



## 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, the use of masks is strongly recommended, but not required, when indoors at the District office. If participants choose not to 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 form by clicking

(<https://simbli.eboardsolutions.com/SU/xA9Oslshm8QuMtbNr9j3YPXvg==>). 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 Board Bylaw 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. The Board meeting discussion related to each of the items on the public agenda is on file in the Superintendent's office as a matter of the permanent record. An audio recording of the meeting is available on the District website at [capousd.org](http://capousd.org)

(<https://simbli.eboardsolutions.com/SU/TesYrpluspluszDt75ngsslsh0c8plusCQ==>).

### 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

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 – Six Cases

1. ADR Case No. 20210611M
2. ADR Case No. 20220131
3. ADR Case No. 20220207
4. ADR Case No. 20220225
5. ADR Case No. 20220314
6. ADR Case No. 20220321



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

Clark Hampton/John Forney  
Attorney – Jeff Hoskinson

7. Significant Exposure to Litigation – Three Cases  
*(Pursuant to Government Code § 54956.9 (d) (4) or (3))*

Kirsten Vital Brulte/Clark Hampton/John Forney  
8. Significant Exposure to Litigation – One Case  
*(Pursuant to Government Code § 54956.9 (d) (2) or (3))*

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

Gregory Merwin/Kathy Purcell  
Attorney – Justin Shinnfield  
Significant Exposure to Litigation – Three Cases  
1. OAH Case No. 2021110345  
2. OAH Case No. 2022010494  
3. OAH Case No. 2022020624  
*(Pursuant to Government Code § 54956.9(d)(1))*

**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 northeast corner of Camino Las Ramblas and Avenida California  
Negotiating Parties: Pacific Point Development Partners/Taylor Morrison of California LLC (possible amendment to existing purchase agreement); and one or more potential buyers for the Property (possible purchase of the District’s option to purchase the Property through a request for proposals process)

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

Property: Paseo de Colinas property. 2.47 acre property located on Paseo de Colinas adjacent to Niguel Hills Middle School  
Negotiating Party: One or more potential buyers for the Property who may purchase the Property through a surplus property bid auction process

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

**E. 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)*

**F. LIABILITY CLAIM**

- Clark Hampton  
Significant Exposure to Litigation – One Case
1. Rejection of Government Claim No. 2208993  
*(Pursuant to Government Code § 54956.9 (d) (2) or (3))*

**G. STUDENT READMISSION**

- Mike Beekman  
Two Cases
1. Case No. 2019-056
  2. Case No. 2021-004

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

- Rich Montgomery
1. One Case
  2. Principals, Multiple Sites  
*(Pursuant to Government Code § 54957)*

**I. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

- Rich Montgomery
1. Principals, Elementary School
  2. Principals, Multiple Sites  
*(Pursuant to Government Code § 54957)*

**J. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE**

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

**4. OPEN SESSION AT 7:00 P.M.**

**5. CALL TO ORDER - ROLL CALL**

**6. PLEDGE OF ALLEGIANCE**

**7. ADOPTION OF THE AGENDA**

**8. REPORT ON CLOSED SESSION ACTION**

**9. SPECIAL RECOGNITIONS**



**Extra Milers**

CUSD Visual and Performing Arts - Music and Arts Festival

Dr. Catherine Nolan, *Master of Ceremonies*

Sue Hill, *Event Coordinator*

Logistics

Clark Fisher, *Director I, Performing Arts Center and Facilities*

Justin Barnes, *Lead Theater Technician*

Teachers

Andy Waldukat, *Event Logistics Lead*

James Caestecker, *Event Logistics Support*

Andrea Howard, *Program Author*

Keith Hancock, *High School Vocal Manager*

Dean McElroy, *High School Symphonic Manager*

Ashley Stevens, *Middle School Strings Manager*

Richard Perez, *Middle School Band Manager*

Rachel Wright, *Middle School Vocal Manager*

Evelyn Lee, *Elementary Manager, Strings*

Kim Nason, *Elementary Manager, Vocal*

Sharon Evans, *Elementary Manager, Vocal*

Mahfrin Santoke, *Elementary Manager, Band*

Chad Cunningham, *Elementary Manager, Band*

Andy Magana, *Guest Conductor*

Albert Jeung, *Guest Conductor*

Rachel Wright, *Guest Conductor*

Capistrano Valley High School

John Misustin, *Principal*

Adam Mendoza, *Supervisor, Custodial Services*

Jennifer Blyn, *Parent Volunteer*

Mina Carson, *PTA, Visual Arts Coordinator*

Special Thank You to ALL of the Music Teachers

**Associated Student Body**

Capistrano Union High School

Brittany Casey, *Principal*



Heather Reynard, ASB Teacher  
Maddex Carrillo, Associated Student Body Leader  
Edgar Ordonez Rodriguez, Associated Student Body Leader

10. BOARD AND SUPERINTENDENT COMMENTS

11. STUDENT BOARD MEMBER COMMENTS




12. 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.

13. 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.

A. BUSINESS AND SUPPORT SERVICES

- 1. DONATION OF FUNDS AND EQUIPMENT  26  
This is a monthly item. Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$220,292.89 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*
- 2. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS  31  
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 \$5,359,920.67 and the commercial warrants total \$23,646,764.70. 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*
- 3. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS  148



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 20 new agreements totaling \$592,642.88 and 3 amendments to existing agreements totaling \$175,000. 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 (<https://simbli.eboardsolutions.com/SU/ZEAZArmm7JorWQTqk5f2Kw==>).

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

- 4. AWARD BID NO. 2122-15, UNDERGROUND STORAGE TANKS REMOVAL PROJECT – R. JENSEN COMPANY, INCORPORATED 236  
This is a regular business item. Approval of Award of Bid No. 2122-15, Underground Storage Tanks Removal Project to R. Jensen Company, Incorporated. Two bids were received and opened on March 24, 2022, and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. R. Jensen Company, Incorporated is the lowest responsive, responsible bidder at \$147,000. This project will be funded by South Bus Yard Proceeds.  
**Contact:** Clark Hampton, Deputy Superintendent, Business and Support Services
  
- 5. AWARD BID NO. 2122-16, SAN JUAN HILLS HIGH SCHOOL PAINTING PROJECT – PACIFIC CONTRACTORS GROUP INCORPORATED 270  
This is a regular business item. Approval of Award of Bid No. 2122-16, San Juan Hills High School Painting Project to Pacific Contractors Group Incorporated. Eleven bids were received and opened on March 31, 2022, and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. Pacific Contractors Group Incorporated is the lowest responsive, responsible bidder at \$586,000. This project will be funded by Ladera Ranch Community Facilities District (CFD) No. 98-2. The funding is only for schools serving the CFD.  
**Contact:** Clark Hampton, Deputy Superintendent, Business and Support Services
  
- 6. AWARD BID NO. 2122-17, LAS FLORES ELEMENTARY SCHOOL PAINTING PROJECT – ALPHA DÉCOR AND PAINTING, INCORPORATED 341  
This is a regular business item. Approval of Award of Bid No. 2122-17, Las Flores Elementary School Painting Project to Alpha Décor and Painting, Incorporated. Nine bids were received and opened on April 7, 2022, and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. Alpha Décor and Painting, Incorporated is the lowest responsive, responsible bidder at \$367,000. This project will be funded by Las Flores Community Facilities District (CFD) No. 92-1. The funding is only for schools serving the CFD.  
**Contact:** Clark Hampton, Deputy Superintendent, Business and Support Services
  
- 7. AWARD BID NO. 2122-18, TESORO HIGH SCHOOL PAINTING PROJECT – PACIFIC CONTRACTORS GROUP INCORPORATED 373  
This is a regular business item. Approval of Award of Bid No. 2122-18, Tesoro High School Painting Project to Pacific Contractors Group Incorporated. Twelve bids were received and opened on April 6, 2022, and are listed on Exhibit A. The bidder offering




the lowest base price was used to determine the lowest responsive bidder. Pacific Contractors Group Incorporated is the lowest responsive, responsible bidder at \$372,000. This project will be funded by Las Flores Community Facilities District (CFD) No. 92-1. The funding is only for schools serving the CFD.

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

- 8. CORONA-NORCO UNIFIED SCHOOL DISTRICT BID NO. 2021/22-095, JUST-IN-TIME STANDARD SCHOOL AND OFFICE SUPPLIES – KELLYSPICERS, INCORPORATED AND OFFICE DEPOT, LLC  445


This is a regular business item. Approval to utilize the Corona-Norco Unified School District Bid No. 2021/22-095 awarded to KellySpicers, Incorporated and Office Depot, LLC and any subsequent revisions, amendments, and extensions for the purchase of standard school and office supplies. School boards have the authority to “piggyback” on another public agency’s bid, per Public Contract Code § 20118, when it is in the best interest of a district. The prices offered by the contractor have been assessed by staff to be fair, reasonable, and competitive. Anticipated annual expenditures utilizing this contract are approximately \$300,000 funded by various applicable funding sources. Actual expenditures may vary depending on District needs and availability of funds. Due to the size of the contract and award, the documentation is posted online on the District Board Agendas and Supporting Documentation page [here](https://simbli.eboardsolutions.com/SU/ZEAZArmm7JorWQTqk5f2Kw==). (<https://simbli.eboardsolutions.com/SU/ZEAZArmm7JorWQTqk5f2Kw==>)

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

- 9. FIRST EXTENSION OF BID NO. 2021-03, PLUMBING SERVICES – VERNE’S PLUMBING, INCORPORATED  449

This is a regular business item. Approval of First Extension of Bid No. 2021-03, Plumbing Services with Verne’s Plumbing, Incorporated. Bid 2021-03 was awarded to the lowest responsive, responsible bidder on January 20, 2021, for the initial term of January 1, 2021, through December 31, 2021, with optional renewal terms. The vendor agrees to extend the proposed extension at the same pricing under the initial bid award for the proposed renewal period of January 1, 2022, through December 31, 2022. Annual expenditures utilizing this contract are estimated to be \$400,000 funded by the general fund and deferred maintenance. Actual expenditures may vary based on District needs and the availability of funds.

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




- 10. CHANGE ORDER NO. 1, BID NO. 2122-14, VISTA DEL MAR ELEMENTARY SCHOOL BIG TOY REPLACEMENT PROJECT  459

This is a regular business item. Approval of Change Order No. 1, Bid No. 2122-14 for the Vista Del Mar Elementary School Big Toy Replacement Project related to requirements of the Division of the State Architect (DSA) for the deferred submittal of the integrated shade footings and the associated work that could not be completed while the deferred submittal was under review. These changes involve adjustments to the plans and specifications captured and directed through the DSA’s 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 \$357,000. With Change Order No. 1 in the amount of \$17,249.70, the new contract sum will be \$374,249.70 funded by Community Facilities District (CFD) No. 90-2 Talega. The funding is only for schools serving the CFD. With this change order, the contract with the general contractor remains under the \$410,550 budget that represents the bid award plus contingency.

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

- 11. CHANGE ORDER NO. 11, BID NO. 1920-05, NEWHART MIDDLE SCHOOL STEAM BUILDING PROJECT  484  
This is a regular business item. Approval of Change Order No. 11, Bid No. 1920-05 for the Newhart Middle School STEAM Building Project related to requirements of the Division of the State Architect (DSA) for Americans with Disabilities Act (ADA) path of travel issues related to the front entrance and the communication pathway from the first floor elevator machine room to the second floor control panel. 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. 11 in the amount of \$19,430, the new contract sum will be \$10,819,498.14 funded by Redevelopment Agency Mission Viejo. With this change order, the contract with the general contractor remains under the \$11,273,900 budget that represents the bid award plus contingency.  
**Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
  
- 12. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 2122-14, VISTA DEL MAR ELEMENTARY SCHOOL BIG TOY REPLACEMENT PROJECT  529  
This is a regular business item. Approval of the Final Acceptance and Filing of the Notice of Completion for Bid No. 2122-14, Vista Del Mar Elementary School Big Toy Replacement 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 Community Facilities District (CFD) No. 90-2 Talega. The funding is only for schools serving the CFD.  
**Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
  
- 13. AMENDMENT NO. 6 EXTENSION OF LICENSE AGREEMENT WITH YMCA OF ORANGE COUNTY AT CROWN VALLEY ELEMENTARY SCHOOL  533  
This is an annual item. Approval of Amendment No. 6 Extension of License Agreement with YMCA of Orange County (YMCA) at Crown Valley Elementary School dated June 23, 2016. The school site is currently occupied by the Orange County Academy of Science and Arts (OCASA) charter school. The agreement allows the District to offer the use of the YMCA portable to the charter school. This amendment proposes to extend the term of the agreement for an additional year. The renewal term will begin July 1, 2022, and will expire on June 30, 2023. The agreement was previously





reviewed and approved by the District's legal counsel. There is no financial impact for the District.


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

14. NAMING RANCHO MISSION VIEJO PLANNING AREA 3 AND 4 NEW K-8 SCHOOL – RIENDA K-8 SCHOOL 

542

This is a subsequent item. Approval of naming Rancho Mission Viejo Planning Area 3 and 4 new K-8 school, Rienda K-8 School. At the March 16, 2022, Board meeting, the Board waived Board Policy 7511, *Naming of Facilities*, choosing not to form a naming committee. Rancho Mission Viejo (RMV) made a request to name the new school Rienda K-8 School. This name preference from RMV would maintain consistency to match the school name with the name of the development as previously done for Esencia K-8 School.


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

15. RESOLUTION NO. 2122-55, CAPISTRANO UNIFIED SCHOOL DISTRICT APPROVING GRANT APPLICATIONS AND AGREEMENTS FOR CALIFORNIA SCHOOLS HEALTHY AIR, PLUMBING, AND EFFICIENCY PROGRAM PROJECTS AT CAPISTRANO VALLEY HIGH SCHOOL, CAPISTRANO UNION HIGH SCHOOL, SAN JUAN ELEMENTARY SCHOOL, MARCO FORSTER MIDDLE SCHOOL AND DEL OBISPO ELEMENTARY SCHOOL 

546

This is a subsequent item. Adoption of Resolution No. 2122-55, Capistrano Unified School District Approving Grant Applications and Agreements for California Schools Healthy Air, Plumbing, and Efficiency Program Projects at Capistrano Valley High School, Capistrano Union High School, San Juan Elementary School, Marco Forster Middle School, and Del Obispo Elementary School. Resolution No. 2122-55 would authorize the District to apply for and, if accepted, enter into grant agreements totaling \$148,479.14 in order to fund the assessment, maintenance, and repair of noncompliant plumbing fixtures and appliances, including interior faucets, toilets, and urinals at Capistrano Valley High School, Capistrano Union High School, San Juan Elementary School, Del Obispo Elementary School and shower heads at Marco Forster Middle School. The first round of funding is only available to sites located in “underserved communities”. There are specific requirements needed to be met to qualify for funding. All District sites meeting these requirements are included in the application for funding and were approved by the California Energy Commission. No additional sites met the requirements.

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

16. RESOLUTION NO. 2122-57, ADOPTING ADDENDUM TO ENVIRONMENTAL IMPACT REPORT PLANNING AREA 3 K-8 SCHOOL IN RANCHO MISSION VIEJO 

575

This is a new item. Adoption of Resolution No. 2122-57, Adopting Addendum to Environmental Impact Report (EIR) Planning Area 3 K-8 School in Rancho Mission Viejo (RMV). An Addendum to the County Final EIR has been prepared pursuant to California Environmental Quality Act (CEQA). When seeking State Facilities Program grant funds, the California Department of Education is required to review and approve a site prior to acquisition. At this time, adopting the Addendum to the County Final



EIR, the written findings as indicated in Resolution No. 2122-57 and approving the proposed Project is a requirement to obtain site approval. There is no financial impact as the Joint Community Facilities Agreement (JFCA) in place will provide the funds necessary to acquire the proposed project site and construct the project.

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

## B. CURRICULUM AND INSTRUCTION

### 1. AGREEMENT NO. 10000556 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS

584

This is an annual item. Approval of Agreement No. 10000556 with the Orange County Superintendent of Schools for restorative practices training services, September 21, 2022 through June 30, 2023. Agreement No. 10000556 with the Orange County Superintendent of Schools will provide eight restorative practices full-day overview training sessions. Restorative practices is a preventative and responsive approach to discipline, focused on building and repairing relationships. Restorative practices is part of the social emotional and behavioral support for students within the District's Multi-tiered System of Supports (MTSS) framework. The one-hour overview training is for site and District leaders, site teachers, counselors, psychologists, and MTSS specialists.

The estimated cost of \$9,950 will be funded by Local Control Funding Formula Supplemental funds.

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

### 2. AGREEMENT NO. 10000582 QUALITY START ORANGE COUNTY QUALITY RATING AND IMPROVEMENT SYSTEM PARTICIPATION AGREEMENT 2021-2022

594

This is an annual item. Approval of the ratification of Agreement No. 10000582 Quality Start Orange County (OC) Quality Rating and Improvement System (QRIS) Participation Agreement 2021-2022, July 1, 2021, through June 30, 2022. Under the California Department of Education and Quality Counts California, Quality Start OC is the local branch that supports districts in providing high quality educational experiences in early childhood education. The QRIS is the system that Quality Start OC operates with to focus on quality improvement in classrooms. The agreement allows the parties to implement the OC QRIS program for quality improvement based on a tiered rating structure, satisfying grant requirements. The District will receive incentive funds of \$167,000 and access covered information in compliance with federal and state laws and regulations related to student privacy. The agreement establishes participation in the tiered rating system, QRIS, for quality purposes and allows for funding for materials for the District's fee-based preschool classrooms. Partnering with Quality Start OC allows the District to improve practices within the District's early childhood classrooms. Quality Start OC provides a layer of coaching to teachers on providing high quality education to the youngest learners, as well as promoting a high quality classroom environment in early childhood settings, while using the QRIS. Quality Start OC also provides opportunities for families with resources for them and their children.

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

### 3. INCOME AGREEMENT NO. 10000802 WITH ORANGE COUNTY



SUPERINTENDENT OF SCHOOLS

700

This is a new item. Approval of Income Agreement No. 10000802 with Orange County Superintendent of Schools, June 6, 2022, through June 10, 2022, for services with Orange County Department of Education to provide a 40-hour interpreter training, plus oral language assessments for 30 bilingual staff. District bilingual staff participating in the training may include Bilingual Community Services Liaisons, Bilingual Intermediate Office Assistant, and Bilingual Staff Secretary. The cost, per person, for the training is \$500. The estimated total expenditure for this agreement will not exceed \$15,000 funded by Local Control Funding Formula Supplemental funds.

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

4. MEMORANDUM OF UNDERSTANDING WITH THE ORANGE COUNTY UNITED WAY

710

This is a recurring item as needed. Approval of the ratification of the Memorandum of Understanding (MOU) with the Orange County United Way, January 1, 2022, through June 30, 2024, Addendum 2. Addendum 2 of the MOU extends the Orange County United Way financial literacy program to June 30, 2024, and adds payment to the United Way for financial literacy parent education services. The United Way financial literacy program helps low-income residents gain free access to financial coaching and resources. This program is a collaboration with the United Way, City of Dana Point, and the District. The goal is to provide parents at Palisades Elementary School, RH Dana Elementary School, and other Title I schools with financial literacy skills to assist with improving credit, increasing income, and building assets. 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. The anticipated financial impact will not exceed \$30,000, per year, funded by Education for Homeless Children and Youth Grant, American Rescue Plan Homeless Grant, and Title I.

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


5. ADDENDUM TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN THE INSIDE THE OUTDOORS SCHOOL PROGRAM, AGREEMENT NUMBER 14002, ADDENDUM NO. 9

719

This is an annual item. Approval of Addendum to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Number 14002, Addendum No. 9. District schools routinely participate in the Orange County Department of Education's outdoor science school/field trip programs and "Traveling Scientist" programs and assemblies. Don Juan Avila Elementary School, Las Flores Elementary School, and Wood Canyon Elementary School have expressed interest in adding additional sessions in the "Traveling Scientist" Program for the 2021-2022 school year, which provides school assemblies by traveling naturalists on various science topics. Programs and assemblies for school sites listed above will be held in-person. The estimated expenditures under the contract addendums are \$4,058.50 funded by site and/or gift funds.

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



6. CONTRACT FOR SCHOOL ASSEMBLY PERFORMANCE WITH BUILDING BLOCK ENTERTAINMENT  723

This is a new item. Approval of the ratification of the Contract for School Assembly Performance with Building Block Entertainment, March 28, 2022. The Contract for School Assembly Performance is for two 45-minute “Stop, Think, Act” performances for students in grades one through five at RH Dana Elementary School. The focus of the presentations is anti-bullying and they strengthen RH Dana Elementary School’s Multi-tiered System of Supports in student behavior. The cost of \$895 will be funded by school site Title I.

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

7. ENGLISH LEARNER MASTER PLAN  727

This is a returning item as needed. Approval of the English Learner Master Plan. A District master plan for English learners is a state requirement. The master plan must include policies aligned with the State Board of Education’s English Learner Roadmap as well as all legislation and Title III requirements pertaining to the education of English Learners. The purpose of the master plan is to provide guidance for consistent implementation of English learner educational programs and services, and to include information on programs and procedures such as the identification of English language proficiency, language acquisition programs, instructional support, English learners with disabilities, reclassification, staffing, professional learning, and English Learner Advisory Committees. The English Learner Master Plan was Board approved at the September 15, 2021, Board meeting.

This item includes revisions related to:

- Expanded designated and integrated English language development guideline
- Clarification on District adopted designated English language development curriculum
- Bilingual Community Services Liaison and site English learner teacher advisor role
- Multi-tiered System of Support for English learners.

The revisions clarify information and guidelines for staff and the community and support program implementation and compliance to adhere to Education Code and federal requirements. It is a state requirement that the District English Learner Advisory Committee (DELAC) shall advise the school district’s governing board on the master plan. The DELAC reviewed and provided input into the development and revision of the District’s English Learner Master Plan on March 17, 2022. There is no financial impact.

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


8. DIGITAL CURRICULUM SOLUTIONS WITH APEX/EDMENTUM LEARNING INCORPORATED  774

This is an annual item. Approval of the agreement of Digital Curriculum Solutions with Apex/Edmentum Learning Incorporated, formerly known as APEX but transitioning the



company name to Edmentum, to continue offering online classes to enable District students to continue taking courses using the District's currently adopted curriculum for Academic Intervention classes and Summer School classes. This supports the District's Multi-tiered System of Support by providing Tiers one and three intervention in academics. The term of this contract is from June 1, 2022, through May 31, 2026. The cost to the District under the new contract is \$540,000 to be paid in \$135,000 installments during each of the four years that the contract will be in place. The licenses will be funded by restricted lottery funds.

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

9. SECOND READING – BOARD POLICY 5131.62, TOBACCO, SMOKING, VAPING 

784


This is a subsequent item. The proposed revisions to Board Policy 5131.62, *Tobacco, Smoking, Vaping*, came at the request of the American Heart Association (AHA). Staff met with members of the AHA to review and revise the policy to add language regarding using other means of corrections, providing students with tobacco prevention and intervention programs to reduce student's use of illegal substances, and to promote student wellness. The revised policy has also been aligned to the California School Boards Association sample policy number, changing it from 5143.1 to 5131.62. The following revisions have been made, as requested by Trustees at the March 16, 2022, Board meeting:

- Original “No one on behalf of the District may solicit or accept..”
- Revised “No one may on behalf of the District, solicit or accept..”
- Original “The District shall provide developmentally appropriate tobacco-use prevention instruction for students in selected grade levels from K-12..”
- Revised “The District shall provide developmentally appropriate tobacco-use prevention instruction for students in selected K-12 grade levels...”
- Including e-cigarettes and vaping industries along with the tobacco industry.
- Capitalizing three D’s when naming the District.

All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

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

C. HUMAN RESOURCE SERVICES

1. AGREEMENT NO. 10000790 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS 

792

This is an annual item. Approval of Agreement No. 10000790 with the Orange County Superintendent of Schools to allow District educators who choose to enroll in the Orange County Department of Education (OCDE) Preliminary Administrative Services Credential program to do so as a District cohort rather than joining the OCDE group, which requires attendance in Costa Mesa. This agreement is effective March 1, 2022. There is no financial impact.

**Contact:** *Rich Montgomery, Assistant Superintendent, Human Resource Services*

2. CONSIDER AND APPROVE JOB DESCRIPTION – DIRECTOR II, EXPANDED



LEARNING  801

This is a new job description. Approval of the job description for the position of Director II, Expanded Learning. After review and consideration of the new Expanded Learning Opportunity Program (ELOP) guidelines, this position supports after school and summer programs. The position assumes responsibilities including leadership and coordination of a new comprehensive Districtwide Transitional Kindergarten through grade 6 expanded learning program including administrative supervision year round and operation of the ELOP during the required 30 non-school days. Other responsibilities also include oversight of the After School Education and Safety (ASES) grant, Saddleback community after school programs, and other summer programs. This grant is currently projected to end after the 2025-2026 school year, but trailer bill language may make it an ongoing program. If that occurs, the position would continue if funding was extended beyond 2026. This position is co-funded 90 percent from new ELOP funding and 10 percent funded by the general fund.

**Contact:** *Rich Montgomery, Assistant Superintendent, Human Resource Service*

3. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES  806

This is a monthly 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, Assistant Superintendent, Human Resource Services*

4. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES  825

This is a monthly 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, Assistant Superintendent, Human Resource Services*

D. GENERAL FUNCTIONS

1. SCHOOL BOARD MINUTES - MARCH 16, 2022  852

Approval of the March 16, 2022, Regular Board meeting minutes.

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

2. RESOLUTION NO. 2122-56, CONTINUING AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO ASSEMBLY BILL 361  869

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. It was adopted again at the December 15, 2021, Board meeting the Board adopted Resolution No. 2122-26, and again on January 19, 2022, the Board adopted Resolution No. 2122-33, 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 February 16, 2022, the Board adopted Resolution No. 2122-36, 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. Again, on March 16, 2022, the Board adopted Resolution No. 2122-36, 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 M. Vital Brulte, Superintendent*

## 14. DISCUSSION ACTION ITEMS

### A. DISCUSSION/INFORMATION ITEMS

#### 1. CITIZEN'S REQUEST: DIRECTION TO THE CAPISTRANO UNIFIED SCHOOL DISTRICT TO ESTABLISH A CONGRESS OF STUDENTS

This is a new information only item. 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. The request must be in writing and submitted to the Superintendent with supporting documents and information, if any. The Superintendent shall place the matter on a future regular Board meeting agenda within 45 days of receipt of the request, taking into account orderly conduct of the District's business. There is no requirement in state law that the Board take action on, or even deliberate about such

876



an item. It must, however, be placed on the agenda and persons requesting to address the Board to a published agenda item will do so in accordance with the provisions set forth in Board Policy 9323, *Meeting Conduct*.

This is a citizen's request for the Board of Trustees of Capistrano Unified School District to consider a resolution to establish a congress of students. The 2020-2021 and 2021-2022 school years have seen an uptick in student advocacy and involvement in school politics. Some students have noticed a need for more student input on critical matters, while other students feel silenced, misrepresented, or unable to share their stories and views on school policy. The Board of Trustees believes that it is important to seek out and consider students' ideas, viewpoints and reactions to the education program. Therefore, it is necessary that the Board establish a more effective and dynamic student advisory committee. Furthermore, BP 9150, *Student Adviser to the Board*, does not clearly define the roles of the Student Adviser, so it is also necessary to more clearly define the roles and responsibilities of student representatives.

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

***Contact: Joseph Geis, Student, Tesoro High School***

#### Staff Recommendation

It is recommended that the Board recognize Joseph Geis, 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.

## 2. FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM EXTRAORDINARY AUDIT OF ALISO NIGUEL HIGH SCHOOL ASSOCIATED STUDENT BODY ASSEMBLY BILL 139

880

This is a new information only item. During the 2019-2020 school year, discrepancies were discovered in the Aliso Niguel High School Associated Student Body (ASB) accounts. After an initial internal investigation, District staff recommended a more extensive audit be conducted and requested an extraordinary audit through the Orange County Department of Education (OCDE) per Assembly Bill - AB 139. The audit was conducted by the Fiscal Crisis and Management Assistance Team (FCMAT) and began in July 2020 and continued until late 2021. The FCMAT investigation is now complete and has been reviewed by OCDE. The next step is for a representative from OCDE to present the findings to the Board with the report. Subsequently, FCMAT will post the report on its website.

Staff has also begun making changes to processes and procedures including the following:

- Developed ASB compliant employee payroll requisition forms
- Developed desk manual for the ASB accounting technician at the District office
- Wrote internal ASB manuals for high schools and middle schools
- Prepared a revision to the current ASB Board policy to be presented in May 2022






- Sent internal control checklists to ASB clerks, advisors, and principals as well as business office staff working with ASBs
- Working to get ASB Works software training for all sites to standardize accounting methods and account codes
- Formed a workgroup to develop recommendations for revising ASB payroll procedures

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

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

Staff Recommendation

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

3. RESOLUTION NO. 2122-59, DIRECTING THE CAPISTRANO UNIFIED SCHOOL DISTRICT SUPERINTENDENT TO COMMUNICATE MESSAGING REGARDING THE RAISE THE BASE CAMPAIGN AND ENCOURAGE PARENT AND COMMUNITY SUPPORT FOR AB 1614 

933

This is a new action item. If signed into law, California Assembly Bill - AB 1614, authored by Assembly Member Al Muratsuchi, will have a positive impact on every school-aged child in California. This year, in collaboration with CUCPTSA, CUEA, and CSEA, the District began a campaign called “RAISE THE BASE,” which is intended to articulate a consistent message that has been embraced by many of our neighboring districts and other districts throughout the state. As school funding is forecast to grow substantially, while overall enrollment is dropping, we have a unique opportunity to address lagging, ongoing per pupil funding while addressing the base funding instability that has been recognized by the non-partisan Legislative Analyst, the Public Policy Institute of California (PPIC), and Policy Analysis for California Education (PACE). Staff believes it is in the best interest of the District to direct the Superintendent and staff to continue the campaign through outreach efforts to encourage parent and community support for AB 1614.

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

Staff Recommendation

It is recommended the Board President recognize Kirsten M. Vital Brulte, Superintendent, to present this item.

Following discussion, it is recommended the Board vote to adopt Resolution No. 2122-59, Directing the Capistrano Unified School District Superintendent to Communicate Messaging Regarding RAISE THE BASE Campaign and Encourage Parent and Community Support for AB 1614.



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

4. PRESENTATION ON RESULTS OF DANA HILLS HIGH SCHOOL-SCHOOL FACILITIES IMPROVEMENT DISTRICT BOND FEASIBILITY SURVEY

937

This is a subsequent information item only. The Board will receive the results of the public opinion poll on the potential Dana Hills High School-School Facilities Improvement District (SFID).

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

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

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

***Contact: Ryan Burris, Chief Communications and Public Engagement Officer***

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, Business and Support Services, and Ryan Burris, Chief Communications and Public Engagement Officer, 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.

5. FIRST READING - BOARD POLICY 9323, MEETING CONDUCT

951

This is a new action item. At the March 16, 2022, Board meeting, Trustee Castellanos requested the Board consider revising Board Policy 9323, *Meeting Conduct*. The Board approved this request and asked that it be agendized on the April 20, 2022, regular Board meeting agenda as a First Reading. This Board policy was last updated on August 23, 2017.

The revisions of Board Policy 9323, *Meeting Conduct*, will better meet the needs of the community by adopting a transparent, standardized, non-biased policy that allows for greater public participation and respects the necessity of conducting orderly, efficient proceedings. Due to the COVID-19 pandemic, the District rapidly adjusted Board meeting participation, which offered the public an online speaker option, virtual participation, and an option for all members of the public to view the meeting via “live stream”. These policy revisions will better align with the current changes to our meeting practices, which include how the Board handles online/in-person speakers, student speakers, and oral communications. Changes are underlined; deletions are struck through. 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 : Krista Castellanos, Trustee Area 5***

Trustee Recommendation

It is recommended the Board President recognize Krista Castellanos, Trustee Area 5, to present the item.

Following discussion, it is recommended the Board of Trustees approve Board Policy



9323, Meeting Conduct.

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

- 6. RECOMMENDATION TO APPROVE CONTRACT FOR EMPLOYMENT OF ASSOCIATE SUPERINTENDENT, HUMAN RESOURCE SERVICES, FIRST DAY OF SERVICE DURING THE 2021-2022 SCHOOL YEAR THROUGH AND INCLUDING JUNE 30, 2024

959

This is a new action item. Approval of Recommendation to Approve Contract for Employment of Associate Superintendent, Human Resource Services.

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

**Contact: Kirsten M. Vital Brulte, Superintendent**

Staff Recommendation

It is recommended the Board President recognize Kirsten M. Vital Brulte, Superintendent, to present this item.

Following discussion it is recommended the Board of Trustees approve the Recommendation to Approve Contract for Employment of Associate Superintendent, Human Resource Services.

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

- 7. FIRST READING – BOARD POLICY 5111, ADMISSION

972

This is a new action item. As staff was preparing for the Federal Program Monitoring audit, it was discovered that Board Policy 5111, *Admission*, did not include language regarding the collection of adult household member’s Social Security numbers for the purpose of federal program eligibility. Language was added stating that a student can still enroll and attend school if the information is not provided. Revisions align with California Education Code, Code of Federal Regulations, and with California School Boards Association sample policy. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

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

**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 Board Policy 5111, *Admission*.

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



8. FIRST READING – BOARD POLICY 5125, STUDENT RECORDS 979

This is a new action item. Board Policy 5125, *Student Records*, was recently revised in November 2021. As staff was preparing for the Federal Program Monitoring audit, it was discovered that the policy did not include complete language regarding the disclosure of a student or family’s citizenship or immigration status under the Family Educational Rights and Privacy Act (FERPA), or notification to a family of any immigration officer’s requests for records or information. Language has been revised to state that the District shall avoid disclosure of information under FERPA, notifying families, and providing documents issued by immigration enforcement officers. Revisions align with California Education Code, Code of Federal Regulations, and with California School Boards Association sample policy. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

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

***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 Board Policy 5125, *Student Records*.

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

9. FIRST READING – BOARD POLICY 5131.2, BULLYING 985

This is a new action item. Board Policy 5131.2, *Bullying*, was last revised in December 2020. As staff was preparing for the Federal Program Monitoring audit, it was discovered that the policy did not include language regarding prohibiting retaliation against a person who submits a complaint, and ensuring confidentiality safeguards for immigration status. Language has been added to address these missing items. Revisions align with California Education Code, Code of Federal Regulations, and with California School Boards Association sample policy. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

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

***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 Board Policy 5125, *Bullying*.



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

10. FIRST READING – BOARD POLICY 5131.4, STUDENT DISTURBANCES 992

This is a new action item. Board Policy 5174, *Married Students, Pregnant Students, and Parenting Students*, needed to be updated for the Federal Program Monitoring audit and changed to Board Policy number 5146, *Married, Pregnant, Parenting Students*, to align with the California School Boards Association (CSBA) sample policy name and number. Since Board Policy number 5146 was already allocated to Board Policy, 5146, *Campus Disturbances*, this policy is being deleted, and is being brought forward as Board Policy 5131.4, *Student Disturbances*. The CSBA sample policy was significantly different from the District's policy. Staff is therefore requesting to adopt the CSBA version of Board Policy 5131.4, *Student Disturbances*. Language from deleted Board Policy 5146 will be added to an Administrative Regulation. These revisions will align Board Policy 5131.4, *Student Disturbances*, to California Education Code and Code of Federal Regulations. The revisions have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

***CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.***  
***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 Board Policy 5131.4, *Student Disturbances*.

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

11. FIRST READING - BOARD POLICY 5141.52, SUICIDE PREVENTION 1000

This is a new action item. In 2017, Education Code § 215, Pupil and Student Suicide Prevention policies, was added to the Education Code. Recently, the code was expanded to include students in kindergarten and grades first through sixth. As staff was preparing for Federal Program Monitoring, it was discovered that Board Policy 5173, *Suicide Prevention*, did not include language addressing students in kindergarten and grades first through sixth, and the policy number did not align with the California School Boards Association (CSBA) sample board policy. Staff has revised Board Policy 5141.52, *Suicide Prevention*, to include language that includes students in kindergarten and grades first though sixth. The revised policy has also been aligned to the CSBA sample policy, including the policy number, and revisions align with California Education Code and Code of Federal Regulations (CFR). All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

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



*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 Board Policy 5141.52, *Suicide Prevention*.

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

12. FIRST READING – BOARD POLICY 5145.13, IMMIGRATION ENFORCEMENT 1005

This is a new action item. Board Policy 5145.13, *Immigration Enforcement*, was last revised in April 2019. As staff was preparing for the Federal Program Monitoring audit, it was discovered that the policy did not include complete language regarding procedures when immigration officers are seeking to enforce immigration laws at schools, and families’ rights. Language has been updated to align with the California Attorney General model policies, California Education Code, Code of Federal Regulations, and California School Boards Association sample policy. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

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

*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 Board Policy 5145.13, *Immigration Enforcement*.

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

13. FIRST READING – BOARD POLICY 5146, MARRIED/PREGNANT/PARENTING STUDENTS 1011

This is a new action item. Board Policy 5146, *Married/Pregnant/Parenting Students*, was last revised in January 2016. As staff was preparing for the Federal Program Monitoring audit, it was discovered that the policy did not include complete language from the California School Boards Association (CSBA) sample policies regarding student absences, parental leave, accommodations for lactating students, and filing complaints. Language, the policy name, and policy number have been updated to align with California Education Code, Code of Federal Regulations, and with CSBA sample policy. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

***CUSD WIG 1: Teaching and Learning - Engage students in meaningful, challenging, and***



*innovative educational experiences to increase post-secondary options for all students.  
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 Board Policy 5146, *Married/Pregnant/Parenting Students*.

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

14. FIRST READING – BOARD POLICY 6171, TITLE I PROGRAMS

1021

This is a new action item. Board Policy 6171, *Title I Programs*, was last revised and approved by the Board on March 8, 2017. This policy is being revised to align with the California School Boards Association model policy as well as the California Department of Education Title I Comparability Guidance, California Education Code, and Code of Federal Regulations. The revision of this policy adds updated language regarding the Local Educational Agency Plan, comparability of services, participation of private school students, and program evaluation. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck through. There is no financial impact.

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

***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 Board Policy 6171, *Title I Programs*.

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

**15. ADJOURNMENT**

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

**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.