

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

January 15, 2020

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 – Three Cases
ADR Case Number 20191022
ADR Case Number 20191119
ADR Case Number 20191123
(Pursuant to Government Code § 54956.9(d)(2))

**EXHIBIT A-1
EXHIBIT A-2
EXHIBIT A-3**

Susan Holliday
Attorney – Anthony De Marco
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d)(2)(3))

EXHIBIT A-4

Susan Holliday
Attorney – Anthony De Marco
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d)(2))

EXHIBIT A-5

Kirsten Vital/Clark Hampton/Susan Holliday
Attorney – David Huff
Significant Exposure to Litigation – Two Cases
(Pursuant to Government Code § 54956.9(d)(2)(3))

EXHIBIT A-6

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Ernest Bell
Significant Exposure to Litigation – Three Cases
OAH Case Number 2019080706
OAH Case Number 2019090689
OAH Case Number 2019100557
(Pursuant to Government Code § 54956.9(d)(1))

**EXHIBIT B-1
EXHIBIT B-2
EXHIBIT B-3**

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

District Negotiators: Kirsten Vital/Clark Hampton
Attorney – Andreas Chialtas
Real Property Consultant – George Peterson

EXHIBIT C-1

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 accordingly to applicable law

Under Negotiation: Price and Terms of Payment
(Pursuant to Government Code § 54956.9)

D. STUDENT READMISSIONS

Mike Beekman

Three Cases

Case # 2019-025

Case # 2019-044

Case # 2019-048

EXHIBIT D-1

EXHIBIT D-2

EXHIBIT D-3

E. STUDENT EXPULSIONS

Mike Beekman

Two Cases

Case # 2020-024

Case # 2020-025

EXHIBIT E-1

EXHIBIT E-2

F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Tim Brooks/Susan Holliday

Three Cases

(Pursuant to Government Code § 54957)

EXHIBIT F-1

EXHIBIT F-2

EXHIBIT F-3

G. 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)

EXHIBIT G-1

EXHIBIT G-2

H. CHALLENGE TO STUDENT RECORDS

Susan Holliday

Attorney – Anthony De Marco

One Case

(Pursuant to Education Code §49070(c))

EXHIBIT H-1

RECORDING OF SCHOOL BOARD MEETINGS

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

OPEN SESSION AT 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

Loren Shrader, San Clemente High School Special Education Teacher, for her work with the Triton Sparkle Team, an all-inclusive cheer team that includes students with and without disabilities.

Associated Student Body

San Clemente High School

Chris Carter, *Principal*

Matt Reid, *Activities Director*

Sophie Smith, *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.

PUBLIC HEARING

1. PUBLIC HEARING: OXFORD PREPARATORY ACADEMY – SOUTH ORANGE COUNTY ADMISSIONS PREFERENCES: Page 1 **EXHIBIT 1**

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. Oxford Preparatory Academy (OPA) - South Orange County (Charter School) has presented a Material Revision to its Charter to reflect a change in the order of its admissions preferences. The admissions preferences would be changed to combine preferences number 1 and number 3, and will not exceed 10 percent of total enrollment. The preferences would be as follows: 1) Children of OPA staff residing within the District (combined with 3, 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 of OPA staff residing outside of the District (combined with 1, this will not exceed 10 percent of total enrollment), 4) Siblings of students admitted to or attending the Charter School residing outside of the District, 5) Children residing within the former Barcelona Hills Elementary School Attendance Boundary, 6) Children residing within the District and 7) All other applicants. Supporting documentation is located in Exhibit 11.

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 that 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

- 2. DONATION OF FUNDS AND EQUIPMENT:** Page 3
EXHIBIT 2

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$129,946.58 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
- 3. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 6
EXHIBIT 3

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 \$2,520,655.77 and the commercial warrants total \$12,920,148.75. 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
- 4. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 95
EXHIBIT 4

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 17 new agreements totaling \$567,039.44 and 7 amendments to existing agreements totaling \$558,760. 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
- 5. KINGS COUNTY OFFICE OF EDUCATION, PROJECT NO. 061119 MICROSOFT PRODUCTS COE-WIDE – SOFTCHOICE CORPORATION:** Page 243
EXHIBIT 5

Approval to utilize the Kings County Office of Education Project No. 061119 Microsoft Products COE-wide and any subsequent revisions, amendments, and extensions awarded to Softchoice Corporation. The District can utilize such contracts pursuant to California Public Contract Code § 20118 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 Kings County Office of Education contract to purchase various Microsoft products. Anticipated annual expenditures utilizing this contract are approximately \$220,000 funded by the general fund. Due to the size of the contract and award, the documentation is posted online on the District's Board Agendas and Supporting Documentation page [here](#).

Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 6. SECOND EXTENSION OF AWARD OF REQUEST FOR PROPOSALS NO. 1-1718, E-RATE CATEGORY ONE – DATA TRANSMISSION SERVICES AND INTERNET ACCESS AND CATEGORY TWO – INTERNAL CONNECTIONS EQUIPMENT AND SERVICES 2017-2018 – MULTIPLE VENDORS:** Page 246
EXHIBIT 6

Approval of Second Extension of Request for Proposals No. 1-1718, E-Rate Category One – Data Transmission Services and Internet Access and Category Two – Internal Connections Equipment and Services 2017-2018 awarded to multiple vendors. The vendors agree to provide the products and services at the rates in the proposals for the proposed renewal term of July 1, 2019 through June 30, 2020. The total estimated fiscal impact for all categories before any E-Rate discounts is over \$7 million; however, after

applying E-Rate discounts, the District's net cost is anticipated to be approximately \$2 million. The projects will be funded by a combination of permitted CFD funds, developer fees, and the general fund. Due to the size of the contracts and award, the documentation is posted online on the District Board Agendas and Supporting Documentation page [here](#).
Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*

7. THIRD EXTENSION OF BID NO. 1617-02, TREE TRIMMING MAINTENANCE SERVICE – WEST COAST ARBORISTS, INCORPORATED: Page 248
EXHIBIT 7

Approval of Third Extension of Bid No. 1617-02, Tree Trimming Maintenance Service with West Coast Arborists, Incorporated. Bid No. 1617-02 was awarded to the lowest responsive, responsible bidder on September 14, 2016 for the initial term of September 27, 2016 through September 26, 2017 with optional renewal terms. On September 13, 2017, the Board approved Extension No. 1 through September 26, 2018. On October 10, 2018, the Board approved the Second Extension through September 26, 2019. The vendor agrees to maintain the same pricing as the initial bid award term for the proposed renewal period of September 27, 2019 through September 26, 2020. Annual expenditures utilizing this contract are estimated to be \$350,000 funded by the general fund and deferred maintenance. Actual expenditures may vary depending on availability of funds and District needs.

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

CURRICULUM AND INSTRUCTION

8. AGREEMENT NO. 48004 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS: Page 266
EXHIBIT 8

Approval of the ratification of Agreement No. 48004 with the Orange County Superintendent of Schools to allow Capistrano Valley High School (CVHS) to participate in the High School Diversity, Inclusion and Racial Healing Ambassador (DIRHA) program. Through a partnership with the University of California, Irvine, School of Social Sciences, the DIRHA program inspires CVHS students to develop a refined sense and understanding of human resilience within and beyond high school campuses by promoting a deeper understanding of diversity, ethnicity and culture. Students have access to mentorship opportunities, seminar courses, local field trips, and other community resources to help facilitate the student-driven projects they conduct on their campuses. The cost of \$4,380 will be reimbursed by the Orange County Department of Education.

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

9. 2019-2020 EVERY STUDENT SUCCEEDS ACT LOCAL CONTROL ACCOUNTABILITY PLAN FEDERAL ADDENDUM ADDITIONAL INFORMATION: Page 273
EXHIBIT 9

Approval of the 2019-2020 Every Student Succeeds Act (ESSA) Local Control Accountability Plan (LCAP) Federal Addendum Additional Information. Districts applying for ESSA funding must complete the new LCAP Federal Addendum as part of meeting the requirements for the ESSA Local Educational Agency (LEA) Plan. The LCAP Federal Addendum was Board approved at the June 12, 2019 Board meeting and was submitted to the California Department of Education (CDE) as part of meeting the requirements for the ESSA LEA Plan. The LCAP Federal Addendum is the District's plan for making the best use of federal ESSA resources in alignment with other federal, state and local programs as described in the LCAP. Various departments at CDE reviewed sections of the addendum and requested additional information. Providing the 2019-2020 ESSA LCAP Federal Addendum additional information will enable the District to receive an estimated \$5.8 million in ESSA federal funding for 2019-2020.

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

10. ADDENDUM TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN THE INSIDE THE OUTDOORS SCHOOL PROGRAMS, AGREEMENT NO. 12025, ADDENDUM NO. 8, 9 AND 11: Page 281
EXHIBIT 10

Approval of Addendums to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement No. 12025-8, 12025-9 and 12025-11. District schools routinely participate in the Orange County Department of Education's outdoor science school/field trip programs and "Traveling Scientist" programs and assemblies.

Arroyo Vista, Hidden Hills, Truman Benedict, Concordia and Wood Canyon Elementary Schools have expressed interest in the "Traveling Scientist" Program for the 2019-2020 school year, which will provide school assemblies by traveling naturalists on various science topics. The estimated expenditures under these contract addendums are \$7,991.50 funded by Title I and/or gift funds from each site. The assemblies at Clarence Lobo, Don Juan Avila and John Malcom Elementary Schools are schedule changes only and there is no financial impact for this addendum.

Contact: Susan Holliday, Associate Superintendent, Education Services

11. RESOLUTION NO. 1920-35, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE MATERIAL REVISION TO CHARTER OF OXFORD PREPARATORY ACADEMY - SOUTH ORANGE COUNTY: Page 290
EXHIBIT 11

Approval of Resolution No. 1920-35 and the Material Revision to the Charter of Oxford Preparatory Academy (OPA) – South Orange County (Charter School). The Charter School has requested a material revision to its charter to reflect a change in the order of its admissions preferences. The admissions preferences would be changed to combine preferences number 1 and number 3, and will not exceed 10 percent of total enrollment. The preferences would be as follows: 1) Children of OPA staff residing within the District (combined with 3, 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 of OPA staff residing outside of the District (combined with 1, this will not exceed 10 percent of total enrollment), 4) Siblings of students admitted to or attending the Charter School residing outside of the District, 5) Children residing within the former Barcelona Hills Elementary School Attendance Boundary, 6) Children residing within the District and 7) All other applicants. There is no financial impact.

Contact: Susan Holliday, Associate Superintendent, Education Services

12. 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 2019-2020: Page 306
EXHIBIT 12

Approval of the agreement with the YMCA of Orange County Laguna Niguel to provide a Physical Education (PE) Noontime Sports Program for students at Del Obispo Elementary School. This program will 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 PE instruction to students. Del Obispo Elementary School would like to utilize this program. The estimated expenditure under this contract is \$5,175 funded by gift funds.

Contact: Susan Holliday, Associate Superintendent, Education Services

13. EXTENDED SCHOOL YEAR PROPOSAL FOR 2020: Page 314
EXHIBIT 13

Approval of the proposed 2020 Extended School Year (ESY) program. California Code of Regulations § 3043, Title 5, establishes that ESY services shall be provided for each individual with exceptional needs who requires special education and related services beyond the regular academic year. A student is eligible for ESY if it is determined by the Individualized Education Program team that interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely the pupil will attain the level of self-sufficiency and

independence that would otherwise be expected in view of his or her disability. For 2020, staff is recommending a 20-day program from June 15, 2020 through July 16, 2020 for ESY students. This will be a five-week program with ESY being offered four days per week (Monday – Thursday) during the five-week period. The proposed ESY classes will be offered at three elementary schools, one middle school, one high school, and one adult transition center, and will serve approximately 1,100 students. The total cost of the special education ESY program is approximately \$1,600,000 funded by special education funds.
Contact: Gregory Merwin, Associate Superintendent, Student Support Services

- 14. LICENSE CONTRACT WITH SEGERSTROM CENTER FOR THE ARTS:** Page 315
Approval of License Contract with Segerstrom Center for the Arts for February 13, 2020. **EXHIBIT 14**
The License Contract is for the license, facility, box office, and cleaning fees for the Secondary Honor Music concert on February 13, 2020. Costs will also cover video streaming, ushers, security and equipment. The total cost of \$29,730.58 will be funded by ticket sale proceeds from the honor music concerts and music gift funds.
Contact: Susan Holliday, Associate Superintendent, Education Services

HUMAN RESOURCE SERVICES

- 15. RECOMMENDATION OF TENTATIVE AGREEMENT WITH TEAMSTERS LOCAL 952, FOR JULY 1, 2019 – JUNE 30, 2022:** Page 338
Approval of the Tentative Agreement between the District and Teamsters Local 952. In addition to the Tentative Agreement, the Public Disclosure Bargaining Agreement is included in the exhibit. The total estimated fiscal impact of this agreement is approximately \$277,600 in 2019-2020 and \$54,400 in 2020-2021. **EXHIBIT 15**
Contact: Tim Brooks, Associate Superintendent, Human Resource Services

- 16. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 353
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. **EXHIBIT 16**
Contact: Tim Brooks, Associate Superintendent, Human Resource Services

- 17. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 380
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. **EXHIBIT 17**
Contact: Tim Brooks, Associate Superintendent, Human Resource Services

GENERAL FUNCTIONS

- 18. SCHOOL BOARD MINUTES:** Page 400
Approval of the December 11, 2019 Regular Board meeting minutes. **EXHIBIT 18**
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office
- 19. SCHOOL BOARD MINUTES:** Page 410
Approval of the December 16, 2019 Special Board meeting minutes. **EXHIBIT 19**
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office
- 20. SCHOOL BOARD MINUTES:** Page 412
Approval of the December 19, 2019 Regular Board meeting minutes. **EXHIBIT 20**
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

21. **2020 - 2021 BOARD MEETING SCHEDULE:**
Approval of the Board Meeting Schedule for the 2020-2021 school year.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

Page 415
EXHIBIT 21

DISCUSSION/ACTION ITEMS

22. **PRESENTATION – EARLY COLLEGE PARTNERSHIP PLAN WITH SADDLEBACK COLLEGE FOR CAPISTRANO VALLEY HIGH SCHOOL:**
The purpose of this item is to brief Trustees and the community on a plan to develop an early college program at Capistrano Valley High School through Saddleback College.
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

**INFORMATION/
DISCUSSION**
Page 418
EXHIBIT 22

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

23. **CALIFORNIA SCHOOL DASHBOARD FALL 2019:**
The state accountability model is focused on one continuous improvement system that meets local, state and federal needs. The three major components are: (1) Local Control Accountability Plan and Annual Update, (2) California School Dashboard and (3) Support and Assistance System. This item will provide background about the California School Dashboard, information about performance levels and colors, Fall 2019 California School Dashboard changes, District performance on the Fall 2019 release of the California School Dashboard and next steps regarding training and communication. 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

**INFORMATION/
DISCUSSION**
Page 434
EXHIBIT 23

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.

24. **DESIGNATION OF TITLE I SCHOOL – CLARENCE LOBO ELEMENTARY SCHOOL 2019-2020:**
Clarence Lobo Elementary School is in the range of identification and designation as a Title I school. Tentative budget allocations for 2019-2020 have been communicated to current Title I schools, and an allocation was reserved for Clarence Lobo Elementary School, if in the event the student percentage of low income exceeds Carl Hankey or Las Palmas Elementary School's and therefore must be identified for Title I. A Clarence Lobo Elementary School Title I needs assessment and plan would need to be developed which would outline proposed goals, monitoring actions, and services tied to the expenditures. Current Title I schools will not receive less funding with Clarence Lobo Elementary School being designated as a Title I school. In year 2020-2021, sites will continue to receive their full allocation and will not be negatively impacted by Clarence Lobo Elementary School being identified as a new Title I school. Federal funding does fluctuate from year to year and in future years allocation may need to be recalibrated. This plan would be brought forward at the February 19, 2020 Board meeting.

**DISCUSSION/
ACTION**
Page 449
EXHIBIT 24

Approximately \$123,000 in Title I funds is being reserved for Clarence Lobo Elementary School.

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 Clarence Lobo Elementary School as a Title I school.

Motion by _____ Seconded by _____

25. GOVERNOR’S JANUARY BUDGET PROPOSAL FOR FISCAL YEAR 2020-2021:

**INFORMATION/
DISCUSSION**

On January 15, 2020, staff attended the School Services of California Governor’s Budget Workshop. Trustees will be provided with a brief presentation due to the limited time between the School Services workshop on January 15, 2020 and the District Board meeting that evening.

Page 457
EXHIBIT 25

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.

26. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY WORLD LANGUAGE/SPANISH, GRADE 7-8:

**DISCUSSION/
ACTION**

Aliso Viejo Middle School has recommended the adoption of the following secondary World Language supplemental novel for Spanish, grade 7-8: *Piratas* ©2008 by Carol Gaab, TPRS Books. This title has been approved by the Instructional Materials Review Committee. Expenditures are estimated at \$800 funded by site funds.

Page 459
EXHIBIT 26

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 adoption of the secondary World Language supplemental novel for Spanish, grade 7-8: *Piratas* ©2008 by Carol Gaab, TPRS Books.

Motion by _____ Seconded by _____

27. INSTRUCTIONAL MATERIALS RECOMMENDED TO PILOT: SECONDARY SCIENCE/BIOLOGY, GRADE 9-12: **DISCUSSION/ ACTION**
Page 462
EXHIBIT 27

Junipero Serra High School has recommended the following secondary Science/Biology textbook to pilot for grade 9-12: *The Living Earth* ©2020 Houghton Mifflin Harcourt Publishing. This title has been approved by the Instructional Materials Review Committee. Expenditures are estimated at \$2,600 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.

Following discussion, it is recommended the Board of Trustees approve the following secondary Science/Biology textbook to pilot for grade 9-12: *The Living Earth* ©2020 Houghton Mifflin Harcourt Publishing.

Motion by _____ Seconded by _____

28. PRESENTATION AND RECEIPT OF THE DISTRICT AND COMMUNITY FACILITIES DISTRICTS ANNUAL FINANCIAL REPORTS FOR THE FISCAL YEAR ENDING JUNE 30, 2019: **DISCUSSION/ ACTION**
Page 465
EXHIBIT 28

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 2018-2019 fiscal year Annual Financial Reports to the Board of Trustees. The Annual Financial Reports for the fiscal year ending June 30, 2019 were completed by the firm Nigro and Nigro, PC, Certified Public Accountants.

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, 2019.

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, 2019.

Motion by _____ Seconded by _____

29. RESOLUTION NO. 1920-36, RESOLUTION TO PROTECT PUPILS, TEACHERS, AND STAFF FROM POTENTIAL SIGNIFICANT IMPACTS AND HARM FROM ENCROACHING PROJECTS:

**DISCUSSION/
ACTION**
Page 603
EXHIBIT 29

Given the numerous developments regarding transportation and other projects being evaluated and approved within the District’s boundaries and adjacent to District schools, and the need to identify and analyze potentially significant impacts or harm to students, teachers, or staff, the Board should consider adoption of Resolution No. 1920-36, Resolution to Protect Pupils, Teachers, and Staff from Potential Significant Impacts and Harm from Encroaching Projects.

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

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

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 adopt Resolution No. 1920-36, Resolution to Protect Pupils, Teachers, and Staff from Potential Significant Impacts and Harm from Encroaching Projects.

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, FEBRUARY 19, 2020, 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.