

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

March 25, 2020

Closed Session 5:00 p.m.
Open Session 6:00 p.m.

AGENDA

CLOSED SESSION AT 5:00 P.M.

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

A. PUBLIC HEALTH EMERGENCY

Consultation with Agency Counsel
Attorney - Anthony De Marco
(Pursuant to Government Code § 54957(a))

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

District Negotiators: Kirsten M. Vital and Clark Hampton
Attorney: Andreas Chialtas
Property: South Transportation and Groundskeeping Facility; 5.51 acre property located at 26126 Victoria Blvd, Dana Point, CA 92624
Negotiating Party: Price and terms of payment pursuant to a potential amendment to the Option to Lease Real Property Agreement with Toll Brothers, Inc. for the above referenced property.
Under Negotiation: Price and Terms of Payment
(Pursuant to Education Code § 54956.8)

EXHIBIT B-1

C. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Kirsten Vital
(Pursuant to Government Code § 54957)

EXHIBIT C-1

RECORDING OF SCHOOL BOARD MEETINGS

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

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

CONSENT CALENDAR

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

BUSINESS AND SUPPORT SERVICES

1. INDEPENDENT CONTRACTOR AGREEMENT NO. 1920269 FOR EMERGENCY COVID-19 PROCEDURES – AMERICAN TECHNOLOGIES, INCORPORATED: Page 1
EXHIBIT 1

Approval of Independent Contractor Agreement No. 1920269 with American Technologies, Incorporated (ATI) for specialized cleaning and sanitation services in response to COVID-19. News reports have indicated the life of the virus can be for as long as three days on certain surfaces such as plastic and stainless. The agreement is estimated to be \$500,000 funded from deferred maintenance; however, will depend on District need. Level 2 and level 3 sanitation services are described as follows:

Level 2-suspected COVID-19 infection of person at site. Possible Exposure

- a. This would require a company certified in using specialized solutions and equipment to sanitize the site. Level 2 and 3 would be a similar analogy to mold or asbestos abatement. Staff does not want to risk exposing our employees to these hazards and because this is done so rarely, it would be too expensive to have the training and equipment on hand. With possible exposure would require detailed 10-foot down disinfection and deep-clean decontamination performed by trained employees in EHS (Environment, Health and Safety)-certified biohazard cleanup technicians specially qualified for respiratory cleanup.

Level 3-known COVID-19 infection and spread at site. Confirmed Exposure

- a. With confirmed exposure to COVID-19 requires customized protocols specific to the site to ensure thorough and proper decontamination. ATI will work with the District to develop a custom plan that protects the health of employees, customers and communities and mitigates impact to the operation of the sites. All levels employ the following methods and technologies as appropriate:
 - i. EPA-registered chlorine or peroxide-based cleaners
 - ii. Ultraviolet (UV) light disinfection
 - iii. Vaporized Hydrogen Peroxide (VHP) mist fogger
 - iv. Donning and doffing of Personal Protection Equipment (PPE), including respiratory protection
 - v. Disposal of waste marked as biohazard
 - vi. Decontamination team health monitoring.

The District does not have the materials, equipment or training for this type of sanitation. Although the District does not have a need to use this contract at this time, staff wants to be ready should it be needed.

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

2. NASPO VALUEPOINT (FORMERLY KNOWN AS WESTERN STATES CONTRACTING ALLIANCE) CONTRACT NO. 1907 FOR TECHNOLOGY GOODS – T-MOBILE USA, INC.: Page 12
EXHIBIT 2

Approval to utilize the NASPO ValuePoint (formerly known as WSCA – Western States Contracting Alliance) Contract No. 1907 and any subsequent revisions, amendments, and extensions awarded to T-Mobile USA, Inc., for the purchase and warranty of certain information technology goods and services, specifically wireless mobile devices and services, 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 these technology goods and incidental services. Anticipated annual expenditures utilizing this contract are approximately \$100,000 funded by the general fund. Actual expenditures will vary depending on the availability of funds and length of contract.

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*

3. **CENTRALIA SCHOOL DISTRICT PROJECT NO. CEPU, #N15-2017/18, 2017 DISTRICTWIDE CONTRACT FOR THE PURCHASE AND INSTALLATION OF DSA APPROVED PORTABLE BUILDINGS – SILVER CREEK INDUSTRIES, INCORPORATED:** Page 15
EXHIBIT 3

Approval to utilize the Centralia School District Project No. CEPU, #N15-2017/18 Districtwide Contract for the Purchase and Installation of DSA Approved Portable Buildings, from Silver Creek Industries, Incorporated, under the same terms and conditions of the public agency's contract. This contract provides competitive set pricing for portable classroom buildings, as needed, throughout 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 this contract for the purchase and installation of DSA approved portable buildings. Annual expenditures utilizing this contract are estimated to be \$600,000 funded by developer fees. Actual expenditures will vary depending on District needs and availability of funding. Due to the size of the contract 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*

4. **TEMPORARY EMPLOYEE CELL PHONE ALLOWANCE:** Page 18
EXHIBIT 4

Approval of a temporary employee cell phone allowance for assistant principals, confidential secretaries, and specific directors and coordinators. Certain District management employees have been designated by the Board of Trustees to be paid a \$35 monthly allowance for the use of a personally owned cell phone or mobile communication device for District-related business. During the COVID-19 pandemic, additional staff are requested to use personal devices for communication. The temporary allowance would be effective April 1, 2020 through June 30, 2020.

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

CURRICULUM AND INSTRUCTION

5. **RATIFICATION OF SCHOOL CALENDAR CHANGES:** Page 20
EXHIBIT 5

Approval of the ratification of the 2019-2020 school calendar. On March 13, 2020 the Board approved to move student spring recess from April 6-9, 2020 to March 16-19, 2020. The spring holiday would be moved from April 10, 2020 to March 20, 2020, and the school closure would be March 23-April 3, 2020, with an enrichment learning week April 6-10, 2020. During the enrichment learning week, optional learning will be provided to students while teachers will be on recess.

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

HUMAN RESOURCE SERVICES

6. **SUBSTITUTE DAILY RATE OF PAY INCREASE:** Page 22
EXHIBIT 6

Approval of the substitute daily rate of pay increase. District substitute teachers currently receive the lowest daily rate of pay of districts surveyed in the county. Raising the daily rate for substitute teachers would make the District more competitive with neighboring districts, encouraging local substitutes to serve in their own district. For Phase 1 – Retired District Teachers, effective April 1, 2020 upon Board approval, the estimated annual increase is \$56,250. For Phase 2 – Regular Substitute Teachers, effective 2020-2021 school year, the total ongoing cost increase is estimated to be \$550,000 annually.

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

GENERAL FUNCTIONS

7. SCHOOL BOARD MINUTES:

Approval of the March 13, 2020 Special Board Meeting Minutes.

Contact: Colleen Hayes, Manager II, Board Operations/Superintendent’s Office

Page 24

EXHIBIT 7

DISCUSSION/ACTION ITEMS

8. CORONAVIRUS: DISTANCE LEARNING PROGRAM, SUPPORT FOR FAMILIES:

In response to the COVID-19 pandemic and to maintain the safety of District students, families, and staff while mitigating the spread of the virus, Trustees approved temporary closure of all schools from March 16, 2020 to April 12, 2020, with spring recess being moved to March 16-20, 2020. In order to provide all students with educational opportunities during temporary school closure, the District has implemented a Distance Learning Program which includes innovative ways to provide differentiated instruction and social emotional support in a remote learning environment. Additionally, the District has expanded the meal program in order to increase access for families.

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

Contact: Susan Holliday, Associate Superintendent, Education Services

**INFORMATION/
DISCUSSION**

Page 26

EXHIBIT 8

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.

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.