

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

**REVISED**

April 25, 2019

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/Kathy Purcell

Attorney – Ernest Bell

Significant Exposure to Litigation – Four Cases

ADR Case Number 20190212

ADR Case Number 20190301

ADR Case Number 20190304

ADR Case Number 20190320

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

Clark Hampton

Attorney – Kelly Cauvel

Significant Exposure to Litigation – One Case

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

**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 – Three Cases

OAH Case Number 2018110162

OAH Case Number 2018120830

OAH Case Number 2019020057

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

**EXHIBIT B-1**

**EXHIBIT B-2**

**EXHIBIT B-3**

**C. STUDENT EXPULSIONS**

Mike Beekman

Eight Cases

Case # 2019-043

Case # 2019-047

Case # 2019-048

Case # 2019-049

Case # 2019-050

Case # 2019-051

Case # 2019-053

Case # 2019-054

**EXHIBIT C-1**

**EXHIBIT C-2**

**EXHIBIT C-3**

**EXHIBIT C-4**

**EXHIBIT C-5**

**EXHIBIT C-6**

**EXHIBIT C-7**

**EXHIBIT C-8**

**D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

Susan Holliday/Tim Brooks

*(Pursuant to Government Code § 54957)*

**EXHIBIT D-1**

Tim Brooks  
Attorney – Anthony P. De Marco  
One Case  
(Pursuant to Government Code § 54957)

**EXHIBIT D-2**

**E. CONFERENCE WITH LABOR NEGOTIATORS**

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

Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
- 2) California School Employees Association (CSEA)
- 3) Teamsters
- 4) Capistrano Unified Management Association (CUMA)

(Pursuant to Government Code § 54957.6)

**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**

Aliso Niguel High School

Deni Christensen, *Principal*

Brian Brosamer, *Activities Director*

Audrey McKeon, *Associated Student Body President*

**Extra Miler**

Aliso Niguel High School Marching Band for earning their third consecutive Gold Medal at the Southern California School Band and Orchestra Association's Field Band Championships, under the direction of Band Director David Weinberg, Drum Majors Brennan Liu and Justin Ryoo, and Color Guard Captains Megan Long, Nadia Origenes and Lani Suyama.

**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 HEARINGS**

1. **PUBLIC HEARING: CAPISTRANO UNIFIED EDUCATION ASSOCIATION'S INITIAL PROPOSAL FOR NEGOTIATIONS AND CAPISTRANO UNIFIED SCHOOL DISTRICT'S INITIAL PROPOSAL TO CAPISTRANO UNIFIED EDUCATION ASSOCIATION FOR 2019-2020 NEGOTIATIONS:**

The Board will conduct a Public Hearing on receiving the Capistrano Unified Education Association's (CUEA) and Capistrano Unified School District's initial proposals for negotiations for the 2019-2020 school year.

Page 1

**EXHIBIT 1**

This Public Hearing is conducted to meet the sunshining requirements set forth in Government Code § 3547. Supporting documentation can be found on the District website at [www.capousd.org](http://www.capousd.org).

***CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.***  
***Contact: Tim Brooks, Associate Superintendent, Human Resource Services***

Staff Recommendation

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

**2. PUBLIC HEARING: OXFORD PREPARATORY ACADEMY CHARTER SCHOOL ADMISSIONS PREFERENCES:** Page 3  
**EXHIBIT 2**

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. Oxford Preparatory Academy (OPA) charter school has presented a renewal petition for a Charter School within the District that includes admission preferences on page 108. Due to the size of the exhibit, the information can be viewed by clicking [here](#). Pursuant to changes made by Assembly Bill 1360, effective October 13, 2017, a charter school's petition must include admission policies and procedures. Additionally, any priority order for preferences in admission must be in a charter school's petition and have been approved by the authorizer at a public hearing per Education Code § 47605(d) (2) (B) (i). The admission preferences as outlined in consent agenda item 24 align to the OPA Charter Petition Renewal.

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

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

Staff Recommendation

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

**CONSENT CALENDAR**

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

**BUSINESS AND SUPPORT SERVICES**

**3. DONATION OF FUNDS AND EQUIPMENT:** Page 5  
**EXHIBIT 3**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$286,506.88 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

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

**4. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 9  
**EXHIBIT 4**

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 \$1,968,415.82 and the commercial warrants total \$16,642,733.97. 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*

- 5. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 109  
**EXHIBIT 5**  
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 12 new agreements totaling \$330,767.88 and 7 amendments to existing agreements totaling \$20,000. 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 [here](#).  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 6. AWARD BID NO. 1819-14, DANA HILLS HIGH SCHOOL KITCHEN MODERNIZATION – HAMEL CONTRACTING, INCORPORATED:** Page 316  
**EXHIBIT 6**  
Approval of Award of Bid No. 1819-14, Dana Hills High School Kitchen Modernization to Hamel Contracting, Incorporated. Four bids were received and opened on March 14, 2019 and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. Hamel Contracting, Incorporated is the lowest responsive, responsible bidder at \$708,008. This project will be funded by the cafeteria fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 7. AWARD BID NO. 1819-17, PALISADES ELEMENTARY SCHOOL MODERNIZATION PROJECT – KEYSTONE BUILDERS, INCORPORATED:** Page 350  
**EXHIBIT 7**  
Approval of Award of Bid No. 1819-17, Palisades Elementary School Modernization Project to Keystone Builders, Incorporated. Five bids were received and opened on March 21, 2019 and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. Keystone Builders, Incorporated is the lowest responsive, responsible bidder at \$3,996,000. This project will be funded by CFD 98-1A and CFD 98-1B.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 8. CHANGE ORDER NO. 2, RESOLUTION NO. 1718-28, ENERGY SERVICE CONTRACT – REC SOLAR PROJECT:** Page 387  
**EXHIBIT 8**  
Approval of Change Order No. 2, Resolution. No. 1718-28 for the Energy Service Contract related to the District’s request to help expedite the construction for the Districtwide solar installation projects at four sites: San Clemente High School, Dana Hills High School, Tesoro High School, and Aliso Niguel High School. The District asked the contractor to escalate the schedule and perform the foundation drill, column set and foundation pour at San Clemente High School. The accelerated schedule will help utilize the limited resources available in the industry at this time and ensure minimal impact to the summer school projects. 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 \$17,563,660. The new contract sum including Change Order No. 2 is \$18,248,768.51 funded by Clean Renewable Energy Bonds (CREBS). The financial implication related to Change Order No. 2 is \$12,528.25. With this change order, the project continues to remain under budget.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

9. **FILING A NOTICE OF EXEMPTION FOR THE AMBUEHL ELEMENTARY SCHOOL MODERNIZATION PROJECT:** Page 398  
**EXHIBIT 9**

Approval of the filing of a Notice of Exemption for the Ambuehl Elementary School Modernization in compliance with California Environmental Quality Act (CEQA) Guidelines § 15302. The Facilities Construction Department drafted a Supplemental Information attachment to the Notice of Exemption for the proposed Ambuehl Elementary School Modernization. The Supplemental Information lists the categorical exemptions related to this project in compliance with CEQA Guidelines § 15302 and § 15314. With the consent of the Board, CEQA requirements will be satisfied and District staff will move forward with the completion of the Notice of Exemption for the Ambuehl Elementary School Modernization. There is no financial impact.

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

10. **FILING A NOTICE OF EXEMPTION FOR THE PALISADES ELEMENTARY SCHOOL HEATING, VENTILATION, AND AIR CONDITIONING FOR MAIN BUILDINGS, RETAINING WALL REPAIR AND NEW PORTABLE PROJECT:** Page 410  
**EXHIBIT 10**

Approval of the filing of a Notice of Exemption for the Palisades Elementary School Heating, Ventilation, and Air Conditioning (HVAC) for Main Buildings, Retaining Wall Repair and New Portable in compliance with California Environmental Quality Act (CEQA) Guidelines § 15302. The Facilities Construction Department drafted a Supplemental Information attachment to the Notice of Exemption for the proposed Palisades Elementary School HVAC for Main Buildings, Retaining Wall Repair and New Portable. The Supplemental Information lists the categorical exemptions related to this project in compliance with CEQA Guidelines § 15302 and § 15314. With the consent of the Board, CEQA requirements will be satisfied and District staff will move forward with the completion of the Notice of Exemption for the Palisades Elementary School HVAC for Main Buildings, Retaining Wall Repair and New Portable. There is no financial impact.

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

11. **STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NOS. 4-18-23-0049A, 4-18-23-0049B, 4-18-51-0061A, 4-18-51-0061C, 4-18-56-0071A, 4-18-56-0071B, 4-18-84-0063A, and 4-18-84-0063B, NON-INFORMATION TECHNOLOGY GOODS AND SERVICES – VARIOUS VENDORS:** Page 422  
**EXHIBIT 11**

Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract Nos. 4-18-23-0049A, 4-18-23-0049B, 4-18-51-0061A, 4-18-51-0061C, 4-18-56-0071A, 4-18-56-0071B, 4-18-84-0063A, and 4-18-84-0063B, General Services Administration Schedule Nos. GS-30F-0018U, GS-30F-0008S, GS-06F-0049S, GS-06F-0035M, GS-07F-0009Y, GS-07F-5666R, GS-07F-9515S, and GS-07F-0377V and any subsequent revisions, amendments, and extensions awarded to various vendors and authorized resellers, for the purchase of 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 heating, ventilation, and air conditioning (HVAC) systems, hardware, accessories, units, warranty, and incidental services. With the varied conditions of our schools and facilities, one brand is not applicable to all. Each CMAS contract covers a different brand of HVAC products. The District can utilize such contracts pursuant to California Public Contract Code §§ 10298, 10299, and 12100 et. seq. without going to bid. The prices offered by the contractors have been assessed to be fair, reasonable, and competitive. Staff determined it is in the best interest of the District to utilize the state contracts for the purchase of various brands of HVAC and incidental services. Due to the size of the contracts and award documentation, they are posted online on the District Board Agendas and Supporting Documentation page [here](#).

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

12. **STATE OF CALIFORNIA CONTRACT NO. 4-14-65-0028A, NON-INFORMATION TECHNOLOGY GOODS – ZOLL MEDICAL CORPORATION:** Page 425  
**EXHIBIT 12**  
Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract No. 4-14-65-0028A, General Services Agreement Schedule No. V797D-40135, Non-Information Technology Goods and any subsequent revisions, amendments, and extensions awarded to Zoll Medical Corporation for the purchase of defibrillators, accessories, and replacement parts, 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. Recent enacted legislation requires all school districts with interscholastic athletic programs to have at least one automated external defibrillator (AED) for each school within the school district by July 1, 2019. District staff determined it is in the best interest of the District to utilize the state contract to purchase AED devices with associated training and warranty. The manufacturer of the AED device selected by District staff is only available through authorized distributors, whose documentation is posted along with the CMAS agreement. Due to the size of the contract and award documentation, it is posted online on the District Board Agendas and Supporting Documentation page [here](#).  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

### CURRICULUM AND INSTRUCTION

13. **AGREEMENT TO REFER STUDENTS TO ORANGE COUNTY SUPERINTENDENT OF SCHOOLS FOR ALTERNATIVE COMMUNITY AND CORRECTIONAL EDUCATIONAL SCHOOLS AND SERVICES FOR JUNE, JULY AND AUGUST 2019:** Page 428  
**EXHIBIT 13**  
Approval of Agreement to Refer Students to Alternative Community and Correctional Educational Schools and Services for June, July and August 2019. Since July 2010, the Alternative Community and Correctional Educational Schools and Services (ACCESS) has provided District high school students the opportunity to remediate credit deficiencies during June, July and August. Each year the District must enter into an Agreement to refer students to ACCESS for services. This agreement allows ACCESS to enroll District students for the purpose of remediating high school credit deficiencies during the months of June, July and August. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
14. **AGREEMENT WITH ASSOCIATION FOR SUPERVISION AND CURRICULUM DEVELOPMENT TO PROVIDE PROFESSIONAL DEVELOPMENT TO TEACHERS AT HIDDEN HILLS ELEMENTARY SCHOOL FOR 2019-2020:** Page 431  
**EXHIBIT 14**  
Approval of Agreement with Association for Supervision and Curriculum Development (ASCD) will provide a variety of resources including professional learning services. Aida Allen is a consultant for ASCD who provides training and support in the Framework for Intentional and Targeted Teaching model. The model emphasizes the importance of effective and intentional planning, cultivating a positive learning environment, focused instruction, gradual release of responsibility, and effective use of assessment data. Teachers at Hidden Hills Elementary School would receive four days of professional development and job embedded coaching. The cost for the contract is \$22,000, funded by site Title I funds.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
15. **SECOND READING – BOARD POLICY 5145.13, IMMIGRATION ENFORCEMENT:** Page 439  
**EXHIBIT 15**  
Approval of the proposed new Board Policy 5145.13, *Immigration Enforcement*, will align the District to recent changes in law. Assembly Bill 699, signed into law in October 2017, expressly added “immigration status” as a specified protected characteristic for purposes of anti-discrimination and equal protection laws in schools.

This policy also reflects current California School Board Association's sample language. Legal counsel has reviewed the policy. There is no financial impact.

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

16. **BROADENING THE COURSE OF STUDY – NEW CAREER TECHNICAL EDUCATION COURSE, EXPLORATION OF CHILD AND ADOLESCENT LITERATURE:** Approval of Broadening the Course of Study: New Career Technical Education Course, Exploration of Child and Adolescent Literature. The following high school course is proposed for the 2019-2020 course catalog in accordance with Board Policy 6143, *Courses of Study: Exploration of Child and Adolescent Literature*. Upon approval, the course will be offered in the 2019-2020 school year. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services* Page 441  
**EXHIBIT 16**
17. **BROADENING THE COURSE OF STUDY – NEW CAREER TECHNICAL EDUCATION COURSE, FORENSIC PSYCHOLOGY:** Approval of Broadening the Course of Study: New Career Technical Education Course, Forensic Psychology. The following high school course is proposed for the 2019-2020 course catalog in accordance with Board Policy 6143, *Courses of Study: Forensic Psychology*. Upon approval, the course will be offered in the 2019-2020 school year. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services* Page 454  
**EXHIBIT 17**
18. **BROADENING THE COURSE OF STUDY – NEW SECONDARY COURSE, INTERNATIONAL BACCALAUREATE FILM STUDIES HIGHER LEVEL:** Approval of Broadening the Course of Study: New Secondary Course, International Baccalaureate (IB) Film Studies Higher Level. The following high school course is proposed for the 2019-2020 course catalog in accordance with Board Policy 6143, *Courses of Study: IB Film Studies Higher Level*. This course does not have a prerequisite and it will be available to students in grades 11 and 12. Upon approval, the course will be offered in the 2019-2020 school year. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services* Page 471  
**EXHIBIT 18**
19. **BROADENING THE COURSE OF STUDY – NEW SECONDARY COURSE, INTERNATIONAL BACCALAUREATE GLOBAL POLITICS HIGHER LEVEL:** Approval of Broadening the Course of Study: New Secondary Course, International Baccalaureate (IB) Global Politics Higher Level. The following high school course is proposed for the 2019-2020 course catalog in accordance with Board Policy 6143, *Courses of Study: International Baccalaureate (IB) Global Politics Higher Level*. This course will be available to students in grade 12. The prerequisite for this course is successful completion of IB American History. Upon approval, the course will be offered in the 2019-2020 school year. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services* Page 477  
**EXHIBIT 19**
20. **BROADENING THE COURSE OF STUDY – NEW CAREER TECHNICAL EDUCATION COURSE, INTRO TO BUSINESS:** Approval of Broadening the Course of Study: New Career Technical Education Course, Intro to Business. The following high school course is proposed for the 2019-2020 course catalog in accordance with Board Policy 6143, *Courses of Study: Intro to Business*. Upon approval, the course will be offered in the 2019-2020 school year. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services* Page 483  
**EXHIBIT 20**

21. **MEMORANDUM OF UNDERSTANDING WITH COMMUNITY ROOTS ACADEMY:** Page 494  
**EXHIBIT 21**  
Approval of Memorandum of Understanding (MOU) with Community Roots Academy (CRA). The District’s Board of Trustees (Board) approved CRA’s charter renewal March 26, 2014. The District’s Board approved a second renewal on March 27, 2019 for a five-year term, commencing July 1, 2019, subject to CRA’s agreement to enter into an MOU addressing the conditions set forth in Resolution No. 1819-38, approved on March 27, 2019. The District and CRA 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 CRA to become part of the approved charter.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
22. **ADDENDUM TO THE AGREEMENT FOR AN ADDITIONAL SCHOOL PARTICIPATING IN INSIDE THE OUTDOORS FIELD PROGRAMS, AGREEMENT NUMBER F11029-7:** Page 500  
**EXHIBIT 22**  
Approval of Addendum to the Agreement for an Additional School Participating in Inside the Outdoors Field Programs, Agreement Number F11029-7. District schools routinely participate in the Orange County Department of Education’s outdoor science school/field trip programs and “Traveling Scientist” programs and assemblies. An additional site has expressed interest in the Field 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 addendum is \$603.50, funded by site and/or gift funds.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
23. **ADDENDUMS TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN THE INSIDE THE OUTDOORS SCHOOL PROGRAM, AGREEMENT NUMBERS S11046-15 AND S11046-16:** Page 503  
**EXHIBIT 23**  
Approval of Addendums to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Numbers S11046-15 and S11046-16. District schools routinely participate in the Orange County Department of Education’s outdoor science school/field trip programs and “Traveling Scientist” programs and assemblies. Two additional sites have expressed interest in the “Traveling Scientist” Program for the 2018-2019 school year, which will provide school assemblies by traveling naturalists on various science topics. The estimated expenditure under these contract addendums is \$2,043, funded by grants and site and/or gift funds from each participating school site.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
24. **OXFORD PREPARATORY CHARTER SCHOOL ADMISSIONS PREFERENCES:** Page 509  
**EXHIBIT 24**  
Approval of the admissions preferences identified in Oxford Preparatory Academy Charter School’s (OPA) Charter Petition Renewal in the following priority order 1) Children of OPA staff\* residing within the District (combined with 4, this will not exceed 10 percent of total enrollment); 2) Siblings of students admitted to or attending the Charter School residing within the District; 3) Children residing within the District; 4) Children of OPA staff\* residing outside of the District (combined with 1, this will not exceed 10 percent of total enrollment); 5) Siblings of students admitted to or attending the Charter School residing outside of the District; and 6) All other applicants. Pursuant to changes made by Assembly Bill 1360, effective October 13, 2017, a charter school’s petition must include admission policies and procedures. Additionally, any priority order for preferences in admission must be in a charter school’s petition and have been approved by the authorizer at a public hearing per Education Code § 47605 (d) (2) (B) (i). The admissions preferences provided in the exhibit align to the OPA Charter Renewal Petition.



*\*OPA staff is defined as current employees of OPA at the time of the lottery, who work 0.75 Full Time Equivalent (30 hours per week) or greater.*

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

25. **AGREEMENT WITH OPPORTUNITIES FOR LEARNING TO OFFER SUMMER SCHOOL PROGRAMS TO DISTRICT STUDENTS:** Page 512  
**EXHIBIT 25**  
Approval of Agreement with Opportunities for Learning to offer summer school programs to District students, from July 1, 2019 to July 26, 2019. This agreement will enable an expansion of the current District high school summer school program. Courses will include Geometry and Health for acceleration purposes, a summer Algebra remediation program, World Language courses and non-University of California a-g options for students in Math. Programs will be expanded to additional high school campuses opening greater accessibility to students. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
26. **AGREEMENT FOR PARTICIPATION WITH THE YMCA OF ORANGE COUNTY LAGUNA NIGUEL, TO PROVIDE A PHYSICAL EDUCATION NOONTIME SPORTS PROGRAM FOR STUDENTS AT DEL OBISPO ELEMENTARY SCHOOL 2018-2019:** Page 531  
**EXHIBIT 26**  
Approval of the Ratification of Agreement for Participation with the YMCA of Orange County Laguna Niguel, to Provide a Physical Education (P.E.) Noontime Sports Program for Students at Del Obispo Elementary School. This program would provide students with organized sports during lunch/recess time two or three times per week, for approximately two hours per day. Other District schools have successfully partnered with the YMCA to provide lunchtime P.E. instruction to students. Del Obispo Elementary School would like to utilize this program. The estimated expenditure under this contract is \$2,700, funded by the Del Obispo Foundation.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
27. **MEMORANDUM OF UNDERSTANDING WITH LAGUNA BEACH UNIFIED SCHOOL DISTRICT:** Page 539  
**EXHIBIT 27**  
Approval of the ratification of the Memorandum of Understanding (MOU) 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 MOU was approved at the December 12, 2018 Board meeting. The MOU originally provided to Trustees needed to be further revised and updated to reflect the hourly rate of the program cost listed in Exhibit A of the MOU. 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*
28. **RESOLUTION NO: 1819-40, APPROVAL FOR LICENSING CANYON VISTA ELEMENTARY SCHOOL AS A PRESCHOOL CHILD CARE CENTER:** Page 546  
**EXHIBIT 28**  
Approval of Resolution No. 1819-40, *Approval for Licensing Canyon Vista Elementary School as a Preschool Child Care Center*. The Community Care Licensing Division issues a state license for a Preschool Child Care Center upon request. This resolution would affirm the addition of a preschool program at Canyon Vista Elementary School beginning with the 2019-2020 school year and beyond.  
*Contact: Gregory Merwin, Associate Superintendent, Student Support Services*

## HUMAN RESOURCE SERVICES

29. **CALIFORNIA STATE UNIVERSITY, FULLERTON FALL 2018 MASTER TEACHER HONORARIUM GROUP 2:** Page 549  
**EXHIBIT 29**  
Approval of payment of honorarium to a District Master Teacher who supported a California State University, Fullerton (CSUF) Student Teacher during the Fall 2018 semester. Current university agreements specify that institutions pay Master Teachers a nominal payment for their supervision and support of Student Teachers. CSUF has agreed to reimburse the District for the cost of these Master Teacher payments. The compensation amounts vary to the nature of the assignments.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
30. **AUTHORIZATION OF COACHES TO PROVIDE SECOND SEMESTER PHYSICAL EDUCATION CREDIT:** Page 552  
**EXHIBIT 30**  
Approval of teachers who are credentialed in subjects other than Physical Education (P.E.) to provide P.E. credit to students in that respective sport. Districts may assign a teacher with a credential in a subject area other than P.E. to coach a competitive sport and award P.E. credit to students. State law requires that such teachers be full-time employees of a district who have completed a minimum of 20 hours of first-aid instruction, and have been approved by the Board of Trustees. It has been determined all teachers who do not hold a physical education credential, but are assigned coaching activities for which such credit is given, are full-time employees of the District, and have completed cardiopulmonary resuscitation, first-aid instruction and concussion training. There is no financial impact.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
31. **LICENSE AGREEMENT – SOKA UNIVERSITY OF AMERICA:** Page 555  
**EXHIBIT 31**  
Approval of License Agreement with Soka University of America to rent Soka Performing Arts Center for the 2019 Teacher of the Year event. Expenditures under this agreement are not-to-exceed \$5,000 funded by the general fund, and offset by the sale of tickets through the Parent Teacher Association.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*  
*Contact: Ryan Burris, Chief Communications Officer*
32. **RESOLUTION NO. 1819-41, REDUCTION OR ELIMINATION OF CERTAIN CLASSIFIED SERVICES:** Page 568  
**EXHIBIT 32**  
Approval of Resolution No. 1819-41, *Reduction or Elimination of Certain Classified Services* for the 2019-2020 school year.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
33. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 573  
**EXHIBIT 33**  
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*
34. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 602  
**EXHIBIT 34**  
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**

**35. SCHOOL BOARD MINUTES:**

Approval of the March 27, 2019 Special Board Meeting minutes.  
*Contact: Colleen Hayes, Manager II, Superintendent's Office*

Page 625  
**EXHIBIT 35**

**36. SCHOOL BOARD MINUTES:**

Approval of the March 29, 2019 Special Board Meeting minutes.  
*Contact: Colleen Hayes, Manager II, Superintendent's Office*

Page 629  
**EXHIBIT 36**

**DISCUSSION/ACTION ITEMS**

**37. SECOND READING - BOARD POLICY 5153 QUESTIONING:**

The proposed revisions to Board Policy 5153, *Questioning*, bring language in alignment with current law. The proposed policy is modeled after the California School Boards Association's model policy. It eliminated repetitive language and directives based on codes that are no longer active. Legal counsel has reviewed the policy. Staff have also included the Trustee recommended changes from the first reading at the March 13, 2019 Board meeting. Changes are underlined; deletions are struck through. There is no financial impact.

**DISCUSSION/  
ACTION**  
Page 631  
**EXHIBIT 37**

*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 5153, *Questioning*.

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

**38. RESOLUTION NO. 1819-39, FUNDING FOR CHILDREN WITH DISABILITIES:**

Special education is a federal and state mandated education program entitling children with disabilities to receive a free appropriate public education. California's funding formula, Assembly Bill (AB) 602 does not adequately or equitably provide the necessary funding to pay for the increasing costs of providing educational services to students with disabilities. The Board is asked to consider Resolution No. 1819-39, Funding for Children with Disabilities urging Governor Gavin Newsom and the California State Legislature to support and fund AB 428 (Medina).

**DISCUSSION/  
ACTION**  
Page 638  
**EXHIBIT 38**

*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 adopt Resolution No. 1819-39, Funding for Children with Disabilities.

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

**39. BOARD ACTION TO ADOPT DISTRICT'S INITIAL PROPOSAL TO CAPISTRANO UNIFIED EDUCATION ASSOCIATION FOR 2019-2020 NEGOTIATIONS:**

**DISCUSSION/  
ACTION  
Page 641  
EXHIBIT 39**

The Board will consider the Capistrano Unified School District's initial proposal to Capistrano Unified Education Association (CUEA) for 2019-2020 reopener negotiations. As required by Government Code § 3547, after the public has had the opportunity to express itself on the initial proposals, the Board shall approve its initial proposal. ***CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.***  
**Contact: Tim Brooks, Associate Superintendent, Human Resource Services**

Staff Recommendation

It is recommended the Board President recognize, Tim Brooks, Associate Superintendent, Human Resource Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the District's initial proposal to CUEA for 2019-2020 negotiations.

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, MAY 22, 2019, 7:00 P.M.  
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM  
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

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

[www.capousd.org](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.*