

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

REVISED

September 2, 2020

Closed Session 4:00 p.m.
Open Session 5:30 p.m.

Due to the nature of the COVID-19 pandemic and in accordance with Governor Newsom's Executive Order N-29-20, issued on March 17, 2020, the Board members will have the option to attend the meeting and take action on any item telephonically. Members of the public may live stream the meeting from our District website at CAPOUSD.org.

There will be no physical meeting location open to the public. For this meeting, public input will not be facilitated in person. The District has provided the following option for the public to address the Board telephonically. Please submit your request to address the Board by clicking [here](#). Those who have registered to comment will receive an email prior to the meeting with information on how to join and comment telephonically. A speaker card will need to be submitted prior to the agenda item per Bylaws of the Board 9323, Meeting Conduct. 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 (3) 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. Detailed guidelines and information on what to do if you wish to address the Board of Trustees, is provided at the end of this agenda.

AGENDA

CLOSED SESSION AT 4:00 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
Kirsten M. Vital/Greg Merwin
(Pursuant to Government Code § 54957(a))

EXHIBIT A-1

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Dan Harbottle
Significant Exposure to Litigation – One Case
B.W. v. CUSD/Federal Appeal
(Pursuant to Government Code § 54956.9(d)(1))

EXHIBIT B-1

C. STUDENT EXPULSION

Mike Beekman
Attorney – Ernest Bell
One Case
Case # 2020-044

EXHIBIT C-1

D. 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: Toll Brothers, Inc.

Under Negotiation: Price and Terms of Payment

(Pursuant to Education Code § 54956.8)

EXHIBIT D-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 5:30 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

DISCUSSION/ACTION ITEMS

1. APPROVAL OF ADDENDUM #2 REOPENING PLAN FOR 2020-2021 SCHOOL YEAR:

Staff presents a second addendum to the Reopening of Schools Plan for the 2020-2021 school year. The Reopening Plan provides flexibility and options for families in all grade levels with rigorous, engaging, and consistent educational learning programs, including all special education programs and services, from preschool through grade 12 and Adult Transition Program. Educational programs include a 100 percent online learning model and other models which feature a combination of on campus and online learning, so that students will be able to return to campus to the greatest extent possible as per the new criteria as defined in the California Department of Public Health Reopening Schools Framework. The Board Report provides updates, new information, and recommendations on the following: 1) the State’s “Blueprint for a Safer Economy;” 2) the four critical components of the reopening plan in response to key community values; 3) student discipline for facial coverings; 4) middle school and high school hybrid schedules; and 5) a phased-in “return to campus” plan.

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, Chief Academic Officer, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Chief Academic Officer, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees ratify the Addendum #2 Reopening of Schools Plan for 2020-2021 School Year.

Motion by _____ Seconded by _____

**DISCUSSION/
ACTION**

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EXHIBIT 1

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, SEPTEMBER 23, 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

If you wish to register to be a public speaker, please register by clicking [here](#).

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.