

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

March 18, 2020

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 – Justin Shinnfield
Significant Exposure to Litigation – Five Cases

ADR Case Number 20191213

ADR Case Number 20200116

ADR Case Number 20200210

ADR Case Number 20200211

ADR Case Number 20202320

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

EXHIBIT A-1

EXHIBIT A-2

EXHIBIT A-3

EXHIBIT A-4

EXHIBIT A-5

Clark Hampton

Attorney – Terry Tao

Significant Exposure to Litigation – Two Cases

(Pursuant to Government Code § 54956.9 (d) (2) or (3))

EXHIBIT A-6

EXHIBIT A-6.1

Kirsten Vital/Clark Hampton/Susan Holliday

Attorney – David Huff/Marley Fox

Significant Exposure to Litigation – Two Cases

(Pursuant to Government Code § 54956.9(d)(2)(3))

EXHIBIT A-7

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell

Attorney – Justin Shinnfield

Significant Exposure to Litigation – Three Cases

OAH Case Number 2019110345

OAH Case Number 2019110740

OAH Case Number 2019120826

(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 M. Vital/Clark Hampton/John Forney

Attorney – Andreas Chialtas

Property: PA-3 K-8 School No. 2 an approximate 20-acre school site

Negotiating Party: Mike Balsamo/Elise Milington of Rancho Mission Viejo, LLC

Under Negotiation: Price and Terms of Payment

(Pursuant to Government Code § 54956.8)

EXHIBIT C-1

D. LIABILITY CLAIM

Clark Hampton
Significant Exposure to Litigation – One Case
Rejection of Government Claim No. 1906942
(Pursuant to Government Code § 54956.9 (d) (2) or (3))

EXHIBIT D-1

E. STUDENT EXPULSIONS

Mike Beekman
Nine Cases
Case # 2020-026
Case # 2020-027
Case # 2020-028
Case # 2020-029
Case # 2020-030
Case # 2020-031
Case # 2020-032
Case # 2020-033
Case # 2020-034

EXHIBIT E-1
EXHIBIT E-2
EXHIBIT E-3
EXHIBIT E-4
EXHIBIT E-5
EXHIBIT E-6
EXHIBIT E-7
EXHIBIT E-8
EXHIBIT E-9

F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Tim Brooks/Susan Holliday/Kirsten Vital
Three Cases
(Pursuant to Government Code § 54957)

EXHIBIT F-1
EXHIBIT F-2

G. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Tim Brooks
Principal, High School
(Pursuant to Government Code § 54957)

EXHIBIT G-1

H. 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)
- 5) Unrepresented Employee Group: Certificated Substitute Employees

EXHIBIT H-1

Designated Representative: Tim Brooks, Associate Superintendent, Human Resource Services

EXHIBIT H-2

(Pursuant to Government Code § 54957.6)

I. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent
(Pursuant to Government Code § 54957(b))

EXHIBIT I-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

Associated Student Body

Serra High School

Meg Ervais, *Principal*

Arath Gonzalez, *Associated Student Body Member*

Luis Herrera, *Associated Student Body Member*

Kiani Mahmud, *Associated Student Body Member*

Jake Ruvalcaba, *Associated Student Body Member*

Extra Miler

Stephanie Avera, Director II, Educational Technology, Heidi Crowley, Coordinator II, Charter Schools, Elisa Slee, Elementary Science Curriculum Specialist, and Rebecca Friedland, Secondary Science Curriculum Specialist, for their work on the 2020 Innovation Showcase events.

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: RESOLUTION NO. 1920-40, AN INCREASE IN STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL CONSTRUCTION PURSUANT TO EDUCATION CODE § 17620 AND GOVERNMENT CODE § 65995:** Page 1
EXHIBIT 1

The Board will conduct a public hearing on adopting Resolution No. 1920-40, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code § 17620 and Government Code § 65995. Supporting information is located in Exhibit 36.

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 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.

2. **PUBLIC HEARING: INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: ADVANCED PLACEMENT AMERICAN GOVERNMENT; ADVANCED PLACEMENT ECONOMICS; ADVANCED PLACEMENT EUROPEAN HISTORY; ADVANCED PLACEMENT WORLD HISTORY; ADVANCED PLACEMENT/INTERNATIONAL BACCALAUREATE AMERICAN HISTORY; ADVANCED PLACEMENT/INTERNATIONAL BACCALAUREATE PSYCHOLOGY:** Page 2
EXHIBIT 2

The Board will conduct a public hearing on instructional materials recommended for adoption: grade 12 Advance Placement (AP) American Government; grade 12 AP Economics; grades 10-12 AP European History; grades 9-10 AP World History; grade 11 Advanced Placement (AP)/International Baccalaureate (IB) American History; grade 12

AP/IB Psychology.

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

3. DONATION OF FUNDS AND EQUIPMENT:

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$542,142.21 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

Page 4

EXHIBIT 3

4. 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 \$7,348,526.90 and the commercial warrants total \$16,393,453.40. 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 4

5. 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 nine new agreements totaling \$217,300 and seven amendments to existing agreements totaling \$321,425. 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

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EXHIBIT 5

6. CHANGE ORDER NO. 1, BID NO. 1920-05, NEWHART MIDDLE SCHOOL STEAM BUILDING PROJECT:

Approval of Change Order No. 1, Bid No. 1920-05 for the Newhart Middle School STEAM Building Project related to unforeseen conditions relating to power at portable 131 that were required to be resolved to keep the site operational. 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

Page 197

EXHIBIT 6

change in contract documents. The original contract sum was \$10,249,000. The new contract sum including Change Order No. 1 is \$10,272,490.54 funded by Redevelopment Agency Mission Viejo. With this change order, the project remains under budget.

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

- 7. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NO. 3-19-70-3372C, GENERAL SERVICES ADMINISTRATION SCHEDULE NO. GS-35F-189BA, PURCHASE AND WARRANTY OF INFORMATION TECHNOLOGY GOODS AND SERVICES – BORDERLAN, INC.:** Page 220
EXHIBIT 7

Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract No. 3-19-70-3372C, General Services Administration Schedule No. GS-35F-189BA, and any subsequent revisions, amendments, and extensions awarded to BorderLAN, Inc., for the purchase and warranty of certain information technology goods and services, specifically internet content filter, as needed by the District. The District can utilize such contracts pursuant to California Public Contract Code § 20118 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 contract for the purchase and warranty of this technology good and incidental services. Anticipated annual expenditures utilizing this contract are approximately \$75,000 funded by the general fund. Actual expenditures will vary depending on the availability of funds and length of contract.

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

- 8. ACCOUNT-ABILITYSM SOFTWARE SERVICES AGREEMENT - COLBI TECHNOLOGIES, INC.:** Page 268
EXHIBIT 8

Approval of the Account-AbilitySM Software Services Agreement with Colbi Technologies for construction project accounting software which will track the budgets and all expenditures for the Aliso Niguel High School STEM and Newhart Middle School STEAM construction projects. In addition, this tool offers the ability to provide state audit reporting for the Office of Public School Construction (OPSC) for state matching money. The initial term of the agreement will be for a one-year period, beginning April 1, 2020 through April 1, 2021 in the amount of \$35,000 funded by CFD 87-1 and Redevelopment Agency Mission Viejo.

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

- 9. OPERATION AND MAINTENANCE SCOPE OF WORK AGREEMENTS FOR CAPISTRANO VALLEY HIGH SCHOOL, TESORO HIGH SCHOOL, DANA HILLS HIGH SCHOOL, ALISO NIGUEL HIGH SCHOOL, SAN CLEMENTE HIGH SCHOOL AND THE DISTRICT OFFICE SOLAR PROJECTS – REC SOLAR COMMERCIAL CORPORATION:** Page 275
EXHIBIT 9

Approval of the Operation and Maintenance (O&M) Scope of Work Agreements with REC Solar Commercial Corporation for Capistrano Valley High School, Tesoro High School, Dana Hills High School, Aliso Niguel High School, San Clemente High School and the District Office Solar Projects. Under these agreements, REC Solar will monitor operations of the system and provide both planned preventative maintenance and repair services as necessary. As required by the contract with REC Solar, an operations and maintenance agreement is necessary to secure performance guarantees.

The O&M agreements for Capistrano Valley, Tesoro, Dana Hills, Aliso Niguel, San Clemente High Schools, and the District Office are estimated to be \$56,499, \$62,624, \$57,726, \$58,417, \$47,120, and \$49,242 respectively. These agreements have a five-year term funded by Clean Renewable Energy Bond tax subsidies. Due to the size of each exhibit D of these agreements, they are posted online on the District’s Board Agendas and Supporting Documentation page [here](#).

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

- 10. MEMORANDUM OF UNDERSTANDING WITH COUNTY OF ORANGE, OC PUBLIC LIBRARIES FOR SUMMER FOOD SERVICE PROGRAM:** Page 331
EXHIBIT 10

Approval of the Memorandum of Understanding (MOU) with County of Orange, OC Public Libraries, in partnership with San Juan Capistrano Library for participation in the Summer Food Service Program maintained by Food and Nutrition Services.

The MOU allows for providing meals to children, as qualified by United States Department of Agriculture (USDA) Seamless Summer Feeding Program (SSFP) at the San Juan Capistrano Library. The program operates from June 15, 2020 through July 30, 2020, 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*

11. MEMBER PROGRAM AGREEMENT FOR MOBILE SCHOOL PANTRY – SECOND HARVEST FOOD BANK OF ORANGE COUNTY: Page 337
EXHIBIT 11

Approval of the agreement for participation in the mobile school pantry with Second Harvest Food Bank of Orange County. The 2020-2021 agreement allows for providing food to children and their families at qualified, participating schools. Mobile school pantries are monthly, large-scale distributions offering a variety of fresh produce. Mobile school pantries are located on the grounds of a school to provide a more accessible source of food assistance to low-income students and their families. There is no financial impact.

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

12. PROPOSED 2020-2021 SCHOOL-YEAR MEAL PRICES: Page 342
EXHIBIT 12

Approval of meal prices for the 2020-2021 school-year. Public Law 111-296, Healthy, Hunger-Free Kids Act of 2010 requires districts, participating in the National School Lunch Program, gradually increase the price charged for paid school lunch to match the federal free meal subsidy. As a result, a meal price increase is necessary for the 2020-2021 school year. Proposed meal prices are comparable with surrounding Orange County school districts. Food and Nutrition Services remains self-funded; any proceeds from the proposed meal price increase will be deposited into the cafeteria fund. There is no financial impact to the general fund.

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

CURRICULUM AND INSTRUCTION

13. DELETION OF BOARD POLICY 6141.4, CAREER PREPARATION: Page 345
EXHIBIT 13

Approval to delete Board Policy 6141.4, *Career Preparation*. Much of the language and references in Board Policy 6141.4, *Career Preparation*, is outdated, and to bring it up to date would require very significant redlining. Staff therefore recommends that Board Policy, 6141.4, *Career Preparation*, be deleted and replaced with up-to-date language from CSBA's recommended, Board Policy 6178, *Career Technical Education*. The first reading of Board Policy 6178, *Career Technical Education*, is agenda'd in the Discussion/Action Items for the Board's review.

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

14. AGREEMENT NO. 48868 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS: Page 350
EXHIBIT 14

Approval of the ratification of Agreement No. 48868 with the Orange County Superintendent of Schools to allow Early Childhood Guided Language Acquisition Design (GLAD) training for Early Childhood Programs staff. The training provides professional learning opportunities for Dual Language Learners. The two-tier training took place on August 15, 2019 and February 3-7, 2020. There is no financial impact.

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

15. AGREEMENT NO. 49773 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS: Page 366
EXHIBIT 15

Approval of Agreement No. 49773 with the Orange County Superintendent of Schools to allow the District to receive the Quality Rating and Improvement System Block Grant for

continuous quality improvement of early education programs. This is based on a tiered rating structure that provides support and incentives for the state Early Childhood Programs (ECP) to reach higher levels of quality, improving early childhood development, and school readiness services. The maximum grant funds provide the ECPs \$217,000 of additional funding for the California State Preschool Program. This agreement provides services from July 1, 2019 through June 30, 2020 and beyond. There is no financial impact.
Contact: Susan Holliday, Associate Superintendent, Education Services

16. ADDENDUMS TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN INSIDE THE OUTDOORS FIELD OR SCHOOL PROGRAMS, AGREEMENT NO. 12025, ADDENDUM NO. 13, 15, 16, AND 17: Page 421
EXHIBIT 16

Approval of addendums to the Agreement for Additional Schools Participating in Inside the Outdoors Field or School Programs, Agreement No. 12025, Addendum No. 13, 15, 16, and 17. District schools routinely participate in the Orange County Department of Education's outdoor science school/field trip programs and "Traveling Scientist" programs and assemblies. Five additional school sites 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. One additional school has expressed interest in the program, which will allow students to move out of the classroom and into the real world of science and social science. The estimated expenditures under these contract addendums are \$6,321 funded by gift funds.

Contact: Susan Holliday, Associate Superintendent, Education Services

17. AGREEMENT NO. 49885 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS: Page 431
EXHIBIT 17

Approval of the ratification of Agreement No. 49885 with the Orange County Superintendent of Schools enables the District to partner with county staff to provide professional development to District teachers. District teachers will participate in training that will help them understand key shifts in the History/Social Science Framework in order to adopt a package of new instructional materials. The cost of \$600 for training, funded by general funds, and the cost of \$687.50 for substitute teachers, funded by Title II funds.

Contact: Susan Holliday, Associate Superintendent, Education Services

18. SALES AND SERVICES AGREEMENT WITH THE UNIVERSITY OF SOUTHERN CALIFORNIA, IRVINE: Page 442
EXHIBIT 18

Approval of the ratification of the Sales and Services Agreement with the University of Southern California Irvine, History Project. The term of the agreement, February 6, 2020 through February 10, 2020, provided training for staff related to Senate Bill 48, better known as the Fair, Accurate, Inclusive and Respectful Education Act, passed in 2011. The cost of \$1,600 for training, and \$2,500 for substitute teachers, funded by Title II funds.

Contact: Susan Holliday, Associate Superintendent, Education Services

HUMAN RESOURCE SERVICES

19. AMENDMENT TO THE AVID SERVICES AND PRODUCTS AGREEMENT: Page 452
EXHIBIT 19

Approval of the ratification of the Amendment to the Advancement Via Individual Determination (AVID) College Readiness System Services and Products Agreement for AVID Elementary and Secondary Membership. This agreement provides services and products to support 13 secondary AVID sites including one K-8, as well as 3 elementary AVID sites. The contract term is from July 1, 2019 through June 30, 2020.

Annual expenditures under this contract for AVID secondary and K-8 memberships and materials are limited to \$58,292 funded by Local Control Funding Formula (LCFF) Supplemental funds. AVID elementary membership is limited to \$18,862 funded by Title I funds. Required training is limited to \$16,180 funded by Title II funds.

Contact: Tim Brooks, Associate Superintendent, Human Resource Services

20. **ORANGE COUNTY DEPARTMENT OF EDUCATION SECOND QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION:** Page 460
EXHIBIT 20
Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) 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 § 1240 requires OCDE to report visits and reviews of district schools conducted by OCDE, if any. Additionally, the law requires the report be provided to the Board of Trustees at a regularly scheduled public meeting each quarter.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services

21. **ADMIN INDUCTION COLLOQUIUM:** Page 464
EXHIBIT 21
Approval of the contract for the Admin Induction Colloquium on May 5, 2020, to be held at San Juan Hills Golf Club for the conclusion of the program. The Admin Induction Program is a two-year program new administrators enroll in to earn the recommendation for a Clear Administrative Services Credential. The District has 22 candidates completing this program in June 2020. Contract costs are covered solely by enrollment fees paid by participants in the program.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services

22. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 468
EXHIBIT 22
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

23. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 514
EXHIBIT 23
Approval of the activity list for employment, separation, and additional assignments of classified employees. These positions will be charged to the appropriate fund and are included in the adopted budget.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services

GENERAL FUNCTIONS

24. **SCHOOL BOARD MINUTES:** Page 559
EXHIBIT 24
Approval of the March 4, 2020 Special Board Meeting Minutes.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

DISCUSSION/ACTION ITEMS

25. **CORONAVIRUS: DISTRICT PLANS FOR COMMUNICATION, PREVENTION, AND INTERVENTION:** INFORMATION/
DISCUSSION
Page 562
EXHIBIT 25
The first case of the coronavirus in the United States was identified on January 21, 2020. Since that time the number of confirmed cases of coronavirus, also described as COVID-19, have increased in several states across the country, including California. In response, the District has developed a communication system with the Orange County Health Care Agency, school leaders, and District families to keep all stakeholders informed of new developments. Additionally, the District has created a multi-department plan for prevention and intervention to respond effectively to the possibility of coronavirus exposure in our schools.
CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.

CUSD WIG 2: Communications - Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.
Contact: Gregory Merwin, Associate Superintendent, Student Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Student Support Services, to present this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

- 26. RESOLUTION NO. 1920-43, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE THE CHARTER RENEWAL PETITION OF JOURNEY SCHOOL PUBLIC CHARTER SCHOOL SUBJECT TO ENTRY INTO MEMORANDUM OF UNDERSTANDING:** **DISCUSSION/ ACTION**
Page 565
EXHIBIT 26

A charter petition for Journey School was approved by the District in 2000 with subsequent five-year renewals in 2005, 2010, and 2015. Journey School submitted a fourth charter renewal petition to the District on January 15, 2020. District staff has reviewed the renewal petition and finds it to be in compliance with requirements for renewal set forth in Education Code § 47605 if the conditions identified are satisfied by entry into a fully executed Memorandum of Understanding ratified by the Board within 45 days of the Board’s approval with conditions.

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 that the Board of Trustees adopt Resolution No. 1920-43, Resolution of the Board of Trustees to Approve the Charter Renewal Petition of Journey School Public Charter School Subject to Entry into Memorandum of Understanding.

Motion by _____ Seconded by _____

- 27. FIRST READING – BOARD POLICY 6145, EXTRACURRICULAR AND CO-CURRICULAR ACTIVITIES:** **DISCUSSION/ ACTION**
Page 582
EXHIBIT 27

The proposed revisions to Board Policy 6145, *Extracurricular and Co-curricular Activities*, are being recommended to ensure the policy is aligned with current legal requirements and District practices.

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 6145, *Extracurricular and Co-curricular Activities*.

Motion by _____ Seconded by _____

28. FIRST READING – BOARD POLICY 6178, CAREER TECHNICAL EDUCATION: DISCUSSION/ ACTION
Page 588
EXHIBIT 28

Board Policy 6178, *Career Technical Education*, is recommended for adoption and will replace outdated and obsolete Board Policy 6141.4, *Career Preparation*, initially adopted by the District February 8, 1999. Board Policy 6178, *Career Technical Education*, brings language in alignment with legal mandates from the California School Board Association’s sample policy along with the addition of language to support the current District College and Career Advantage programs.

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 Holiday, 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 adopt Board Policy 6178, *Career Technical Education*.

Motion by _____ Seconded by _____

29. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY HISTORY/SOCIAL SCIENCE, ADVANCED PLACEMENT AMERICAN GOVERNMENT, GRADE 12: DISCUSSION/ ACTION
Page 589
EXHIBIT 29

A Districtwide teacher committee has recommended the adoption of the following Secondary History/Social Science instructional materials for Advanced Placement American Government, grade 12: *American Government: Stories of a Nation* ©2019 Bedford, Freeman and Worth. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption is \$254,250 funded by lottery 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 adoption of the following Secondary History/Social Science instructional materials for Advanced Placement American Government, grade 12: *American Government: Stories of a Nation* ©2019 Bedford, Freeman and Worth.

Motion by _____ Seconded by _____

30. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY HISTORY/SOCIAL SCIENCE, ADVANCED PLACEMENT ECONOMICS, GRADE 12: DISCUSSION/ ACTION
Page 592
EXHIBIT 30

A Districtwide teacher committee has recommended the adoption of the following Secondary History/Social Science instructional materials for Advanced Placement Economics, grade 12: *Krugman’s Economics for the AP Course* ©2019 Bedford, Freeman and Worth. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption is \$143,000 funded by lottery 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 adoption of the following Secondary History/Social Science instructional materials for Advanced Placement Economics, grade 12: *Krugman's Economics for the AP Course* ©2019 Bedford, Freeman and Worth.

Motion by _____ Seconded by _____

31. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY HISTORY/SOCIAL SCIENCE, ADVANCED PLACEMENT EUROPEAN HISTORY, GRADES 10-12: DISCUSSION/ ACTION

Page 595
EXHIBIT 31

A Districtwide teacher committee has recommended the adoption of the following Secondary History/Social Science instructional materials for Advanced Placement European History, grades 10-12: *A History of Western Society for the AP Course* ©2020 Bedford, Freeman and Worth. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption is \$166,250 funded by lottery 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 adoption of the following Secondary History/Social Science instructional materials for Advanced Placement European History, grades 10-12: *A History of Western Society for the AP Course* ©2020 Bedford, Freeman and Worth.

Motion by _____ Seconded by _____

32. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY HISTORY/SOCIAL SCIENCE, ADVANCED PLACEMENT WORLD HISTORY, GRADES 9-10: DISCUSSION/ ACTION

Page 598
EXHIBIT 32

A Districtwide teacher committee has recommended the adoption of the following Secondary History/Social Science instructional materials for Advanced Placement World History, grades 9-10: *Ways of the World: A Global History with Sources* ©2020 Bedford, Freeman and Worth. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption is \$68,115 funded by lottery 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 adoption of the following Secondary History/Social Science instructional materials for Advanced Placement World History, grades 9-10: *Ways of the World: A Global History with Sources* ©2020 Bedford, Freeman and Worth.

Motion by _____ Seconded by _____

33. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY HISTORY/SOCIAL SCIENCE, ADVANCED PLACEMENT/INTERNATIONAL BACCALAUREATE AMERICAN HISTORY, GRADE 11: DISCUSSION/ ACTION Page 601 EXHIBIT 33

A Districtwide teacher committee has recommended the adoption of the following Secondary History/Social Science instructional materials for Advanced Placement/International Baccalaureate American History, grade 11: *Give Me Liberty! An American History* ©2020 W.W. Norton. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption is \$209,440 funded by lottery 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 adoption of the following Secondary History/Social Science instructional materials for Advanced Placement/International Baccalaureate American History, grade 11: *Give Me Liberty! An American History* ©2020 W.W. Norton.

Motion by _____ Seconded by _____

34. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY HISTORY/SOCIAL SCIENCE, ADVANCED PLACEMENT/INTERNATIONAL BACCALAUREATE PSYCHOLOGY, GRADE 12: DISCUSSION/ ACTION Page 604 EXHIBIT 34

A Districtwide teacher committee has recommended the adoption of the following Secondary History/Social Science instructional materials for Advanced Placement/International Baccalaureate Psychology, grade 12: *Psychology for the AP Course* ©2020 Bedford, Freeman and Worth. These materials have been approved by the Instructional Materials Review Committee. The estimated cost to implement this adoption is \$208,000 funded by lottery 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 adoption of

the following Secondary History/Social science instructional materials for Advanced Placement/International Baccalaureate Psychology, grade 12: *Psychology for the AP Course* ©2020 Bedford, Freeman and Worth.

Motion by _____ Seconded by _____

- 35. RESOLUTION NO. 1920-39, RESOLUTION OF INTENT TO CONSIDER THE CONVEYANCE OF AN EASEMENT TO CITY OF SAN JUAN CAPISTRANO FOR THE PURPOSES OF PROVIDING NECESSARY PUBLIC WATER AND SEWER PIPELINE FACILITIES FOR THE CITY OF SAN JUAN CAPISTRANO ADJACENT TO SAN JUAN HILLS HIGH SCHOOL:** **DISCUSSION/ ACTION**
Page 607
EXHIBIT 35

The City of San Juan Capistrano (City) requires an easement in order to provide the necessary public water and sewer pipeline facilities to the City and an adjacent parcel to San Juan Hills High School. The District has the authority to grant easements pursuant to Education Code § 17556 *et seq.* Before granting an easement under this process, the Board must first adopt a “Resolution of Intent”. The Resolution of Intent currently before the Board will set a public hearing for April 29, 2020, after which the Board may consider a resolution to convey the easement.

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 adopt Resolution No. 1920-39, Intent to Consider the Conveyance of an Easement to City of San Juan Capistrano for the Purposes of Providing Necessary Public Water and Sewer Pipeline Facilities for the City of San Juan Capistrano adjacent to San Juan Hills High School.

Motion by _____ Seconded by _____

- 36. RESOLUTION NO. 1920-40, AN INCREASE IN STATUTORY SCHOOL FEES IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL CONSTRUCTION PURSUANT TO EDUCATION CODE § 17620 AND GOVERNMENT CODE § 65995:** **DISCUSSION/ ACTION**
Page 619
EXHIBIT 36

Assembly Bill 181 authorizes the State Allocation Board (SAB) to approve an increase in developer fees every two years. On January 22, 2020, the SAB authorized an increase in the amount of the developer fees a school district can levy. Developer fees for new residential development were increased from \$3.79 to \$4.08 per square foot and commercial/industrial fees were increased from \$0.61 to \$0.66 per square foot, as long as such increases are properly justified by the District pursuant to the law. The District last approved an increase in developer fees on March 14, 2018.

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 adopt Resolution No. 1920-40, An Increase in Statutory School Fees Imposed on New Residential and Commercial/Industrial Construction Pursuant to Education Code § 17620 and Government Code § 65995.

Motion by _____ Seconded by _____

- 37. **RESOLUTION NO. 1920-41, INTENT TO CONSIDER THE CONVEYANCE OF AN EASEMENT TO THE SANTA MARGARITA WATER DISTRICT FOR THE PURPOSES OF PROVIDING NECESSARY PUBLIC WATER SERVICES TO NEWHART MIDDLE SCHOOL:** **DISCUSSION/ ACTION**
Page 670
EXHIBIT 37

The Santa Margarita Water District requires an easement in order to provide the necessary public water services to Newhart Middle School. The District has the authority to grant easements pursuant to Education Code § 17556 *et seq.* Before granting an easement under this process, the Board must first adopt a “Resolution of Intent. The Resolution of Intent currently before the Board will set a public hearing for April 29, 2020, after which the Board may consider a resolution to convey the easement.

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 adopt Resolution No. 1920-41, Intent to Consider the Conveyance of an Easement to the Santa Margarita Water District for the Purposes of Providing Necessary Public Water Services to Newhart Middle School.

Motion by _____ Seconded by _____

- 38. **RESOLUTION NO. 1920-42, INTENT TO CONSIDER THE CONVEYANCE OF AN EASEMENT TO THE MOULTON NIGUEL WATER DISTRICT FOR THE PURPOSES OF PROVIDING NECESSARY PUBLIC WATER, RECLAIMED WATER, AND WASTEWATER FACILITIES TO ALISO NIGUEL HIGH SCHOOL:** **DISCUSSION/ ACTION**
Page 681
EXHIBIT 38

The Moulton Niguel Water District requires a non-exclusive easement in order provide necessary public water, reclaimed water, and wastewater facilities to Aliso Niguel High School. The District has the authority to grant easements pursuant to Education Code § 17556 *et seq.* Before granting an easement under this process, the Board must first adopt a “Resolution of Intent”. The Resolution of Intent currently before the Board will set a public hearing for April 29, 2020, after which the Board may consider a resolution to convey the easement.

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 adopt Resolution No. 1920-42, Intent to Consider the Conveyance of an Easement to the Moulton Niguel Water District for the Purposes of Providing Necessary Public Water, Reclaimed Water, and Wastewater Facilities to Aliso Niguel High School.

Motion by _____ Seconded by _____

39. RESOLUTION NO. 1920-45, RESOLUTION SUPPORTING RANCHO MISSION VIEJO, LLC’S REQUEST FOR AMENDMENT TO THE MASTER PLAN OF ARTERIAL HIGHWAYS:

**DISCUSSION/
ACTION
Page 694
EXHIBIT 39**

Rancho Mission Viejo is requesting from the Orange County Public Works an Amendment to the Master Plan of Arterial Highways (MPAH) in Southeast Orange County in the Ranch Plan Area of Rancho Mission Viejo – Chiquita Canyon Road, Fauna Drive, Esencia Drive, Cow Camp Road, and Cristianitos Road to make the following five Amendments to the MPAH:

1. Reduce Chiquita Canyon Drive from a Secondary Arterial Highway to a Divided Collector
2. Reduce Fauna Drive from a Secondary Arterial Highway to a Collector
3. Reduce Esencia Drive from a Secondary Arterial Highway to a Collector
4. Reduce Cow Camp Road from a Primary Arterial Highway (4 lanes) to a Primary Asymmetric Arterial Highway (3 lanes)
5. Realign Cristianitos Road from Cow Camp Road to Avenida La Pata (to the east way from San Juan Hills High School)

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: 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. 1920-45, Resolution Supporting Rancho Mission Viejo, LLC’s Request for Amendment to the Master Plan of Arterial Highways.

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, APRIL 29, 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.