

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

**REVISED**

August 19, 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).*

*There will be no physical meeting location open to the public. For this meeting, public input will not be facilitated in person. The District has provided the following option for the public to address the Board telephonically. Please submit your request to address the Board by clicking [here](#). Those who have registered to comment will receive an email prior to the meeting with information on how to join and comment telephonically. A speaker card will need to be submitted prior to the agenda item per Bylaws of the Board 9323, Meeting Conduct. Members of the public shall have an opportunity to address the Board regarding items on the agenda to be considered during Closed Session prior to the Board adjourning the meeting to Closed Session. Individual presentations are limited to a maximum of three (3) minutes; however, the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers who wish to address a specific agenda topic. Detailed guidelines and information on what to do if you wish to address the Board of Trustees, is provided at the end of this agenda.*

**AGENDA**

**CLOSED SESSION AT 4:00 P.M.**

- 1. CALL TO ORDER**
- 2. CLOSED SESSION COMMENTS**
- 3. CLOSED SESSION** (as authorized by law)

**A. PUBLIC HEALTH EMERGENCY**

Consultation with Agency Counsel  
Attorney – Anthony De Marco  
Kirsten M. Vital/Greg Merwin  
(Pursuant to Government Code § 54957(a))

**B. 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)

**EXHIBIT B-1**

(Pursuant to Government Code § 54957.6)

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

Gregory Merwin/Kathy Purcell  
Attorney – Justin Shinnfield  
Significant Exposure to Litigation – Eight Cases  
ADR Case Number 20200601  
ADR Case Number 20200623  
ADR Case Number 20200624

**EXHIBIT C-1**  
**EXHIBIT C-2**  
**EXHIBIT C-3**

ADR Case Number 20200709 **EXHIBIT C-4**  
ADR Case Number 20200714 **EXHIBIT C-5**  
ADR Case Number 20200715 **EXHIBIT C-6**  
ADR Case Number 20200721 **EXHIBIT C-7**  
ADR Case Number 20200723 **EXHIBIT C-8**  
(Pursuant to Government Code § 54956.9(d)(2))

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

Gregory Merwin/Kathy Purcell  
Attorney – Justin Shinnfield  
Significant Exposure to Litigation – Six Cases  
OAH Case Number 2017101068 **EXHIBIT D-1**  
OAH Case Number 2019080706 **EXHIBIT D-2**  
OAH Case Number 2019120826 **EXHIBIT D-3**  
OAH Case Number 2020040549 **EXHIBIT D-4**  
OAH Case Number 2018070937 **EXHIBIT D-5**  
OAH Case Number 2020050377 **EXHIBIT D-6**  
(Pursuant to Government Code § 54956.9(d)(1))

**E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

District Negotiators: Kirsten M. Vital/Clark Hampton/John Forney **EXHIBIT E-1**  
Attorney: Andreas Chialtas  
Consultant: Lorrie Ruiz  
Property: PA-3 K-8 School No. 2 an approximate 20-acre school site  
Negotiating Party: Mike Balsamo/Elise Milington of Rancho Mission Viejo, LLC

Property: Pacifica San Juan property. 7.292 acre property located at the north east **EXHIBIT E-2**  
corner of Camino Las Ramblas and Avenida California  
Negotiating Party: One or more potential buyers for the Property who may purchase  
the Property through a request for proposals process

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

**F. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

Tim Brooks **EXHIBIT F-1**  
Executive Director, Human Resource Services/Employee Engagement **EXHIBIT F-2**  
Interim Principal, High School **EXHIBIT F-3**  
Interim Principal, Elementary  
(Pursuant to Government Code § 54957)

**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.

## **PUBLIC HEARINGS**

1. **PUBLIC HEARING: BIOTECHNOLOGY COLLEGE AND CAREER ACCESS PATHWAYS PARTNERSHIP AGREEMENT WITH SOUTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT:** Page 1  
**EXHIBIT 1**

The Board will conduct a public hearing on the College and Career Access Pathways agreement with South Orange County Community College District (SOCCCD). Per SOCCCD and Orange County Pathway grant it is required that districts conduct a public hearing, and in a separate meeting, on September 23, 2020, adopt the course.

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

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

### Staff Recommendation

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

2. **PUBLIC HEARING: LEARNING CONTINUITY AND ATTENDANCE PLAN:** Page 4  
**EXHIBIT 2**

The Board will conduct a public hearing on the Learning Continuity and Attendance Plan. Supporting documentation is located in Exhibit 42.

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

### 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 6  
**EXHIBIT 3**

Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$10,784.98 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 \$163,749,980.24 and the commercial warrants total \$18,262,562.78. 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 102  
**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 42 new agreements totaling \$1,311,775.40 and 11 amendments to existing agreements totaling \$21,000. 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*
- 6. CHANGE ORDER NO. 1, BID NO. 1920-07, TESORO HIGH SCHOOL TURF AND SAND VOLLEYBALL COURT PROJECT:** Page 383  
**EXHIBIT 6**  
Approval of Change Order No. 1, Bid No. 1920-07 for the Tesoro High School Turf and Sand Volleyball Court Project related to unforeseen existing conditions needing to be addressed after the demolition phase was complete in order to properly install the new turf field system. 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. 1 is \$968,786.78 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*
- 7. FIRST AMENDMENT OF BID NO. 1617-07, ELECTRICAL, FIRE PROTECTION, AND LOW VOLTAGE SYSTEMS SERVICES – GILBERT AND STEARNS, INCORPORATED:** Page 423  
**EXHIBIT 7**  
Approval of the First Amendment of Bid No. 1617-07, Electrical, Fire Protection, and Low Voltage Systems Services with Gilbert and Stearns, Incorporated. The vendor agrees to a rate reduction for the pricing of categories 1, 2, and 3 provided in Exhibit 4-A of the agreement for the renewal period of July 1, 2020 through December 31, 2020. Annual expenditures utilizing this contract are estimated to be \$575,000 funded by the general fund. Actual expenditures may vary depending on availability of funds and District needs.  
**Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
- 8. MEMORANDUM OF UNDERSTANDING WITH SOUTH COAST INVESTORS II, LLC RELATIVE TO PARKING LOT USE AT SAN JUAN ELEMENTARY SCHOOL:** Page 459  
**EXHIBIT 8**  
Approval of a Memorandum of Understanding (MOU) with South Coast Investors II, LLC (SCI) for parking lot use at San Juan Elementary School. SCI intends to develop and operate a hotel, Inn at Mission San Juan Capistrano (SCI Project) on property adjacent to and south of the San Juan Elementary School. SCI agrees to provide the District with \$50,000 in order to create visual and physical barriers for privacy purposes between San Juan Elementary School and the proposed SCI Project. In exchange for the \$50,000, the District agrees to allow SCI a non-exclusive license to use 53 parking spaces located on the San Juan Elementary School property for after-hours valet parking. The initial term of the MOU is for two years. Following the expiration of the initial term, SCI may continue to utilize the lots on a month-to-month basis in exchange for payment in the amount of \$2,457 per month, with this amount to increase each July 1, commencing on July 1, 2021 until cancelled by either the District or SCI.  
**Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*

9. **RESOLUTION NO. 2021-10, ADOPTING THE 2019-2020 ACTUAL GANN LIMIT AND THE 2020-2021 ESTIMATED GANN LIMIT:** Page 470  
**EXHIBIT 9**  
 Approval of Resolution No. 2021-10, Adopting the 2019-2020 Actual Gann Limit and the 2020-2021 Estimated Gann Limit. Resolution No. 2021-10 establishes the actual Gann Limit for 2019-2020 at \$369,043,840 and the estimated Gann Limit for 2020-2021 at \$382,809,176. Adoption of this Resolution will have no financial implications on either the 2019-2020 or 2020-2021 budgets.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
10. **AMENDED AND RESTATED LIMITED USE LICENSE AGREEMENT WITH RANCHO SANTA MARGARITA LANDSCAPE AND RECREATION CORPORATION FOR THE USE OF ARROYO VISTA PARK:** Page 477  
**EXHIBIT 10**  
 Approval of the renewal of the Amended and Restated Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Arroyo Vista Park. On June 24, 2020 Regular Board meeting, the Board approved the Limited Use License Agreement with SAMLARC. A Trustee inquired about additional language to be incorporated due to the COVID-19 pandemic now included in the Amended and Restated Limited Use License Agreement. Arroyo Vista K-8 School is located adjacent to Arroyo Vista Park in the City of Rancho Santa Margarita. The Limited Use License Agreement was developed to provide general provisions defining each agency’s responsibilities. Terms of the agreement include a defined amount of student use of the park for the 2020-2021 school year for a fee of \$8,900 funded by the general fund. The Amended and Restated Limited Use License Agreement was reviewed and approved by District legal counsel.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
11. **AMENDED AND RESTATED LIMITED USE LICENSE AGREEMENT WITH RANCHO SANTA MARGARITA LANDSCAPE AND RECREATION CORPORATION FOR USE OF TIJERAS CREEK PARK:** Page 526  
**EXHIBIT 11**  
 Approval of the renewal of the Amended and Restated Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Tijeras Creek Park. On June 24, 2020 Regular Board meeting, the Board approved the Limited Use License Agreement with SAMLARC. A Trustee inquired about additional language to be incorporated due to the COVID-19 pandemic now included in the Amended and Restated Limited Use License Agreement. Tijeras Creek Elementary School is located adjacent to Tijeras Creek Park in the City of Rancho Santa Margarita. The Limited Use License Agreement was developed to provide general provisions defining each agency’s responsibilities. Terms of the agreement include a defined amount of student use of the park for the 2020-2021 school year for a fee of \$8,900 funded by the general fund. The Amended and Restated Limited Use License Agreement was reviewed and approved by District legal counsel.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
12. **SCHOOL MEALS AGREEMENT – THE JOURNEY SCHOOL:** Page 576  
**EXHIBIT 12**  
 Approval of the School Meals Agreement for the District’s Food and Nutrition Services (FNS) department continuing to administer the National School Lunch Program (NSLP) for Journey School during the 2020-2021 school year. In May 2019, Journey School charter school contacted the District regarding FNS providing school meals including Free and Reduced–Priced (FRP) meals for eligible students at Journey School. As required by the United States Department of Agriculture (USDA) Policy Memorandum SP 03-2019, Charters needed to provide FRP meals starting in the 2019-2020 school year. The school meal program at Journey School will be similar to District elementary school meal programs and will begin September 1, 2020 through June 30, 2021. Proceeds from the agreement will be deposited into the cafeteria fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

13. **SCHOOL MEALS AGREEMENT – ORANGE COUNTY ACADEMY OF SCIENCES AND ARTS, INC.:** Page 585  
**EXHIBIT 13**  
 Approval of the School Meals Agreement for the District’s Food and Nutrition Services (FNS) department vending National School Lunch Program (NSLP) compliant meals for Orange County Academy of Sciences and Arts (OCASA) and OCASA College Prep during the 2020-2021 school year. In September 2019, OCASA charter school contacted the District regarding FNS providing school meals including Free and Reduced–Priced (FRP) meals for eligible students at OCASA. As required by the United States Department of Agriculture (USDA) Policy Memorandum SP 03-2019, Charters need to provide FRP meals starting in the 2019-2020 school year. The school meal program at OCASA and OCASA College Prep will be similar to District elementary and secondary school meal programs for the 2020-2021 school year. Proceeds from the agreement will be deposited into the cafeteria fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
14. **SECOND EXTENSION OF BID NO. 1819-01, WEED ABATEMENT SERVICES – E. STEWART AND ASSOCIATES, INCORPORATED:** Page 593  
**EXHIBIT 14**  
 Approval of Second Extension of Bid No. 1819-01, Weed Abatement Services with E. Stewart and Associates, Incorporated. Bid No. 1819-01 was awarded to the lowest responsive, responsible bidder on July 25, 2018 for the initial term of July 1, 2018 through June 30, 2019, with optional renewal terms. On May 22, 2019, the Board approved the First Extension through June 30, 2020. The vendor agrees to extend the proposed extension, at the reduced rates shown in Exhibit A-2 for the proposed renewal period of July 1, 2020 through June 30, 2021. E. Stewart and Associates will not use Round-up while performing weed abatement services on District property. Annual expenditures utilizing this contract are estimated to be \$200,000 funded by the general fund. Actual expenditures may vary depending on availability of funds and District needs.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
15. **THIRD EXTENSION OF REQUEST FOR PROPOSALS NO. 3-1617, LEARNING MANAGEMENT SYSTEM – SCHOOL LOOP:** Page 622  
**EXHIBIT 15**  
 Approval of Third Extension of Request for Proposals (RFP) No. 3-1617, Learning Management Systems with School Loop. RFP 3-1617 was awarded on April 19, 2017 for an initial term of July 1, 2017 through June 30, 2018 with optional renewal terms. On August 22, 2018, the Board approved the First Extension through June 30, 2019. On July 17, 2019, the Board approved the Second Extension through June 30, 2020. The vendor agrees to the proposed extension at the pricing described in Exhibit A-1 for the renewal period of July 1, 2020 through June 30, 2021. Annual expenditures utilizing this contract are estimated to be \$114,399.96 funded by the general fund. Actual expenditures may vary depending on availability of funds and District needs.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
16. **AWARD BID NO. 2021-07, BRIDGES COMMUNITY DAY HIGH SCHOOL RESTROOM PORTABLE PROJECT – R. JENSEN CO., INCORPORATED:** Page 644  
**EXHIBIT 16**  
 Approval of Award of Bid No. 2021-07, Bridges Community Day High School Restroom Portable Project to R. Jensen Co., Incorporated. Four bids were received and opened on August 5, 2020 and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. R. Jensen Co., Incorporated is the lowest responsive, responsible bidder at \$214,000. This project will be funded by developer fees.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
17. **RESOLUTION NO. 2021-20, EMERGENCY DISINFECTANT WIPES PURCHASE:** Page 676  
**EXHIBIT 17**  
 Approval of Resolution No. 2021-20, Emergency Disinfectant Wipes Purchase.

This Resolution authorizes the purchase of disinfectant wipes necessary to comply with state and local health guidelines without advertising or inviting for bids in order to permit the continuance of school classes and/or to avoid danger to life or property under Public Contract Code § 20113.

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

## **CURRICULUM AND INSTRUCTION**

- 18. AGREEMENT WITH ANTI-DEFAMATION LEAGUE AND SAN CLEMENTE HIGH SCHOOL TO OFFER WORLD OF DIFFERENCE INSTITUTE TRAINING PROGRAM:** Page 680  
**EXHIBIT 18**

Approval of the ratification of the agreement with Anti-Defamation League and San Clemente High School to provide staff with training and coaching on cultural proficiency and strategies to promote positive personal and institutional practices around acceptance and understanding of diversity. The contract term begins June 30, 2020, to include five training dates scheduled in July 2020. The total cost for this partnership is \$6,000 funded by Title IV funds.

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

- 19. MEMORANDUM OF UNDERSTANDING WITH COLLEGE AND CAREER ADVANTAGE:** Page 689  
**EXHIBIT 19**

Approval of the Memorandum of Understanding with College and Career Advantage (CCA) to create a classified position, College and Career Guidance Coordinator. This is a shared position in which the District would use K12 Strong Workforce Program grant funds dedicated to providing career guidance for a 30 percent share in funding the assignment. CCA will cover 70 percent of the assignment and employ the position. This joint effort allows the District to continue to support Futureology, and allows CCA to provide high-quality career guidance to high school students. The College and Career Guidance Coordinator will work closely with the instructional career coaches at each site in meeting the counseling and guidance mandates of both the K12 Strong Workforce Program and Career Technical Education Incentive Grants. In addition, this position will be trained in specific career technical education related practices, procedures, requirements, etc. There is no financial impact.

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

- 20. SPRING 2020-2021 DATA COLLECTIONS OF THE CONSOLIDATED APPLICATION AND REPORTING SYSTEM:** Page 692  
**EXHIBIT 20**

Approval of the Spring 2020-2021 Data Collections of the Consolidated Application and Reporting System (CARS). The CARS is a two-part application and reporting process for multiple state and federal, formula-driven categorical program funds, submitted annually to the California Department of Education (CDE) to fund supplemental programs. The Consolidated Application is used by the CDE to distribute categorical funds from various federal programs. In June of each year, districts are required to submit part of the application to document program participation in categorical programs and provide assurances of compliance with legal requirements of each program. Due to the pandemic, the 2020-2021 CARS data collection release was delayed and is due in August 2020. The federal programs, coordinated through the Consolidated Application, include Title I, Part A; Title II, Part A; Title III, Part A, and Title IV, Part A. The complete Consolidated Application is on file for review in the State and Federal Programs office. As required by the CDE, the District English Learner Advisory Committee also reviewed this document. Submitting the CARS data collections to the California Department of Education will enable the District to receive an estimated \$5.9 million in Title I, II, III and IV federal funding for 2020-2021.

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

21. **HOME CAMPUS SERVICE CONTRACT 2020-2021:** Page 695  
Approval of the ratification of the Home Campus Service Contract to provide District student athletes and school administrators the ability to communicate with the California Interscholastic Federation. The contract term is for one year, beginning July 1, 2020 through June 30, 2021. Each high school site will pay a discounted fee of \$805.50, per school, funded by the general funds.  
*Contact: Susan Holliday, Chief Administrative Officer, Education and Support Services* **EXHIBIT 21**
22. **AGREEMENT WITH CALIFORNIA YOUTH SERVICES:** Page 722  
Approval of the ratification of the agreement with California Youth Services, July 1, 2020 through June 30, 2021. California Youth Services will facilitate Juvenile Alcohol and Drug Education (JADE) for secondary students with a first-time offense of drugs and alcohol. This intervention service is voluntary, based on student and family interest, and supports social and emotional learning for students struggling with substance abuse. The cost of the JADE program is approximately \$400 per student. Based on current 48900(c) violations it is estimated that 130 students are eligible to attend, at a cost of \$52,000. Costs to provide this program will be funded by Title IV funds.  
*Contact: Susan Holliday, Chief Administrative Officer, Education and Support Services* **EXHIBIT 22**
23. **MEMORANDUM OF UNDERSTANDING WITH THE NATIONAL COUNCIL ON ALCOHOLISM AND DRUG DEPENDENCE – ORANGE COUNTY:** Page 735  
Approval of the Memorandum of Understanding (MOU) with the National Council on Alcoholism and Drug Dependence – Orange County (NCADD-OC). NCADD-OC is committed to educating secondary students involved in tobacco and vaping use. Students in violation of the District’s tobacco/vaping policy would be required to attend a 1-hour tobacco and vaping prevention program. The goal is to provide interactive education, prevention, and awareness activities for students regarding vaping and e-cigarettes. Each of the 19 secondary schools will receive 1 presentation per month, for 9 months, equaling 162 presentations. The District will pay NCADD-OC for services rendered, not to exceed \$16,200 for the 9 months of services, August 18, 2020 – June 3, 2021. The District has been approved for the California Department of Justice Tobacco Grant to cover the cost of this program, and will receive \$65,000 over the 4-year period. The District will not be billed for presentations which cannot be facilitated due to COVID-19 school closures.  
*Contact: Susan Holliday, Chief Administrative Officer, Education and Support Services* **EXHIBIT 23**
24. **PROFESSIONAL SERVICES AGREEMENT WITH NEW FRONTIER 21 CONSULTING, LLC:** Page 739  
Approval of the Professional Services Agreement with New Frontier 21 Consulting, LLC, to provide services on August 20, 2020. This Professional Services Agreement with New Frontier Consulting, LLC is for Dr. Anthony Muhammad to provide professional learning training and coaching for Marco Forster Middle School teachers, classified staff, and administrators. Expenditures under this agreement are \$6,000 funded by Title I funds.  
*Contact: Susan Holliday, Chief Administrative Officer, Education and Support Services* **EXHIBIT 24**
25. **MEMORANDUM OF UNDERSTANDING WITH ORANGE COUNTY UNITED WAY 2020-2021:** Page 743  
Approval of the Memorandum of Understanding (MOU) with Orange County United Way 2020-2021. This MOU outlines the roles and responsibilities for the Orange County United Way financial literacy program, from September 1, 2020 through December 31, 2021. The goal is to provide 50 parents at RH Dana Elementary School with financial literacy skills to assist with improving credit, increasing income, and building assets. **EXHIBIT 25**



Parents will be provided with personal coaching on a step-by-step financial plan to achieve personal goals and long-term financial stability including job development, debt and credit management, and savings planning. There is no financial impact.

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

26. **SECOND READING – BOARD POLICY 0420.4, CHARTER SCHOOL AUTHORIZATION:** Page 749  
**EXHIBIT 26**  
Approval of revisions to Board Policy 0420.4, *Charter School Authorization*, bring the policy in alignment with current law. The proposed policy added in new language modeled after the California School Board Association’s model policy. The revisions eliminate unnecessary language and directives based on codes that are no longer active. These changes are necessary to ensure consistency of language, provides all stakeholders with current information, and ensures legal compliance. Legal counsel has reviewed the policy. At the August 5, 2020 Board meeting, Trustees requested that local language that complies with current law remain in the policy. Changes are underlined; deletions are struck through. There is no financial impact.  
**Contact:** *Susan Holliday, Chief Administrative Officer, Education and Support Services*
27. **SECOND READING – BOARD POLICY 0420.41, CHARTER SCHOOL OVERSIGHT:** Page 766  
**EXHIBIT 27**  
Approval of the proposed revisions to Board Policy 0420.41, *Charter School Oversight*, bring the policy in alignment with current law. The proposed policy added in new language from the California School Board Association’s model policy. The revisions eliminate unnecessary language and directives based on codes that are no longer active. These changes are necessary to ensure consistency of language, provide all stakeholders with current information, and ensure legal compliance. Legal counsel has reviewed the policy. At the August 5, 2020 Board meeting, Trustees requested current local language remain in the policy. Changes are underlined; deletions are struck through. There is no financial impact.  
**Contact:** *Susan Holliday, Chief Administrative Officer, Education and Support Services*
28. **SECOND READING – BOARD POLICY 0420.42, CHARTER SCHOOL RENEWAL:** Page 786  
**EXHIBIT 28**  
Approval of new Board Policy 0420.42, *Charter School Renewal*. The proposed new policy is modeled after the California School Board Association’s model policy. Legal counsel has reviewed the policy. Per Trustee feedback on August 5, 2020, staff reviewed the policy to ensure local language that outlines the District’s submission policy is in the new policy. Changes are underlined; deletions are struck through. There is no financial impact.  
**Contact:** *Susan Holliday, Chief Administrative Officer, Education and Support Services*
29. **SECOND READING – BOARD POLICY 0420.43, CHARTER SCHOOL REVOCATION:** Page 793  
**EXHIBIT 29**  
Approval of revisions to Board Policy 0420.43, *Charter School Revocation*, bring the policy in alignment with current law. The proposed policy added in language from the California School Board Association’s model policy. The revisions eliminate unnecessary language and directives based on codes that are no longer active. These changes are necessary to ensure consistency of language, provide all stakeholders with current information, and ensure legal compliance. Legal counsel has reviewed the policy. At the August 5, 2020 Board meeting, Trustees requested current local language remain in the policy. Changes are underlined; deletions are struck through. There is no financial impact.  
**Contact:** *Susan Holliday, Chief Administrative Officer, Education and Support Services*

30. **SUBORDINATE AGREEMENT AND TRANSFER AGREEMENT IN SUPPORT OF RADIOLOGICAL EMERGENCY PLANNING AND RESPONSE ACTIVITIES FOR SAN ONOFRE NUCLEAR GENERATING STATION:** Page 800  
**EXHIBIT 30**
- Approval of the Subordinate Agreement and Transfer Agreement in Support of Radiological Emergency Planning and Response Activities for San Onofre Nuclear Generating Station. This agreement acknowledges the District will collaborate on emergency preparation planning for San Onofre Nuclear Generating Station and allows the District to receive funds annually for radiological emergency planning. The County of Orange, through the Sheriff's Department, allocates funding from Southern California Edison for training, supplies, and equipment to respond to a radiological event. The annual allocation from the Nuclear Power Preparedness Program for the District is \$13,000. This year, due to many stakeholders not submitting for reimbursement due to COVID-19, the county will allocate the District \$25,200.
- Contact: Susan Holliday, Chief Administrative Officer, Education and Support Services*
31. **MEMORANDUM OF UNDERSTANDING WITH ANAHEIM UNION HIGH SCHOOL DISTRICT:** Page 807  
**EXHIBIT 31**
- Approval of the ratification of the Memorandum of Understanding (MOU) with Anaheim Union High School District (AUHSD) to provide special education programs and services for eligible District adult students (18 and older) who reside in group homes in AUHSD from July 1, 2020 through June 30, 2021. The District is projected to have one student in the AUHSD program, but the approval of the MOU allows the District to place additional students as determined by the IEP team or through a settlement agreement. Estimated cost per student is \$45,000 for classroom cost and \$10,000 for transportation cost. Annual expenditures under this MOU are estimated at \$55,000 funded by special education funds.
- Contact: Gregory Merwin, Chief Academic Officer, Education and Support Services*
32. **MEMORANDUM OF UNDERSTANDING WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS:** Page 817  
**EXHIBIT 32**
- Approval of the ratification of the Memorandum of Understanding with the Orange County Superintendent of Schools will allow Orange County Department of Education (OCDE) to provide special education programs and services for eligible District students from July 1, 2020 through June 30, 2021. The OCDE Division of Special Education Services operates a special schools program for pupils with exceptional needs who require intensive educational services. These students are referred by their Individualized Education Program (IEP) teams when it is jointly determined by the District and OCDE that the student's educational needs, as specified in the IEP, can be appropriately met by OCDE programs and services. The District has approximately 70 students enrolled in OCDE programs per year. There are three cost categories for OCDE programs: classroom cost, transportation cost, and special circumstance aide cost. The average classroom cost per student is \$61,530. Based on average enrollment, the estimated District cost for students attending OCDE classes for the 2020-2021 school year is approximately \$4,300,000. The estimated District cost for transportation provided by OCDE is approximately \$925,000. The estimated District cost for required special circumstance aides in classrooms or on buses is approximately \$1,200,000. Annual expenditures under this agreement are funded by special education funds.
- Contact: Gregory Merwin, Chief Academic Officer, Education and Support Services*
33. **RESOLUTION NO. 2021-09, TRANSITION PARTNERSHIP PROJECT INTERAGENCY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF REHABILITATION:** Page 840  
**EXHIBIT 33**
- Approval of Resolution No. 2021-09, Transition Partnership Project Interagency Agreement with the California Department of Rehabilitation. This resolution authorizes staff to execute the Transition Partnership Project Interagency Agreement with the California Department of Rehabilitation.

This three year agreement, 2020 -2023 school year, provides funding to the District and the local Department of Rehabilitation office to transition students into competitive employment. Specifically, the funding provides for case management staff, pre-employment training, job placement, staff-development services, and clerical support. These services are conducted collaboratively between the District and the local Department of Rehabilitation office. In addition, the District will also receive the services of state Department of Rehabilitation counselors to plan and coordinate the provision of support services. The District will receive a total of approximately \$746,322 per year.

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

**34. SECOND READING – BOARD POLICY 5112.1, EXEMPTIONS AND EXCLUSIONS FROM ATTENDANCE:** Page 893  
**EXHIBIT 34**

Approval of Board Policy 5112.1, *Exemptions and Exclusions from Attendance*, bring the policy in alignment with current law. The proposed policy is consistent with legislative changes and local health care agency practices regarding exemptions and exclusions from attendance. Board Policy 5112.1 was last updated in 1997. Edits were made per Trustee feedback at the August 5, 2020 Board meeting. Changes are underlined; deletions are struck through. There is no financial impact.

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

**HUMAN RESOURCE SERVICES**

**35. FOURTH QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT:** Page 898  
**EXHIBIT 35**

Acceptance of Williams Settlement Legislation Uniform Complaint Fourth 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 fourth quarter.

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

**36. MEMORANDUM OF UNDERSTANDING WITH AZUSA PACIFIC UNIVERSITY:** Page 901  
**EXHIBIT 36**

Approval of the Memorandum of Understanding with Azusa Pacific University, effective July 1, 2020 and continuing through June 30, 2025. University students enrolled in credential programs will be paired with veteran District credentialed employees as they complete practicum/fieldwork hours required to earn their California credential. Additionally this agreement allows university students to be hired as intern credentialed teachers in hard to fill positions, while they complete preliminary credential requirements.

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

**37. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 916  
**EXHIBIT 37**

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*

**38. RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 965  
**EXHIBIT 38**

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

### 39. SCHOOL BOARD MINUTES:

Approval of the August 5, 2020 Special Board Meeting Minutes.

*Contact: Colleen Hayes, Manager II, Superintendent's Office*

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**EXHIBIT 39**

## DISCUSSION/ACTION ITEMS

### 40. CITIZEN'S REQUEST: STRATEGIES TO COMBAT RACISM AND RACIAL INEQUALITY ON CUSD CAMPUSES:

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. *CUSD against Racism* is a coalition of current and former Capistrano Unified School District (CUSD) students devoted to combating racism and amplifying BIPOC (Black, Indigenous, People of Color) voices in the Capistrano Unified School District. *CUSD Against Racism* presents an updated list of strategies to combat racism Districtwide in the 2020-2021 school year. These strategies provide feasible and concrete ways for the District to implement antiracist structures across these four issue areas: curriculum, restorative justice, educational equity, and student voices and wellbeing. Implementing these strategies will result in an equitable school district where all students can thrive and feel comfortable and safe, regardless of their race, ethnicity, gender, religion, income level, or sexuality. We ask that the Superintendent and Board of Trustees incorporate our asks into the District's Action Plan to combat racism, work with administrators at each school site to create and support our task forces, approve diverse reading lists, and continue engaging with *CUSD Against Racism*.

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

*Contact: Olivia Fu, Citizen*

**INFORMATION/  
DISCUSSION**

Page 992

**EXHIBIT 40**

### 41. PARTNERSHIP OPPORTUNITIES IN FUNDING SCHOOL FACILITIES:

The Board will receive an information presentation from the District's financial advisor, Government Financial Strategies that provides an overview of partnership opportunities in funding school facilities using the Marks-Roos Local Bond Pooling Act and discusses considerations for next steps.

***CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.***

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

**INFORMATION/  
DISCUSSION**

Page 1056

**EXHIBIT 41**

#### 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.

### 42. LEARNING CONTINUITY AND ATTENDANCE PLAN:

Senate Bill 98 establishes California Education Code § 43509 and the Learning Continuity and Attendance Plan requirements for the 2020–2021 school year. The District is required to complete the Learning Continuity and Attendance Plan, in place of the Local Control and Accountability Plan (LCAP), no later than September 30, 2020. The Learning Continuity and Attendance Plan provides information about how student learning continuity will be addressed during the COVID-19 crisis in the 2020-2021 school year. The Learning Continuity and Attendance Plan is intended to balance the needs of stakeholders, while both streamlining engagement and condensing several preexisting plans. In particular, it combines (1) the intent behind Executive Order N-56-20, published in April 2020, which envisioned an off cycle LCAP due December 15, and (2) the ongoing need for Local Education Agencies to formally plan to return to school in the midst of the

**INFORMATION/  
DISCUSSION**

Page 1070

**EXHIBIT 42**

uncertainty and of COVID-19, without requiring 2 plans. The Learning Continuity and Attendance Plan replaces the LCAP for the 2020-2021 school year.

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

**43. RESOLUTION NO. 2021-11, PRELIMINARY 2019-2020 FINANCIAL STATEMENTS (UNAUDITED ACTUALS):** **DISCUSSION/ ACTION**

The Board of Trustees will be provided with a brief update on the 2019-2020 actuals and the revisions to the 2020-2021 budget. Resolution No. 2021-11 will be forwarded to the Orange County Department of Education, reviewed for accuracy and compliance, and subsequently transmitted to the Superintendent of Public Instruction.

***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***

Page 1088  
**EXHIBIT 43**

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. 2021-11, Preliminary 2019-2020 Financial Statements (Unaudited Actuals).

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

**44. RECOMMENDATION OF TENTATIVE AGREEMENT WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION CAPISTRANO CHAPTER 224 (CSEA), FOR JULY 1, 2018 – JUNE 30, 2021:** **DISCUSSION/ ACTION**

The purpose of this agenda item is to seek approval of the Tentative Agreement between the District and the California School Employees Association Capistrano Chapter 224 (CSEA). In addition to the Tentative Agreement, the Public Disclosure of Collective Bargaining Agreement is included in the exhibit. With the settlement of compensation with CUEA, CUMA and Teamsters in December 2019, the District is obligated to provide CSEA the same adjustment to compensation based on prior year collective bargaining practices. The amount included in this item was already included in the 2019-20 actual expenditures and the 2020-21 adopted budget. CSEA contract language includes a legal obligation for the same compensation agreed to by other bargaining units. The reason for this financial obligation not coming to the Board in December with other bargaining units was continued negotiations on updates to language included in this complete agreement. These negotiations continued past December. The total fiscal impact of this agreement is approximately \$2,678,840 in 2019-2020 and an additional \$524,960 in 2020-2021.

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

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

Page 1089  
**EXHIBIT 44**

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 Tentative Agreement between the District and the California School Employees Association Capistrano Chapter 224 (CSEA).

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

**45. SCHOOL FACILITIES AND FUNDING AGREEMENT AND OPTION TO PURCHASE SCHOOL SITES (PLANNING AREAS 3 AND 4) – RMV PA3 DEVELOPMENT, LLC:** **DISCUSSION/ ACTION**

Page 1127  
**EXHIBIT 45**

The School Facilities and Funding Agreement and Option to Purchase School Sites (Planning Areas 3 and 4) with RMV PA3 Development, LLC addresses the continued development of residential dwelling units by RMV in planning areas 3 and 4. The agreement includes the funding and construction of the next TK-8 school and an additional future TK-5 school.

***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 School Facilities and Funding Agreement and Option to Purchase School Sites (Planning Areas 3 and 4) with RMV PA3 Development, LCC, et al.

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

**46. RESOLUTION NO. 2021-12, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) FOR FISCAL YEAR 2020-2021:** **DISCUSSION/ ACTION**

Page 1299  
**EXHIBIT 46**

Resolution No. 2021-12 authorizes the levy of Special Tax in Community Facilities District (CFD) No. 90-2 (Talega) for Fiscal Year 2020-2021. In order to secure the tax roll for CFD No. 90-2 in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor-Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-12, along with a copy of the annual levy of Special Taxes for Fiscal Year 2020-2021. David Taussig & Associates will deliver the required documents on the District’s behalf to the County of Orange.

***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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-12, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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

- 47. RESOLUTION NO. 2021-13, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY FOR IMPROVEMENT AREA NO. 2002-1 OF COMMUNITY FACILITIES DISTRICT NO. 90-2 IA OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-2 IA OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) FOR FISCAL YEAR 2020-2021:**

**DISCUSSION/  
ACTION**  
Page 1310  
**EXHIBIT 47**

Resolution No. 2021-13, authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 90-2 IA Improvement Area No. 2002-1 (Talega) for Fiscal Year 2020-2021. In order to secure the tax roll for CFD No. 90-2 IA in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor/Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-13, along with a copy of the annual levy of Special Taxes for Fiscal Year 2020-2021. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

***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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-13, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 IA Improvement Area No. 2002-1 of the Capistrano Unified School District (Talega), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-2 IA of the Capistrano Unified School District (Talega) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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

- 48. RESOLUTION NO. 2021-14, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 92-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LAS FLORES), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 92-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LAS FLORES) FOR FISCAL YEAR 2020-2021:**

**DISCUSSION/  
ACTION**  
Page 1318  
**EXHIBIT 48**

Resolution No. 2021-14 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 92-1 (Las Flores) for Fiscal Year 2020-2021. In order to secure the tax roll for CFD No. 92-1 in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor/Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-14, along with a copy of the annual levy of

Special Taxes for Fiscal Year 2020-2021. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

**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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-14, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 92-1 of the Capistrano Unified School District (Las Flores), Authorizing the Levy of Special Taxes in Community Facilities District No. 92-1 of the Capistrano Unified School District (Las Flores) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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

- 49. **RESOLUTION NO. 2021-15, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN) FOR FISCAL YEAR 2020-2021:**

**DISCUSSION/  
ACTION  
Page 1327  
EXHIBIT 49**

Resolution No. 2021-15 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-1A (Pacifica San Juan) for Fiscal Year 2020-2021. Such Special Taxes were levied, in prior fiscal years, on a partial basis. It is proposed that for Fiscal Year 2020-2021 the Special Taxes be levied on a partial basis at less than the Assigned Special Tax for CFD No. 98-1A. As in prior fiscal years, this is not a precedent for future fiscal years. In order to secure the tax roll for CFD No. 98-1A in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor-Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-15, along with a copy of the annual levy of Special Taxes for Fiscal Year 2020-2021. The District's Special Tax Consultant, David Taussig & Associates, will deliver the required documents on the District's behalf to the County of Orange.

**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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-15, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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



**50. RESOLUTION NO. 2021-16, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN) FOR FISCAL YEAR 2020-2021:**

**DISCUSSION/  
ACTION**  
Page 1335  
**EXHIBIT 50**

Resolution No. 2021-16 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-1B (Pacifica San Juan) for Fiscal Year 2020-2021. It is proposed that for Fiscal Year 2020-2021 the Special Taxes be levied on a partial basis at less than the Assigned Special Tax for CFD No. 98-1B. This is not a precedent for future fiscal years. In order to secure the tax roll for CFD No. 98-1B in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor-Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-16, along with a copy of the annual levy of Special Taxes for Fiscal Year 2020-2021. The District's Special Tax Consultant, David Taussig & Associates, will deliver the required documents on the District's behalf to the County of Orange.

***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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-16, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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

**51. RESOLUTION NO. 2021-17, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LADERA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LADERA) FOR FISCAL YEAR 2020-2021:**

**DISCUSSION/  
ACTION**  
Page 1343  
**EXHIBIT 51**

Resolution No. 2021-17 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-2 (Ladera) for Fiscal Year 2020-2021. In order to secure the tax roll for CFD No. 98-2 in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor/Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-17, along with a copy of the annual levy of Special Taxes for Fiscal Year 2020-2021. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

***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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-17, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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

- 52. RESOLUTION NO. 2021-18, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (RANCHO MADRINA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (RANCHO MADRINA) FOR FISCAL YEAR 2020-2021:**

**DISCUSSION/  
ACTION**  
Page 1351  
**EXHIBIT 52**

Resolution No. 2021-18 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 2004-1 (Rancho Madrina) for Fiscal Year 2020-2021. In order to secure the tax roll for CFD No. 2004-1 in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor-Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-18, along with a copy of the annual levy of Special Taxes for Fiscal Year 2020-2021. The District's Special Tax Consultant, David Taussig & Associates, will deliver the required documents on the District's behalf to the County of Orange.

***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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-18, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho Madrina), Authorizing the Levy of Special Taxes in Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho Madrina) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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

- 53. RESOLUTION NO. 2021-19, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS) FOR FISCAL YEAR 2020-2021:**

**DISCUSSION/  
ACTION**  
Page 1359  
**EXHIBIT 53**

Resolution No. 2021-19 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 2005-1 (Whispering Hills) for Fiscal Year 2020-2021. In order to secure the tax roll for CFD No. 2005-1 in Fiscal Year 2020-2021, the District must notify the County of Orange Auditor-Controller no later than August 19, 2020, or other duly authorized date, with a certified copy of Resolution No. 2021-19, along with a copy of the annual levy of Special Taxes for Fiscal Year 2020-2021.

The District's Special Tax Consultant, David Taussig & Associates, will deliver the required documents on the District's behalf to the County of Orange.

***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 that the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, in adopting Resolution No. 2021-19, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills), Authorizing the Levy of Special Taxes in Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills) For Fiscal Year 2020-2021, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, SEPTEMBER 23, 2020, 7:00 P.M.  
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM  
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

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

[www.capousd.org](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.*