

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

REVISED

May 19, 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.

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

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin/Kathy Purcell
Significant Exposure to Litigation – Four Cases
ADR Case Number 20200622M
ADR Case Number 20210106
ADR Case Number 20210301
ADR Case Number 20210330
(Pursuant to Government Code § 54956.9(d)(2))

EXHIBIT B-1
EXHIBIT B-2
EXHIBIT B-3
EXHIBIT B-4

Clark Hampton/John Forney
Attorney – Terry Tao
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9 (d)(2) or (3))

EXHIBIT B-5

Kirsten Vital Brulte
Attorneys – Anthony De Marco/Sara Young
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9 (d)(2))

EXHIBIT B-6

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell
Significant Exposure to Litigation – Three Cases
OAH Case Number 2020120236
OAH Case Number 2021010627
OAH Case Number 2021030342
(Pursuant to Government Code § 54956.9 (d)(1))

EXHIBIT C-1

EXHIBIT C-2

EXHIBIT C-3

D. STUDENT READMISSION

Mike Beekman
One Case
Case # 2020-044

EXHIBIT D-1

E. STUDENT EXPULSION

Mike Beekman
One Case
Case # 2021-003

EXHIBIT E-1

F. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: Kirsten Vital Brulte/Tim Brooks/Clark Hampton
Employee Organizations:
1) Capistrano Unified Education Association (CUEA)
2) California School Employees Association (CSEA)
3) Teamsters
4) Capistrano Unified Management Association (CUMA)
5) Unrepresented Employees/Associate Superintendents
(Pursuant to Government Code § 54957.6)

EXHIBIT F-1

EXHIBIT F-2

G. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

District Negotiators: Kirsten Vital Brulte/Clark Hampton/John Forney
Attorney: Andreas Chialtas, AALRR
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 G-1

H. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Tim Brooks
Five Cases
(Pursuant to Government Code § 54957)

EXHIBIT H-1

EXHIBIT H-2

EXHIBIT H-3

EXHIBIT H-4

EXHIBIT H-5

I. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Tim Brooks
Assistant Superintendent, Curriculum & Instruction, Education and Support Services
Principal, High School
Principal, Elementary School
(Pursuant to Government Code § 54957)

EXHIBIT I-1

EXHIBIT I-2

EXHIBIT I-3

J. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent

(Pursuant to Government Code § 54957(b))

EXHIBIT J-1

RECORDING OF SCHOOL BOARD MEETINGS

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

OPEN SESSION AT 7:00 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

SPECIAL RECOGNITIONS

Extra Milers

Sunshine Awards

The Special Education Community Advisory Committee (CAC) along with our Parent Teacher Student Association (PTSA) hosted their annual Exceptional Educator Celebration Event (Sunshine Awards) the week of March 22, 2021. This event honors District personnel who are nominated by parents and students for their contributions to our students with special needs. The Sunshine Awards recognize staff members who “SHINE” and have enriched a student’s life or made a significant impact on his/her education. [Sunshine Awards Video](#)

Block Music Teachers

Sharon Evans, block music teacher currently supporting Vista del Mar Elementary School and William Hunker, block music teacher currently supporting Malcom Elementary School, for creating a virtual recorder home study course. The course provided the opportunity for students to learn how to play the recorder during the COVID-19 pandemic.

Apex Triage Teachers, Canvas Elementary Army, and Secondary Canvas Creators

The *Apex Triage Teachers, Canvas Elementary Army, Secondary Canvas Creators*, Stephanie Avera, Director, Educational Technology, and Patrice Dempsey, Coordinator II, Credit Recovery, for their extraordinary work in supporting this year’s reopening success. Employee names are listed in the tables below.

Apex Triage Teachers

Christina Baldwin	Jillian Chiapuzio	Amy Cobos	Valerie Dambach
Christine Duncan	Tracy Durst	Janai Ederaine	Shannon El-Sokkary
Arielle Freleaux	Kirstin Greig	Peter Hartman	Ryan Healy
Robert Hitchcock	Weston Kilbride	Megan Leiva	Katie Nicol
Katie Phan	Juanita Riddle	Bernadette Sarigumba	Kevin Silva
Roxanne Smathers	Taylor Turner	Jennifer Vaccaro	Jeremey Wooten
Tony Zerrer			

Canvas Elementary Army

PK/TK

Leigh Devlin	Elisabeth (Liz) Elsea	Jena Levy	Ashley Reyes
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Kindergarten

Erica Alejandro	Andrea Brannam	Theresa Chaverot Campos	Rhonda Ciolek
Tiffany Kung	Jihan Medhat	Jan Mortenson	Tara Rynne
Lisa Tan	Carol Tsai	Kim Van Dixhorn	

First Grade

Jennifer Austin	Jerika Bright	Annie Chang (Ching Wen)	Suzanne Devaney
Jie Gao	Rachael Gildea	Brenda Gomez (Rosas)	Norma Hernandez
Geraldine Jacome	Leslie Le	Liz Lightner	Trina Rivas
Laura Trudeau	Michelle Viglielmo	Erica Villarreal	

Second Grade

Isis Camacho	Annie Chi	Barrie Fitzgerald	Vicky Gerson
Maria Johnson	Stacia LaBounty	Francis Mackay	Uma Mainprize
Iris Pena-Tanner	Natalie Schild	Siobhan Simmon	Marie Sykes
Lisette Vega	Marybel Weinstein		

Third Grade

Teri Carney	Juliana Carter	Cynthia Chang	Julie Fong (Chu Ping Fong)
Monica Garcia	Kendra Gerhard	Carrie O'Husky	Estrella Villafranca
Leslie Whitaker			

Fourth Grade

Teresa Acero	Marisa Alvarez	Roxanne Blake	Noreen Collins
Belinda Eschenwald (sub)	Soraya Espinoza-Perez	Karen French	Martha Garcia-Setrato
Melody Lu	Morgan Miyazono	Frances Najar	Julie Robertson

Fifth Grade

Bonnie Danner	Belinda Echenwald (sub)	Melinda Emery	Lisa Estrada
Todd Horton	Carmen Jones (Perez)	Charlotte Komine	Carrie Millat
Christina Portillo	Gabriela Reyes	Lori Simpson	Anna Swartz

Other (PE, Music, Art, SEL)

Minnie Amundson	Ann Berger	Julie Chutuk	Georgina Flores
Andrew Fredriksz	Briana Ganger	Bonnejo Ixtacuy	Priscilla Jara
Barbara Jaramillo	Lisa Jarrard	Kathie Ketcham	Steven Long
Ashley McAdams	Cristina Nalbach	Katie Pearson	Lauren Reid
Elizabeth Sholly	Jeanette Simionescu	Jacquelyn Smith	Jenny Thai
Alexandra Todd Vargas	Joyce Toledo	Cleo Victa	Karly Vislay
Kristin Vizcaino	Shiree Webb	Jerika Bright	

Curriculum Specialists

Brenda Bolla	Karen Gauthier	Kim Hanley	Darla O'Leary
Lidia Sanchez	Elisa Slee		

Secondary Canvas Creators**ELA**

Katie Ahmer	Katie Bennet	Miguel Carvente	Molly Coghill
Jenny Contant	James Daly	Stacy Gerken	Janey Gidion
Shelly Gustafson	Colleen Harnett	Cody (Robert) Hitchcock	Sarah Kang
Tait Lihme	Lauren Lindroth	Matt Miller	Theresa Moos
Katie Nicol	Tricia Reyes	Reannah Sartoris	Leo Spengler
Lisa Velez	Lisa Waizinger	Katie Wegner	Dave Weinstein
Michelle Wendehost	Virginia Reischl		

ELD

Christy Bak-Boychuk	Lindsay Jones	Erika Lindberg	Lisa Reardon
Candice Tucker	Alma Uminsky	Laura White	

History/Social Studies

Phil Andrews	Kurt Berkenkotter	Rick Brail	Charlie Briggs
Jessica Burch	Sara Campbell	Pete Chance	Greg Colwell
Joslin DeDiego	Johanna Heavlin-Martinez	Mike Hulse	Kim Jindra
Sara Karimi-Hosseini	Alison Shick	Carla Sisca	Laura Thompson
Jennifer Woodward	Rick Woodward		

Math

Anthony Aguirre	Courtney Ainsworth	Emily Barbarino	Kim Beck
Alisan Boes	Josh Cain	Laura Campean	Kerstin Claus
Valerie Dambach	Kelly Delprato	Liz Gomez	Candice Harrington
Corrine Jacobs	Alison Jax	Dina Kubba	Laura Lander
Jinwoo Lee	Patricia Luser	Laura Mannina	Teresa Miller
Rosa Nasiri	Stacey Olson	Kurina Owens	Lindsay Peck
Kari Powers	Chris Roach	Sue Royal	Amanda Shinavar
Nic Smith	Cynthia Stark	Shari Suda	Courtney Tebbe
Chuck Waterman	Jim Wenk	Mary Wilbur	

Science

Joey Belanto	Joe Bookataub	Cheryl Burd	Bridget Burke
Bill Buskenkell	Robin Cadiz	Petra Davis	Jody Dykes
Stacey Finnerty	Andrew Freeman	Jeri Lane Garcia	Erin Goulet
Cheryl Johnson	Dan Johnson	Megan Leiva	Elizabeth Lewis
Michelle McKinley	Kelli Murphy	Huy Nguyen	Shannon O'Malley
Deanna Pearce	Deanna Perez	Susan Phelps	Kristin Raub
Rebecca Reid	John Rosser	Megan Ruth	Benadette Sarigumba
Sarika (Erica) Sharma	Phil Stirtz	Mike Sullivan	Lisa Tita
Annie Yu			

TWI

Nik Dewald	Leo Fajardo	Adriana Furlong Burton	Ana Gaia
Jamie Gonzalez	Sandra Isassi	Nicole Loh	Miriam Martinez
Stella Ortega	Cathy Rodriguez	Lorena Sweeney	Melissa Torres
Fernando Villalba			

VAPA

Angela Brown	Yeon Choi	Cheryl DesPalmes	Alicia Erlinger
Elizabeth Evans	Mikayla Feldman	Cambria Graff	Keith Hancock
Jason Harney	Kevin Homma	Natalie Hribar-Kelly	Gabrielle Karington
Craig Landino	Alana Mack	Andy Magana	Dean McElroy
Jeff McGinnis	Sandy Mesa	Mike Moore	Jon Ohnstad
Linda Parsons	Valerie Petty	Krista Rodriguez	Ashley Stevens
Andy Waldukat	Renee Weitzel	Rachel Wright	Albert Jeung
Tony Soto			

World Language

Rafael Albelo	Lisa Alizadeh	Carolyn Benjamin	Abir Hussein
Linda Keeler	Amal Khalil	Alex Manzotti	Marguerite Morlan
Lorena Perez-Sanchez	Sarah Polster	Silvia Zamora Balderrama	

Special Education – Middle School Counselors

Lori Avakian	Eva Avendano	Tom Bogiatzis	Omero Corral
Andrew Fredriksz	Gina Krikorian	Melissa Moore	Lindsey Morris
Muna Osisioma	Lauren Reid	Lorena Salter	Jessica Sandoval
Joyce Toledo			

Special Education – High School Counselors

Jeannette Brennan	Erika Fairweather	Tiffany Le	Laura Liegler
Jaime Runyan	Kelly Waugh		

Special Education – Autism Specialists

Danielle Kerber	Ashley McAdams		
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Special Education – School Psychologists

Genevieve Johnson	John McCarthy		
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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 HEARINGS

1. **PUBLIC HEARING: 2021-2022 LOCAL CONTROL ACCOUNTABILITY PLAN:** Page 1
 The Board will conduct a public hearing on the 2021-2022 Local Control Accountability Plan. Supporting documentation is located in Exhibit 35. **EXHIBIT 1**

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

*CUSD WIG 3: Facilities–Optimize facilities and learning environments for all students.
 Contact: Gregory Merwin, Chief Academic 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 the item, and after hearing any speakers, formally close the public hearing.

2. **PUBLIC HEARING: 2021-2022 PROPOSED BUDGET ADOPTION:** Page 3
 The Board will conduct a public hearing on the 2021-2022 Proposed Budget Adoption. Supporting documentation is located in Exhibit 36. **EXHIBIT 2**

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

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

Staff Recommendation

It is recommended the Board President open the public hearing, determine if members of the public have submitted requests to speak on the item, and after hearing any speakers, formally close the public hearing.

CONSENT CALENDAR

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

BUSINESS AND SUPPORT SERVICES

- 3. DONATION OF FUNDS AND EQUIPMENT:** Page 4
EXHIBIT 3
Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$358,526.40 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
- 4. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 8
EXHIBIT 4
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 \$4,427,652.31 and the commercial warrants total \$22,044,498.10. 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
- 5. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 115
EXHIBIT 5
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 9 new agreements totaling \$409,378.52 and 16 amendments to existing agreements totaling \$1,217,373.60. 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
- 6. AWARD BID NO. 2021-10, ALISO NIGUEL HIGH SCHOOL TURF REPLACEMENT – HORIZONS CONSTRUCTION COMPANY INTERNATIONAL INCORPORATED:** Page 323
EXHIBIT 6
Approval of Award of Bid No. 2021-10, Aliso Niguel High School Turf Replacement to Horizons Construction Company International Incorporated. Six bids were received and opened on April 21, 2021 and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. Horizons Construction Company International Incorporated is the lowest responsive, responsible bidder at \$977,524. This project will be funded by deferred maintenance.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
- 7. CHANGE ORDER NO. 7, BID NO. 1920-04, ALISO NIGUEL HIGH SCHOOL STEM BUILDING PROJECT:** Page 355
EXHIBIT 7
Approval of Change Order No. 7, Bid No. 1920-04 for the Aliso Niguel High School STEM Building is related to Division of State Architects requiring the removal and replacement of an existing ramp due to American with Disabilities Act compliance issues, the District change to a new projector model, and a credit for shop inspections caused by delays from the steel fabricator. 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 \$10,954,576. With Change Order No. 7 in the amount of \$37,417.84, the new contract sum will be \$11,358,711.48 funded by CFD 87-1 and if necessary, the 2015 2 Liberty, Aliso Viejo, California land sale revenue and interest earnings. With this change order, the project remains under budget.

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

8. AMENDMENT TO USE OF SCHOOL FACILITIES RENTAL FEE SCHEDULE AND IMPLEMENTATION TIMELINE: Page 450
EXHIBIT 8

Approval of amendment to the Use of School Facilities Rental Fee Schedule and implementation timeline. The Board approved Board Policy 1330, *Use of School Facilities*, and adopted a new facility use fee schedule on August 5, 2020. The amendment presented to the Board proposes deferring for one year the July 1, 2021 Use of Facilities rate increase. The amendment also adjusts the 25 meter and 50 meter pool rates and lane rates for all users to more accurately reflect the public's proportionate share of use. The amendment to the Use of School Facilities Rental Fee Schedule and implementation timeline is proposed to ensure no significant financial impact to the District as a result of community use of the District's school facilities, as authorized or mandated by the Civic Center Act.

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

9. AGREEMENT FOR THE OPERATION OF EXTENDED DAY CHILD-CARE PROGRAMS –YMCA OF ORANGE COUNTY: Page 458
EXHIBIT 9

Approval of a five-year agreement with the YMCA of Orange County to continue to operate extended day childcare programs at District elementary and middle school campuses. The agreement is established pursuant to Education Codes §§ 8485-8486 and Government Code § 53060. The terms of the proposed agreement are similar to the current and past agreements. The term of the renewal agreement is five years beginning on July 1, 2021 and expiring on June 30, 2026. Proceeds from this agreement will be deposited into the general fund. The agreement was reviewed by the District's legal counsel.

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

10. TEMPORARY LICENSE AGREEMENT – LENNAR HOMES OF CALIFORNIA, INC.: Page 471
EXHIBIT 10

Approval of a Temporary License Agreement with Lennar Homes of California, Inc. Lennar Homes is the owner and developer of real property located north of Kinoshita Elementary School and is developing a residential community. The Temporary License Agreement would allow Lennar Homes a non-exclusive right and license to enter upon, over, across and under the license areas at Kinoshita Elementary School, depicted on Exhibit B of the agreement, for the following purposes: (a) grading of the residential property (b) constructing permanent walls on the residential property and/or the common boundary (c) installing a water line to connect the existing water line (d) removing improvements, trees or other landscaping to be replaced as reasonably required to complete the grading, walls and water line, (e) access and staging related to all of the above. Lennar Homes may utilize the license and license areas without cost or charge by District and will provide insurance coverage to protect the use. Lennar Homes agrees to coordinate with the District and school site to avoid disruption of school. This Temporary License Agreement has been reviewed by legal counsel and will be in effect until July 31, 2022.

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

CURRICULUM AND INSTRUCTION

11. AGREEMENT FOR SERVICES WITH CURRICULUM ASSOCIATES: Page 483
EXHIBIT 11

Approval of the ratification of agreement for services with Curriculum Associates to provide software licenses for students in grades six through eight, to support Districtwide Math and Reading diagnostic assessments, April 16, 2021 through June 30, 2021.

In place of the Math and English-language arts California Assessment of Student Performance and Progress (CAASPP) assessments in grades six through eight this spring, staff propose that the District purchase i-Ready diagnostic assessments for both Math and Reading. Students in grades six, seven and eight will take the “i-Ready Diagnostic” in May 2021 to support identifying student learning and progress monitoring. The license for the diagnostic assessments is for three months. Staff will bring forward a separate item in June 2021 to request necessary annual licensing for future school years. The estimated total expenditure for the middle school site licenses is \$24,000, funded by Low-Performing Block Grant funds.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

12. **MEMORANDUM OF UNDERSTANDING AND AGREEMENT FOR USE OF EMERALD COVE OUTDOOR SCIENCE INSTITUTE, FACILITIES, SUPPLIES, EQUIPMENT, AND SERVICES, PUBLIC SCHOOL DISTRICTS, SCHOOL YEAR 2020-2021:** Page 490
EXHIBIT 12

Approval of the ratification of the Memorandum of Understanding and Agreement for Use of Emerald Cove Outdoor Science Institute, Facilities, Supplies, Equipment, and Services Public School Districts School Year 2020-2021. Oso Grande, Philip Reilly and Chaparral Elementary Schools have expressed an interest in attending the outdoor science camp, **virtually**, for their fifth grade students, May 3-21, 2021. The total estimated expenditure is \$14,400, funded by gift funds.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

13. **AGREEMENT NO. 51349 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 496
EXHIBIT 13

Approval of the ratification of Agreement No. 51349 with the Orange County Superintendent of Schools for restorative practices training services, May 1, 2021 through June 1, 2021. As required by Title IX, the District provides non-profit private schools within the District’s boundaries with equitable services with federal funding. St. Edwards the Confessor School in Dana Point participates in the Title IV federal program. Agreement No. 51349 with the Orange County Superintendent of Schools will provide two restorative practices training sessions for teachers at St. Edwards School. The estimated cost of \$300 will be funded by Title IV funds.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

14. **ADDENDUM TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN THE INSIDE THE OUTDOORS SCHOOL PROGRAMS, AGREEMENT NUMBER 13017, ADDENDUM NO. 9, NO. 10 AND NO. 11:** Page 507
EXHIBIT 14

Approval of the ratification of Addendum to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Number 13017, Addendum No. 9, No. 10, and No. 11. 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**. Castille Elementary School and Esencia K-8 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. Malcom and San Juan Elementary Schools have each enrolled in an additional **virtual** session. There is no financial impact; there is no charge or fee this year.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

15. **MEMORANDUM OF UNDERSTANDING WITH MISSION HOSPITAL MEDICAL CENTER:** Page 515
EXHIBIT 15

Approval of the Memorandum of Understanding (MOU) with Mission Hospital Medical Center (MHMC), May 20, 2021 through June 30, 2023.

This partnership provides accessible resources to District students, parents and staff through our local community hospital. MHMC will provide information, education, resources, and referral services, related to mutually agreed upon wellness issues, which may include substance use prevention, mental health, equity and diversity. The MOU allows for MHMC consultation and training services to faculty and staff, workshops or seminars for parents and/or students, and on-site mental health services, which may include individual student or family therapy. This item is in alignment with the Theory of Action to provide students with support and intervention. There is no financial impact.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

16. RESOLUTION TO DESIGNATE THE OBSERVANCE OF THE STATE LINCOLN DAY HOLIDAY DURING THE 2021-2022, 2022-2023, AND 2023-2024 CALENDARS TO ALIGN WITH FEDERAL WASHINGTON DAY HOLIDAY: Page 529
EXHIBIT 16

Approval of Resolution No. 2021-40 to approve a change in the observance of the state holiday, Lincoln Day, to align with the federal holiday, Washington Day. The 2021-2022 and 2022-2023 calendars were Board approved on May 22, 2019. An additional school calendar for 2023-2024 is being presented to the Board for approval during this meeting. Per Education Code § 37220 the Board must approve the change in observance via a resolution and then the revised calendars can be approved. Staff recommends approval of this resolution and then approval of a revised 2021-2022, a revised 2022-2023, and an additional 2023-2024 calendar to align the four-day weekend in February to the federal holiday, Washington Day.

Through the currently proposed calendars, the recommendation is to align the four-day weekend with the federally approved holiday, Washington Day. The newly authorized observances would be as follows:

- The Revised 2021-2022 calendar will designate the holidays (Lincoln Day and Washington Day) as February 18, 2022 and February 21, 2022.
- The Revised 2022-2023 calendar will designate the holidays (Lincoln Day and Washington Day) as February 17, 2023 and February 20, 2023.
- The proposed 2023-2024 school year designates the holidays (Lincoln Day and Washington Day) as February 16, 2024 and February 19, 2024.

This recommendation aligns the calendar with other local school districts. Staff has reviewed these changes with the associations. There is no financial impact.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

17. APPROVAL REVISED SCHOOL CALENDARS FOR 2021-2022 AND 2022-2023, AND AN ADDITIONAL SCHOOL CALENDAR FOR THE 2023-2024 SCHOOL YEAR: Page 537
EXHIBIT 17

Approval of revised school calendars for 2021-2022 and 2022-2023, to change the observance of the state holiday, Lincoln Day, to align with the federal holiday, Washington Day, and approval of an additional school calendar for the 2023-2024 school year. The 2021-2022 and 2022-2023 calendars were Board approved on May 22, 2019. In addition to revising these two new calendars, the school calendar for 2023-2024 is also being presented to the Board for approval during this meeting. Per Education Code § 37220 the Board must approve the change in observance via a resolution and then the revised and additional calendars can be approved.

Upon approval of Resolution No. 2021-40, staff recommends the Board approve the revised 2021-2022, 2022-2023, and the additional 2023-2024 calendars to align all of the four-day weekends in February to the federal holiday, Washington Day.

- The Revised 2021-2022 calendar will designate the holidays as February 18, 2022 and February 21, 2022.
- The Revised 2022-2023 calendar will designate the holidays as February 17, 2023 and February 20, 2023.

- The Proposed 2023-2024 new calendar designates the holidays as February 16, 2024 and February 19, 2024.

All of these changes are so designated in Resolution 2021-40, Resolution to Designate the Observance of the State Lincoln Holiday to Align with the Federal Washington Day Holiday During the 2021-2022, 2023-2023, and 2023-2024 Calendars. Staff has reviewed these changes with the associations. Pending approval of the proposed calendars, staff will post and communicate to all stakeholders. There is no financial impact.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

18. AMENDMENT TO AGREEMENT WITH STRATEGIC KIDS:

Page 544
EXHIBIT 18

Approval of the ratification of the amendment to the agreement with Strategic Kids to provide services, **virtually**, to students at Hidden Hills Elementary School, May 3, 2021 through June 3, 2021. **Virtual** learning provided will include a five-week session of Strategic Chess and Strategic Lego classes. This program is free to the District through a grant provided by Strategic Kids. Students will receive a total of eight hours of live **virtual** instruction per class. There is no financial impact.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

19. AMENDMENT TO TEMPORARY BOARD POLICY T5121.1, GRADES/EVALUATION OF STUDENT ACHIEVEMENT:

Page 553
EXHIBIT 19

Approval of the amendment to Temporary Board Policy T5121.1, *Grades/Evaluation of Student Achievement*. As the 2020-2021 school year continues, local and state health orders modify how instruction may be provided. Due to the ongoing COVID-19 pandemic, staff recommends Temporary Board Policy T5121.1, *Grades/Evaluation of Student Achievement*, to create maximum flexibility in how teachers monitor student progress. Staff recommends revisions to Board Policy T5121.1 to add temporary language to address the unique difficulty of students participating in double electives (two elective classes) at Language Immersion middle schools. When students returned to in person learning in April 2021, the Language Immersion middle schools could not adjust the master schedules to allow for students to maintain their double elective course as previously scheduled during hybrid learning. Therefore, students are attending this course weekly. To accommodate grading, due to this challenge, staff recommends applying the same temporary policy language to the double elective courses that is also applied to the online (APEX) physical education courses. During the fourth quarter only, staff recommends Language Immersion middle school double elective courses be graded using both letter grades and Credit (CR) or No Credit (NC) marks. Language Immersion middle school double elective teachers will work with students to provide each student the option to select to be evaluated by the letter grade earned or CR for the fourth quarter only. Changes are underlined; deletions are struck through. There is no financial impact.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Services*

20. MEMBERS OF THE SPECIAL EDUCATION LOCAL PLAN AREA COMMUNITY ADVISORY COMMITTEE:

Page 559
EXHIBIT 20

Approval of the appointment of Steven Burke, Meredith Chillemi, Veronica Hoggatt, Nicole Lindstrom, Danielle Schmiesing, Kimber Smith, and Malissa Watson to serve as a Community Advisory Committee (CAC) voting member for the 2021 and 2023 calendar years. The term of appointment for voting members will be July 1, 2021 through June 30, 2023. In accordance with the California Education Code § 56190, each Special Education Local Plan Area (SELPA) shall establish a CAC with parents of special education students forming the majority. Based on the bylaws of the SELPA, a committee of voting members is established annually, comprised of District parents, teachers, administrators, and community representatives who serve District students. The term of appointment for voting members is two years, staggered annually. There is no financial impact.

Contact: *Gregory Merwin, Chief Academic Officer, Education and Support Service*

21. **PARADIGM HEALTHCARE SERVICES, LLC SERVICE AGREEMENT FOR 2021-2022:** Page 560
EXHIBIT 21
- Approval of Service Agreement with Paradigm Healthcare Services, LLC to provide Medi-Cal Local Educational Agency (LEA) and School-Based Medi-Cal Administrative Activities (SMAA) billing services. The contract term will be July 1, 2021 through June 30, 2022, with renewals at the option of the Board with a 30-day notice termination provision option. Fees vary and are relative to the amounts that the District is reimbursed by Medi-Cal for applicable related services. This year, it is anticipated that the LEA billing program will provide the District with an estimated \$650,000 in revenue. SMAA generated funds are difficult to predict because the measurement methodology is implemented in conjunction with an outcome based upon performance of a consortium of school districts who are also participating in the program. Expenditures utilizing this contract are estimated to be \$63,000 funded by the general fund and \$100,000 funded by Special Education using revenues generated via the LEA billing program. Overall, this contract includes an expenditure that represents less than 10 percent of the District's estimated income from participation with the Medi-Cal LEA and SMAA billing programs. There is no financial impact.
- Contact: Gregory Merwin, Chief Academic Officer Education and Support Services**

22. **SCHOOL-BASED MEDI-CAL ADMINISTRATIVE ACTIVITIES PARTICIPATION AGREEMENT - ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 577
EXHIBIT 22
- Approval of the School-Based Medi-Cal Administrative Activities (SMAA) Participation Agreement No. 51379 with the Orange County Superintendent of Schools to provide administrative services and required oversight related to Medi-Cal SMAA program reimbursement. The term of the agreement is July 1, 2021 through June 30, 2022. The Orange County Superintendent of Schools receives 4.5 percent of the quarterly claim received by the District from the state for Medi-Cal Administrative Activities administration. There is no financial impact.
- Contact: Gregory Merwin, Chief Academic Officer Education and Support Services**

23. **RESOLUTION NO. 2021-50, GRANTING SENIORS A DISTRICT DIPLOMA:** Page 609
EXHIBIT 23
- Approval of Resolution No. 2021-50, Granting Seniors a District Diploma. Board Policy 6146.1, *High School Graduation Requirements*, (c) states that in order “to participate in a graduation ceremony and receive a diploma from a District comprehensive high school, a student must be enrolled prior to the first day of the spring semester. These students must successfully complete 25 District credits.” Currently, the District has 8 students who moved into District attendance boundaries after the first day of the Spring 2021 semester and per policy cannot participate in a graduation ceremony or receive a diploma. Every year staff works with each high school to determine the number of students impacted by this policy and develops a resolution for those students who qualify to graduate. This process ensures the integrity of the District diploma while making sure students who qualify to graduate receive a diploma. Therefore, staff proposes Resolution No. 2021-50 which will allow the students listed in the resolution the opportunity to participate in the graduation ceremony and receive a diploma, provided the students meet the 25 District credit requirement.
- Contact: Gregory Merwin, Chief Academic Officer, Education and Support Services**

HUMAN RESOURCE SERVICES

24. **AGREEMENT FOR EDUCATIONAL SERVICES AND SCHOLARSHIPS WITH NATIONAL UNIVERSITY:** Page 612
EXHIBIT 24
- Approval of the Agreement for Educational Services and Scholarships with National University. This agreement will be in effect from May 3, 2021 through May 2, 2024. District employees will be eligible for a 15 percent discount on tuition for many National University courses, degrees, and credential programs. There is no fiscal impact.
- Contact: Tim Brooks, Associate Superintendent, Human Resource Services**

25. **CALIFORNIA STATE UNIVERSITY, FULLERTON SPRING 2021 MASTER TEACHER HONORARIUM:** Page 618
EXHIBIT 25
Approval of payment of honorarium to District master teachers who supported a California State University, Fullerton (CSUF) student teacher during the Spring 2021 semester. Universities pay master teachers a nominal payment for their supervision and support of student teachers. CSUF 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 Service
26. **COMMUNITY PARTNERSHIP AGREEMENT WITH CALIFORNIA STATE UNIVERSITY SAN MARCOS:** Page 621
EXHIBIT 26
Approval of the Community Partnership Agreement with California State University San Marcos. This agreement will be in effect for 5 years after the date of the last signature. Students enrolled in various California State University San Marcos courses complete portions of the course requirements through service learning as volunteers for 10 to 25 hours in District schools. There is no fiscal impact.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services
27. **PUBLIC SCHOOLS AND LIBERTY UNIVERSITY STUDENT TEACHING AGREEMENT FOR SPECIAL EDUCATION PLACEMENTS:** Page 625
EXHIBIT 27
Approval of Public Schools and Liberty University Student Teaching Agreement for Special Education Placements, effective July 1, 2021 and expiring June 30, 2023. During the school year, special education teacher credential candidates will be paired with District credentialed employees to fulfill practicum/fieldwork requirements to earn their teaching credential. There is no fiscal impact.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services
28. **THIRD QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT:** Page 629
EXHIBIT 28
Acceptance of Williams Settlement Legislation Uniform Complaint Third Quarter Report. As a result of the Williams Settlement, Education Code § 35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, Education Code § 35186 requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. No complaints were received during the third quarter.
Contact: Tim Brooks, Associate Superintendent, Human Resource Services
29. **RESOLUTION NO. 2021-42, REDUCTION OR ELIMINATION OF CERTAIN CLASSIFIED SERVICES:** Page 632
EXHIBIT 29
Approval of Resolution No. 2021-42, Reduction or Elimination of Certain Classified Services. 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 due to lack of work with the majority due to changes in school programs after the 2020-2021 school year. 221 positions were budgeted to staff Extended Learning supervision of students during the COVID-19 pandemic.

This program has cost the District approximately \$6,740,000 through April 30, 2021. Extended Learning will not exist in 2021-2022 school year as school models return to normal.

Subsequent to the action taken by the Board of Trustees all relevant notifications will be delivered to impacted staff. As staffing needs become clear for the 2021-2022 school year, appropriate action will follow to rehire, as needed.

Contact: Tim Brooks, Associate Superintendent, Human Resource Services

30. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES: Page 636
EXHIBIT 30

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

31. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES: Page 655
EXHIBIT 31

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

32. SCHOOL BOARD MINUTES: Page 666
EXHIBIT 32

Approval of the April 21, 2021 Regular Board meeting minutes.

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

DISCUSSION/ACTION ITEMS

33. CAPITOL ADVISORS GROUP, LLC PRESENTATION: INFORMATION/
DISCUSSION

The District currently has a contract with Capitol Advisors Group, LLC, a legislative consulting, and advocacy firm, providing strategic counsel and assistance in developing mutually beneficial partnerships. Capitol Advisors provides professional consulting services related to legislative, administrative, and regulatory guidance. Kevin Gordon from Capitol Advisors Group is returning to the May 19, 2021 Board meeting to share what is currently taking place in Sacramento regarding the impacts to our District based on the Governor's May Revise 2021-2022 budget due to COVID-19.

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

Contact: Kirsten Vital Brulte, Superintendent

Page 677
EXHIBIT 33

Staff Recommendation

It is recommended the Board President recognize Kirsten Vital Brulte, Superintendent, 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.

34. REOPENING OF SCHOOLS 2.0 FOR THE 2021-2022 SCHOOL YEAR: DISCUSSION/
ACTION

Staff will present a final draft Reopening plan for the 2021-2022 school year. Staff recommends that Trustees take action and approve this final Reopening plan. 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.” The Reopening CAPE Team and Action Labs have created a Reopening 2.0 Plan that addresses the Board approved priorities for elementary school, middle school, high school, and Adult Transition Program.

Page 678
EXHIBIT 34

The Reopening Plan for the 2021-2022 school year provides quality in-person and 100 percent online instructional programs, with strategic academic intervention and support, for all students in both general education and special education.

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 approve Reopening of Schools 2.0 for the 2021-2022 School Year.

Motion by _____ Seconded by _____

35. EXPANDED LEARNING OPPORTUNITIES GRANT PLAN:

Assembly Bill (AB) 86 provides Expanded Learning Opportunities Grants for school districts. As a condition of receiving funds under Education Code § 43521(b), the local governing board must adopt a plan at a public meeting on or before June 1, 2021. The State Board of Education adopted a required template for districts to use. Information includes the District's plan for assessing the needs of its students, informing parents and guardians of all of its students requiring learning recovery supports, the availability of these opportunities, and a description of how the District involved parents and school site staff contributed to the development of the plan. Information also includes planned supplemental instruction and support, and an expenditure plan. It is projected that the District will receive \$31,080,245 from the Expanded Learning Opportunities Grant.

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

CUSD WIG 3: Optimize facilities and learning environments 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 the Expanded Learning Opportunities Grant Plan.

Motion by _____ Seconded by _____

36. 2021-2022 LOCAL CONTROL ACCOUNTABILITY PLAN AND UPDATE:

In June 2013, the Legislature adopted the Local Control Funding Formula (LCFF). As part of the LCFF, the Legislature included an accountability component known as the Local Control and Accountability Plan (LCAP). In developing its LCAP, districts must address eight state priorities, solicit input and consult with stakeholders. As part of the process, each district is required to hold one public hearing to solicit the recommendations and comments of the members of the public regarding the specific actions and expenditures proposed. Staff will share an update that includes outcome data, stakeholder input, an overview of goals and actions, template changes, and a timeline for the development and approval of the 2021-2022 LCAP and Annual Update and Budget Overview for Parents.

**DISCUSSION/
ACTION
Page 696
EXHIBIT 35**

**INFORMATION/
DISCUSSION
Page 699
EXHIBIT 36**

The proposed 2021-2022 LCAP plan will be the first year of a 3-year static plan. The final 2021-2022 LCAP will be presented for approval at the June 16, 2021 Board meeting.

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

CUSD WIG 3: Optimize facilities and learning environments 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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

37. 2021-2022 PROPOSED BUDGET ADOPTION:

The District is required by law to adopt a budget for the 2021-2022 fiscal year no later than June 30, 2021 for enactment on July 1, 2021. The final budget for 2021-2022 will be based upon revenue assumptions outlined within the Governor’s May Revise, as well as District-specific assumptions for revenue and expenditures and will incorporate expenditures listed in the District’s Local Control Accountability Plan (LCAP). This item is a preliminary look at the general fund 2021-2022 budget and the 2020-2021 estimated actuals budget. The budget will be updated if necessary based upon information from the Governor’s May Revise and recommendations given by the Orange County Department of Education along with the District LCAP. The final 2021-2022 budget will be presented for Board action at the June 16, 2021 meeting.

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

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.

38. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: CULTURAL PROFICIENCY LESSONS, GRADES K-12:

Staff recommends the adoption of the following Cultural Proficiency Lessons for grades K-12: Cultural Proficiency Lessons. The Cultural Proficiency lessons are based on research, are age appropriate and supplement the Board adopted Second Step counselor curriculum. The recommended supplemental lessons are suggested to increase access to materials to build cultural proficiency, engage students in higher-order thinking, and promote equity, inclusion, and diversity. Research and evidence-based sources were used to develop the lessons. The lessons introduce students to age-appropriate material surrounding empathy, belonging, compassion, being an upstander, conflict resolution, identity, effective communication, and problem-solving skills. The lessons were developed to help students grow in their understanding of themselves and others, appreciate and accept differences, and empower students to be upstanders and to value cultural differences as assets on which educational experiences are built. The lessons are posted for the public to view at the following [link](#). The lessons were approved, by a majority vote, with all 17 Instructional Materials Review Committee members voting. The vote count was 17 voting yes, and 0 members voting no. There is no financial impact.

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

**INFORMATION/
DISCUSSION
Page 702
EXHIBIT 37**

**DISCUSSION/
ACTION
Page 733
EXHIBIT 38**

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 Instructional Materials Recommended for Adoption: Cultural Proficiency Lessons, Grades K-12.

Motion by _____ Seconded by _____

39. RESOLUTION NO. 2021-43, AUTHORIZATION OF TEMPORARY INTERFUND TRANSFERS:

Education Code § 42603 authorizes the Board of Trustees to temporarily transfer money held in any fund to another fund for payment of obligations by the District. Amounts transferred will be repaid either in the same fiscal year or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year.

Due to the nature of the current budget situation, it is necessary to secure flexibility to balance cash flow during the 2021-2022 school year. This agenda item requests Board approval to authorize interfund loans between funds. These loans (cash transfers) will be made to and between the general fund and various other District funds.

CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions. 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. 2021-43, Authorization of Temporary Interfund Transfers.

Motion by _____ Seconded by _____

40. RESOLUTION NO. 2021-49, ADOPTING THE ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION AND CERTAIN RELATED CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS RELATIVE TO, AND APPROVING THE COMPRESSED NATURAL GAS DISPENSER AT THE ALISO VIEJO TRANSPORTATION CENTER PROJECT:

On December 7, 2011, the Board of Trustees adopted a Mitigated Negative Declaration (MND) for a Compressed Natural Gas (CNG) Fueling Project (Project) at the District’s Bus Yard, located at 2B Liberty in Aliso Viejo. The Board thereafter approved the Project which, at that time, included 20 CNG refueling stations. That Project was constructed and completed, and is currently in operation.

On February 27, 2019, District staff returned to the Board with a proposed Addendum to the MND to expand the Project to 40 CNG refueling stations. The Board approved the Addendum, and authorized District staff to pursue a Conditional Use Permit (CUP) with the City of Aliso Viejo (City). On April 7, 2021, the City approved the CUP allowing the District to move forward with this Project.

Now, the Board is requested to affirm its adoption of the Addendum to the MND and the related February 27, 2019 findings and approve the Project, as modified, with the 40 CNG refueling stations. The resolution approves the addendum with the CUP and authorizes the posting of a Notice of Determination for the Project.

The adoption of Resolution No. 2120-49 is the final step before the District can prepare a notice for inviting bids for the Project.

**DISCUSSION/
ACTION
Page 783
EXHIBIT 39**

**DISCUSSION/
ACTION
Page 786
EXHIBIT 40**

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. 2021-49, Adopting the Addendum to the Mitigated Negative Declaration and Certain Related California Environmental Quality Act Findings Relative to, and Approving the Compressed Natural Gas Dispenser at the Aliso Viejo Transportation Center Project.

Motion by _____ Seconded by _____

41. TRUSTEE REQUEST: RESOLUTION NO. 2021-51, RESOLUTION IN SUPPORT OF THE ACTION FOR SPENT FUEL SOLUTIONS NOW COALITION:

Board Policy 9322, *Agenda/Meeting Materials*, states any Board member may place any item on the agenda no later than ten days before the scheduled meeting date. A Trustee has requested the Board take action on the adoption of Resolution No. 2021-51, Resolution in Support of the Action for Spent Fuel Solutions Now Coalition. The San Onofre Nuclear Generating Station (SONGS) is a retired commercial nuclear power plant that has all of its spent nuclear fuel packaged in stainless steel canisters designed for both storage and transportation. A new coalition, *Action for Spent Fuel Solutions Now*, provides an opportunity for stakeholders, including educators, local governments, business and labor leaders, Native American leaders, environmental groups, and community members, to join forces and make offsite spent fuel storage and/or disposal a priority.

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

Contact: Martha McNicholas, Board of Trustees

Staff Recommendation

It is recommended the Board President recognize Martha McNicholas, Board of Trustees, to present the item.

Following Discussion, it is recommended by Trustee McNicholas that the Board of Trustees take action to adopt Resolution No. 2021-51, Resolution in Support of the *Action for Spent Fuel Solutions Now* Coalition.

Motion by _____ Seconded by _____

42. CITIZENS REQUEST: REMOVAL OF THE MASK MANDATE AT CAPO UNIFIED SCHOOLS:

Board Policy 9322, *Agenda/Meeting Materials*, states any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. *Citizen requests that the Board of Trustees eliminate the mask wearing mandate at Capo Unified schools as science has shown, masks does not stop the spread of COVID. Science has also shown and proven that wearing a mask for countless hours causes health issues as well - bacteria ingested back into the lungs is causing infections, asthma, sinus obstruction, headaches and more. Lastly, forcing children to wear any device that obstructs their breathing is illegal and a liability for the school district if a child should become ill and/or die because of the health harms it's causing. Please see supporting document for further information.*

Per Board Policy 9322, Board members may request that a topic be placed on the agenda which has been recently considered and acted upon by the Board, providing there is new and relevant information on the topic, **but only for the purpose of Board members deciding whether or not to reconsider the topic.**

**DISCUSSION/
ACTION**

Page 799

EXHIBIT 41

**INFORMATION/
DISCUSSION**

Page 801

EXHIBIT 42

If the Board decides to reconsider the agenda topic, it shall do so at a future regular Board meeting. A majority vote of the Board will provide direction to the Superintendent as to whether a recommendation will be forthcoming

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

Contact: Michelle Harthill, Citizen

Staff Recommendation

It is recommended the Board President recognize Michelle Harthill, Citizen, to present information on this item. This is an information item only and no Board action is necessary.

43. CITIZENS REQUEST: RECONSIDERATION OF TEMPORARY BOARD POLICY T6146.1, HIGH SCHOOL GRADUATION REQUIREMENTS: INFORMATION/ DISCUSSION

Board Policy 9322, *Agenda/Meeting Materials*, states any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. *Citizen requests the Board of Trustees to reconsider Temporary Board Policy T6146.1, High School Graduation Requirements and add the class of 2022 to the exemption from the Health class requirement.*

Page 822
EXHIBIT 43

Per Board Policy 9322, Board members may request that a topic be placed on the agenda which has been recently considered and acted upon by the Board, providing there is new and relevant information on the topic, **but only for the purpose of Board members deciding whether or not to reconsider the topic.** If the Board decides to reconsider the agenda topic, it shall do so at a future regular Board meeting. A majority vote of the Board will provide direction to the Superintendent as to whether a recommendation will be forthcoming.

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

Contact: Ena Gutesa, Citizen

Staff Recommendation

It is recommended the Board President recognize Ena Gutesa, Citizen, to present information on this item. 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, JUNE 16, 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

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.