptance of Williams Settlement Legislation Uniform Complaint First Quarter Report. As a result of the Williams Settlement, Education Code § 35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, Education Code § 35186

requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. During the first quarter, the District received no complaints.

Contact: Tim Brooks, Associate Superintendent, Human Resource Services

19. **ANNUAL REPORT – WILLIAMS SETTLEMENT LEGISLATION, 2017-2018 SCHOOL YEAR:** Page 979
EXHIBIT 19
Approval of Annual Report – Williams Settlement Legislation, 2017-2018 School Year. 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, the law requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting. Both quarterly and annually the Orange County Department of Education (OCDE) conducts a review to determine if deficiencies exist. The annual report for the District, conducted by OCDE, was found to be in compliance. The inspection of Kinoshita and Viejo Elementary Schools revealed the schools have sufficient instructional materials. The inspection of the facility conditions revealed one minor deficiency for Kinoshita, and one minor deficiency for Viejo. These have been resolved. Data reported on School Accountability Report Cards (SARC) was found to be accurately reported. Teacher assignments were reviewed at both schools and found to be in compliance. The schools are considered to have met all expectations established under the Williams Settlement Legislation.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services
20. **FIELDWORK TRAINING AFFILIATION AGREEMENT WITH CAPELLA UNIVERSITY:** Page 986
EXHIBIT 20
Approval of Fieldwork Training Affiliation Agreement with Capella University, effective November 15, 2018 and expiring November 14, 2019. During the school year, credential candidates will work with District School Counselors to fulfill fieldwork requirements to earn their Pupil Personnel Services Credential in School Counseling.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services
21. **INTERNSHIP CREDENTIAL PROGRAM AGREEMENT WITH NATIONAL UNIVERSITY:** Page 990
EXHIBIT 21
Approval of Internship Credential Program Agreement with National University, effective November 15, 2018. Teachers in hard-to-fill positions may be hired on an Internship Credential. Credential candidates will be employed by the District as a teacher of record and paired with a site-supervising teacher to fulfill requirements to earn their preliminary credential.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services
22. **STUDENT TEACHING AND PRACTICUM AGREEMENT WITH NATIONAL UNIVERSITY:** Page 998
EXHIBIT 22
Approval of Student Teaching and Practicum Agreement with National University, effective November 15, 2018. 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
23. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 1007
EXHIBIT 23
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

- 24. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 1054
EXHIBIT 24
Approval of the activity list for employment, separation and additional assignments of certificated employees. These positions will be charged to the appropriate fund and are included in the adopted budget.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services

GENERAL FUNCTIONS

- 25. SCHOOL BOARD MINUTES:** Page 1089
EXHIBIT 25
Approval of the October 10, 2018 Regular Board meeting minutes.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent’s Office
- 26. SCHOOL BOARD MINUTES:** Page 1099
EXHIBIT 26
Approval of the October 24, 2018 Special Board meeting minutes.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent’s Office

DISCUSSION/ACTION ITEMS

- 27. PROPOSAL TO CONDUCT OPINION RESEARCH – FAIRBANK, MASLIN, MAULLIN, METZ AND ASSOCIATES:** **DISCUSSION/ ACTION**
Page 1102
EXHIBIT 27
Fairbank, Maslin, Maullin, Metz and Associates (FM3) will conduct opinion survey research among a portion of District residents who are registered to vote and likely to vote in the March 2020 Primary Election. Research options include telephone voter surveys, telephone interviews and online interviews. Expenditures using this agreement are \$100,000 for a term of November 15, 2018 through June 30, 2019 funded by the general fund.
CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.
Contact: Ryan Burris, Chief Communications Officer

Staff Recommendation

It is recommended the Board President recognize Ryan Burris, Chief Communications Officer, to present this item.

Following discussion, it is recommended the Board of Trustees approve the Proposal to Conduct Opinion Research with Fairbank, Maslin, Maullin, Mertz and Associates in the geographic area that the Board directs based on Board guidance this evening on a potential geographic area for a bond.

Motion by _____ Seconded by _____

- 28. MEMORANDUM OF UNDERSTANDING FOR THE CALIFORNIA HEALTHY KIDS SURVEY 2018-2019:** **DISCUSSION/ ACTION**
Page 1114
EXHIBIT 28
Approval of Memorandum of Understanding for the California Healthy Kids Survey (CHKS) 2018-2019. This agreement outlines conditions to be met by the District as they relate to access to and the administration of the CHKS, the California School Staff Survey and the California School Parent Survey. Data from the surveys is intended to help schools foster a positive school climate and student learning engagement, prevent risky behaviors and other impediments to academic achievement and to promote positive health habits and behaviors. The surveys have multiple modules. The administration is planned for mid-January to early February 2019, where students in grades 5, 7, 9 and 11 will complete the core module of the survey. Students in middle and high school will also complete the supplemental Resilience and Youth Development module; the District has administered this module over the last two administrations (2015-2016 and 2017-2018). The California School Staff Survey and California School Parent Survey will also be conducted for the

second year. A District letter will be sent in January 2019 to notify parents/guardians; this letter has been fixed and updated to reflect current survey questions and all survey questions, timelines and procedures have been posted online:

https://capousd-ca.schoolloop.com/pf4/cms2/view_page?d=x&group_id=1514016268917&vdid=i10b1qopu39l

Parents of middle and high school students will be able to return a form to have their child opt out. Parents of elementary students will be required to return a permission form to have their child participate. Collecting permission forms for elementary students is an Education Code requirement. Student personally identifiable information is not collected or released. Parents will be notified multiple times through multiple means and will have access online and in hard copy the survey questions and content for their full review. The District will receive approximately \$9,006 to help offset the anticipated cost of \$19,401 associated with survey administration and reports. The net cost to the District is anticipated to be \$10,395 funded by general funds.

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 Memorandum of Understanding for the California Healthy Kids Survey 2018-2019.

Motion by _____ Seconded by _____

29. OFFICE OF LANGUAGE ACQUISITION ANNUAL REPORT – 2018:

Office of Language Acquisition, formerly known as the Services for English Learners Department, provides support and services to ensure the District is in compliance with state and federal laws regarding services for English Learner students, and oversees the District K-12 Language Immersion programs. The department works in collaboration with other District departments to ensure legal obligations are met, and instructional practices reflect research based strategies to ensure language acquisition for students to meet proficiency measures in their target language. Staff will be presenting an update to the Board of Trustees on the most recent data reflecting the performance of English Learners K-12 and all students participating in the District's Spanish Language Immersion program. Staff will share information on the new English Language Proficiency Assessment for California (ELPAC) test, Smarter Balanced Assessment data and recommended next steps for closing the achievement gap.

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

Contact: Susan Holliday, Associate Superintendent, Education Services

Staff Recommendation

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

30. RECOMMENDATION TO ESTABLISH R.H. DANA ELEMENTARY SCHOOL AS A SPANISH LANGUAGE IMMERSION PROGRAM:

Staff proposes that R.H. Dana Elementary School begin implementing a Spanish

**INFORMATION/
DISCUSSION
Page 1121
EXHIBIT 29**

**INFORMATION/
DISCUSSION
Page 1155**

Language Immersion program beginning in the 2019-2020 school year. The program would be a 50/50 language immersion with 50 percent of instruction in English and 50 percent of instruction in Spanish. This model is different from the other 3 Language Immersion programs in the District. Staff will provide a rationale as to why this model should be considered at R.H. Dana Elementary School. Staff will also propose that the school’s branding be changed from the R.H. Dana Science and Technology Academy to the R.H. Dana Language and Science Academy. Language Immersion instruction would begin in Kindergarten and add a grade level each year, over 5-6 years. Costs include staffing and Spanish materials estimated at approximately \$288,000 over the next 5-6 years funded by Title I and general funds.

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.

31. INSTRUCTIONAL MATERIALS RECOMMENDED TO PILOT: STUDENT GOVERNMENT, ASSOCIATED STUDENT BODY - STUDENT LEADERSHIP, GRADES 10-12:

**DISCUSSION/
ACTION
Page 1170
EXHIBIT 31**

James Morgan Publishing’s *The Student Leadership Guide*, fourth edition, authored by Brendon Burchard, was selected for the Student Leadership course at Dana Hills High School due to its strong alignment to the course curriculum. This textbook is the preferred text by the vast majority of public high schools that have been University of California approved to offer this course. As a text, it covers, in complete, the course’s curriculum and California Activities Directors Association state standards for leadership development. The purchase of textbooks is estimated to be \$1,400 funded by site funds.

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 and answer any questions Trustees may have regarding this item.

Following discussion, it is recommended the Board of Trustees approve Instructional Materials Recommended to Pilot: Student Government, Associated Student Body – Student Leadership, Grades 10-12.

Motion by _____ Seconded by _____

32. SECOND READING – BOARD POLICY 5022, STUDENT AND FAMILY PRIVACY RIGHTS:

**DISCUSSION/
ACTION
Page 1173
EXHIBIT 32**

The proposed revisions to Board Policy 5022, *Student and Family Privacy Rights*, brings language in alignment to recent changes in law. Revisions also reflect current California School Board Associations sample language. Legal counsel has reviewed the policy. Staff have also included the Trustee recommended changes from the first reading at the October 10, 2018 Board meeting. Changes are underlined; deletions are struck through. There is no financial impact.

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

students.

Contact: Susan Holliday, Associate Superintendent, Education Services

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 5022, *Student and Family Privacy Rights*.

Motion by _____ Seconded by _____

33. SECOND READING – BOARD POLICY 5131.1, USE OF INDIVIDUAL STUDENT RECORD INFORMATION FOR ACADEMIC ACHIEVEMENT DATA DISAGGREGATION: DISCUSSION/ ACTION

Page 1178
EXHIBIT 33

The proposed revisions to Board Policy 5131.1, *Use of Individual Student Record Information for Academic Achievement Data Disaggregation*, brings language in alignment to recent changes in law. Revisions also reflect current California School Board Associations sample language. Legal counsel has reviewed the policy. Staff have also included the Trustee recommended changes from the first reading at the October 10, 2018, Board meeting. Changes are underlined; deletions are struck through. There is no financial impact.

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

Contact: Susan Holliday, Associate Superintendent, Education Services

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 5131.1, *Use of Individual Student Record Information for Academic Achievement Data Disaggregation*.

Motion by _____ Seconded by _____

34. SECOND READING – BOARD POLICY 5132, RELEASE OF DIRECTORY INFORMATION: DISCUSSION/ ACTION

Page 1182
EXHIBIT 34

The proposed revisions to Board Policy 5132, *Release of Directory Information*, brings language in alignment to recent changes in law. Revisions also reflect current California School Board Associations sample language. Legal counsel has reviewed the policy. Staff have also included the Trustee recommended changes from the first reading at the October 10, 2018, Board meeting. Changes are underlined; deletions are struck through. There is no financial impact.

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

Contact: Susan Holliday, Associate Superintendent, Education Services

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 5132, *Release of Directory Information*.

Motion by _____ Seconded by _____

35. SECOND READING – BOARD BYLAW – 9100, ORGANIZATION:

**DISCUSSION/
ACTION
Page 1186
EXHIBIT 35**

The proposed revisions to Board Bylaw 9100, Organization, bring in alignment current procedures by the Board and uses California School Board Associations sample language to comply with the law. Revisions reflect updates to the selection of Board Members to serve on various committees and councils both inside and outside of the District. Revisions add language to address the Election of Officers whereby the Board shall preside over the meeting and the Board shall elect its entire slate of officers as opposed to the previous language naming the Superintendent as presiding officer. Changes are underlined; deletions are struck through.

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

Staff Recommendation

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

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

Motion by _____ Seconded by _____

36. STATE ACCOUNTABILITY LOCAL INDICATORS:

**DISCUSSION/
ACTION
Page 1189
EXHIBIT 36**

The state accountability system has Local Control Funding Formula priority areas that meet the criteria established for state indicators. Other remaining priority areas are considered local indicators and require districts to identify a measurement and determine whether they have met or not met each applicable local indicator. The local indicators only apply at the district level, not the school level. Districts use the local indicators to evaluate and report their progress on priority areas. This item will provide an update on each of the local indicator measurements that were approved at the May 24, 2017 Board meeting as well as introduce the new Broad Course of Study local indicator.

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 local indicator data to be uploaded to the California School Dashboard website for the Fall 2018 release.

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, DECEMBER 12, 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

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.