

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

January 24, 2019

Closed Session 4:30 p.m.  
Open Session 7:00 p.m.

**AGENDA**

**CLOSED SESSION AT 4:30 P.M.**

**1. CALL TO ORDER**

**2. CLOSED SESSION COMMENTS**

**3. CLOSED SESSION (as authorized by law)**

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Gregory Merwin/Kathy Purcell

Attorney - Ernest Bell

Significant Exposure to Litigation – Four Cases

ADR Case Number 20180524

ADR Case Number 20181031

ADR Case Number 20181114

ADR Case Number 20181116

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

**EXHIBIT A-1**

**EXHIBIT A-2**

**EXHIBIT A-3**

**EXHIBIT A-4**

**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Gregory Merwin/Kathy Purcell

Attorney - Ernest Bell

Significant Exposure to Litigation – Four Cases

OAH Case Number 2018090139

OAH Case Number 2018100676

OAH Case Number 2018110162

Federal Case 8:17-1460-JLS-KES

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

**EXHIBIT B-1**

**EXHIBIT B-2**

**EXHIBIT B-3**

**EXHIBIT B-4**

Kirsten M. Vital and Clark Hampton

Attorney – Stan Barankiewicz

Capistrano Unified School District v. County of Orange

(OCSC #: 30-2017-00963064-CU-TT-CXC)

*(Pursuant to Government Code section 54956.9(a))*

**C. STUDENT READMISSION**

Mike Beekman

One Case

Case # 2018-036

**EXHIBIT C-1**

**D. STUDENT EXPULSIONS**

Mike Beekman

Sixteen Cases

Case # 2019-013

Case # 2019-014

Case # 2019-022

Case # 2019-023

**EXHIBIT D-1**

**EXHIBIT D-2**

**EXHIBIT D-3**

**EXHIBIT D-4**

Case # 2019-024  
Case # 2019-025  
Case # 2019-026  
Case # 2019-027  
Case # 2019-028  
Case # 2019-029  
Case # 2019-030  
Case # 2019-031  
Case # 2019-032  
Case # 2019-033  
Case # 2019-034  
Case # 2019-035

**EXHIBIT D-5**  
**EXHIBIT D-6**  
**EXHIBIT D-7**  
**EXHIBIT D-8**  
**EXHIBIT D-9**  
**EXHIBIT D-10**  
**EXHIBIT D-11**  
**EXHIBIT D-12**  
**EXHIBIT D-13**  
**EXHIBIT D-14**  
**EXHIBIT D-15**  
**EXHIBIT D-16**

## **RECORDING OF SCHOOL BOARD MEETINGS**

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

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

### **CALL TO ORDER – ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **ADOPTION OF THE AGENDA**

### **REPORT ON CLOSED SESSION ACTION**

### **SPECIAL RECOGNITIONS**

#### **Associated Student Body**

Dana Hills High School

Josh Porter, *Principal*

Ken Nedler, *Activities Director*

Gianna Marietti, *Associated Student Body President*

#### **Extra Miler**

Micah Ohlen, Athletic Trainer, for his significant role in San Juan Hills High School earning the National Athletic Trainers' Association (NATA) Safe Sports School Award.

Orange County Business Council will present a certificate commemorating Capistrano Unified School District and Rancho Mission Viejo's nomination in Orange County Business Council's *Eighth Annual Turning Red Tape into Red Carpet Awards*.

### **BOARD AND SUPERINTENDENT COMMENTS**

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

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

### **PUBLIC HEARING**

#### **1. PUBLIC HEARING: COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT 2019 WITH SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT:**

The Board will conduct a public hearing on the College and Career Access Pathways agreement with South Orange County Community College District (SOCCCD).

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**EXHIBIT 1**

Approval of this partnership will allow District schools to offer Counseling 100 courses taught by Saddleback College staff on District campuses during the bell schedule in a closed setting. A closed setting means the class would not be open to Saddleback College students who are not students at the school where the course is being offered. Per SOCCCD and the Orange County Pathway grant, it is required that the District conduct a public hearing and in a separate meeting adopt the course of study. The course of study will be recommended for approval at the February 27, 2019 Board meeting.

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

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

#### Staff Recommendation

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

### **CONSENT CALENDAR**

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

### **BUSINESS AND SUPPORT SERVICES**

#### **2. DONATION OF FUNDS AND EQUIPMENT:**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$554,404.98 cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

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

Page 3

**EXHIBIT 2**

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

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District's budget approval process. The purchase orders total \$9,973,849.21 and the commercial warrants total \$18,976,228.53. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.

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

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**EXHIBIT 3**

#### **4. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:**

Approval of the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The exhibit shows 16 new agreements totaling \$528,397 and 7 amendments to existing agreements totaling \$177,455. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page.

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

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**EXHIBIT 4**

5. **SECOND AMENDMENT TO LEASE AGREEMENT – SCHOOLSFIRST FEDERAL CREDIT UNION:** Page 281  
**EXHIBIT 5**  
Approval of Amendment No. 2 to Lease Agreement with SchoolsFirst Federal Credit Union, formerly Orange County Teachers Federal Credit Union, a non-profit financial institution. This amendment proposes to extend the term of the agreement for two additional years. The renewal term will expire on February 28, 2021. The proposed amendment has been previously reviewed and approved by the District’s legal counsel. The District will receive \$10,746.08 per month from SchoolsFirst Federal Credit Union.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
6. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR FALL 2018:** Page 309  
**EXHIBIT 6**  
Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Fall 2018. The Aliso Viejo Community Association owns and maintains Foxborough Park, adjacent to Aliso Niguel High School (ANHS). The Fall 2018 LUMA allows the District (ANHS Soccer) to use Foxborough Park from November 1, 2018 through December 14, 2018 for a fee of \$300 paid by site funds, as detailed in the LUMA. The Fall 2018 LUMA is similar to past years’ agreements relating to the use of Foxborough Park.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
7. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR WINTER/SPRING 2019:** Page 326  
**EXHIBIT 7**  
Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Winter/Spring 2019. The Aliso Viejo Community Association owns and maintains Woodfield Park, adjacent to Aliso Niguel High School (ANHS). The Winter/Spring 2019 LUMA allows the District (ANHS – Baseball) to use Woodfield Park from January 14, 2019 through April 30, 2019 for a fee of \$600 paid by site funds, as detailed in the LUMA. The Winter/Spring 2019 LUMA is similar to past years’ agreements relating to the use of Woodfield Park.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
8. **AWARD OF BID NO. 1819-07, PAPER AND PLASTIC PRODUCTS FOR FOOD AND NUTRITION SERVICES – P & R PAPER SUPPLY COMPANY, INCORPORATED:** Page 343  
**EXHIBIT 8**  
Approval of Award of Bid No. 1819-07, Paper and Plastic Products for Food and Nutrition Services to P & R Paper Supply Company, Incorporated. Five bids were received and opened on December 13, 2018 and are listed on Exhibit A. The bidder offering the lowest price based on the lowest average cost of all items within each category was used to determine the lowest responsive and responsible bidder. P & R Paper Supply Company, Incorporated is the lowest responsive, responsible bidder. The initial contract term is January 1, 2019 through December 31, 2019 and may be extended by mutual agreement of both parties and upon Board approval for a renewal term not-to-exceed two additional one year periods. Annual expenditures under this contract are estimated to be \$424,000 funded by the cafeteria fund. Actual expenditures may vary depending on District needs and the availability of funding.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
9. **CONTRACT FOR SUMMER FOOD SERVICE PROGRAM – ORANGE COUNTY PUBLIC LIBRARIES:** Page 357  
**EXHIBIT 9**  
Approval of the contract for participation in the Summer Food Service Program maintained by Food and Nutrition Services and Orange County Public Libraries, in partnership with San Juan Capistrano Library. The contract allows for providing meals to children, as qualified by United States Department of Agriculture Seamless Summer Feeding Program at the San Juan Capistrano Library.

The program operates from June 17, 2019 through August 2, 2019, Monday through Thursday providing meals to children 18 years of age and under. There is no financial impact.

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

10. **FIRST EXTENSION OF BID NO. 1718-22, CHILD SAFETY ALERT SYSTEMS PRODUCT AND INSTALLATION – A-Z BUS SALES, INCORPORATED:** Page 364  
**EXHIBIT 10**  
Approval of First Extension of Bid No. 1718-22, Child Safety Alert Systems Product and Installation awarded to A-Z Bus Sales, Incorporated. Bid No. 1718-22 was awarded to the lowest responsive, responsible bidder on July 25, 2018 for the initial term of June 1, 2018 through August 10, 2018, with optional renewal terms. The vendor agrees to maintain the same pricing under the initial bid award term for the proposed renewal period of August 11, 2018 through August 10, 2019. Annual expenditures utilizing this contract are estimated to be \$160,000 funded by general fund. Actual expenditures may vary depending on availability of funds and District needs.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
11. **SECOND EXTENSION OF BID NO. 1617-07, ELECTRICAL, FIRE PROTECTION AND LOW VOLTAGE SYSTEMS SERVICES – GILBERT & STEARNS, INCORPORATED:** Page 375  
**EXHIBIT 11**  
Approval of Second Extension of Bid No. 1617-07, Electrical, Fire Protection and Low Voltage Systems Services with Gilbert & Stearns, Incorporated. The vendor agrees to maintain the pricing for categories 1 and 3 provided in Exhibit 2-A of the agreement for the renewal period of January 1, 2019 through December 31, 2019. Annual expenditures utilizing this contract are estimated to be \$575,000 funded by general fund. Actual expenditures may vary depending on availability of funds and District needs.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
12. **STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NOS. 3-15-84-0042A, 3-15-84-0042C, 3-15-84-0042D, 3-16-70-2382B, 3-18-70-3176C, 3-18-84-0042E, AND 4-17-84-042E, GENERAL SERVICES ADMINISTRATION SCHEDULE NOS. GS-07F-0298J, GS-07F-0200W, GS-07F-206CA, GS-35F-183DA, GS-35F-0499N, 47QSWA18D0022, AND GS-07F-0326T, INFORMATION AND NON-INFORMATION TECHNOLOGY GOODS AND SERVICES –VARIOUS VENDORS:** Page 401  
**EXHIBIT 12**  
Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract Nos. 3-15-84-0042A, 3-15-84-0042C, 3-15-84-0042D, 3-16-70-2382B, 3-18-70-3176C, 3-18-84-0042E, and 4-17-84-042E, General Services Administration Schedule Nos. GS-07F-0298J, GS-07F-0200W, GS-07F-206CA, GS-35F-183DA, GS-35F-0499N, 47QSWA18D0022, and GS-07F-0326T, and any subsequent revisions, amendments, and extensions awarded to various vendors and authorized resellers, for the purchase of information and non-information technology goods and services, as needed by the District. Specifically, the Maintenance and Operations department intends to utilize these contracts to procure various brands of security alarm systems and incidental services. With the varied conditions of our school and facility sites, one brand is not applicable to all. Each CMAS contract covers a different brand of time and alarm systems. The District can utilize such contracts pursuant to California Public Contract Code §§ 10298, 10299, and 12100 et. seq. without going to bid. The prices offered by the contractor have been assessed to be fair, reasonable, and competitive. Staff determined it is in the best interest of the District to utilize the state contracts for the purchase of various brands of time and alarm systems and incidental services. Due to the size of the contracts and award documentation, it is posted online on the District Board Agendas and Supporting Documentation page.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

13. **RESOLUTION NO. 1819-31, AUTHORIZATION TO RENEW A COMMUNITY SERVICE PROGRAM CERTIFICATION THROUGH THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY:** Page 404  
**EXHIBIT 13**
- Approval of Resolution No. 1819-31, Authorization to Renew a Community Service Program (SP) Certification through the Department of Resources Recycling and Recovery (CalRecycle). Due to fraud with the California Redemption Value, the state of California implemented rules requiring any person, operation, or entity be certified by CalRecycle when redeeming daily loads in excess of 100 pounds of plastic or aluminum. Resolution No. 1819-31 will acknowledge the state's CalRecycle program and authorize the Chief Facilities Officer, Facilities/Maintenance and Operations to submit an application for SP status and certification. There is no financial impact.
- Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

14. **RESOLUTION NO. 1819-30, AUTHORIZING AN INCREASE TO THE PROPERTY AND LIABILITY REVOLVING CASH ACCOUNT:** Page 408  
**EXHIBIT 14**
- The District's property and liability claims are insured by the Alliance of Schools for Cooperative Insurance Program (ASCIP). The District has a \$100,000 deductible for each liability claim and a \$25,000 deductible for each property claim. The District set up a trust account at Wells Fargo bank to pay the property and liability claims under the District's deductible and has been maintaining a balance of \$30,000 in the bank account. Due to having a large liability deductible, having \$30,000 in the account is not enough. When there is not enough money in the account, ASCIP cannot issue payments to pay claims on behalf of the District; therefore, ASCIP is requesting the District to increase the balance in the account.
- Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

#### **CURRICULUM AND INSTRUCTION**

15. **MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA CONNECTIONS ACADEMY SOUTHERN CALIFORNIA:** Page 411  
**EXHIBIT 15**
- Approval of Memorandum of Understanding (MOU) with California Connections Academy Southern California (CalCA Social). The District's Board of Trustees approved CalCA Social charter renewals on May 11, 2009 and May 26, 2014. The District's Board approved a third renewal on December 12, 2018 for a five-year term, commencing July 1, 2019, subject to CalCA Social's agreement to enter into an MOU addressing the conditions set in Resolution No. 1819-23, approved on December 12, 2018. The District and CalCA Social agree the charter renewal petition shall be deemed approved as modified by the MOU. The terms of the MOU are intended by both the District and CalCA Social to become part of the approved charter.
- Contact: Susan Holliday, Associate Superintendent, Education Services*
16. **ADDENDUM NO. 01 TO STATEMENT OF WORK UNDER THE AGREEMENT FOR USE OF EMERALD COVE OUTDOOR SCIENCE INSTITUTE, FACILITIES, SUPPLIES, EQUIPMENT, AND SERVICES, PUBLIC SCHOOL DISTRICTS, SCHOOL YEAR 2018-2019:** Page 418  
**EXHIBIT 16**
- Approval of Addendum No. 01 to Statement of Work under the Agreement for Use of Emerald Cove Outdoor Science Institute, Facilities, Supplies, Equipment, and Services Public School Districts School Year 2018-2019. The Board approved the original agreement at the July 25, 2018 Board meeting for nine schools to participate in the Emerald Cove Outdoor Science Institute overnight science camp. Laguna Niguel Elementary School has recently expressed an interest in attending the outdoor science camp from April 17 – 19, 2019. An addendum to the original agreement is required in order to add this additional request. The total estimated expenditure is \$17,995 funded by gift funds from the school site.
- Contact: Susan Holliday, Associate Superintendent, Education Services*

17. **INCOME AGREEMENT NO. 47604 WITH ORANGE COUNTY DEPARTMENT OF EDUCATION FOR CALIFORNIA HEALTHY KIDS SURVEY INFOGRAPHICS:** Page 421  
**EXHIBIT 17**  
Approval of Income Agreement No. 47604 with Orange County Department of Education (OCDE) for California Healthy Kids Survey (CHKS) Infographic. Staff from OCDE Evaluation Assessment and Data Center will assist the District with the development of a four-page District infographic displaying summary data from the elementary, middle and high school CHKS main reports. Additional school level infographics will also be developed. The total cost will not exceed \$3,852 funded by Local Control Funding Formula Supplemental funding.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
18. **ADDENDUM TO THE AGREEMENT FOR PARTICIPATION WITH INSIDE THE OUTDOORS SCHOOL PROGRAMS FOR 2018-2019 AGREEMENT NUMBERS S11046-7, S11046-8, S11046-9 AND S11046-10:** Page 435  
**EXHIBIT 18**  
Approval of Addendum to the Agreement for Participation with Inside the Outdoors School Programs for 2018-2019 Agreement Numbers S11046-7, S11046-8, S11046-9 and S11046-10. 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 \$4,650 funded by grants, site and/or gift funds from each participating school site.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
19. **AGREEMENT WITH KID HEALTHY/ONE OC:** Page 445  
**EXHIBIT 19**  
Approval of the Agreement with Kid Healthy/One OC from January 7, 2019 through May 30, 2019 for Marblehead Elementary School. Kid Healthy/One OC will provide four recess events and training materials. Topics covered include advocacy, nutrition, physical activity, volunteerism, playground management and safety. The cost of \$2,200 will be funded by Title I funds.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
20. **AGREEMENT FOR PARTICIPATION WITH THE YMCA OF ORANGE COUNTY LAGUNA NIGUEL TO PROVIDE A PHYSICAL EDUCATION PROGRAM FOR STUDENTS AT CASTILLE ELEMENTARY SCHOOL FOR THE REMAINDER OF THE 2018-2019 SCHOOL YEAR:** Page 447  
**EXHIBIT 20**  
Approval of Agreement for Participation with the YMCA of Orange County Laguna Niguel, to provide Physical Education (P.E.) Programs for Students at Castille Elementary School for the remainder of the 2018-2019 school year. The YMCA will provide P.E. lessons in grades 1-5 that are modeled after the Physical Education Content Standards for California Public Schools. This program will help sites meet the required 200 minutes of P.E. instruction that students must receive per Education Code as well as providing them with rich, engaging and challenging P.E. instruction. Since 2014-2015, several District schools have successfully partnered with the YMCA to provide P.E. instruction to students. Castille Elementary School will utilize this program for its students in 2019. The classroom teacher of record will be present during all instructional time. The estimated expenditure under this contract is \$12,400 funded by gift funds from the school site.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*

**HUMAN RESOURCE SERVICES**

21. **ANNUAL REPORT – EMPLOYMENT OF RELATIVES:** Page 455  
**EXHIBIT 21**  
Approval of Annual Report – Employment of Relatives 2018-2019 School Year. Board Policy 4112.8, 4212.8, 4312.8, Employment of Relatives, requires the Board of Trustees

be provided the names, positions and work locations of close relatives employed within the same department or work location. The purpose of this policy is to ensure that assignments do not interfere with the orderly supervision, security or morale of the school, department or work location. For purposes of this policy, relative includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, stepchildren, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse or domestic partner. District department administrators and principals were asked to provide information regarding the names and positions of close relatives employed within their work location. The information provided confirms that the assignment of close relatives at the identified work locations is not interfering with the orderly supervision, security or morale of those work locations.

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

22. **COLLEGE OF EDUCATION TUITION DISCOUNT PROGRAM MEMORANDUM OF UNDERSTANDING WITH HOPE INTERNATIONAL UNIVERSITY:** Page 460  
**EXHIBIT 22**  
Approval of College of Education Tuition Discount Program Memorandum of Understanding (MOU) with Hope International University, effective January 25, 2019 and expiring June 30, 2021. This MOU will provide discounted tuition to District employees as an employee benefit.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
23. **INTERNSHIP CONTRACT AGREEMENT WITH BRANDMAN UNIVERSITY:** Page 464  
**EXHIBIT 23**  
Approval of Internship Contract Agreement with Brandman University, effective January 2, 2019 and continuing until January 1, 2021. 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*
24. **SECOND QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT:** Page 476  
**EXHIBIT 24**  
Acceptance of Williams Settlement Legislation Uniform Complaint Second Quarter Report. As a result of the Williams Settlement, Education Code § 35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, Education Code § 35186 requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. During the second quarter, the District received no complaints.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
25. **STUDENT TEACHING AGREEMENT WITH SAN DIEGO STATE UNIVERSITY:** Page 479  
**EXHIBIT 25**  
Approval of Student Teaching Agreement with San Diego State University, effective January 1, 2019 and expiring June 30, 2023. 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*
26. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 484  
**EXHIBIT 26**  
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*



27. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED** Page 502  
**EMPLOYEES:** EXHIBIT 27  
 Approval of the activity list for employment, separation and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*

**GENERAL FUNCTIONS**

28. **BOARD MEETING DATES 2019 - 2020:** Page 521  
 Approval of the 2019-2020 Board meeting dates. EXHIBIT 28  
*Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office*
29. **SCHOOL BOARD MINUTES:** Page 524  
 Approval of the December 12, 2018 Regular Board meeting minutes. EXHIBIT 29  
*Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office*

**DISCUSSION/ACTION ITEMS**

30. **PRESENTATION AND RECEIPT OF THE DISTRICT AND COMMUNITY FACILITIES DISTRICTS ANNUAL FINANCIAL REPORTS FOR THE FISCAL YEAR ENDING JUNE 30, 2018:** DISCUSSION/  
 ACTION  
 State law requires each school district in California have an annual audit conducted by a state-certified independent auditor. The audit is conducted according to generally accepted auditing standards, specific guidelines and procedures set by the State Controller's office. Under state law, annual fiscal audits are neither accepted nor rejected by a board, but merely received by the district. For record keeping purposes, the Board of Trustees has annually adopted a motion indicating recognition of receipt of the District annual audit report. Additionally, the Board requested staff to provide an audit on the Community Facilities Districts (CFDs). This audit will be conducted annually for all CFDs. This agenda item pertains to the presentation of the 2017-2018 fiscal year Annual Financial Reports to the Board of Trustees. The Annual Financial Reports for the fiscal year ending June 30, 2018 were completed by the firm Nigro and Nigro, PC, Certified Public Accountants. Page 535  
**EXHIBIT 30**  
*CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.*  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, who will introduce a partner from the audit firm Nigro and Nigro, PC to present a summary of the audit reports for the year ending June 30, 2018.

Following discussion, it is recommended the Board of Trustees receive the District and Community Facilities Districts Annual Financial Reports for the fiscal year ending June 30, 2018.

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

31. **PRESENTATION ON SCHOOL IMPACTS FROM STATE ROUTE 241 TOLL ROAD EXTENSION ALTERNATIVES:** INFORMATION/  
 DISCUSSION  
 The Board will receive an information presentation from the District's special counsel and Deputy Superintendent, Business and Support Services on the potential school impacts from certain SR-241 toll road extension alignments being considered by the Foothill/Eastern Transportation Corridor Agency. Page 666  
**EXHIBIT 31**

**CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.**

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services and the District’s special counsel, 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.

**32. GOVERNOR’S JANUARY BUDGET PROPOSAL FOR FISCAL YEAR 2019-2020:**

On January 16, 2019, staff attended the School Services of California Governor’s Budget Workshop. Trustees will be provided with a brief presentation due to the short time between the School Services workshop on January 16, 2019 and the Board meeting on January 24, 2019.

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

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

Staff Recommendation

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

**33. FIRST READING – BOARD POLICY 3553, FREE AND REDUCED PRICE MEALS:**

The proposed revisions to Board Policy 3553, *Free and Reduced Price Meals* brings language in alignment to suggestions from California School Board Association (CSBA) and other California districts. The revisions include updates from federal and state requirements regarding free and reduced-price meals, confidentiality, and release of records in the District’s food service program. The Board policy was formerly titled *Free and Reduced Lunch Program*. Changes are underlined; deletions are struck through.

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

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item

Following discussion, it is recommended the Board of Trustees approve Board Policy 3553, *Free and Reduced Price Meals*.

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

**34. FIRST READING – BOARD POLICY 5111.5, LANGUAGE IMMERSION AND INTERNATIONAL BACCALAUREATE ADMISSIONS:**

The proposed revisions to Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions* add an additional matriculation pattern for RH Dana Elementary School. On December 12, 2018, Trustees approved the transition of RH Dana Elementary School to a Spanish Two-way Immersion School. Staff met with site leadership and impacted departments to evaluate potential student matriculation patterns. After feedback from principals, staff is recommending the feeder pattern remain similar to what current students follow; RH Dana Elementary School to Marco Forster Middle School to Dana Hills High School. Changes are underlined; deletions are struck through.

**INFORMATION/  
DISCUSSION**

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**EXHIBIT 32**

**DISCUSSION/  
ACTION**

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**EXHIBIT 33**

**DISCUSSION/  
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**EXHIBIT 34**

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

**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 5111.5, *Language Immersion and International Baccalaureate Admissions*.

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

**35. FIRST READING – BOARD POLICY 5030, STUDENT WELLNESS:**

The proposed revisions to Board Policy, 5030 *Student Wellness* brings language in alignment with suggestions from California School Board Association (CSBA) and the new provisions for Local School Wellness Policies set by the Healthy, Hunger-Free Kids Act, including setting goals for nutrition education, nutrition promotion, and physical activity. The revisions include information related to implementation, evaluation, and publicly reporting on the progress of the local school wellness policy to key stakeholders. The policy changes were developed and reviewed by District staff. Changes are underlined; deletions are struck through.

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

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item

Following discussion, it is recommended the Board of Trustees approve Board Policy 5030, *Student Wellness*.

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

**36. FIRST READING – BOARD POLICY 5141, CONDUCT:**

Board Policy 5141, *Conduct* defines bullying and cyberbullying, identifies the responsibilities of all stakeholders to prevent bullying and explains the complaint procedure to report bullying. Student codes of conduct are designed to serve both the classroom and the individual. The language outlines students’ responsibilities, thus letting individual students know that they need to meet certain standards for their own sake and that of the entire class. “Conduct” covers such a wide variety of behaviors that establishing a formal code within a school system is essential.

Legal counsel has reviewed Board Policy 5141, *Conduct* and has recommended the bullying portion be removed, and become a stand-alone Board Policy. The proposed new Board Policy 5131.2, *Bullying* will clearly define the District’s focus on the prevention of bullying and is also being brought forward for Trustee approval. The proposed revisions to Board Policy 5141, *Conduct* align with the California School Board Association sample policy. Legal counsel has reviewed the policy. Changes are underlined; deletions are struck through. There is no financial impact.

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

**DISCUSSION/  
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EXHIBIT 35**

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EXHIBIT 36**

**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 5141, *Conduct*.

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

**37. FIRST READING - BOARD POLICY 5131.2, BULLYING:**

The District currently has a Board Policy in place to address bullying; Board Policy 5141, *Conduct* defines bullying and cyberbullying, identifies the responsibilities of all stakeholders to prevent bullying and explains the complaint procedure to report bullying. Legal counsel has reviewed Board Policy 5141, *Conduct* and has recommended the bullying portion be removed, and become a stand-alone Board Policy. The proposed new Board Policy 5131.2, *Bullying* will clearly define the District's focus on the prevention of bullying. The proposed policy also aligns with the California School Board Association sample policy. Legal counsel has reviewed the policy. Changes are underlined; deletions are struck through. There is no financial impact.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 5131.2, *Bullying*.

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

**38. SECOND READING – BOARD POLICY 3515, SCHOOL SAFETY AND SECURITY:**

The proposed revisions to Board Policy 3515, *School Safety and Security* brings language in alignment to suggestions from Alliance of Schools for Cooperative Insurance Programs (ASCIP), California School Boards Association (CSBA) and other California districts regarding the use of surveillance cameras on school campuses. The policy changes were developed by District staff and all site administrators have had the opportunity to review and comment on the Board Policy as written. There is no financial impact.

***CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.***

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 3515, *School Safety and Security*.

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

**DISCUSSION/  
ACTION  
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EXHIBIT 37**

**DISCUSSION/  
ACTION  
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EXHIBIT 38**

**39. RIGHT OF ENTRY AGREEMENT – MISSION RESOURCE CONSERVATION DISTRICT:**

**DISCUSSION/  
ACTION**

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**EXHIBIT 39**

The Board is asked to consider a Right of Entry Agreement for the purpose of granting a non-exclusive license to Mission Resource Conservation District to enter upon District property to control and/or remove the invasive non-native plant *Arundo donax* (giant reed). Mission Resource Conservation District entered into a Memorandum of Understanding with the City of San Juan Capistrano to preserve and maintain San Juan Creek which crosses over District property at Harold Ambuehl Elementary School. The right of entry would begin on the effective date of the agreement and remain effective for a period of 10 years, unless mutually extended. The agreement may be terminated by either party with or without cause with 30 days written notice. There is no financial impact to the District.

*CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.*

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees provide direction to staff on the Right of Entry Agreement –Mission Resource Conservation District.

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

**ADJOURNMENT**

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

**THE NEXT MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, FEBRUARY 13, 2019, 6:00 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.*