

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

**REVISED**

April 21, 2021

Closed Session 4:00 p.m.  
Open Session 7:00 p.m.

**AGENDA**

*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](http://CAPOUSD.org).*

*Members of the public may attend the meeting in person, however social distancing practices will be followed. Attendees will need to wear a mask whenever in District facilities. For the safety and well-being of others, speakers will be required to wear a mask when addressing the Board at the podium. If participants choose to not attend the Board meeting in person the District has provided the following option for the public to address the Board telephonically. Please submit a 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.*

**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 Brulte/Gregory Merwin  
(Pursuant to Government Code § 54957(a))

**B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Gregory Merwin/Kathy Purcell  
Attorney – Justin Shinnfield  
Significant Exposure to Litigation – Eight Cases  
ADR Case Number 20191022M2  
ADR Case Number 20210209  
ADR Case Number 20210219  
ADR Case Number 20210223  
ADR Case Number 20210302  
ADR Case Number 20210304  
ADR Case Number 20210305  
ADR Case Number 20210317  
(Pursuant to Government Code § 54956.9(d)(2))

**EXHIBIT B-1**  
**EXHIBIT B-2**  
**EXHIBIT B-3**  
**EXHIBIT B-4**  
**EXHIBIT B-5**  
**EXHIBIT B-6**  
**EXHIBIT B-7**  
**EXHIBIT B-8**

Kirsten M. Vital Brulte/Gregory Merwin  
Attorney – Anthony De Marco  
Significant Exposure to Litigation – One Case  
(Pursuant to Government Code § 54956.9(d)(2))

**EXHIBIT B-9**

**C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Gregory Merwin/Kathy Purcell  
Attorney – Justin Shinnfield  
Significant Exposure to Litigation – Two Cases  
OAH Case Number 2020110724  
OAH Case Number 2021010306  
(Pursuant to Government Code § 54956.9(d)(1))

**EXHIBIT C-1**

**EXHIBIT C-2**

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

District Negotiators: Kirsten M. Vital Brulte/Clark Hampton  
Attorney: Andreas Chialtas, AALRR

Property: Pacifica San Juan property. 7.292 acre property located at the north east corner of Camino Las Ramblas and Avenida California **EXHIBIT D-1**

Negotiating Party: One or more potential buyers for the Property who may purchase the District's option to purchase the Property through a request for proposals process; and Taylor Morrison of California LLC who may enter into a further amendment of the existing option agreement terms.

Property: South Transportation and Groundskeeping Facility; 5.51 acre property located at 26126 Victoria Blvd, Dana Point, CA 92624 **EXHIBIT D-2**  
Negotiating Party: Toll Brothers, Inc.

Under Negotiation: Price and Terms of Payment  
(Pursuant to Education Code § 54956.8)

**E. CONFERENCE WITH LABOR NEGOTIATORS**

District Negotiators: Kirsten M. Vital Brulte /Tim Brooks/Clark Hampton **EXHIBIT E-1**  
Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
  - 2) California School Employees Association (CSEA)
  - 3) Teamsters
  - 4) Capistrano Unified Management Association (CUMA)
  - 5) Unrepresented Employees/Associate Superintendents
- (Pursuant to Government Code § 54957.6)

**EXHIBIT E-2**

**F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

Tim Brooks  
One Case  
(Pursuant to Government Code § 54957)

**EXHIBIT F-1**

**G. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

Tim Brooks  
Assistant Superintendent, Curriculum and Instruction, Education and Support Services  
Executive Director, Curriculum and Instruction, General and Special Education, 6-12, ATP  
(Pursuant to Government Code § 54957)

**EXHIBIT G-2**

## H. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent

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

EXHIBIT H-1

### RECORDING OF SCHOOL BOARD MEETINGS

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

#### OPEN SESSION AT 7:00 P.M.

#### CALL TO ORDER – ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### ADOPTION OF THE AGENDA

#### REPORT ON CLOSED SESSION ACTION

#### BOARD AND SUPERINTENDENT COMMENTS

#### STUDENT BOARD MEMBER REPORT

#### ORAL COMMUNICATIONS (Non-Agenda Items)

Oral Communications will occur immediately following Board and Superintendent Comments. The total time for Oral Communications shall be twenty (20) minutes. Individual presentations are limited to a maximum of three (3) minutes per individual.

#### PUBLIC HEARING

#### 1. **PUBLIC HEARING: CALIFORNIA CONNECTIONS ACADEMY SOUTHERN CALIFORNIA CHARTER SCHOOL ADMISSIONS PREFERENCES:** Page 1

EXHIBIT 1

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. California Connections Academy Southern California (CalCA SoCal) charter school has presented a material revision to the District to conduct a lottery and implement their approved lottery policy that includes admission preferences on page 118 and 119. Pursuant to changes made by Assembly Bill 1360, effective October 13, 2017, a charter school's petition must include admission policies and procedures. Additionally, any priority order for preferences in admission must be in a charter school's petition and have been approved by the authorizer at a public hearing per Education Code § 47605(d)(2)(B)(i). The details of this item can be found in Exhibit 28.

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

***Contact: Susan Holliday, Chief Administrative Officer, Education 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 this item, and after hearing any speakers, formally close the hearing.

#### CONSENT CALENDAR

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

## **BUSINESS AND SUPPORT SERVICES**

- 2. DONATION OF FUNDS AND EQUIPMENT:** Page 159  
**EXHIBIT 2**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$47,376.15 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 3. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 162  
**EXHIBIT 3**

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2). The expenditures related to the listed purchase orders and commercial warrants included in this item were previously authorized as part of the District's budget approval process. The purchase orders total \$3,015,268.47 and the commercial warrants total \$21,519,924.73. Attachment 3 is a list of previously Board-approved bids and contracts to assist in the review of the purchase order and commercial warrant listings. Attachment 4 is a list of previously Board-approved warrants, by vendor, exceeding \$250,000.

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 4. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 254  
**EXHIBIT 4**

Approval of the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The exhibit shows 14 new agreements totaling \$1,035,917.95 and 4 amendments to existing agreements totaling \$206,500. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page [here](#).

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 5. CHANGE ORDER NO. 6, BID NO. 1920-05, NEWHART MIDDLE SCHOOL STEAM BUILDING PROJECT:** Page 383  
**EXHIBIT 5**

Approval of Change Order No. 6, Bid No. 1920-05 for the Newhart Middle School STEAM Building Project related to the structural changes required to ensure proper installation of the modular elevator, abatement of unknown transite pipe found during excavation, the installation of new chain linked fencing required by the Santa Margarita Water District (SMWD), and the addition of floor drains to provide adequate drainage on the second floor walkway. These changes involve adjustments to the plans and specifications captured and directed through the Division of the State Architect's (DSA) Construction Change Directive (CCD) process. 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 change in contract documents. The original contract sum was \$10,249,000. With Change Order No. 6 in the amount of \$41,727.49, the new contract sum will be \$10,496,807.54 funded by Redevelopment Agency Mission Viejo. With this change order, the project remains under budget.

*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 6. REEF SUNSET UNIFIED SCHOOL DISTRICT, FACILITY SUPPLY SERVICES CONTRACT – AMERICAN MODULAR SYSTEMS, INCORPORATED:** Page 479  
**EXHIBIT 6**

Approval to utilize the Reef Sunset Unified School District's Facility Supply Services Contract, awarded to American Modular Systems, Incorporated and any subsequent revision, amendments, and extensions, for the purchase and warranty of modular buildings.

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 Reef Sunset Unified School District’s Facility Supply Services Contract for the purchase and warranty of modular buildings. Anticipated annual expenditures utilizing this contract are approximately \$180,000 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’s Board Agendas and Supporting Documentation page [here](#).

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

**7. CHARTER FACILITIES AGREEMENT FOR 2021-2022 – OCASA COLLEGE PREP CHARTER SCHOOL:** Page 482  
**EXHIBIT 7**

Approval of Charter Facilities Agreement with OCASA College Prep Charter School (OCP) to enter into an in-lieu arrangement where OCP will occupy space at 31522 El Camino Real, San Juan Capistrano, California 92675, formerly the College and Career Advantage campus, in the 2021-2022 school year. Terms of this agreement include the use of the space described and depicted in Exhibit A, for a one-year term of July 1, 2021 to June 30, 2022. The estimated cost for this agreement is \$700,000 funded by developer fees. The cost is offset by the pro-rata share of \$70,875.13 OCP will pay for its exclusive and shared use space on the property. The agreement has been reviewed and approved by the District’s legal counsel.

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

**CURRICULUM AND INSTRUCTION**

**8. AGREEMENT WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS TO REFER STUDENTS FOR ALTERNATIVE COMMUNITY AND CORRECTIONAL EDUCATIONAL SCHOOLS AND SERVICES FOR JUNE, JULY AND AUGUST 2021:** Page 504  
**EXHIBIT 8**

Approval of the agreement for Alternative Community and Correctional Educational Schools and Services (ACCESS), June 1, 2021 through August 31, 2021. ACCESS provides the implementation of services to support students needing interventions to recover credits and learning loss due to the challenges of this school year. This agreement allows ACCESS and Pacific Coast High School to enroll District students for the purpose of remediating high school credit deficiencies during the months of June, July and August, 2021. This program is routinely offered each summer as an option for students to enroll in, and augments the District’s summer school offerings. There is no financial impact.

**Contact:** *Susan Holliday, Chief Administrative Officer, Education and Support Services*

**9. ADDENDUM TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN THE INSIDE THE OUTDOORS SCHOOL PROGRAMS, AGREEMENT NUMBER 13017, ADDENDUM NO. 7 AND NO. 8:** Page 508  
**EXHIBIT 9**

Approval of Addendums to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Number 13017, Addendums No. 7 and No. 8. District schools routinely participate in the Orange County Department of Education’s outdoor science school/field trip programs and “Traveling Scientist” programs and assemblies. This year the sessions will all be **virtual**. Laguna Niguel Elementary School and Don Juan Avila Middle School have expressed interest in the “Traveling Scientist” program for the 2020-2021 school year, which will provide **virtual** school assemblies by naturalists on various science topics. Kinoshita Elementary School has enrolled in an additional **virtual** session. There is no financial impact; there is no charge or fee this year.

**Contact:** *Susan Holliday, Chief Administrative Officer, Education and Support Services*

10. **GRANT SUB-AGREEMENT WITH RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT:** Page 514  
**EXHIBIT 10**  
Approval of the ratification of the Grant Sub-Agreement with the Rancho Santiago Community College District (RSCCD), January 1, 2021 through December 31, 2023. RSCCD was selected to serve as the fiscal agent for the K12 Strong Workforce Program. The sub-agreement will be implemented in accordance with the terms and conditions defined in the sub-agreement and sets forth the responsibilities of the District and RSCCD. This is an annual agreement that is required to participate in applying and receiving the K12 Strong Workforce Program grant funds. The District will receive approximately \$222,000 and will be spent on Career Technical Education initiatives.  
*Contact: Susan Holliday, Chief Administrative Officer, Education and Support Services*

11. **TITLE I SCHOOLWIDE STATUS AND REVISED SCHOOL PLAN FOR STUDENT ACHIEVEMENT 2020-2021 FOR WOOD CANYON ELEMENTARY SCHOOL:** Page 621  
**EXHIBIT 11**  
Approval of Title I schoolwide status and the revised School Plan for Student Achievement (SPSA) for Wood Canyon Elementary School for 2020-2021. Wood Canyon Elementary School was approved as a Title I school at the February 17, 2021 Board meeting. The School Site Council voted to change from a Title I targeted assistance program and pursue Title I schoolwide status which enables the school to make certain expenditures that can benefit students in an entire class, grade level and/or school. The Title I allocation has been added to the school's SPSA as well as the required schoolwide documents including the Preschool to Kindergarten Transition Plan, Parent Engagement Policy, and School-Parent Compact. The plan will provide for additional training for teachers on literacy and math, data analysis, and intervention and additional counseling support to target students needing social emotional support. This item is in alignment with the Theory of Action to provide students with support and intervention. The financial impact is \$159,108; Title I funding has been added to the Wood Canyon Elementary School Plan for Student Achievement.  
*Contact: Susan Holliday, Chief Administrative Officer, Education and Support Services*

## **HUMAN RESOURCE SERVICES**

12. **CONSIDER AND APPROVE JOB DESCRIPTIONS:** Page 684  
**EXHIBIT 12**  
Approval of new and revised job descriptions for the positions of Assistant Superintendent, Fiscal Services; Chief Facilities Officer; Director I, Transportation; Director II, Information Services and Assessment Accountability; Director II, Food and Nutrition Services; Executive Director, Maintenance, Operations and Transportation; and Manager I, Field Services. The new and revised positions reflect greater efficiencies in Business and Support Services beginning fiscal year 2021-2022. The positions for the new and revised job descriptions will be funded as part of the division restructure.  
  
Additionally, an update was made to the Assistant Principal job description in an effort to widen the recruitment pool, to include the option of a Valid California Teaching Credential or Valid California Pupil Personnel Services (PPS) Credential for minimum requirements.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
13. **RESOLUTION NO. 2021-38, REDUCTION OR ELIMINATION OF CERTAIN CLASSIFIED SERVICES:** Page 709  
**EXHIBIT 13**  
Approval of the adoption of Resolution No. 2021-38, Reduction or Elimination of Certain Classified Services for the 2021-2022 school year. Staff has worked to create business efficiencies across the District to streamline and maximize the service to students and staff. This includes considering all known attrition that has occurred to date. District and school site leaders have worked together to identify ways to streamline services while maintaining high levels of student support and customer services to the community.

In order to meet timelines and accurately plan for the 2021-2022 school year, staff has worked with legal counsel to accurately identify the particular kinds of service to be reduced or eliminated. The recommended positions for release are to provide the District maximum flexibility as the departments examine operations, staffing and support structures to best meet the needs of the District. As staffing needs become clear for the 2021-2022 school year, appropriate action will follow to rehire, as needed. The intent of this recommendation is to realize overall cost savings to the District based on the reduction or elimination of particular kinds of classified services.

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

14. **SAN DIEGO STATE UNIVERSITY FALL 2020 SPEECH LANGUAGE PATHOLOGIST MASTER TEACHER HONORARIUM:** Page 712  
**EXHIBIT 14**  
Approval of payment of honorarium to District Speech Language Pathologist master teachers who supported a San Diego State University (SDSU) student teacher during the Fall 2020 semester. Universities pay master teachers a nominal payment for their supervision and support of student teachers. SDSU reimburses the District for these master teacher payments. The compensation amounts vary based on the nature of the assignments. There is no fiscal impact.  
**Contact:** *Tim Brooks, Associate Superintendent, Human Resource Services*
15. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 714  
**EXHIBIT 15**  
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*
16. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 737  
**EXHIBIT 16**  
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

17. **SCHOOL BOARD MINUTES:** Page 755  
Approval of the February 17, 2021 Regular Board meeting minutes.  
**Contact:** *Colleen Hayes, Manager II, Board Operations/Superintendent's Office*  
**EXHIBIT 17**
18. **SCHOOL BOARD MINUTES:** Page 766  
Approval of the March 17, 2021 Regular Board meeting minutes.  
**Contact:** *Colleen Hayes, Manager II, Board Operations/Superintendent's Office*  
**EXHIBIT 18**
19. **SCHOOL BOARD MINUTES:** Page 776  
Approval of the March 24, 2021 Special Board meeting minutes.  
**Contact:** *Colleen Hayes, Manager II, Board Operations/Superintendent's Office*  
**EXHIBIT 19**
20. **BOARD MEETING SCHEDULE 2020 – 2021 REVISED:** Page 779  
Approval of the 2020 – 2021 Board meeting schedule as revised.  
**Contact:** *Colleen Hayes, Manager II, Board Operations/Superintendent's Office*  
**EXHIBIT 20**

**DISCUSSION/ACTION ITEMS**

**21. SELECTION OF MOST BENEFICIAL PROPOSAL, AND APPROVAL OF AGREEMENT REGARDING RIGHT TO PURCHASE (“LAS RAMBLAS PROPERTY”):**

**DISCUSSION/  
ACTION  
Page 781  
EXHIBIT 21**

The Board is asked to select the most beneficial proposal to purchase the District’s existing right to acquire the 7.292 acres of land located within the Community Facilities District (CFD) 98-1A and 98-1B, and to approve an Agreement regarding right to purchase which would allow for the District to sell its existing right to purchase.

***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 1) select the most beneficial proposal for the purchase of the District’s existing right to acquire the 7.292 acres from its current owner, and 2) approve an Agreement regarding right to purchase (Las Ramblas Property). *\*Note, the Agreement was not yet finalized or available at the time of printing the District’s agenda; however, should the Agreement be finalized by the Board Meeting, said Agreement will be made available to the public that evening.*

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**22. REOPENING OF SCHOOLS 2.0 FOR THE 2021-2022 SCHOOL YEAR:**

**INFORMATION/  
DISCUSSION  
Page 783  
EXHIBIT 22**

**Staff will present a draft Reopening plan for the 2021-2022 school year that will include models, programs, and proposed next steps.** This draft Reopening plan will be for discussion only and no action is requested. Trustees have directed the Superintendent to “open school as normal if we are able to do so, as determined by the criteria established by the California Department of Public Health (CDPH) for the 2021-2022 school year.” If that is not possible, staff has created a draft Reopening 2.0 Plan that addresses the Board approved priorities for both elementary and secondary grade levels, providing quality in-person and 100 percent online instructional programs for students in both general education and special education. Staff will return at the May 19, 2021 Board meeting to present the plan for final action.

***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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

**23. PROPOSED CITY OF SAN JUAN CAPISTRANO TIRADOR COMMUNITY FACILITIES DISTRICT:**

**INFORMATION/  
DISCUSSION  
Page 784  
EXHIBIT 23**

The District is being asked to participate in the Tirador Community Facilities District (CFD) led by the City of San Juan Capistrano. The Board will receive an information presentation from the District’s financial advisor, Government Financial Strategies, on the proposed CFD. The benefit of participating in the CFD is the school District will receive a greater amount of development mitigation funds for school facilities projects than statutory development impact fees.



***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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

**24. SCHOOL FACILITIES MITIGATION AGREEMENT – ARROYO CAPITAL II, LLC: DISCUSSION/  
ACTION**

The Board is asked to consider approval of a School Facilities Mitigation Agreement with Arroyo Capital II, LLC. The agreement allows the developer to participate in the Tirador Community Facilities District (CFD) in lieu of the payment of development impact fees. The CFD involves a proposed residential development in the City of San Juan Capistrano, where the City is the lead agency and has delegated formation and administration of the CFD to the California Statewide Communities Development Authority (CSCDA). The benefit of participating in the CFD is the District will receive school facilities funds to mitigate the impact of new students from the development greater than statutory development impact fees. The facilities funds may be used toward the schools that serve the CFD. The agreement is effective upon full execution.

Page 794  
**EXHIBIT 24**

***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 approve the School Facilities Mitigation Agreement with Arroyo Capital II, LLC.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**25. RESOLUTION NO. 2021-36, RESOLUTION OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT COMMUNITY FACILITIES AGREEMENT WITH THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY RELATING TO A COMMUNITY FACILITIES DISTRICT TO FINANCE CERTAIN PUBLIC FACILITIES AND AUTHORIZING STAFF TO COOPERATE WITH THE AUTHORITY AND ITS CONSULTANTS IN CONNECTION THEREWITH: DISCUSSION/  
ACTION**

The Board is asked to consider adoption of Resolution No. 2021-36. The resolution approves the execution and delivery of a Joint Community Facilities Agreement (JCFA) among the District, the California Statewide Communities Development Authority (CSCDA) and Arroyo Capital II, LLC to participate in the Tirador Community Facilities District (CFD). The CFD would be formed around a proposed residential development in the City of San Juan Capistrano, where the City is the lead agency and has delegated formation and administration of the CFD to CSCDA. The benefit of participating in the CFD is the District will receive school facilities funds to mitigate the impact of new students from the development greater than statutory development impact fees on the market rate units in the proposed development. The facilities funds may be used toward the schools that serve the CFD.

Page 812  
**EXHIBIT 25**

***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. 2021-36, Resolution of the Capistrano Unified School District Authorizing the Execution and Delivery of a Joint Community Facilities Agreement with the California Statewide Communities Development Authority Relating to a Community Facilities District to Finance Certain Public Facilities and Authorizing Staff to Cooperate with the Authority and its Consultants in Connection Therewith.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**26. COMMITTEE FOR RENAMING SERRA HIGH SCHOOL TO CAPISTRANO UNION HIGH SCHOOL: DISCUSSION/ ACTION**

Page 827  
**EXHIBIT 26**

As described in Board Policy 7511, *Naming of Facilities*, the Board of Trustees may form a committee of the Board when a school, grounds, facility, or school building is to be named or renamed. The committee can bring a recommendation forward to the full Board for final approval. The September 23, 2020 Board agenda included an item from a Trustee recommending the Board form a committee to consider the renaming of Serra High School. This item presents for Board approval, changing the name of Serra High School to Capistrano Union High School. There is a financial implication of approximately \$40,000 for the cost to change signage, stationery, spirit wear, and other needs to shift to a new name. These expenses will be funded by the general fund.

***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 approve the renaming of Serra High School to Capistrano Union High School beginning the 2021-2022 school year.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**27. FORMING A BOARD COMMITTEE FOR NAMING OF SCHOOL BUILDINGS: DISCUSSION/ ACTION**

Page 830  
**EXHIBIT 27**

As described in Board Policy 7511, *Naming of Facilities*, the Board of Trustees may form a committee of the Board when a school, grounds, facility, or school building is to be named or renamed. The committee can bring a recommendation forward to the full Board for final approval. With the construction of the Newhart Middle School STEAM building and Aliso Niguel High School STEM building nearing completion, this item is to determine if a Board committee should be formed to potentially name the new buildings.

***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 determine if the formation of a Board committee for naming of school buildings is desired.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**28. CALIFORNIA CONNECTIONS ACADEMY SOUTHERN CALIFORNIA CHARTER SCHOOL ADMISSIONS PREFERENCES: DISCUSSION/ ACTION**

Page 832  
**EXHIBIT 28**

Pursuant to changes made by Assembly Bill 1360, effective October 13, 2017, a charter petition must include admission policies and procedures. Additionally, any priority order for preferences in admission must be included in the charter petition and be approved by the chartering authority at a public hearing per Education Code § 47605(e)(2)(B)(i). California Connections Academy Southern California (CalCA SoCal) submitted a material revision to the District to seek an amendment to the charter in order to conduct a lottery and implement the approved lottery policy that includes admission preferences to their charter petition on March 26, 2021. The admissions preferences provided in the exhibit align to their charter petition and the approved admissions preferences are reflected in the Material Revision, as outlined in Exhibit item 29.

***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, Chief Administrative Officer, Education and Support Services**

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Chief Administrative Officer, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve CalCA SoCal’s admissions preferences, with the modification to preference 2.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**29. RESOLUTION NO. 2021-39, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE MATERIAL REVISION TO CHARTER OF CALIFORNIA CONNECTIONS ACADEMY SOUTHERN CALIFORNIA CHARTER SCHOOL: DISCUSSION/ ACTION**

Page 991  
**EXHIBIT 29**

California Connections Academy Southern California (CalCA SoCal) has requested a material revision. The material revision seeks an amendment to the charter in order to conduct a lottery and implement the approved lottery policy, which includes admission preferences. The new policy and preferences are reflected in the revised petition submitted on March 26, 2021. This item is tied to Exhibit item 28.

***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, Chief Administrative Officer, Education and Support Services**

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Chief Administrative Officer, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Resolution No. 2021-39, Resolution of the Board of Trustees to Approve Material Revision to Charter of California Connections Academy Southern California Charter School.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**30. RESOLUTION NO. 2021-41, RESOLUTION TO IMPLEMENT LOCAL ASSESSMENTS IN LIEU OF THE CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS EXCEPT FOR GRADE ELEVEN: DISCUSSION/ ACTION**

Page 1159  
**EXHIBIT 30**

The State Board of Education provides guidance to Local Education Agencies (LEAs) that the District must follow when it comes to administering state assessments. The United States Department of Education formally approved limited relief from certain federal testing, accountability, and reporting requirements that California requested in the template waiver for the 2020-2021 school year.

This is not a blanket waiver of all assessments but allows LEAs to implement the most viable option for assessment in our local context. Given the challenges of administering a lengthy state assessment, the limited time we have with students before the end of the year, and wanting to ensure we focus on supporting staff and students with the full return to in-person learning, staff is recommending the Board approve administering local assessments in lieu of the California Assessment of Student Performance and Progress (CAASPP), except in grade 11. Estimated expenditures for iReady licenses and training are estimated up to \$40,000 funded by one-time 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: 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 approve Resolution No. 2021-41, Resolution to Implement Local Assessments in Lieu of the California Assessment of Student Performance and Progress Except for Grade 11.

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**ADJOURNMENT**

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, MAY 19, 2021, 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](http://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.*