

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

**REVISED**

October 21, 2020

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

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

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

**EXHIBIT A-1**

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

Gregory Merwin/Kathy Purcell  
Attorney – Justin Shinnfield  
Significant Exposure to Litigation – Five Cases  
ADR Case Number 20160817  
ADR Case Number 20200805  
ADR Case Number 20200806  
ADR Case Number 20200903  
ADR Case Number 20200904  
(Pursuant to Government Code § 54956.9(d)(2))

**EXHIBIT B-1**  
**EXHIBIT B-2**  
**EXHIBIT B-3**  
**EXHIBIT B-4**  
**EXHIBIT B-5**

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

Gregory Merwin/Kathy Purcell  
Attorney – Justin Shinnfield  
Significant Exposure to Litigation – Two Cases  
OAH Case Number 2020070107  
OAH Case Number 2020070776  
*(Pursuant to Government Code § 54956.9(d)(1))*

**EXHIBIT C-1**  
**EXHIBIT C-2**

**D. STUDENT EXPUNGEMENT**

Mike Beekman  
One Case  
Case # 2019-014

**EXHIBIT D-1**

**E. STUDENT READMISSION**

Mike Beekman  
One Case  
Case # 2020-013

**EXHIBIT E-1**

**F. CONFERENCE WITH LABOR NEGOTIATORS**

District Negotiators: Kirsten M. Vital/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)  
*(Pursuant to Government Code § 54957.6)*

**EXHIBIT F-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**

**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.

**CONSENT CALENDAR**

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

## **BUSINESS AND SUPPORT SERVICES**

- 1. DONATION OF FUNDS AND EQUIPMENT:**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$29,979.67 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*

Page 1  
**EXHIBIT 1**
- 2. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:**

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 \$7,878,286.02 and the commercial warrants total \$13,605,859.05. 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*

Page 3  
**EXHIBIT 2**
- 3. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:**

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 26 new agreements totaling \$2,129,237.45 and 8 amendments to existing agreements totaling \$165,000. 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*

Page 82  
**EXHIBIT 3**
- 4. CHANGE ORDER NO. 3, BID NO. 1920-07, TESORO HIGH SCHOOL TURF AND SAND VOLLEYBALL COURT PROJECT:**

Approval of Change Order No. 3, Bid No. 1920-07 for the Tesoro High School Turf and Sand Volleyball Court Project related to Americans with Disabilities Act upgrades, District safety measures, and added measures for protection of new equipment. 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 \$916,295. The new contract sum including Change Order No. 3 is \$999,167.36 funded by gift funds, Las Flores CFD 92-1 and deferred maintenance. With this change order, the project remains under budget.

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

Page 395  
**EXHIBIT 4**
- 5. CHANGE ORDER NO. 4, BID NO. 1920-04, ALISO NIGUEL HIGH SCHOOL STEM BUILDING PROJECT:**

Approval of Change Order No. 4, Bid No. 1920-04 for the Aliso Niguel High School STEM Building Project related to rerouting conflicting solar lines outside of the project area. 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. The new contract sum including Change Order No. 4 is \$11,222,995.35 funded by CFD 87-1 and if necessary, earned interest and land sale revenue. With this change order, the project remains under budget.

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

Page 423  
**EXHIBIT 5**

6. **COMMERCIAL SERVICES AGREEMENTS FOR INCREASED NETWORK CONNECTIVITY – COX COMMUNICATIONS:** Page 433  
**EXHIBIT 6**  
Approval of the ratification of Commercial Services Agreements with Cox Communications to provide increased network capacity at each high school site and across the network to the District from October 1, 2020 through September 30, 2023. Annual expenditures under this contract are approximately \$110,000 funded by the general fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
7. **CYBER SECURITY SERVICES AGREEMENT NO. 50097 – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 455  
**EXHIBIT 7**  
Approval of Cyber Security Services Agreement No. 50097 with Orange County Superintendent of Schools (OCDE) to provide cyber security services to the District from July 1, 2020 through June 30, 2021. Annual expenditures under this contract are limited to \$12,000 funded by the general fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
8. **DELETION OF BOARD POLICY 7120, PARTICIPATION IN PLANNING AND ADD LANGUAGE TO BOARD POLICY 7100, DETERMINING NEEDS:** Page 463  
**EXHIBIT 8**  
Approval to delete Board Policy 7120, *Participation in Planning* and add the language to Board Policy 7100, *Determining Needs*. California School Board Association (CSBA) recommended our current Board Policy 7120, *Participation in Planning* be eliminated as a separate Board policy and the language added/combined with the *Determining Needs* Board policy currently on the agenda under Discussion/Action items for Board review. The policy language ensures members of the school community are given the opportunity to provide input into the facilities planning process.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
9. **DELETION OF BOARD POLICY 7140, RELATIONS WITH THE PUBLIC AND ADD LANGUAGE TO BOARD POLICY 7100, DETERMINING NEEDS:** Page 465  
**EXHIBIT 9**  
Approval to delete Board Policy 7140, *Relations with the Public* and add the language to Board Policy 7100, *Determining Needs*. California School Board Association (CSBA) recommended our current Board Policy 7140, *Relations with the Public* be eliminated as a separate Board policy and the language added/combined with the *Determining Needs* Board policy currently on the agenda under Discussion/Action items for Board review. The policy language ensures the public is informed on the use of any and all funds for school facilities.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
10. **MASTER SERVICES AGREEMENT 2020 – PLANITROI:** Page 467  
**EXHIBIT 10**  
Approval of the Master Services Agreement 2020 with PlanITROI for information technology services to dispose of chromebooks reaching end-of-life dates. Under this agreement, PlanITROI will manage the auction or recycling of outdated chromebooks and provide a credit to use for the replacement of chromebooks as part of the chromebook program refresh. The effective date of the agreement is September 19, 2020 and is continuous until terminated by either party. The credit will reduce the overall cost of the 1:1 chromebook program.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

## **CURRICULUM AND INSTRUCTION**

11. **ELLEVATION SUBSCRIPTION AGREEMENT NOVEMBER 1, 2020-OCTOBER 31, 2022:** Page 479  
**EXHIBIT 11**  
Approval of Ellevation Subscription Agreement, November 1, 2020 through October 31, 2022, for annual subscription fees and online training. The annual subscription cost of \$11.25 per English learner student and two online training sessions, for three hours each to support teachers and administrators with understanding the platform and data to enhance the appropriate placement and monitoring of students who are English learners.

A 10 percent discount is applied for a two-year agreement. The two-year subscription agreement fee and training cost of \$90,562.50 will be funded by Title III.

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

**12. LOCAL CONTROL ACCOUNTABILITY PLAN PARENT ADVISORY COMMITTEE FOR 2020-2021:**

Page 486  
**EXHIBIT 12**

Approval of the Local Control Accountability Plan (LCAP) Parent Advisory Committee (PAC) members. The Local Control Funding Formula, California's school funding model, requires the development of an LCAP that links spending to specific District goals for student achievement. Districts are held accountable to the specific ways in which money is spent and how those decisions are improving student outcomes. A key aspect of the LCAP process is the engagement of and consultation with specific parent/guardian groups, including representation of students who are English learners, foster-youth and low socio-economic status. One way this is facilitated is through the formation of a PAC. The LCAP PAC will meet regularly to review the sections of the LCAP and provide ongoing input into the monitoring and revision of the LCAP. Members serve a two-year term. There is no financial impact.

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

**HUMAN RESOURCE SERVICES**

**13. EMERGENCY SUBSTITUTE DAILY RATE OF PAY INCREASE:**

Page 488  
**EXHIBIT 13**

Approval of the ratification of the temporary emergency substitute daily rate of pay increase. As planning for reopening schools in person began, the substitute fill rate dropped significantly to close to 50 percent. Furthermore, many of the District's active substitutes were hired as Para Educators to support extended learning, which further impacted the existing substitute pool. Raising the daily rate for substitute teachers would make the District more competitive with neighboring districts. The total cost increase will depend on the need for substitutes, but is estimated to be up to \$500,000. This increase is effective September 29, 2020 through December 31, 2020.

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

**14. ANNUAL AUTHORIZATION OF COACHES TO PROVIDE FIRST SEMESTER PHYSICAL EDUCATION CREDIT:**

Page 489  
**EXHIBIT 14**

Approval of teachers who are credentialed in subjects other than Physical Education (PE) to provide PE credit to students in that respective sport. Districts may assign a teacher with a credential in a subject area other than PE to coach a competitive sport and award PE credit to students. State law requires that such teachers be full-time employees of a district who have completed a minimum of 20 hours of first-aid instruction, and have been approved by the Board of Trustees. It has been determined all teachers who do not hold a physical education credential, but are assigned coaching activities for which such credit is given, are full-time employees of the District, and have completed cardiopulmonary resuscitation, first-aid instruction and concussion training. There is no financial impact.

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

**15. CHANGE IN TITLE AND JOB DESCRIPTION FOR EXECUTIVE DIRECTOR, CAREER TECHNICAL EDUCATION:**

Page 491  
**EXHIBIT 15**

Approval of change in title and job description for Executive Director, Career Technical Education to Executive Director, College and Career Readiness. This change in title and job description better describes the services that are provided to K12 students in providing guidance and developing a cohesive college and career plan that will guide them through K12 and beyond.

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

16. **MASTER SERVICES AGREEMENT – STRATEGIC KIDS:** Page 496  
**EXHIBIT 16**  
 Approval of the ratification of the Master Services Agreement with Strategic Kids to provide supervision and education support services to students engaged in the extended learning program and students during non-instructional minutes. The term of this agreement is September 29, 2020 through December 31, 2020. Expenditures under this agreement are not-to-exceed \$505,000 funded by CARES Act.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
17. **SCHOOL OF EDUCATION AFFILIATION AGREEMENT WITH BIOLA UNIVERSITY:** Page 504  
**EXHIBIT 17**  
 Approval of the School of Education Affiliation Agreement with Biola University, effective October 22, 2020 and expiring June 30, 2025. During the school year, credential candidates will work with District credentialed educators to fulfill practicum/fieldwork requirements to earn their credential.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
18. **MASTER SERVICES AGREEMENT – YMCA:** Page 519  
**EXHIBIT 18**  
 Approval of the ratification of the Master Services Agreement with the YMCA to provide supervision and education support services to students engaged in the extended learning program and students during non-instructional minutes. The term of this agreement is September 29, 2020 through December 31, 2020. Expenditures under this agreement are not-to-exceed \$257, 040 funded by CARES Act.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
19. **STUDENT TEACHING AGREEMENT WITH HOPE INTERNATIONAL UNIVERSITY OF FULLERTON:** Page 524  
**EXHIBIT 19**  
 Approval of the Student Teaching Agreement with Hope International University of Fullerton, October 22, 2020 through June 30, 2023. During the school year, credential candidates will work with District credentialed educators to fulfill practicum/fieldwork requirements to earn their credential.  
*Contact: Tim Brooks, Associate Superintendent, Human Resource Services*
20. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 529  
**EXHIBIT 20**  
 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*
21. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 571  
**EXHIBIT 21**  
 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**

22. **2020-2021 DISTRICT GOALS:** Page 609  
**EXHIBIT 22**  
 Approval of 2020-2021 District Goals. Every year staff shares goals for the upcoming school year with Trustees during a Regular Board meeting. This year staff presented the District Goals at the September 23, 2020 Regular Board meeting for Trustee review. This agenda item presents for Board consideration District Goals as amended for the 2020-2021 school year. The additional District Goals are notated in red on page 12 of the exhibit. These goals align with our mission to prepare our students to meet the challenges of a rapidly changing world, and our vision of an unwavering commitment to student success.  
*Contact: Kirsten M. Vital, Superintendent*

23. **SCHOOL BOARD MINUTES:**  
Approval of the September 23, 2020 Regular Board meeting minutes.  
*Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office*

Page 627  
**EXHIBIT 23**

**DISCUSSION/ACTION ITEMS**

24. **FIRST READING – BOARD POLICY 5118, INTERDISTRICT ATTENDANCE AGREEMENTS:** **DISCUSSION/  
ACTION**

The proposed revisions to Board Policy 5118, *Interdistrict Attendance Agreement*, bring the policy in alignment with current law and practices. The proposed policy is modeled after the California School Boards Association (CSBA) model policy. Proposed revisions add new language to provide priority to victims of bullying as well as children of an active duty military parent/guardian. Revisions also outline that students in eleventh and twelfth grade do not need to reapply for an interdistrict transfer. Legal counsel has reviewed the policy. Changes are underlined; deletions are struck through. 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.***

Page 638  
**EXHIBIT 24**

***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 Board Policy 5118, *Interdistrict Attendance Agreement*.

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

25. **FIRST READING – BOARD POLICY 7100, DETERMINING NEEDS:** **DISCUSSION/  
ACTION**

The proposed revisions to Board Policy 7100, *Determining Needs*, bring language in alignment to suggestions from California School Boards Association (CSBA), other California districts, and updates federal and state requirements regarding how the District determines needs in alignment with the Facilities Master Plan. Upon approval of deletion of Board Policy 7120, *Participation and Planning* and Board Policy 7140, *Relations with the Public*, the language will be added/combined with Board Policy 7100, *Determining Needs*. The Board policy number is being updated from 7110 to 7100 and the 7000 Board policy series title is being updated from New Construction to Facilities to align with CSBA. Changes are underlined; deletions are struck through.

Page 647  
**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 approve Board Policy 7100, *Determining Needs*.

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

26. **FIRST READING – BOARD POLICY 7110, FACILITIES MASTER PLAN:** **DISCUSSION/  
ACTION**

The proposed revisions to Board Policy 7110, *Facilities Master Plan*, bring language in alignment to suggestions from California School Boards Association (CSBA), other California districts, and updates federal and state requirements regarding the District's Facilities Master Plan. The policy number is being updated from 7100 to 7110 to align with CSBA. Changes are underlined; deletions are struck through.

Page 654  
**EXHIBIT 26**

***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 Board Policy 7110, *Facilities Master Plan*.

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

**27. DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS:**

The Declaration of Need for Fully Qualified Educators is an annual item presented to the Board for approval. Education Code § 80026 requires that a Declaration of Need for Fully Qualified Educators be on file with the appropriate County Office of Education before the beginning of a new school year and shall remain in force until the end of that academic year. A Declaration of Need is necessary if there is an insufficient number of qualified applicants. Submission of this declaration does not commit the District to issuing short term staff permits or emergency credentials, but rather is submitted as a matter of routine in the event it becomes necessary to employ such individuals. A Declaration of Need for Fully Qualified Educators must be filed prior to the beginning of the school year, even though there is no way to determine if there will be a need to employ teachers. If the Board of Trustees does not approve the appropriate declaration for the upcoming year, the District is precluded from hiring. There is no financial impact to the general fund in the Board’s acceptance of this declaration.

***CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.***

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

Staff Recommendation

It is recommended the Board President recognize Tim Brooks, Associate Superintendent, Human Resource Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the Declaration of Need for Fully Qualified Educators.

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

**28. REQUEST FOR WAIVER OF SCHOOL FACILITIES FEES – SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT:**

Kids Factory is an elementary student recreational after-school program operated by the Saddleback Valley Unified School District (SVUSD) that is funded by the City of Mission Viejo. Historically, SVUSD submitted a Civic Center Act facilities request through the District reservation system for the Kids Factory program, and all facilities use fees were waived due to the Kids Factory relationship with the City of Mission Viejo.

On August 5, 2020, the Board of Trustees adopted revised Board Policy 1330, *Use of School Facilities*, to ensure the District conforms to the legal requirements of the Civic Center Act and fee regulations for use of the District’s school facilities and grounds by the public. SVUSD was notified of these changes and informed that Board Policy 1330 identifies the SVUSD’s Kids Factory as a Group B community user (a youth-serving public entity that charges less than \$60 per month [i.e., \$720 annually]) and imposes regulatory derived operational direct costs for its program’s use of District property, which includes the lunch tables and restrooms.

**DISCUSSION/  
ACTION  
Page 659  
EXHIBIT 27**

**DISCUSSION/  
ACTION  
Page 664  
EXHIBIT 28**

Based on prior use, SVUSD would be charged approximately \$12,500 in facilities use fees annually for the continued use of five District elementary schools. SVUSD is requesting the Board to waive the school facilities fees for the Kids Factory program, 2020-2021.

***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 decide on whether to waive school facilities fees for SVUSD's use of District schools for the Kids Factory program.

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, NOVEMBER 18, 2020 7:00 P.M.  
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM  
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

For information regarding Capistrano Unified School District, please visit our website:

[www.capousd.org](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.*