

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

December 15, 2021

Closed Session 5:30 p.m.
Open Session 7:00 p.m.

AGENDA

*Members of the public may attend the meeting in person. As a K-12 Public School District, we must follow the guidelines established by the California Department of Public Health specifically for schools. These guidelines act as our standard of care. Per CDPH and Cal/OSHA guidelines, masks are optional for fully COVID-19 vaccinated staff and members of the public when indoors at the District Office. Any individual who is not fully vaccinated (defined as two weeks after the last vaccination shot) will be required to wear a mask while indoors. By entering these premises without a mask, you are attesting that you are fully vaccinated with a COVID-19 vaccine. As of July 28, 2021, CDPH is recommending universal masking indoors statewide. 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 telephonically by clicking [here](#), **register only if you are not attending in person**. Those who have registered to comment will receive an email prior to the meeting with information on how to join and comment via a Zoom link. If you are attending in person, a speaker card will need to be submitted prior to the agenda item per Bylaws of the Board 9323, Meeting Conduct. Members of the public shall have an opportunity to address the Board regarding items on the agenda to be considered during Closed Session prior to the Board adjourning the meeting to Closed Session. Individual presentations are limited to a maximum of three (3) minutes; however, the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers who wish to address a specific agenda topic. Detailed guidelines and information on what to do if you wish to address the Board of Trustees is provided at the end of this agenda.*

CLOSED SESSION AT 5:30 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. PUBLIC HEALTH EMERGENCY

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

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnfield
Significant Exposure to Litigation – Eleven Cases
ADR Case Number 20200430M
ADR Case Number 20210521M
ADR Case Number 20210827
ADR Case Number 20211004
ADR Case Number 20211015
ADR Case Number 20211018
ADR Case Number 20211021
ADR Case Number 20211028
ADR Case Number 20211108
ADR Case Number 20211112
ADR Case Number 20211115

EXHIBIT B-1
EXHIBIT B-2
EXHIBIT B-3
EXHIBIT B-4
EXHIBIT B-5
EXHIBIT B-6
EXHIBIT B-7
EXHIBIT B-8
EXHIBIT B-9
EXHIBIT B-10
EXHIBIT B-11

(Pursuant to Government Code § 54956.9(d)(2))

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnfield
Significant Exposure to Litigation – Four Cases
OAH Case Number 2021050726
OAH Case Number 2021070783
OAH Case Number 2021090902
OAH Case Number 2021100093
(Pursuant to Government Code § 54956.9(d)(1))

EXHIBIT C-1
EXHIBIT C-2
EXHIBIT C-3
EXHIBIT C-4

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

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

Property: Pacifica San Juan property, a 7.292 acre property located at the north east corner of Camino Las Ramblas and Avenida California

EXHIBIT D-1

Negotiating Parties: 1) Pulte Home Company, LLC (may purchase the District's option to purchase the Property from Pacific Point Development Partners/Taylor Morrison of California LLC through the District's prior request for proposals process); and 2) Pacific Point Development Partners/Taylor Morrison of California LLC (may amend its existing agreement with the District)

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

EXHIBIT D-2

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

E. STUDENT EXPULSIONS

Mike Beekman
Two Cases
Case # 2022-002
Case # 2022-003

EXHIBIT E-1
EXHIBIT E-2

F. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: Kirsten Vital Brulte/Rich Montgomery/Clark Hampton
Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
 - 2) California School Employees Association (CSEA)
 - 3) Teamsters
 - 4) Capistrano Unified Management Association (CUMA)
 - 5) Unrepresented Employees
- (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

- 1. REORGANIZATION OF BOARD – ELECTION OF PRESIDENT:** **DISCUSSION/
ACTION**
- The Capistrano Unified School District Board of Trustees is conforming to Education Code requirements by holding its annual organizational meeting at the December 15, 2021 meeting. Board Policy 9100 *Annual Organizational Meeting*, presents the order of business for this meeting. Agenda items 1 through 3 may be completed under this agenda item. There is no financial impact.
- CUSD WIG 1: Teaching and Learning – Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.***
- Contact: Judy Bullockus, President, Board of Trustees**

Staff Recommendation

AGENDA ITEM 1

The current presiding Board member will facilitate the election of the Board President. The Board may do this by oral nominations and voting, or by ballot after oral nominations are made.

AGENDA ITEM 2 AND ITEM 3

As soon as the new Board President is elected, he or she will immediately assume the role of President and will commence with the election of the Vice President and Clerk, then proceed with the other items on the evening's agenda.

Motion by _____ Seconded by _____

- 2. REORGANIZATION OF BOARD – ELECTION OF VICE PRESIDENT:** **DISCUSSION/
ACTION**
- Motion by _____ Seconded by _____
- 3. REORGANIZATION OF BOARD – ELECTION OF CLERK:** **DISCUSSION/
ACTION**
- Motion by _____ Seconded by _____

- 4. SELECTION OF TRUSTEE PARTICIPATION ON VARIOUS COMMITTEES:** **DISCUSSION/
ACTION**
- Every year at the organizational meeting in December, Trustee assignments are made to various committees and other groups in which there is an expectation of Board representation. The exhibit is a listing of appointment, with tentative meeting date information, and the name or names of the Trustee(s) who served on the committee during 2021. This agenda item allows for the Board of Trustees to select a member or members to serve on one or more of the committees outlined in the exhibit for the 2022 calendar year. There is no financial impact.
- CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.***
- Contact: Board President**
- Staff Recommendation
- It is recommended the Board of Trustees review the various committees as listed in the exhibit and reach a consensus and/or take a formal vote on which Trustees will participate on the various committees.

Motion by _____ Seconded by _____

BREAK

SPECIAL RECOGNITIONS

Associated Student Body

Dana Hills High School

Dr. Brad Baker, *Principal*

Sandra Mesa, *Activities Director*

JT. Williams, *Associated Student Body President*

Celebration of Life

Tim Brooks, Associate Superintendent, Human Resource Services

BOARD AND SUPERINTENDENT COMMENTS

STUDENT BOARD MEMBER REPORT

ORAL COMMUNICATIONS (Non-Agenda Items)

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

PUBLIC HEARING

5. PUBLIC HEARING: DRAFT PLANS FOR TRUSTEE AREA BOUNDARY REDISTRICTING: Page 5

EXHIBIT 5

The Board will conduct a public hearing on draft plans for Trustee area boundary redistricting. Supporting documentation is located in Exhibit 41.

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

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

Staff Recommendation

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

CONSENT CALENDAR

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

BUSINESS AND SUPPORT SERVICES

6. DONATION OF FUNDS AND EQUIPMENT:

Page 6

EXHIBIT 6

This is a monthly item. Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$128,365.95 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

7. **PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 9
EXHIBIT 7
This is a monthly item. 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 \$8,462,274.61 and the commercial warrants total \$22,450,201.11. 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
8. **INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS:** Page 123
EXHIBIT 8
This is a monthly item. 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 eight new agreements totaling \$893,059.14 and six amendments to existing agreements totaling \$400,609.41. 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
9. **AWARD BID NO. 2122-01, WASTE MANAGEMENT SERVICES – CR&R, INCORPORATED:** Page 242
EXHIBIT 9
This is a regular business item. Approval of Award of Bid No. 2122-01, Waste Management Services to CR&R, Incorporated. One bid was received and opened on November 5, 2021, and is listed on Exhibit A. The bid award was determined by the lowest total cost for services. CR&R, Incorporated is the lowest responsive, responsible bidder. The initial contract term is January 1, 2022 through December 31, 2022, with four one-year renewal terms, at the option of the Board of Trustees, for a total contract term not-to-exceed five years. Annual expenditures utilizing this contract are estimated to be \$500,000 funded by the general fund; however, may vary dependent on District needs and availability of funds.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
10. **AWARD BID NO. 2122-02, TREE TRIMMING MAINTENANCE SERVICES – WEST COAST ARBORIST, INCORPORATED:** Page 257
EXHIBIT 10
This is a regular business item. Approval of Award of Bid No. 2122-02, Tree Trimming Maintenance Services to West Coast Arborist, Incorporated. One bid was received and opened on October 8, 2021 and is listed on Exhibit A. The bidder offering the lowest weighted percentage of select lines items representing the most common District projects was used to determine the lowest responsive, responsible bidder. West Coast Arborist, Incorporated is the lowest responsive, responsible bidder. The initial contract term is July 1, 2021 through June 30, 2022 with four one-year renewal terms, at the option of the Board of Trustees, for a total contract term not to exceed five years. Annual expenditures utilizing this contract are estimated to be \$400,000 funded by the general fund and deferred maintenance; however, may vary dependent on District needs and availability of funds.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
11. **EMPLOYEE CELL PHONE ALLOWANCE:** Page 277
EXHIBIT 11
This is a regular business item. Approval of the revised employee cell phone allowance list. Certain District management employees have been designated by the Board of Trustees to be paid a \$35 monthly allowance for the use of a personally owned cell phone or mobile communication device for District-related business. These positions have been

designated as needing to be contacted while off-site or away from a District land line phone. The revised list includes the addition of the job titles of Manager II, Network Services; Manager II, Board Operations; and Coordinator, Communications, Public Engagement and Marketing. The addition of these three job titles would be effective October 1, 2021. Changes are underlined; deletions are struck through.

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

12. CHANGE ORDER NO. 1, BID NO. 2122-05, COMPRESSED NATURAL GAS STATION EXPANSION PROJECT: Page 279
EXHIBIT 12

This is a regular business item. Approval of Change Order No. 1, Bid No. 2122-05 for the Compressed Natural Gas Station Expansion Project related to a credit for unused allowance funds. This change order consists of additions, deletions, or other revisions now being presented to the Board for approval. The original contract sum was \$274,000. With Change Order No. 1 in the amount of -\$18,716, the new contract sum will be \$255,284 funded by 2015 2 Liberty in Aliso Viejo land sale revenue and interest earnings. With this change order, the project remains under budget.

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

13. CHANGE ORDER NO. 2, BID NO. 2122-09, COLLEGE AND CAREER ADVANTAGE CLASSROOM PORTABLE ADDITION PROJECT: Page 283
EXHIBIT 13

This is a regular business item. Approval of Change Order No. 2, Bid No. 2122-09 for College and Career Advantage (CCA) Classroom Portable Addition project related to District directed adjustments to incorporate additional data and low voltage connectivity, provides additional fencing and securing vehicle gate. 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 project scope is for the construction of two relocatable classroom buildings and related site work at San Juan Elementary School-CCA site for use by a charter school. The project is named CCA as this is how the site is named with Division of State Architect (DSA). The District correlates the project name to match the plans for DSA approval. This project is for OCASA College Prep in San Juan Capistrano per the Charter Facilities Agreement for the 2021-2022 school year to add two new portable classrooms. The portables are not for CCA use. The original contract sum was \$408,000. With Change Order No. 2 in the amount of \$23,802.75, the new contract sum will be \$459,209.34 funded by developer fees. With this change order, the project remains under budget.

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

14. CHANGE ORDER NO. 9, BID NO. 1920-05, NEWHART MIDDLE SCHOOL STEAM BUILDING PROJECT: Page 308
EXHIBIT 14

This is a regular business item. Approval of Change Order No. 9, Bid No. 1920-05 for the Newhart Middle School STEAM Building Project related to the addition of light fixtures to ensure adequate lighting per Division of the State Architect's (DSA) Title 24 requirements, additional sheet metal needed to close gaps from design changes, the addition of new gas regulators required per Southern California Gas Company, corrections to the drainage and field areas to support the new grass field, and the installation of a new fiber line to the existing portables. These changes involve adjustments to the plans and specifications captured and directed through the DSA Construction Change Directive (CCD) process. This change order consists of additions, deletions, or other revisions now being presented to the Board for approval. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$10,249,000. With Change Order No. 9 in the amount of \$57,681.89, the new contract sum will be \$10,704,644.23 funded by Redevelopment Agency Mission Viejo. With this change order, the project remains under budget.

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

15. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 2122-05 FOR COMPRESSED NATURAL GAS STATION EXPANSION PROJECT:** Page 455
EXHIBIT 15
This is a regular business item. Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 2122-05 for the Compressed Natural Gas Station Expansion Project. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. The project was funded by 2015 2 Liberty in Aliso Viejo land sale revenue and interest earnings.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
16. **FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 2122-09 FOR COLLEGE AND CAREER ADVANTAGE CLASSROOM PORTABLE ADDITION PROJECT:** Page 458
EXHIBIT 16
This is a regular business item. Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 2122-09 for the College and Career Advantage Classroom Portable Addition Project. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. The project was funded by developer fees.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
17. **PROCURE ELIGIBLE E-RATE ITEMS UTILIZING REQUESTS FOR PROPOSALS PROCESS:** Page 462
EXHIBIT 17
This is a regular business item. Approval to procure eligible E-Rate items (Category 2) utilizing Request for Proposals (RFP) process. Public Contract Code § 20118.2 states that due to the highly specialized nature of technology, telecommunications, related equipment, software and services, it is in the public's best interest to allow a school district to consider, in addition to price, various factors. Section 20118.2(c) requires that prior to awarding contracts utilizing the competitive negotiation RFP process discussed in § 20118.2(d), the Board must make a finding that the items listed in the proposed Request for Proposal No. 4-2122, E-Rate Category 2 are eligible under Public Contract Code § 20118.2.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
18. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR ALISO NIGUEL HIGH SCHOOL WINTER/SPRING BASEBALL 2022:** Page 465
EXHIBIT 18
This is an annual item. Approval of the Aliso Viejo Community Association (AVCA) Limited Use and Maintenance Agreement (LUMA) for Aliso Niguel High School Winter/Spring Baseball 2022. AVCA owns and maintains Woodfield Park, adjacent to Aliso Niguel High School. The Winter/Spring Baseball 2022 LUMA allows Aliso Niguel High School to use Woodfield Park from January 12, 2022 through April 29, 2022 for a fee of \$525 paid by site funds, as detailed in the LUMA. The Winter/Spring Baseball 2022 LUMA is similar to past years' agreements relating to the use of Woodfield Park.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services
19. **ALISO VIEJO COMMUNITY ASSOCIATION LIMITED USE AND MAINTENANCE AGREEMENT FOR ALISO NIGUEL HIGH SCHOOL WINTER/SPRING LACROSSE 2022:** Page 485
EXHIBIT 19
This is an annual item. Approval of the Aliso Viejo Community Association (AVCA) Limited Use and Maintenance Agreement (LUMA) for Aliso Niguel High School Winter/Spring Lacrosse 2022. AVCA owns and maintains Foxborough Park, adjacent to Aliso Niguel High School. The Winter/Spring Lacrosse 2022 LUMA allows Aliso Niguel High School to use Foxborough Park from January 26, 2022 through May 31, 2022 for a fee of \$600 paid by site funds, as detailed in the LUMA. The Winter/Spring

Lacrosse 2022 LUMA is similar to past years' agreements relating to the use of Foxborough Park.

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

CURRICULUM AND INSTRUCTION

20. INTERAGENCY AGREEMENT WITH ORANGE COUNTY HEAD START, INC.: Page 505
EXHIBIT 20

This is a tri-annual item. Approval of the ratification of the Interagency Agreement with Orange County Head Start, Inc. The Orange County Head Start, Inc. Interagency Agreement includes both California Early Start (CES) and Early Head Start (EHS) services, and is effective July 1, 2021, and will remain open until one or both parties terminate the agreement. CES agencies provide early intervention services to families of infants and toddlers, from birth to 36 months of age, who meet eligibility within the categories of Developmental Delay and Established Risk. EHS programs offer home-based and center-based program options for eligible children and families. EHS offers pregnant women and families with infants and toddlers, from birth to 36 months, a home-based option that includes home visits and monthly socialization opportunities. The center-based option includes age-appropriate child development services in a classroom setting. There is no financial impact.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

21. DATA SHARING AND SERVICES AGREEMENT WITH THE FOUNDATION FOR CALIFORNIA COMMUNITY COLLEGES ON BEHALF OF THE CALIFORNIA COLLEGE GUIDANCE INITIATIVE: Page 524
EXHIBIT 21

This is a new item. Approval of the Data Sharing and Services Agreement with the Foundation for California Community Colleges on behalf of the California College Guidance Initiative (CCGI). This data sharing agreement permits the CCGI to make college applications to the University of California and California State University easier by using a pre-verified transcript from the Aeries Student Information System for these applications. Students will no longer need to hand enter courses, grades, and demographic information for each application. The agreement becomes effective when both parties sign and can be terminated at any time by either party with no penalty. The Foundation complies with federal and state data privacy and security compliance measures, specifically the requirements of the Family Educational Rights and Privacy Act (FERPA), the Children's Online Privacy Protection Act of 1998 (COPPA), California Education Code Section 49073.1, commonly referred to as California Assembly Bill 1584 (or AB 1584), and California Business and Professions Code Section 22584, commonly referred to as the "Student Online Personal Information Protection Act" (or SOPIPA) or SB 1177. One of the District's Wildly Important Goals is to "engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students." Housed at the Foundation for California Community Colleges, the California College Guidance Initiative (CCGI) works to ensure that all grades 6-12 students in California have access to a systematic baseline of guidance and support as they plan, prepare, and pay for postsecondary education. CCGI partners with K-12 school districts to support students, counselors, parents, and community-based organizations with technological tools that help guide the college and career planning and preparation process. The California College Guidance Initiative is currently funded by the state of California. There is no financial impact.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

22. ADDENDUM TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN THE INSIDE THE OUTDOORS SCHOOL PROGRAMS, AGREEMENT NUMBER 14002, ADDENDUM NO. 2 AND NO. 3: Page 550
EXHIBIT 22

This is an annual item. Approval of Addendums to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Number 14002,

Addendum No. 2 and No. 3. District schools routinely participate in the Orange County Department of Education's outdoor science school/field trip programs and "Traveling Scientist" programs and assemblies. This year the sessions will be **virtual**. Oso Grande Elementary School has expressed interest in the "Traveling Scientist" program for the 2020-2021 school year, which will provide a virtual school assembly by naturalists on various science topics. Wood Canyon Elementary School has enrolled in two additional virtual sessions. There is no financial impact; there is no charge or fee this year.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

23. MASTERYCONNECT SUBSCRIPTIONS FROM INSTRUCTURE:

Page 556

EXHIBIT 23

This is a new item. Approval of the ratification of MasteryConnect Subscriptions from Instructure. MasteryConnect is a program integrated into Canvas Learning Management System which measures and promotes student growth through a platform designed to show student learning in an intuitive and visual way. Currently, students in grades kindergarten through grade 5 receive a standards-based report card. This reporting system aligns with our current standards-based report card in all three languages, English, Spanish, and Mandarin, and will be utilized in grades kindergarten through grade 5. Teachers will pilot MasteryConnect, October 1, 2021 through September 30, 2022, to create a standards-based mastery reporting system within our current learning management system, Canvas. The estimated expenditure is \$7,554.00 funded by the general fund.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

24. MUSICAL THEATER INTERNATIONAL AGREEMENT FOR STUDENT PRODUCTION OF MAMA MIA FOR 2021-2022:

Page 561

EXHIBIT 24

This is a new item. Approval of the Musical Theater International (MTI) agreement for student production of the high school version of Mama Mia for use December 16, 2021 through March 30, 2022. This version is age appropriate for high school students. The theater department at Dana Hills High School is requesting ratification of their contract with Musical Theater International for permission to perform Mama Mia. The contract includes royalty payment for three performances, rental of materials including music and vocal scores, and an accompaniment recording to be used during rehearsals and performances. While purchase of materials for theatrical productions do not always require a signed contract, MTI requires a signed contract before a school purchases the materials for one of their productions. The cost of \$2,326 will be funded by school site funds.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

25. RESOLUTION NO. 2122-28 FOR SIGNATURE AND ACCEPTANCE OF FISCAL YEAR 2022-2023 CONTINUED FUNDING APPLICATION, FOR CALIFORNIA STATE PRESCHOOL PROGRAM CONTRACT:

Page 578

EXHIBIT 25

This is a new annual requirement. Approval of Resolution No. 2122-28 for Signature and Acceptance of Fiscal Year 2022-2023 Continued Funding Application, for California State Preschool Program Contract. In order to be considered for continued funding for the implementation of the California State Preschool Program for the fiscal year 2022-2023, a Continued Funding Application (CFA) must be submitted. By completing the fiscal year 2022-2023 CFA, the District is indicating that it wishes to renew the contract for fiscal year 2022-2023. Past allocations have been up to \$3,115,575. While completing the CFA is an annual item, the California Department of Education now requires that all public agencies include board resolution or minutes of the meeting reflecting authorization of signature on the CFA. There is no financial impact.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

26. EDUCATOR EFFECTIVENESS EXPENDITURE PLAN:

Page 606

EXHIBIT 26

This is a new item. Approval of the Educator Effectiveness Expenditure Plan, the District will receive \$9,222,006 in one-time state funding to improve educator effectiveness of its

teachers, administrators, paraprofessionals, and classified staff who interact with students. The Educator Effectiveness funding is to be used specifically for professional development, collaboration, coaching and mentoring, and must be expended by June 30, 2026. The District Certificated, Classified, Administrators in Partnership for Excellence (CAPE) Team met and reviewed District priorities for both certificated and classified staff who are included in the Educator Effectiveness plan. This plan had an informational public session for feedback at the December 8, 2021 Special Board meeting. In response to direction from Trustees at the December 8, 2021 Special Board meeting, staff has updated the plan for Board approval.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

27. MEMORANDUM OF UNDERSTANDING WITH WESTED FOR THE CALIFORNIA HEALTHY KIDS SURVEY 2021-2022:

Page 607
EXHIBIT 27

This is an annual item. Approval of Memorandum of Understanding with WestEd for the California Healthy Kids Survey (CHKS) 2020-2021. This is an annual agreement which outlines conditions to be met by the District as they relate to access to, and the administration of, the CHKS and the California School Parent Survey.

Data from the surveys are intended to help schools foster a positive school climate including: student learning engagement; prevent risky behaviors; other impediments to academic achievement; and to promote positive health habits and behaviors. The District uses CHKS results to inform interventions and supports for students' social emotional and behavioral needs in the District's Multi-tiered System of Supports. The results are also used to measure progress in the Cultural Proficiency Plan. The surveys have multiple modules. The administration of CHKS is planned for mid-January to early February 2022, when students in grades 5, 7, 9, and 11 will complete the core module of the survey. The California School Parent Survey will be conducted for the fourth year. A District letter will be sent in January 2022 to notify parents/guardians. This letter informs parents regarding the survey questions, and all survey questions, timelines, and procedures have been posted online on the District website for public access.

The grade level surveys, created by WestEd, will include all of the questions, per grade level, as included on the District's CHKS website. **WestEd does not allow districts to remove or add questions to the surveys. Therefore, the survey will not be altered from the original survey, and no questions will be removed or added. Parents of middle and high school students will be able to return a form to have their child opt out. Parents of elementary students will be required to return a permission form to have their child participate.** Collecting permission forms for elementary students is an Education Code requirement. Student personally identifiable information is not collected or released. Parents will be notified multiple times through multiple means, and will have access to the survey questions and content for their full review online, and in hard copy. The District will receive approximately \$9,000 from the Orange County Department of Education and the Orange County Health Care Authority to help offset the anticipated cost of \$19,000 associated with survey administration, and reports. The net cost to the District is anticipated to be \$10,000 funded by general funds.

Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

HUMAN RESOURCE SERVICES

28. INTERNSHIP AGREEMENT WITH CHAPMAN UNIVERSITY:

Page 619
EXHIBIT 28

This is a new item. Approval of the Internship Agreement with Chapman University, effective November 15, 2021 and expiring December 1, 2026. This agreement provides the opportunity for the District to hire intern ready applicants from Chapman University as school counselors, in the event qualified, fully-credentialed applicants are not identified. University students enrolled in the final requirements for their Pupil Personnel Services School Counseling credential program will be hired and paired with a site

supervisor as they complete the remaining practicum/fieldwork hours required to earn their credential. There is no fiscal impact

Contact: *Rich Montgomery, Interim Associate Superintendent, Human Resource Services*

29. **ORANGE COUNTY DEPARTMENT OF EDUCATION FIRST QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION:** Page 625
EXHIBIT 29
This is a quarterly item. Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) First 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 § 1240 requires OCDE to report visits and reviews of District schools conducted by OCDE, if any. Additionally, the law requires the report be provided to the Board of Trustees at a regularly scheduled public meeting each quarter.
Contact: *Rich Montgomery, Interim Associate Superintendent, Human Resource Services*
30. **SCHOOL COUNSELING SUPERVISED PAID INTERNSHIP FIELDWORK AGREEMENT WITH CHAPMAN UNIVERSITY:** Page 629
EXHIBIT 30
This is a new item. Approval of the School Counseling Supervised Paid Internship Fieldwork Agreement with Chapman University, effective November 15, 2021 and expiring December 1, 2026. University students enrolled in the Pupil Personnel Services School Counseling credential program, whom the District has hired to fill an open school counselor position, will be paired with a site supervisor as they complete practicum/fieldwork hours required to earn their credential. There is no fiscal impact.
Contact: *Rich Montgomery, Interim Associate Superintendent, Human Resource Services*
31. **EDUCATIONAL AFFILIATION AGREEMENT WITH RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT:** Page 634
EXHIBIT 31
This is an annual item. Approval of the Educational Affiliation Agreement with Rancho Santiago Community College District, effective upon the final signature and continuing for five years. Students enrolled in the Speech Language Pathology Assistant (SLPA) program will be paired with veteran District Speech Language Pathologists as they complete clinical hours required to earn their SLPA certificate.
Contact: *Rich Montgomery, Interim Associate Superintendent, Human Resource Services*
32. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES:** Page 643
EXHIBIT 32
This is a regular business item. 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: *Rich Montgomery, Interim Associate Superintendent, Human Resource Services*
33. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES:** Page 670
EXHIBIT 33
This is a regular business item. 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: *Rich Montgomery, Interim Associate Superintendent, Human Resource Services*

GENERAL FUNCTIONS

34. **RESOLUTION NO. 2122-27, ROLE OF THE BOARD: POWERS AND RESPONSIBILITIES:** Page 710
EXHIBIT 34
This is an annual item. Approval of Resolution No. 2122-27, Role of the Board: Powers and Responsibilities, reaffirms the role of the Board. The Board of Trustees is the educational policy-making body for the District. To effectively meet the District's challenges, the Board and the Superintendent must function together as a leadership team. There are general protocols and those that are specific for the Board and the Superintendent. In preparation of the agenda for the annual organization meeting, it is the responsibility of the Superintendent to provide for readoption of this Resolution by the Board of Trustees.
Contact: Kirsten Vital Brulte, Superintendent
35. **2022 - 2023 BOARD MEETING SCHEDULE:** Page 711
EXHIBIT 35
Approval of the Board Meeting Schedule for the 2022-2023 school year.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office
36. **SCHOOL BOARD MINUTES:** Page 714
EXHIBIT 36
Approval of the November 3, 2021 Regular Board meeting minutes.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office
37. **RESOLUTION NO. 2122-26, CONTINUING AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO ASSEMBLY BILL 361:** Page 727
EXHIBIT 37
This is a legally mandated monthly item. At the November 3, 2021, Board meeting the Board adopted Resolution No. 2122-22, Continuing Authority to Hold Virtual Meetings, Pursuant to Assembly Bill 361. Per Government Code § 54953(e), the Board must adopt a subsequent resolution to continue this practice.

On September 16, 2021, Governor Newsom signed Assembly Bill (AB) 361, which immediately amended the Brown Act allowing governing boards to continue holding virtual meetings outside the teleconferencing requirements of Government Code § 54953(b), if the Board makes a finding that there is a proclaimed State of Emergency, and either (1) state or local officials have imposed or recommended social distancing measures, or (2) meeting in person would present imminent risks to the health or safety of attendees due to the emergency. The Board is committed to open and transparent governance in compliance with the Brown Act, and continues to conduct virtual meetings by way of telephonic and/or internet-based services as to allow members of the public to fully participate in meetings and offer public comment. The Board authorizes the use of teleconferencing for all meetings in accordance with Government Code § 54953(e) and all other applicable provisions of the Brown Act, for a period of 30 days from the adoption of this resolution, or such a time that the governing board adopts a subsequent resolution in accordance with Government Code § 54953(e)(3).

Based on the findings made above, the Board of Trustees of the Capistrano Unified School District will continue holding its meetings in a safe and efficient manner, with a priority of having members of the public participate in-person from the location of the Board meeting.

In the event a Trustee must participate in a meeting through a virtual platform (such as Zoom or an equivalent program), she/he will follow all the requirements of AB 361. The Trustee's participation in public session shall be visible to all meeting participants in the same manner as if the Trustee were present. The Trustee may also participate in executive/closed session meetings of the Board.

Contact: Kirsten Vital Brulte, Superintendent

DISCUSSION/ACTION ITEMS

38. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY ENGLISH-LANGUAGE ARTS AND HISTORY SOCIAL SCIENCE SUPPLEMENTAL NOVELS, GRADES 6-12: **DISCUSSION/ ACTION**
Page 734
EXHIBIT 38

This is a new item. A committee of 27 secondary teachers is requesting the adoption of supplemental titles for secondary English-language arts and History Social Science, grades 6-12, to align with state standards and the Fair Accurate Inclusive and Respectful Education Act, Senate Bill 48. The list of proposed novels is included in the exhibit. The committee of 27 secondary teachers evaluated the current core reading list and recommended the listed additional novels, and non-fiction texts for approval. Recommendations were then evaluated by the Instructional Materials Review Committee (IMRC) using the Common Core State Standards Text Complexity Rubric. The materials were found to be in alignment with other disciplines and grade level reading standards. All books were approved by the IMRC by a majority vote and are therefore being recommended to the Board for adoption.

The votes were:

- *First Rule of Punk* ©2018 by Celia C. Perez – Grades 6/7; 15 yes, 0 no
- *First They Killed My Father* ©2000 by Loung Ung – Grades 11/12; 15 yes, 0 no
- *Efren Divided* ©2021 by Ernesto Cisneros –Grades 6/7; 14 yes, 1 no
- *Born A Crime* ©2016 by Trevor Noah –Grade 10; 14 yes, 0 no, 1 abstain
- *White Teeth* ©2000 by Zadie Smith –Grade 12; 12 yes, 2 no, 1 abstain

The recommended books support the Board approved Cultural Proficiency Plan that diversifies the current curriculum by increasing the representation of diverse authors, and they will provide students with diverse perspectives from Black, Indigenous and People of Color (BIPOC), women, and marginalized characters and authors. The novels will be supported with teacher professional development prior to teachers implementing new supplemental materials. Purchase of these supplemental titles will be funded by site funds.

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

Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Instructional Materials Recommended for Adoption: Secondary English-language arts and History Social Science Supplemental Novels, Grades 6-12.

Motion by _____ Seconded by _____

39. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION: SECONDARY WORLD LANGUAGES SUPPLEMENTAL NOVELS, GRADES 9-12: **DISCUSSION/ ACTION**
Page 742
EXHIBIT 39

This is a new item. In 2014, the District adopted *Temas* (Themes) and *AP Spanish Language and Culture Exam Preparation* by Vista Higher Learning for Advanced Placement (AP) Spanish. The textbook is organized into six chapters that match the themes of the AP exam. Each chapter includes a variety of audio and print sources and assessments that reflect those found on the AP exam. In 2016, Vista published the French

version of Themes, *Thèmes*, as an instructional resource specifically designed for AP French and organized in the same manner as the Spanish version. This year, Vista has updated *Thèmes*. There is now a full digital version of the student edition along with additional student and teacher classroom tools. AP French teachers are requesting the approval of *Thèmes* and the companion workbook *AP French Language and Culture Exam Preparation* for use with AP French students. Due to the fact that this is the French version of the already adopted *Temas* Spanish version, it did not go through the IMRC process. Expenditures for textbooks are estimated at \$18,065.93 funded by Lottery funds.

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

Contact: Gregory Merwin, Associate Superintendent, Education and Support Services
Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve Instructional Materials Recommended for Adoption: Secondary World Languages Supplemental Novels, Grades 9-12.

Motion by _____ Seconded by _____

40. PRESENTATION – MATH UPDATE:

This is a new item. The purpose of this item is to update Trustees and the community in the content area of Mathematics, current training and programs in Math that explicitly address the District’s Vision of a CUSD graduate, and address the Board’s goal of increasing student access to challenging and rigorous Math coursework. This report will include:

- An update regarding the new state curriculum framework, which provides guidance to school districts in Mathematics, that is under adoption review until May 2022;
- Current Math professional learning and programs in both elementary and secondary; and
- Math coursework that is preparing students to be college and career ready

There is no financial impact.

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

Contact: Gregory Merwin, Associate Superintendent, Education and Support Services

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Education and Support Services, to present this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

41. DRAFT PLANS FOR TRUSTEE AREA BOUNDARY REDISTRICTING:

This item is required by Education Code § 5019.5. On November 3, 2021, Trustees adopted Resolution No. 2122-21, Establishing Criteria for Adjusting Trustee Area Boundaries. The District’s demographer has been working on a set of three draft plans for Trustee review and consideration in conjunction with this evening’s scheduled public hearing.

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

**INFORMATION/
DISCUSSION
Page 747
EXHIBIT 40**

**INFORMATION/
DISCUSSION
Page 774
EXHIBIT 41**

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

42. CERTIFICATION OF THE 2021-2022 FIRST INTERIM REPORT:

This is an annual item. In accordance with Education Code § 42130, school districts are required to prepare and submit Interim Financial Reports to the governing board. The purpose of these reports is to satisfy State and County Office of Education officials as to whether or not the District will be able to meet its financial obligations for the remainder of the fiscal year. Additionally, as required by Assembly Bill 2756, districts must certify that minimum reserve levels are projected to be met in the two subsequent fiscal years. This agenda item presents a positive certification of the First Interim Report for 2021-2022, indicating the District will meet its financial obligations in the current, and the two subsequent fiscal years. The multi-year projections for 2022-2023 and 2023-2024 are projected using Cost of Living Adjustment (COLA) factors from the Governor’s adopted budget.

**DISCUSSION/
ACTION
Page 775
EXHIBIT 42**

***CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services***

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees approve the Certification of the 2021-2022 First Interim Report.

Motion by _____ Seconded by _____

43. AMBUEHL ELEMENTARY SCHOOL MODERNIZATION PHASE 2 PROJECT, PROJECT ADDENDUM TO MASTER AGREEMENT FOR ARCHITECTURAL SERVICES – PBK-WLC ARCHITECT AND AGREEMENT FOR CONTRACTED SERVICES – TELACU CONSTRUCTION MANAGEMENT, INCORPORATED:

**DISCUSSION/
ACTION
Page 901
EXHIBIT 43**

This is a new item. Ambuehl Elementary School is in need of additional modernization to the classrooms to provide a better learning environment for the students and to permit for the unification of the school moving the teachers out of the 300 building and into the main building. Phase 2 allows for the rest of the campus to be modernized and for the classrooms to be brought up-to-date.

The Board is asked to approve the Project Addendum to the Master Agreement for Architectural Services with PBK-WLC Architects in the amount of \$278,056 and the Agreement for Contracted Services No. 2122196 with TELACU Construction Management in the amount \$240,400. Both agreements for the Ambuehl Elementary School Modernization Project Phase 2 would have an effective date of October 1, 2021 through December 31, 2022. The project will be funded by Whispering Hills CFD 2005-1.

***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 approve Ambuehl Elementary School Modernization Phase 2 Project, Project Addendum to Master Agreement for Architectural Services – PBK-WLC Architect and Agreement for Contracted Services – TELACU Construction Management, Incorporated.

Motion by _____ Seconded by _____

- 44. **RESOLUTION NO. 2122-23, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT OF INTENTION TO CONSIDER AND RESOURCE THE INVESTIGATION OF A POTENTIAL FUTURE BOND MEASURE (DANA HILLS HIGH SCHOOL SEISMIC SAFETY PROJECT):** **DISCUSSION/ ACTION**
Page 928
EXHIBIT 44

This is a new item. The Board previously received information on the age of Dana Hills High School and the need for seismic safety upgrades. The Board is asked to consider adoption of Resolution No. 2122-23 authorizing a focused study of a potential bond measure to provide funding to replace and modernize Dana Hills High School to meet current seismic safety standards, District facility standards, and educational specifications. The estimated costs to resource the investigation of a potential future bond measure are:

- Facilities master plan \$145,000 (reimbursed from bond proceeds)
- Community engagement \$75,000 (general fund)
- Public opinion research \$50,000 (general fund)
- Financial services \$20,000 (general fund)
- Legal services \$20,000 (general fund)

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

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board adopt Resolution No. 2122-23, a Resolution of the Board of Trustees of the Capistrano Unified School District of Intention to Consider and Resource the Investigation of a Potential Future Bond Measure (Dana Hills High School Seismic Safety Project).

Motion by _____ Seconded by _____

- 45. **RESOLUTION NO. 2122-24, A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT OF INTENTION TO CONSIDER AND RESOURCE THE INVESTIGATION OF A POTENTIAL FUTURE BOND MEASURE (CITY OF ALISO VIEJO TK-8 OR TK-12 BOND MEASURE):** **DISCUSSION/ ACTION**
Page 928
EXHIBIT 45

This is a new item. The Board previously received information on school facilities needs and community members have expressed interest in a bond measure to help fund improvements to the schools within the City of Aliso Viejo. The Board is asked to consider adoption of Resolution No. 2122-24 authorizing a focused study of a potential bond measure to provide funding to repair and upgrade the schools serving grades TK-8 or TK-12 within the City on November 8, 2022, 2024, or thereafter. The estimated costs to resource the investigation of a potential future bond measure are:

- Facilities master plan \$145,000 (reimbursed from bond proceeds)
- Community engagement \$75,000 (general fund)
- Public opinion research \$50,000 (general fund)
- Financial services \$20,000 (general fund)
- Legal services \$20,000 (general fund)

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

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board provide direction on Resolution No. 2122-24, a Resolution of the Board of Trustees of the Capistrano Unified School District of Intention to Consider and Resource the Investigation of a Potential Future Bond Measure (City of Aliso Viejo TK-8 or TK-12 Bond Measure).

Motion by _____ Seconded by _____

46. RESOLUTION NO. 2122-25, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT IN SUPPORT OF ASSEMBLY BILL NO. 75, KINDERGARTEN-COMMUNITY COLLEGES PUBLIC EDUCATION FACILITIES BOND ACT OF 2022:

**DISCUSSION/
ACTION
Page 934
EXHIBIT 46**

This is a new item. The Board is asked to consider adoption of Resolution No. 2122-25, in Support of Assembly Bill No. 75, Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022. The District currently has five completed construction projects awaiting approximately \$17.7 million state matching funds. Receiving these funds is dependent upon a new state bond.

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

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

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 2122-25, Resolution of the Board of Trustees of the Capistrano Unified School District in Support of Assembly Bill No. 75, Kindergarten-Community Colleges Public Education Facilities Bond Act of 2022.

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, JANUARY 19, 2022, 7:00 P.M.
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

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

www.capousd.org

INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES

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.