

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

February 5, 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. CONFERENCE WITH LABOR NEGOTIATORS

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

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 A-1

EXHIBIT A-2

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 6:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

PUBLIC HEARING

1. **PUBLIC HEARING: PRESENTATION OF RENEWAL PETITION FOR JOURNEY SCHOOL CHARTER SCHOOL:**

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EXHIBIT 1

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. Journey School charter school has presented a renewal petition for a charter school within the District. Due to the size of the exhibit, the information can be viewed by clicking [here](#).

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.

GENERAL FUNCTIONS

2. SCHOOL BOARD MINUTES:

Approval of the January 15, 2020 Regular Board Meeting minutes.

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

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EXHIBIT 2

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.

CAPISTRANO UNIFIED SCHOOL DISTRICT
San Juan Capistrano, California

February 5, 2020

**PUBLIC HEARING: PRESENTATION OF RENEWAL PETITION FOR JOURNEY
SCHOOL CHARTER SCHOOL:**

Journey School's Charter School Renewal Petition may be inspected at 33122 Valle Road, San Juan Capistrano, CA 92675 until February 5, 2020, between the hours of 8:30 a.m. and 4:30 p.m.

CAPISTRANO UNIFIED SCHOOL DISTRICT

NOTICE OF PUBLIC HEARING

The Capistrano Unified School District Board of Trustees hereby gives notice that a Public Hearing will be held as follows:

TOPIC OF HEARING

During the Board meeting of February 5, 2020, the Capistrano Unified School District Board of Trustees will hold a hearing to accept comments from members of the public on the Renewal of the Journey School Charter School Petition. Copies of Journey School's Charter School Renewal Petition may be inspected at 33122 Valle Road, San Juan Capistrano, CA 92675 until February 5, 2020, between the hours of 8:30 a.m. and 4:30 p.m.

HEARING DATE: February 5, 2020
TIME: 6:00 p.m.
LOCATION: CUSD Education Center
33122 Valle Road
San Juan Capistrano, CA
949-234-9200

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JANUARY 15, 2020
EDUCATION CENTER – BOARD ROOM

President Reardon called the meeting to order at 4:05 p.m.

**Call to Order/
Adjourn to Closed
Session
Closed Session
Comments**

The Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Conference with Real Property Negotiations; Student Readmissions; Student Expulsions; Public Employee Discipline/Dismissal/Release; Conference with Labor Negotiators; Challenge to Student Records.

The regular meeting of the Board of Trustees was called to order by President Reardon at 7:07 p.m.

ROLL CALL:

Present: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas, Reardon, and Student Advisor Koenigshofer

Absent: None

The Pledge of Allegiance was led by Jim Reardon, President, Board of Trustees.

**Pledge of
Allegiance
Permanent Record**

The Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website: www.capousd.org

It was moved by Trustee McNicholas and seconded by Trustee Jones and motion carried by a 7-0 roll call vote to adopt the Regular Board agenda.

**Adoption of the
Board Agenda**

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas, and Reardon

NOES: None

ABSENT: None

Student Advisor Koenigshofer voted aye to adopt the agenda.

President Reardon asked Colleen Hayes, Manager II - Board Operations/ Superintendent's Office to read the report out of closed session:

**President's Report
from Closed
Session Meeting**

Agenda Item #3A– Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation – Three Cases A1 – A3

Trustees voted 7-0 to approve the staff recommendation on the following cases:

ADR Case Number 20191022

ADR Case Number 20191119

ADR Case Number 20191123

Significant Exposure to Litigation – One Case A4

Trustees gave direction to staff

Significant Exposure to Litigation – One Case A5

Trustees gave direction to staff

Significant Exposure to Litigation – Two Cases A6-1, A6-2

Trustees gave direction to staff

Agenda Item #3B – Conference with Legal Counsel – Existing Litigation

Significant Exposure to Litigation – Three Cases

Trustees voted 7-0 to approve staff recommendation on the following cases:

OAH Case Number 2019080706

OAH Case Number 2019090689

Trustees voted 6-0-0-1, with Trustee Reardon recusing himself, to approve staff recommendation on the following case:

OAH Case Number 2019100557

Agenda Item #3C – Conference with Labor Negotiators

Property: Pacifica San Juan property – 7.292 acre property located at the north east corner of Camino Las Ramblas and Avenida California.

No reportable action.

Agenda Item #3D – Student Readmissions – Three Cases

Trustees voted 7-0 to approve staff recommendation on the following cases:

Case # 2019-025

Case # 2019-044

Case # 2019-048

Agenda Item #3E – Student Expulsions – Two Cases

Trustees voted 7-0 to approve staff recommendation on the following cases:

Case # 2020-024

Case # 2020-025

Agenda Item #3F – Public Employee Discipline/Dismissal/Release- Three Cases

Trustees voted 7-0 to approve staff recommendation on the following cases:

Case # F-1

Case # F-2

Trustee gave direction to staff on the following case:

Case # F-3.

Agenda Item #3G – Conference with Labor Negotiators- Two Cases

No reportable action.

Agenda Item #3H– Challenge to Student Records

Trustees voted 7-0 to approve staff recommendation to uphold the decision to not change the student transcript.

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

**Special
Recognitions**

Associated Student Body

San Clemente High School

Chris Carter, *Principal*

Matt Reid, *Activities Director*

Sophie Smith, *Associated Student Body President*

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
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Superintendent Vital reported on the various activities at our sites in the past weeks.

**Board and
Superintendent
Comments
Oral
Communications**

The following speakers addressed the Board:

- *Michelle Ploessel-Campbell spoke regarding PTA news.*
- *Gavin Keller, Executive Director, Journey School, submitted Journey Charter School's renewal petition.*

At 7:28 p.m. President Reardon opened the Public Hearing on Oxford Preparatory Academy – South Orange County Admissions Preferences.

**Public Hearing:
Oxford
Preparatory
Academy – South
Orange County
Admissions
Preferences
Agenda Item 1**

The following speakers addressed the Board:

- *Amy Kernon, Chief Academic Officer, Oxford Preparatory Academy, spoke regarding OPA's Material Preferences.*

President Reardon closed the Public Hearing at 7:32 p.m.

CONSENT CALENDAR

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, staff, or the public 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.

President Reardon asked Trustees for items they wished to pull from the Consent Calendar. No items were pulled.

It was moved by Trustee Jones and seconded by Trustee Bullockus motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar.

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon
NOES: None
ABSENT: None

Student Advisor Koenigshofer voted aye to approve the Consent Calendar.

Approval of donations of funds and equipment.

**Donation of Funds
and Equipment
Agenda Item 2
Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 3
Independent
Contractor,
Professional
Services, Field**

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2).

Approval of the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements.

**CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
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EDUCATION CENTER – BOARD ROOM**

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

**Service, and
Master Contract
Agreements
Agenda Item 4
Kings County
Office of
Education, Project
No. 061119
Microsoft
Products Coe-
Wide – Softchoice
Corporation**

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.

**Agenda Item 5
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**

Approval of Third Extension of Bid No. 1617-02, Tree Trimming Maintenance Service with West Coast Arborists, Incorporated.

**Agenda Item 6
Third Extension
of Bid No. 1617-
02, Tree
Trimming
Maintenance
Service – West
Coast Arborists,
Incorporated**

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.

**Agenda Item 7
Agreement No.
48004 with the
Orange County
Superintendent of
Schools**

Approval of the 2019-2020 Every Student Succeeds Act (ESSA) Local Control Accountability Plan (LCAP) Federal Addendum Additional Information.

**Agenda Item 8
2019-2020 Every
Student Succeeds
Act Local Control
Accountability
Plan Federal
Addendum
Additional**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
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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.

**Information
Agenda Item 9
Addendum to the
Agreement for
Additional Schools
Participating in
the Inside the
Outdoors School
Programs,
Agreement No.
12025, Addendum
No. 8, 9 and 11**

Approval of Resolution No. 1920-35 and the Material Revision to the Charter of Oxford Preparatory Academy (OPA) – South Orange County (Charter School).

**Agenda Item 10
Resolution No.
1920-35,
Resolution of the
Board of Trustees
to Approve
Material Revision
to Charter of
Oxford**

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.

**Preparatory
Academy - South
Orange County
Agenda Item 11
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**

Approval of the proposed 2020 Extended School Year (ESY) program.

**Agenda Item 12
Extended School
Year Proposal for
2020**

Approval of License Contract with Segerstrom Center for the Arts for February 13, 2020.

**Agenda Item 13
License Contract
with Segerstrom
Center for the
Arts**

Approval of the Tentative Agreement between the District and Teamsters Local 952.

**Agenda Item 14
Recommendation
of Tentative
Agreement with
Teamsters Local
952, for July 1,**

**CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
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EDUCATION CENTER – BOARD ROOM
2019 – June 30,
2022**

Approval of the activity list for employment, separation, and additional assignments of certificated employees.

**Agenda Item 15
Resignations/
Retirements/
Employment -
Certificated
Employees
Agenda Item 16**

Approval of the activity list for employment, separation, and additional assignments of classified employees.

**Resignations/
Retirements/
Employment -
Classified
Employees
Agenda Item 17**

Approval of the December 11, 2019 Regular Board meeting minutes.

**School Board
Minutes
Agenda Item 18**

Approval of the December 16, 2019 Special Board meeting minutes.

**School Board
Minutes
Agenda Item 19**

Approval of the December 19, 2019 Regular Board meeting minutes.

**School Board
Minutes
Agenda Item 20**

Approval of the Board Meeting Schedule for the 2020-2021 school year.

**2020 - 2021 Board
Meeting Schedule
Agenda Item 21**

President Reardon recognized Susan Holliday, Associate Superintendent, Education Services to present the item.

**Presentation –
Early College
Partnership Plan
with Saddleback
College for
Capistrano Valley
High School
Agenda Item 22**

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

**California School
Dashboard Fall
2019
Agenda Item 23**

President Reardon recognized Susan Holliday, Associate Superintendent, Education Services to present the item.

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

Agenda Item 23

President Reardon recognized Susan Holliday, Associate Superintendent, Education Services to present the item.

**Designation of
Title I School –
Clarence Lobo
Elementary
School 2019-2020
Agenda Item 24**

It was moved by Trustee Jones and seconded by Trustee Holloway to approve the Designation of Title I School – Clarence Lobo Elementary School 2019-2020. The motion carried 7-0.

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon
NOES: None
ABSENT: None

CAPISTRANO UNIFIED SCHOOL DISTRICT
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Student Advisor Koenigshofer voted aye to approve the Designation of Title I School – Clarence Lobo Elementary School 2019-2020.

President Reardon recognized Clark Hampton, Deputy Superintendent, Business and Support Services, to present the item.

It was moved by Trustee Jones and seconded by Trustee Bullockus to receive the District and Community Facilities Districts Annual Financial Reports for the fiscal year ending June 30, 2019. The motion carried 7-0.

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon
NOES: None
ABSENT: None

**Presentation and
Receipt of the
District and
Community
Facilities Districts
Annual Financial
Reports for the
Fiscal Year
Ending June 30,
2019
Agenda Item 28**

Student Advisor Koenigshofer voted aye to receive the District and Community Facilities Districts Annual Financial Reports for the fiscal year ending June 30, 2019.

President Reardon recognized Clark Hampton, Deputy Superintendent, Business and Support Services, to present the item.

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

**Governor's
January Budget
Proposal for
Fiscal Year 2020-
2021
Agenda Item 25**

President Reardon recognized Susan Holliday, Associate Superintendent, Education Services, to present the item.

It was moved by Trustee Hanacek and seconded by Trustee Jones to approve the adoption of the secondary World Language supplemental novel for Spanish, grade 7-8: *Piratas* ©2008 by Carol Gaab, TPRS Books. The motion carried 7-0.

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon
NOES: None
ABSENT: None

**Instructional
Materials
Recommended for
Adoption:
Secondary World
Language/
Spanish, Grade
7-8
Agenda Item 26**

Student Advisor Koenigshofer voted aye to approve the adoption of the secondary World Language supplemental novel for Spanish, grade 7-8: *Piratas* ©2008 by Carol Gaab, TPRS Books.

President Reardon recognized Susan Holliday, Associate Superintendent, Education Services, to present the item.

It was moved by Trustee McNicholas and seconded by Trustee Jones to approve the secondary Science/Biology textbook to pilot for grade 9-12: *The Living Earth* ©2020 Houghton Mifflin Harcourt Publishing. The motion carried 7-0.

**Instructional
Materials
Recommended to
Pilot: Secondary
Science/Biology,
Grade 9-12
Agenda Item 27**

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon
NOES: None
ABSENT: None

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
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EDUCATION CENTER – BOARD ROOM

Student Advisor Koenigshofer voted aye to approve the secondary Science/Biology textbook to pilot for grade 9-12: *The Living Earth* ©2020 Houghton Mifflin Harcourt Publishing.

President Reardon recognized Ryan Burris, Chief Communications Officer, to present the item.

It was moved by Trustee Holloway and seconded by Trustee Hanacek to adopt Resolution No. 1920-36, Resolution to Protect Pupils, Teachers, and Staff from Potential Significant Impacts and Harm from Encroaching Projects. The motion carried by a 7-0 Roll Call vote.

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon
NOES: None
ABSENT: None

**Resolution No.
1920-36,
Resolution to
Protect Pupils,
Teachers, and
Staff from
Potential
Significant
Impacts and
Harm from
Encroaching
Projects
Agenda Item 29**

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

It was moved by Trustee Hanacek and seconded by Trustee McNicholas to adjourn the meeting, motion carried 7-0.

Adjournment

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon
NOES: None
ABSENT: None

Student Advisor Koenigshofer voted aye to adjourn the meeting.

President Reardon announced the meeting adjourned at 9:16 p.m.

Board Clerk

Secretary, Board of Trustees

Minutes submitted by Colleen Hayes, Manager II, Board Operations/Superintendent's Office