



**August 17, 2022 Regular Board Meeting
08/17/2022 - 07:00 PM**

BOARD OF TRUSTEES BOARD ROOM
33122 Valle Rd., San Juan Capistrano, Ca 92675
Closed Session 4:00 PM Open Session 7:00 PM

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 here (<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 within 30 minutes at the start of Open Session 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 www.capousd.org. (<https://simbli.eboardsolutions.com/SU/TesYrplusplusDt75ngsslsh0c8plusCQ==>).

CLOSED SESSION AT 4:00 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Superintendent
Attorney – Mark Bresee
(Pursuant to Government Code § 54957(b))

B. PUBLIC HEALTH EMERGENCY

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

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnfield
Significant Exposure to Litigation – Four Cases
1. ADR Case No. 20220518



2. ADR Case No. 20220629
 3. ADR Case No. 20220725
 4. ADR Case No. 20220726
- (Pursuant to Government Code § 54956.9(d)(2))*

Gregory Merwin
Significant Exposure to Litigation – Three Cases
Attorney – Sara Young

5. Case No. 3676
6. Case No. 3710
7. Case No. 3717

(Pursuant to Government Code § 54956.9 (d)(2) and Education Code § 49070(c))

Clark Hampton/John Forney
Attorney – Jeff Hoskinson
Significant Exposure to Litigation – Four Cases

8. Case No. 1, 2, 3
9. Case No. 4

(Pursuant to Government Code § 54956.9 (d)(4) or (3))

D. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnfield
Significant Exposure to Litigation – Two Cases

1. OAH Case No. 2017120674
2. OAH Case No. 2022020900

(Pursuant to Government Code § 54956.9(d)(1))

Bob Presby
Attorney – Courtney Hlyton, Lynberg and Watkins

3. Significant Exposure to Litigation – One Case

(Pursuant to Government Code § 54956.9(d)(1))

E. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: Kirsten Vital Brulte/Bob Presby/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. 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

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)

G. LIABILITY CLAIMS

Clark Hampton

Significant Exposure to Litigation – Two Cases

1. Rejection of Government Claim No. 2109522

2. Rejection of Government Claim No. 2209544

(Pursuant to Government Code § 54956.9 (d) (2) or (3))

H. STUDENT EXPULSION

Mike Beekman

One Case

1. Case No. 2022-019

I. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Bob Presby

1. Executive Director, Human Resource Services

2. Principal, Elementary

(Pursuant to Government Code § 54957)

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. BOARD AND SUPERINTENDENT COMMENTS

10. STUDENT BOARD MEMBER COMMENTS

11. 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.

12. PUBLIC HEARING

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A. PUBLIC HEARING NOTICE

1. PUBLIC HEARING: CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION'S INITIAL PROPOSAL AND CAPISTRANO UNIFIED SCHOOL DISTRICT'S INITIAL PROPOSAL FOR 2022-2023 REOPENER NEGOTIATIONS

38

The Board will conduct a public hearing on receiving Capistrano Unified School District's and California School Employees Association's (CSEA) initial proposals for negotiations for the 2022-2023 school year. This public hearing is conducted to meet the sunshining requirements set forth in Government Code § 3547. Supporting documentation information is located in Exhibit 14.A.11.

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

Contact: Bob Presby, Associate Superintendent, Human Resource 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 this item, and after hearing any speakers, formally close the hearing.

13. CONSENT CALENDAR

41

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


42


This is a monthly item. Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$7,364.50 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  45
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 \$158,526,505.92 and the commercial warrants total \$23,270,385.11. 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*

3. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS  166
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 86 new agreements totaling \$18,157,576.78 and 6 amendments to existing agreements totaling \$380,174. 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/GMdSpluslKczplusHkocCNYJWN1g==>) .
Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*

4. AWARD BID NO. 2122-23, YMCA PORTABLES AT ESENCIA – R. JENSEN CO., INCORPORATED  478
This is a regular business item. Approval of Award of Bid No. 2122-23, YMCA Portables at Esencia to R. Jensen Co., Incorporated. Two bids were received and opened on July 20, 2022, and are listed on Exhibit A. The bidder offering the lowest base price was used to determine the lowest responsive bidder. R. Jensen Co., Incorporated is the lowest responsive, responsible bidder at \$179,000. This project will be funded by developer fees.
Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*

5. AWARD BID NO. 222-07, O.C. DISTRICTS FUEL – PINNACLE PETROLEUM, INCORPORATED  511
This is a regular business item. Approval of Award of Bid No. 222-07, O.C. Districts Fuel to Pinnacle Petroleum, Incorporated for the purchase of various gasoline and diesel fuels, for the term of August 1, 2022, through July 31, 2025. Anticipated annual expenditures utilizing this contract are approximately \$950,000 funded by routine repair and general maintenance; however, may vary dependent on District needs and availability of funds.
Contact: *Clark Hampton, Deputy Superintendent, Business and Support Services*



6. AWARD OF REQUEST FOR PROPOSALS NO. 1-2223, EXPANDED LEARNING OPPORTUNITIES PROGRAM – VARIOUS VENDORS  545
- This is a regular business item. Approval of the Award of Request for Proposal (RFP) No. 1-2223, Expanded Learning Opportunities Program to the following vendors – Boys and Girls Club of Capistrano Valley, Discovery Dance Foundation, South Orange County Community College District, Strategic Kids LLC, and YMCA of Orange County – to establish a bench of qualified organizations. The awarded vendors were selected based on criteria specified in the RFP No. 1-2223 documents. The District is seeking to partner with vendors offering a variety of student enrichment programs outside of the instructional day consistent with the Expanded Learning Opportunities Program (ELOP) plan. Twenty-four prospective organizations viewed the RFP and ten proposals listed in Exhibit A were timely received for consideration. In order to mobilize necessary resources to coincide with the academic school year, finalized agreements incorporating the type of program(s), location(s), costs, and respective agency obligation details will be presented to the Board for approval at a following Board meeting. Received proposals are available in the Purchasing department for review.
- Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
7. AWARD OF REQUEST FOR PROPOSALS NO. 3-2223, CALSHAPE PROGRAM SERVICES – ENPOWERED SOLUTIONS, LLC  549
- This is a subsequent item. Approval of the Award of Request for Proposals (RFP) No. 3-2223, CalSHAPE Program Services to Empowered Solutions, LLC. The District is seeking to partner with an experienced vendor knowledgeable of the California Energy Commission’s California Schools Healthy Air, Plumbing, and Efficiency (CalSHAPE) grant program. Ten prospective vendors viewed the RFP; however, only one proposal was timely received for consideration. The CalSHAPE grant provides for three stages of funding. The third phase opened on August 2, 2022. In order to submit an application to the Energy Commission, a full site assessment and estimated cost for eligible modifications are required. Finalized agreements incorporating the site assessments and proposed modifications will be presented to the Board for approval at a following Board meeting. Received proposals can be viewed in the Purchasing department.
- Contact:** *Clark Hampton, Deputy Superintendent, Business and Support Services*
8. FIRST AMENDMENT TO BID NO. 2122-13, OUTSOURCE TRANSPORTATION SERVICES – EVERDRIVEN TECHNOLOGIES, LLC, A DISREGARDED ENTITY OF ALTERNATIVE LOGISTICS TECHNOLOGIES HOLDINGS, INCORPORATED  553
- This is a regular business item. Approval of Amendment of Bid 2122-13, Outsource Transportation Services with ALC Schools, LLC. Bid No. 2122-13 was awarded to the lowest responsive, responsible bidder on March 16, 2022, for the initial term of January 1, 2022, through December 31, 2022, with optional renewal terms. The District received notice from the vendor of the name change to Everdriven Technologies, LLC, a disregarded entity of Alternative Logistics Technologies Holdings, Incorporated effective May 31, 2022. The vendor and District desire to amend the bid term to July 1, 2022, through June 30, 2023, to coincide with the District’s fiscal year



and reflect the vendor's name change.

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

9. FIRST EXTENSION OF BID NO. 2021-06, ELEVATOR SERVICE, MAINTENANCE AND REPAIR – VERTICAL TRANSPORT, INCORPORATED 572

This is a regular business item. Approval of First Extension of Bid No. 2021-06, Elevator Service, Maintenance and Repair with Vertical Transport, Incorporated. Bid 2021-06 was awarded to the lowest responsive, responsible bidder on June 16, 2021, for the initial term of July 1, 2021, through June 30, 2022, with optional renewal terms. The vendor agrees to extend the proposed extension at the pricing provided in Exhibit 1-A for the proposed renewal period of July 1, 2022, through June 30, 2023. Annual expenditures utilizing this contract are estimated to be \$150,000 funded by the general fund. Actual expenditures may vary based on District needs and the availability of funds.

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

10. FIRST EXTENSION OF BID NO. 2122-07, FENCE REPAIRS AND MAINTENANCE – QUALITY FENCE COMPANY, INCORPORATED 589

This is a regular business item. Approval of First Extension of Bid No. 2122-07, Fence Repairs and Maintenance with Quality Fence Company, Incorporated. Bid 2122-07 was awarded to the lowest responsive, responsible bidder on July 21, 2021, for the initial term of July 22, 2021, through July 21, 2022, with optional renewal terms. The vendor agrees to extend the proposed extension at the pricing provided in Exhibit 1-A for the proposed renewal period of July 22, 2022, through July 21, 2023. Annual expenditures utilizing this contract are estimated to be \$150,000 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*

11. SECOND EXTENSION OF BID NO. 1920-01, PEST MANAGEMENT – ANIMAL PEST MANAGEMENT SERVICES, INCORPORATED 610

This is a regular business item. Approval of Second Extension of Bid No. 1920-01, Pest Management with Animal Pest Management Services, Incorporated. Bid No. 1920-01 was awarded to the lowest responsive, responsible bidder on November 20, 2019, for the initial term of November 21, 2019, through November 20, 2020, 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 from July 1, 2022, through June 30, 2023. Annual expenditures utilizing this contract are estimated to be \$195,000 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*


12. MORENO VALLEY UNIFIED SCHOOL DISTRICT REQUEST FOR PROPOSAL NO. 20-21-18, FRESH AND PROCESSED PRODUCE – SUNRISE PRODUCE COMPANY 629

This is a regular business item. Approval to utilize the Moreno Valley Unified School District Request for Proposal (RFP) No. 20-21-18 awarded to Sunrise Produce Company, including any subsequent revisions, amendments, and extensions for the



purchase of fresh and processed produce. 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 vendor have been assessed by staff to be fair, reasonable, and competitive. Anticipated annual expenditures utilizing this contract are approximately \$99,000 funded by the cafeteria fund. Actual expenditures will vary depending on District needs and availability of funds. Due to the size of the contract and award documentation, the documentation is posted online on the District Board Agendas and Supporting Documentation page here(<https://simbli.eboardsolutions.com/SU/GMdSpluslKczplusHkocCNYJWN1g==>) .

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

13. AGREEMENT FOR STUDENT TRANSPORTATION SERVICES BETWEEN THE ORANGE COUNTY SCHOOL DISTRICTS  633


This is a reoccurring item. Approval of the Agreement for Student Transportation Services between the Orange County School Districts to provide cooperative transportation services during peak demand periods among various Orange County school districts. This agreement covers services for the period of July 1, 2022, through June 30, 2027. The various school districts will provide services as needed at the rates indicated in the agreement, paid by the general fund and various site funds, depending on the services requested.

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

14. SCHOOL MEALS AGREEMENT – THE JOURNEY SCHOOL  642

This is a regular business item. Approval of the School Meals Agreement for the District’s Food and Nutrition Services (FNS) department continuing to administer the National School Lunch Program (NSLP) and School Breakfast Program (SBP) for Journey School during the 2022-2023 school year. In May 2019, Journey School charter school contacted the District regarding FNS providing school meals including Free and Reduced–Priced Meals (FRPM) for eligible students at Journey School. As required by the United States Department of Agriculture (USDA) Policy Memorandum SP 03-2019, and in accordance with the California Universal Meals Program, Charters are required to provide two free meals (breakfast and lunch) during each school day to students requesting a meal, regardless of students’ FRPM eligibility, and regardless of whether or not the school is participating in NSLP or SBP. The school meal program at Journey School will be similar to District elementary school meal programs for the 2022-2023 school year. Proceeds from the agreement will be deposited into the cafeteria fund.


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


15. 2022-2023 INTERNET ACCESS AGREEMENT NO. 10001014 – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS  656


This is an annual item. Approval of 2022-2023 Internet Access Agreement No. 10001014 with Orange County Superintendent of Schools (OCDE) to provide Internet access services to the District. The term of this agreement is July 1, 2022, through June 30, 2023. Internet access is provided at no cost to the District.

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




- 16. NETWORK SUPPORT AND CYBER SECURITY SERVICES AGREEMENT NO. 10000993 – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS  663
 This is an annual item. Approval of Network Support and Cyber Security Services Agreement No. 10000993 with Orange County Superintendent of Schools (OCDE) to provide network support and cyber security services to the District from July 1, 2022, through June 30, 2023. Annual expenditures under this contract are limited to \$25,600 funded by the general fund.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

- 17. RESOLUTION NO. 2223-12, ADOPTING THE 2021-2022 ACTUAL GANN LIMIT AND THE 2022-2023 ESTIMATED GANN LIMIT  675
 This is an annual item. Approval of Resolution No. 2223-12, Adopting the 2021-2022 Actual Gann Limit and the 2022-2023 Estimated Gann Limit. Resolution No. 2223-12 establishes the actual Gann Limit for 2021-2022 at \$360,505,606.68 and the estimated Gann Limit for 2022-2023 at \$405,596,902.76. Adoption of this Resolution will have no financial implications on either the 2021-2022 or 2022-2023 budgets.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

- 18. AMENDMENT NO. 1 TO MASTER JOINT USE LEASE AGREEMENT FOR USE OF SPACE AT SCHOOL SITES – WELLNESS AND PREVENTION CENTER  682
 This is a subsequent item. Approval of Amendment No. 1 to Master Joint Use Lease Agreement for Use of Space at School Sites with Wellness and Prevention Center (WPC), to include services at Marco Forster Middle School, Shorecliffs Middle School, Vista Del Mar K-8 School and Bernice Ayer Middle School. On February 17, 2021, Trustees approved a multi-year agreement through June 2026 with WPC to provide facilities and allow services and provide training and resources to support student mental health at Aliso Niguel High School, San Clemente High School, and San Juan Hills High School. Amendment No. 1 to the agreement would add four additional school sites where clinicians could provide direct mental health services to students effective August 18, 2022. The amendment would also allow WPC to provide training and resources to other schools across the District. Expenditures for a full-time clinician, counselor trainings, and middle school trainings would be \$282,080 funded through LCFF Supplemental Grant. Amendment No. 1 to the lease agreement was reviewed and approved by legal counsel.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

B. CURRICULUM AND INSTRUCTION

- 1. 2022-2023 TITLE III EVERY STUDENT SUCCEEDS ACT LOCAL CONTROL ACCOUNTABILITY PLAN FEDERAL ADDENDUM  725
 This is an annual item. Approval of the Every Student Succeeds Act (ESSA) Local Control Accountability Plan (LCAP) Federal Addendum Title III 2022-2023. Districts applying for ESSA funding must complete the Title III LCAP Federal Addendum annually, as part of meeting the requirements for the ESSA Local Educational Agency (LEA) Plan. The LCAP Federal Addendum is meant to supplement the LCAP to ensure that eligible districts have the opportunity to meet the LEA Plan provisions of the ESSA. Completing the 2022-2023 Title III ESSA LCAP Federal Addendum will enable




the District to receive an estimated \$519,898 in Title III ESSA federal funding for 2022-2023. This funding is highly restrictive and can only be spent on programs and services to support students who are English learners. Examples of planned expenditures for 2022-2023 include Bilingual Community Services Liaisons to assist with document translation and meeting interpretation needs, additional hours for school site teacher advisors to facilitate annual reclassification procedures, and the Ellevation progress monitoring platform.

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

2. ART MASTERS LEGACY INSTRUCTIONAL ART PROGRAM AGREEMENT  732

This is an annual item. Approval of Art Masters Legacy Instructional Art Program at Oso Grande Elementary School, Marblehead Elementary School, Chaparral Elementary School, Wood Canyon Elementary School, Ladera Ranch Elementary School, and Don Juan Avila Elementary School, from September 7, 2022, through June 1, 2023. Art Masters Legacy provides services that include art assemblies and hands-on studio art activities for students. Art Masters Legacy teacher-lecturers conduct and present multimedia presentation assemblies using art visuals, images and stories covering each artist and/or art subject. Later, students get an opportunity to engage in art activities to create their own individual works of art in the manner of the master artist or art subject, using the same styles, techniques, media and disciplines. The total expenditures for these agreements is \$47,502 funded by gift funds from each participating school site.

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

3. MEMORANDUM OF UNDERSTANDING WITH COLLEGE AND CAREER ADVANTAGE AND LAGUNA BEACH UNIFIED SCHOOL DISTRICT FOR PARTICIPATION IN THE CALIFORNIA CAREER TECHNICAL EDUCATION INCENTIVE GRANT PROGRAM AND K12 STRONG WORKFORCE GRANT PROGRAM  747

This is an annual item. Approval of the ratification of the California Career Technical Education Incentive Grant (CTEIG) Program Memorandum of Understanding (MOU) and K12 Strong Workforce Grant Program (K12 SWP) with College and Career Advantage and Laguna Beach Unified School District, July 1, 2022, through June 30, 2024. The purpose of the California CTEIG Program and K12 SWP is to encourage and maintain the delivery of career technical education programs during implementation of the District's Local Control Funding Formula. The MOU establishes a cooperative and mutually beneficial relationship between the District, College and Career Advantage, and Laguna Beach Unified School District, and sets forth the responsibilities of the parties as related to the implementation of the K12 SWP and the California CTEIG Program. There is no financial impact.

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


4. MEMORANDUM OF UNDERSTANDING WITH SANTA ANA UNIFIED SCHOOL DISTRICT  754

This is a reoccurring item as needed. Approval of the ratification of the Memorandum of Understanding (MOU) with Santa Ana Unified School District (SAUSD) to provide



special education Deaf and Hard of Hearing (DHH) programs and services for District students referred by their Individualized Education Program team. SAUSD provides specialized programs for DHH students in grades K-6 who require a more intensive special education placement. This item last went to the Board on December 12, 2018. No students had required this placement in the 2019-2020 or the 2020-2021 school year. Services were provided for the 2021-2022 school year for one student, and this MOU is a ratification for services rendered for the 2021-2022 school year. A student's educational cost in the SAUSD DHH program is approximately \$65,000 per student per school year. Because the student only attended March 2022 through June 2022, the cost to the District was \$19,533 for educational services paid by special education funds. The District is currently projected to have one student in the SAUSD program for the upcoming 2022-2023 school year. Services for the 2022-2023 school year are not part of this ratification and will be brought forward for Trustee consideration as a separate MOU.

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

5. FAMILY LITERACY PROGRAM WITH PARENT INSTITUTE FOR QUALITY EDUCATION 

762

This is a subsequent item. Approval of the Family Literacy Program with Parent Institute for Quality Education (PIQE) for family literacy program services at Viejo Elementary School. The District has been partnering with PIQE to offer parent education workshops at various schools since 2014-2015. In addition to these established workshops, the PIQE received a new grant to provide family literacy classes for Viejo Elementary School. They will provide family literacy classes on literacy skills, reading stages, reading and word recognition strategies, fluency and comprehension, writing, and supporting reading at home. Program costs are funded through PIQE's grant. This is a new grant funded program that PIQE received and no District schools have participated in this family literacy program in the past. There is no financial impact.

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

6. HOME CAMPUS SERVICE CONTRACT 

767

This is an annual item. Approval of the ratification of the Home Campus Service Contract to provide District student athletes and school administrators the ability to communicate with the California Interscholastic Federation, June 25, 2022, through June 30, 2023. Each high school site will pay a discounted fee of \$895.50, per school, funded by the general fund.

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

7. BURN-IN MINDSET CONSULTING SERVICES AGREEMENT 

773

This is an annual item. Approval of Burn-In Mindset Consulting Services Agreement August 1, 2022, through June 30, 2023. Burn-In Mindset provides one-on-one consulting for administrators around strengthening and developing the leader's individual leadership traits. The program materials are produced by the University of Pennsylvania and tailored to the individual leadership characteristics of a leader. The consulting meetings occur monthly with the purpose of leadership trait development.



For the 2022-2023 school year, 25 participants, including principals and District administrators, will be coached on how to further tap into their leadership strengths and areas for growth and development. The University of Pennsylvania's research on Burn-In Mindset demonstrates higher levels of principal retention for principals who participate in the training. The research also demonstrates higher retention of teachers when they are supervised by a principal who has completed the Burn-In training. The Assistant Superintendents who supervise and coach principals will then utilize the Burn-In Mindset work to enhance the level of the principal's coaching to increase outcomes for sites, staff, and students. This professional development supports the Theory of Action of Leadership Services by building the capacity of site leaders through ongoing coaching, feedback, support, and accountability. All services will be conducted virtually. The cost of \$45,000 to provide services will be funded by Title II.

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

8. SCOPE OF WORK WITH UNDERSTANDING LANGUAGE-CENTER 

778

This is a new item. Approval of Scope of Work with Understanding Language-Center to Support Excellence in Teaching, Stanford University 2022-2023, to provide training to build the capacity of approximately 50 teachers who teach English Language Development (ELD), Title I and III funded instructional coaches, and English learner District leadership. This partnership provides participants with access to professional learning and support to strengthen curriculum and instructional practices for English learners. This professional development supports Tier 1 academic instruction in the District's Multi-tiered System of Supports plan by improving instructional practices in Tier 1 "Great First Instruction" for English learners. It also addresses the key competency of Skilled Communicator in the Vision of a CUSD Graduate. The total cost for four teacher training sessions, four administrator training sessions, and four combined training sessions for the 2022-2023 school year is \$100,974 funded by Title III.

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

9. TRAINING PROGRAM CONTRACT WITH ANTI-DEFAMATION LEAGUE 

788

This is an annual item. Approval of the agreement with Anti-Defamation League to provide ten school sites with No Place for Hate (NPFH) training and coaching, NPFH content and resources, work towards NPFH designation, cultural proficiency, and strategies to promote positive practices around acceptance and understanding of diversity. The ten schools are: Clarence Lobo Elementary School (San Clemente High School Family), Palisades Elementary School (San Clemente High School Family), Philip Reilly Elementary School (Capistrano Valley High School Family), Las Palmas Elementary School (San Clemente High School Family), Oak Grove Elementary School (Aliso Niguel High School Family), Carl Hankey K-8 (Capistrano Valley High School Family), Marco Forster Middle School (San Juan Hills High School Family), San Clemente High School, San Juan Hills High School, and Dana Hills High School. The contract term is July 1, 2022, through June 30, 2023. This training and coaching is described in Strategies 1.2 and 3.2 of the Board approved Cultural Proficiency Plan, and this professional development addresses the area of Tier 1 social emotional



support in the District’s Multi-tiered System of Supports plan.

The following nine school sites are registered to use NPFH content, resources and are working towards getting NPFH designation, but are not part of the training from Anti-Defamation League in the 2022-2023 school year: RH Dana Elementary School (Dana Hills High School Family), Oso Grande Elementary School (San Juan Hills High School Family), Laguna Niguel Elementary School (Aliso Niguel High School Family), Don Juan Avila Elementary School (Aliso Niguel High School Family), Castille Elementary School (Capistrano Valley High School Family), Ladera Ranch Middle School (San Juan Hills High School Family), Aliso Viejo Middle School (Aliso Niguel High School Family), Aliso Niguel High School, and Capistrano Union High School.

The total cost for this contract is \$44,300 funded by Elementary and Secondary School Emergency Relief Fund III Grant.

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

10. ADVANCEMENT VIA INDIVIDUAL DETERMINATION COLLEGE READINESS SYSTEM SERVICES AND PRODUCTS AGREEMENT 

795

This is an annual item. Approval of the ratification of Advancement Via Individual Determination (AVID) College Readiness System Services and Products Agreement for AVID elementary and secondary membership. The contract term is July 1, 2022, through June 30, 2023, approved by the Purchasing department. This Agreement provides services and products to support 11 secondary AVID sites, as well as 2 elementary AVID sites. AVID supports Tier 1 academic instruction in the District’s Multi-tiered System of Supports plan and addresses all 5 key competencies in the Vision of a CUSD Graduate.

Current sites that are participating in AVID are as follows: Aliso Niguel High School, Capistrano Valley High School, Dana Hills High School, San Clemente High School, San Juan Hills High School, Don Juan Avila Middle School, Marco Forster Middle School, Newhart Middle School, Niguel Hills Middle School, Shorecliffs Middle School, Vista Del Mar Middle School, Kinoshita Elementary School, and San Juan Elementary School. Annual expenditures under this contract for AVID secondary, K-8 and elementary membership, training and materials for the 2022-2023 school year is \$71,446 funded by Local Control Funding Formula Supplemental funds.

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

11. AGREEMENT WITH THE YMCA FOR THE OPERATION OF EXTENDED DAY CHILD-CARE PROGRAMS FOR THE AFTER SCHOOL EDUCATION AND SAFETY GRANT 

803

This is an annual item for multiple elementary schools. Approval of the agreement with the YMCA of Orange County, to provide an After School Education and Safety (ASES) program for students at Kinoshita Elementary School, RH Dana Elementary School, San Juan Elementary School, and Viejo Elementary School. This program will provide 336 students (84 per school) with safe and educationally enriching activities after school, each school day, until 6:00 p.m. The YMCA will follow all health and safety protocols as outlined in the COVID-19 Safety Plan. The estimated expenditure under



this contract is \$532,000 (\$133,000 per school) funded by After School Education and Safety grant funds.

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

12. AGREEMENT WITH ELLEVATION 

818

This is a biennial item. Approval of Agreement with Ellevation November 1, 2022, through October 1, 2024, to support improved student outcomes and address compliance requirements by improving the standardization of the English Learner (EL) reclassification and monitoring of reclassified fluent English proficient student processes. Ellevation supports Tier 1 academic instruction for ELs in the District's Multi-tiered System of Supports plan by allowing teachers and administrators to monitor their students' progress. The annual subscription fee of \$58,900 and one-time training cost of \$2,000 for Ellevation Strategies will be funded by Title II. Costs associated with the Ellevation Platform, which includes the annual subscription fee of \$45,600, will be funded by Title III.


Contact: *Greg Merwin, Associate Superintendent, Education Services*

13. AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA 

827

This is a new item. Approval of Agreement with the Regents of the University of California on behalf of the University of California, Irvine (UCI), Department of Ophthalmology. UCI has developed a project for pediatric vision care through a community service agreement with the Children's and Families Commission of Orange County (CFCOC); this project is called the "Pediatric Vision Project." One mission of this project is to provide vision screenings to preschool children, and to provide vision care to preschool children who fail the vision screening. This agreement will allow the District to enter into a partnership with UCI, Department of Ophthalmology, which would support preschool students by having access to a vision screening and subsequent vision services for those identified students; parents may opt their child out of participating in this vision screening and/or further services if desired. By providing this vision screening opportunity, the District is providing increased access to early interventions and health resources, supporting families and parent education, and meeting the needs of children prior to kindergarten, as outlined in the District's Early Childhood Accountability Plan. There is no cost for the District to participate and partner with UCI, Department of Ophthalmology; UCI provides in its curriculum a project for pediatric vision care through their community service agreement with CFCOC. This agreement would begin on August 1, 2022, and renew for an additional one-year period on each successive August, unless a party notifies the other party in writing with intent not to renew. There is no financial impact.

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

14. AGREEMENT NO. 15001 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS 


844

This is an annual item. Approval of the ratification of Agreement No. 15001 with the Orange County Superintendent of Schools, for participation with Inside the Outdoors School Program, July 1, 2022, through August 31, 2023. District schools routinely participate in the Orange County Department of Education's outdoor science field




trips and “Traveling Scientist” assemblies. The sessions are available either in-person or **virtual**. At this time, Kinoshita Elementary School has booked an in-person “Traveling Scientist” program for the 2022-2023 school year. Schools will use site funds or grant monies to participate.

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

15. AGREEMENT NO. UCI-2022BC-007 WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA  864


This is an annual item. Approval of the ratification of Agreement No. UCI-2022BC-007 with the Regents of the University of California, Irvine, August 22, 2022, through June 15, 2023, enables the District to partner with the Irvine Math Project to provide professional development to District teachers. District teachers participate in training that will help them successfully understand and implement the state standards in mathematics through professional development in subject area content, pedagogical content, unit planning, and general support. This professional development supports Tier 1 academic instruction in the District’s Multi-tiered System of Supports plan and addresses the key competency of Innovative Problem Solver in the Vision of a CUSD Graduate. The cost of \$123,970 will be funded by the Educator Effectiveness grant.

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

16. AGREEMENT WITH TEACHING ONE MOORE  877

This is a returning item. Approval of Agreement with Teaching One Moore to provide services to Hidden Hills Elementary School in 2022-2023. Danielle Moore, Founder and Director of Teaching One Moore, will provide teachers with services including three full-day professional development training days that include creating and implementing mathematical routines. This will increase student engagement and conversation in alignment with the state standards in mathematics and Cognitively Guided Instruction. The support will take place September 2022, through October 2022. This professional development supports Tier 1 academic instruction in Hidden Hills Elementary School’s Multi-tiered System of Supports plan and addresses the key competency of Innovative Problem Solver in the Vision of a CUSD Graduate. The estimated expenditure under this contract is \$5,400 funded by site funds.

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

17. AGREEMENT NO. 10001275 WITH ORANGE COUNTY SUPERINTENDENT OF SCHOOLS  882

This is a reoccurring item as needed. Approval of Income Agreement No.10001275 with Orange County Superintendent of Schools, January 2, 2023, through June 30, 2023, to provide Gifted and Talented Education (GATE) Certification Training for up to 30 elementary teachers. The Orange County Department of Education provides teachers with a comprehensive 3-day training by which, upon completion, teachers will receive a certification recognized across Orange County districts. One cohort of 30 teachers will participate in 15 hours of seat time, plus lesson development, implementation, and portfolio development. The required certification content includes the characteristics and social-emotional needs of gifted learners including underserved populations, differentiation of instruction, depth and complexity thinking



skills, curriculum compacting, and universal themes. This professional development supports Tier 2 academic instruction in the District's Multi-tiered System of Supports plan and addresses all 5 key competencies in the Vision of a CUSD Graduate. The estimated total expenditure for this agreement is \$4,200 funded by Title II.

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

18. AGREEMENT NO. 10001477 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS

893

This is an annual item. Approval of the ratification of Agreement No. 10001477 with the Orange County Superintendent of Schools for Positive Behavior Intervention and Supports (PBIS) training services, August 1, 2022, through June 30, 2024. This agreement with the Orange County Department of Education (OCDE) will provide 16 full-days of Positive Behavior Intervention Support (PBIS) Leadership Team trainings noted below:

- Tier 1 Implementation PBIS Team Training, continuation 10, 2021 Cohort School Teams, for 2 full-day trainings at \$15,000, which include Castille Elementary School, Del Obispo Elementary School, Ladera Ranch Elementary School, Laguna Niguel Elementary School, Clarence Lobo Elementary School, Marblehead Elementary School, Moulton Elementary School, Oak Grove Elementary School, Oso Grande Elementary School, and Vista Del Mar Elementary School.
- Tier 1 Installation PBIS Training to 12 schools for 4 full-day trainings at \$54,000, which include Arroyo Vista K-8, Carl Hankey K-8, Don Juan Avila Middle School, Ladera Ranch Middle School, Fred Newhart Middle School, Shorecliffs Middle School, Capistrano Union High School, Capistrano Valley High School, Dana Hills High School, San Clemente High School, San Juan Hills High School, and Tesoro High School.
- Tier 1 Booster (overview) 2 full-day trainings for 10 schools at \$15,000, which will be determined by Fall 2022 based on schools who have completed recent Tier 1-2 PBIS training and require a refresher on the process and procedures.
- Tier 2 Installation PBIS Training 6 full-day trainings for 10 schools at \$45,000, which will be determined by Fall 2022 based on completion of Tier 1 PBIS training.

This professional development addresses the areas of Tiers 1 and 2 behavioral support in the District's Multi-tiered System of Supports plan. The total cost of the agreement is \$129,000 funded by Local Control Funding Formula Supplemental funds.

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

19. AGREEMENT NO. 10001507 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS

912

This is a new item. Approval of the ratification of Agreement No. 10001507 with Orange County of Superintendent of Schools for Social Emotional Learning (SEL) training opportunity that was offered for District staff on August 8, 2022, and August 9, 2022, during the Professional Learning Academy. The sessions were primarily for



classified staff but certificated and management were able to attend. Participants gained a foundational understanding of social-emotional instruction and practices, learned how SEL benefits students and adults, and identified SEL strategies to implement in a school setting. Participants gained an understanding on promoting care for the caregiver, explored adult SEL strategies, identified structures to implement and support adult SEL, and learned early warning signs of chronic stress and burnout. Participants understood that SEL supports both students and adults. By engaging with online resources and practicing strategies in real-time, participants walked away with an actionable plan for implementing SEL strategies for both students and adults, regardless of their role. This professional development addressed the area of Tier 1 social emotional support for the District's Multi-tiered System of Supports plan. The estimated cost of \$1,800 will be funded by the Educator Effectiveness Grant.

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

20. AGREEMENT NO. 10001565 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS

923

This is a new item. Approval of Agreement No. 10001565 for services with Orange County Superintendent of Schools to provide training on Restorative Practices (RP) for staff at Wood Canyon Elementary School, September 29, 2022, through June 30, 2023. Wood Canyon Elementary School staff will be taken through a combination of RP foundations, updated research, and information on how to sustain and incorporate RP into their Multi-tiered System of Supports. Staff will be able to utilize practices from the RP continuum to enhance and strengthen relationships and community in the classroom and on campus. This professional development supports the Tier 1 social emotional area in the Wood Canyon's Multi-tiered System of Supports plan. Expenditures for the professional development program is \$420 funded by site funds.

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




21. INCOME AGREEMENT NO. 10001590 WITH ORANGE COUNTY SUPERINTENDENT OF SCHOOLS

934

This is a reoccurring item as needed. Approval of Income Agreement No. 10001590 with Orange County Superintendent of Schools, August 1, 2022, through June 30, 2023, for services with Orange County Department of Education (OCDE) to provide Gifted and Talented Education (GATE) Certification Training. OCDE will provide teachers with a comprehensive 8-session after school training, by which, upon completion, teachers will receive a certification recognized across Orange County districts. One cohort of up to 30 teachers will participate in 16 hours of seat time, plus lesson development, implementation, and portfolio development. The required certification content includes the characteristics and social-emotional needs of gifted learners including underserved populations, differentiation of instruction, depth and complexity thinking skills, curriculum compacting, and universal themes. This professional development supports Tier 2 academic instruction in the District's Multi-tiered System of Supports plan and addresses all 5 key competencies in the Vision of a CUSD Graduate. The estimated total expenditure for this agreement is \$3,000 funded by Title II.

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





22. 2022-2023 DATA COLLECTIONS OF THE CONSOLIDATED APPLICATION AND REPORTING SYSTEM  945
- This is an annual item. Approval of the 2022-2023 Data Collections of the Consolidated Application and Reporting System (CARS). The CARS is a two-part application and reporting process for multiple state and federal, formula-driven categorical program funds, submitted annually to the California Department of Education (CDE) to fund supplemental programs. The Consolidated Application is used by the CDE to distribute categorical funds from various federal programs. In the spring to summer of each year, districts are required to submit part of the application to document program participation in categorical programs and provide assurances of compliance with legal requirements of each program. The 2022-2023 CARS data collection release was delayed and is due to CDE September 12, 2022. The federal programs, coordinated through the Consolidated Application, include Title I, Part A; Title II, Part A; Title III, Part A, and Title IV, Part A. The complete Consolidated Application is on file for review in the State and Federal Programs office. As required by the CDE, the District English Learner Advisory Committee also reviewed this document. Submitting the CARS data collections to the CDE will enable the District to receive an estimated \$5.9 million in Title I, II, III and IV federal funding for 2022-2023.
Contact: Gregory Merwin, Associate Superintendent, Education and Support Services
23. AGREEMENT WITH MASTERY CONNECT  949
- This is a new item. Approval of the ratification of Agreement with Mastery Connect, July 1, 2022, through June 30, 2023. The agreement with Mastery Connect would be a pilot for all elementary teachers during the 2022-2023 school year and recommend use of the program for their common formative assessments (CFAs) which would in turn be used in Professional Learning Communities to inform instructional practices of teachers. Multi-tiered System of Support (MTSS) Specialists would be the leads at each school in facilitating the use of Mastery Connect. The District's Educational Technology department would train the MTSS coaches and be available for further assistance during the implementation. The Mastery Connect online professional development (PD) would be made available to all teachers utilizing the Mastery Connect program. Capistrano Unified Education Association leadership has been included in the implementation plan of Mastery Connect as a pilot program to support the use of CFAs within Canvas. Anticipated expenditures under this agreement are \$83,905.10 funded by LCFF Supplemental.
Contact: Gregory Merwin, Associate Superintendent, Education and Support Services
24. CALIFORNIA YOUTH SERVICES INDEPENDENT CONTRACTOR AGREEMENT  992
- This is an annual item. Approval of the ratification of the Independent Contractor Agreement with California Youth Services, July 1, 2022, through June 30, 2023. California Youth Services will facilitate Juvenile Alcohol and Drug Education for students at Union High School. Services are primarily individual and group counseling, but may include a legal awareness education program, and drug testing if requested by the parent. All services will be in person and will adhere with the most current health and safety protocols. The cost of \$10,000 to provide the program will be funded by Title I funds.





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

C. HUMAN RESOURCE SERVICES

1. REVISED SALARY SCHEDULES  1001
This is a subsequent item. Approval of the Revised Salary Schedules. Based on the contingency language in the salary agreements from the 2021-2022 work year, the current salary schedules need to be modified. The Board approved these agreements on March 2, 2022, for CUEA, CSEA, and CUMA and the Teamster's agreement was approved on May 4, 2022. The final step in a salary agreement is to adjust the salary schedules to reflect the new salary ranges.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

2. YMCA SERVICE AGREEMENT  1019
This is an annual item. Approval of Service Agreement with the YMCA to provide supervision support services. The term of this agreement is effective August 16, 2022, through June 1, 2023. The YMCA will provide temporary coverage of campus supervision while continuing to recruit District employees for open positions. Anticipated expenditures under this agreement are not to exceed \$250,000, funded by the general fund, and already allocated in the current budget for school supervision needs. This would allow staff to fill open positions temporarily while the District actively recruits to fill the openings with California School Employees Association employees.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

3. FOURTH QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT  1025
This is a quarterly item. Acceptance of Williams Settlement Legislation Uniform Complaint Fourth Quarter Report. As a result of the Williams Settlement, Education Code § 35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, Education Code § 35186 requires any deficiencies or complaints be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. No complaints were received during the fourth quarter.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

4. CONSIDER AND APPROVE JOB DESCRIPTION – DIRECTOR II, SAFETY AND STUDENT SERVICES  1029
This is a new item. Approval of the job description for the position of Director II, Safety and Student Services. The current workload in Safety and Student Services has grown to warrant a need to increase staffing. This need to provide additional support for our Safety and Student Services department, includes the following duties; overseeing School of Choice, Interdistrict Transfer Agreements, admissions and discharge, the annual school site safety plans completion, Health Services (District Nurses and Licensed Vocational Nurses), assist with Board Policy and Administrative Regulation revisions, complete revisions and Board items, School Attendance Review



Board (SARB) and will be the liaison between the SARB coordinator and the school sites, assist with site questions regarding policies and procedures, emergency preparedness and special projects as needed. By increasing the administrative support in the Safety and Student Services department, there will be increased focus on safety and the procedures related to Safety and Student Services. Assigning these duties to the Director II, Safety and Student Services, would allow the Executive Director to assist school sites more freely with their immediate needs and provide follow-up to Executive Leadership in a timely manner.

Additionally, supervision of health services (including District Nurses and Licensed Vocational Nurses) is currently under a temporary position (Administrator on Special Assignment) and the Director II, Safety and Student Services, will be the permanent administrator for health services, which will provide greater service to our students with medical needs. This position provides for a career ladder in the Safety and Student Services department.

The total estimated expenditures, including health and welfare benefits of this proposal, would be \$154,424 in salary and \$69,876 in benefits for a Classified Director II and would be funded by the general fund. Staff is also pursuing Medicare revenue and Federal School Safety Grants as other funding sources to offset this cost.

Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

5. CONSIDER AND APPROVE JOB DESCRIPTION - TEACHER ON SPECIAL ASSIGNMENT, INDUCTION

1035

This is a new item. Approval of the job description for the position of Teacher on Special Assignment (TOSA), Induction. It is recommended that the District add one TOSA during the 2022-2023 and 2023-2024 school years, funded by the Educator Effectiveness Grant, with the primary intent of supporting the 250 Induction Candidates, 16 Administrative Induction Candidates, Peer Assistance and Review (PAR) Candidates, and 13 Intern Credential Education Specialists, as well as additional program responsibilities over the next two years. The increased staffing would result in an Induction team composed of one Assistant Principal on Special Assignment (APOSA) and one TOSA working out of the District office under the direction of Executive Director, Human Resource Services. Staffing levels and training needs will be reevaluated in Spring 2024 to determine funding needs moving forward. The salary and benefits of an Induction TOSA will be funded by the Educator Effectiveness Grant over the 2022-2023 and 2023-2024 school years at \$143,179 per year for a total of \$286,358. These funds have been made available through the shifting of training expenditures from Educator Effectiveness to available Title II funding. No general funds will be used for this position.

Contact: *Bob Presby, Associate Superintendent, Human Resource Services*


6. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES

1041



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: Bob Presby, Associate Superintendent, Human Resource Services

- 7. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES  1068
 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: Bob Presby, Associate Superintendent, Human Resource Services

D. GENERAL FUNCTIONS

- 1. SCHOOL BOARD MINUTES - JULY 13, 2022  1120
 This is a monthly item. Approval of the July 13, 2022, Regular Board meeting minutes.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office
- 2. RESOLUTION NO. 2223-03, CONTINUING AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO ASSEMBLY BILL 361  1133

This is a legally mandated subsequent item. 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.

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. The Board continued to adopt a resolution for each meeting thereafter, pursuant to Assembly Bill 361. For adoption on August 17, 2022, is Resolution No. 2223-03, 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.

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

1138

A. DISCUSSION/INFORMATION ITEMS

1. RESOLUTION NO. 2223-18, RESOLUTION SUPPORTING LOCAL DECISION-MAKING AUTHORITY REGARDING COVID-19 PROTOCOLS

1139

This is a new item. Per Board Bylaw 9322, *Agenda/Meeting Materials*, Board members may place any item on the agenda no later than ten days before the scheduled meeting date. Resolution No. 2223-18, Resolution Supporting Local Decision-Making Authority Regarding COVID-19 Protocols request that the establishment of COVID-19 protocols are left to local public health departments and calls upon our Superintendent, local state legislators, and members of the Orange County Board of Supervisors to advocate for the California Department of Public Health and the California Health and Human Services Agency to delegate to public health departments the final responsibility for establishing any and all COVID-19 protocols and guidelines for their local areas.

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

Contact: Judy Bullockus, Trustee Area 7

Trustee Recommendation

It is recommended the Board President recognize Judy Bullockus, Trustee Area 7, to present this item.

Following discussion, it is recommended by Trustee Bullockus that the Board hear the request to adopt Resolution No. 2223-18, Resolution Supporting Local Decision-Making Authority Regarding COVID-19 Protocols.

Motion by _____ Seconded by _____

2. CITIZEN'S REQUEST: MASK CHOICE FOR K-12 SCHOOLS

1142

This is a new information item. Board Policy 9322, *Agenda/Meeting Materials*, states any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. 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 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 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*. Citizen requests that the Board of Trustees consider her resolution on mask choice for K-12 schools. This item is agendaized for information only.

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

Contact: Ms. Kira Davis

Staff Recommendation

It is recommended the Board President recognize Ms. Kira Davis citizen, to present this item.

3. DISTRICT WEBSITE REFRESH AND MOBILE APP LAUNCH 

1145

This is a new information item. Last school year, the District switched to a new service provider for the District and schools' websites. The primary goals for the change were to reduce costs to host the website, improve website update functionality, enhance the look of the site on multiple platforms and provide a comprehensive mobile app. The app implementation plan successfully launched on August 1, 2022. The District website mobile app is available for download on both Apple and Android devices. The new District app provides the core information parents need to keep up to date with school and District matters. Parents can receive alerts and notifications, view and navigate all school events on one simple calendar, and easily access school contact information. There is no additional financial impact for the app as it was part of the overall cost of the Catapult K12 implementation.

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.

4. TALKINGPOINTS SOFTWARE SERVICES AND SUPPORT AGREEMENT 

1159

This is an annual action item. Approval of the ratification of TalkingPoints Software Services and Support Agreement, July 1, 2022, through June 30, 2023. TalkingPoints is a two-way, multi-lingual texting platform allowing for fast and accessible communication between staff and parents. This service provides greater support to families who may use email and offers increased translation support for parents and guardians with a primary language other than English. Schools use a web application to send text messages to parents who receive them in their own language. Parents can reply in their own language and staff receive the message back in English. The cost is \$2.20 per student. The TalkingPoints service was successfully piloted at four sites in 2021-2022 and will be implemented in a phased approach Districtwide beginning 2022-2023. Anticipated expenditures utilizing this contract are \$99,000 funded by Local Control Funding Formula supplemental funds.



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 the TalkingPoints Software Services and Support Agreement.

Motion by _____ Seconded by _____

5. EXPANDED LEARNING OPPORTUNITY PROGRAM PLAN  1193

This is a new action item. The Expanded Learning Opportunities Program (ELOP) authorized by Senate Bill 129 and Assembly Bills 130 and 167 provides funding for afterschool and summer school enrichment programs for transitional kindergarten (TK) through sixth grade. Staff presents and recommends a plan regarding a multi-year after school and summer school program for grades TK-6. This plan addresses the key components of quality standards, articulation with the After School Education and Safety (ASES) grant, TK and kindergarten staffing ratios, and sample program schedules. The plan will address the three areas of Academics, Social Emotional, and Behavior in the District’s Multi-tiered System of Supports, and the plan will also support the development of the five key competencies of the Vision of a CUSD Graduate. The annual allocation of the ELOP is estimated at \$10,242,669 through June 30, 2025, with potential for ongoing funding.

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 the Expanded Learning Opportunities Program plan.

Motion by _____ Seconded by _____

6. RESOLUTION NO. 2223-13, COMMITTING 2022-2023 ADOPTED BUDGET FUND BALANCES  1212

This is a recurring action item. Adoption of Resolution No. 2223-13, Committing 2022-2023 Adopted Budget Fund Balances commits certain funds for expenditure only for specified purposes. Senate Bill 751 enacted in 2017 came into effect in fiscal year 2022-2023 and caps district reserves at a maximum of ten percent unless the district is smaller than 2,501 average daily attendance (ADA) or is a basic aid district. This ten percent cap includes locally restricted monies such as gift funds, site funds, technology



reserves and teacher development reserves. This resolution will be brought forward with the Adopted Budget and with the Unaudited Actuals Budget each year to allow certain locally restricted monies to be excluded from the calculation of the ten percent reserve cap.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 2223-13, Committing 2022-2023 Adopted Budget Fund Balances.

Motion by _____ Seconded by _____

7. RESOLUTION NO. 2223-14, PRELIMINARY 2021-2022 FINANCIAL STATEMENTS (UNAUDITED ACTUALS)

1217

This is an annual action item. The Board of Trustees will be provided with a brief update on the 2021-2022 actuals and the revisions to the 2022-2023 budget. Resolution No. 2223-14 will be forwarded to the Orange County Department of Education, reviewed for accuracy and compliance, and subsequently transmitted to the Superintendent of Public Instruction.

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

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

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. 2223-14, Preliminary 2021-2022 Financial Statements (Unaudited Actuals).

Motion by _____ Seconded by _____

8. FIRST READING – BOARD POLICY 5141.21, ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

1379

This is a new action item. Staff is proposing a revision to Board Policy 5141.21, *Administering Medication and Monitoring Health Conditions*, to mitigate incidents of fentanyl poisoning. The drug fentanyl, an opioid, is the leading cause of death for kids 17 years and younger. In Orange County, deaths resulting from fentanyl overdoses have risen from 36 in 2016, to 636 in 2021. A lethal dose of fentanyl is 2 mg, making it 100 times more potent than morphine. There is a medication that can reverse the effects of a fentanyl overdose if administered. Naloxone is an opioid antagonist that



works almost immediately to reverse an opiate overdose, including heroin, fentanyl, and prescription opioid medications that can be administered through a nasal spray. Education Code § 49413.3 authorizes schools to allow trained personnel to administer naloxone nasal spray to an individual that appears to be having an opioid overdose.

With the rise in fentanyl use among juveniles and the lethality of the drug, staff recommend developing a policy that would permit naloxone nasal spray to be used by a trained staff member for an individual suspected of having an opioid overdose. A naloxone nasal spray costs on average \$40 per dose. The cost to supply 2 doses per secondary site will cost approximately \$1,700, funded by the general fund. Changes are underlined; deletions are struck through.

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 5141.21, *Administering Medication and Monitoring Health Conditions*.

Motion by _____ Seconded by _____

9. FIRST READING - BOARD POLICY 5142.2, SAFE ROUTES TO SCHOOL PROGRAM

1387

This is a new action item. Ensuring student safety to and from school is a high priority for the District. Electric bicycles (eBikes) have proven to be an ongoing safety issue on many of our District campuses over these last few years. Currently, there is not a District policy addressing how to manage the significant number of eBikes on campuses. There is not a California School Boards Association sample policy that specifically addresses eBikes. Staff has created this Board Policy and accompanying Administrative Regulation 5142.2, *Safe Routes to School Program*, addressing eBikes. A committee of District and site administrators developed a protocol for eBikes which includes storage, security, permits, education, bike classifications, and safety. This policy has been reviewed and edited by legal counsel. 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 5142.2, *Safe Routes to School Program*.



Motion by _____ Seconded by _____

10. FIRST READING - BOARD POLICY 6158, INDEPENDENT STUDY 1390

This is a returning action item. On June 27, 2022, the Legislature approved the Governor’s May Revision. On July 13, 2022, the Board approved revisions to Board Policy 6158, *Independent Study*, based upon the May Revision. On July 14, 2022, the District was notified that the State Assembly had not accepted one proposed revision from the May Revision. The proposed revision was to change the criteria for tiered reengagement strategies from 10 percent to 20 percent. (See below.)

The Superintendent or designee shall ensure that procedures for tiered reengagement strategies are used for students who:

- 1. *Are not generating attendance for more than 20 percent of required minimum instructional time over 4 continuous weeks of a local agency’s approved instructional calendar.*

The State Assembly did not approve the change from 10 percent to 20 percent, so the criteria remains at 10 percent. This Board item revises 20 percent to 10 percent. Changes are underlined; deletions are struck through.

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 6158, *Independent Study*.

Motion by _____ Seconded by _____

11. BOARD ACTION TO ADOPT DISTRICT’S INITIAL PROPOSAL TO CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION FOR 2022-2023 NEGOTIATIONS 1404

This is a new action item. The Board will consider the District’s initial proposal to the California School Employees Association (CSEA) for 2022-2023 reopener negotiations. As required by Government Code § 3547, after the public has had the opportunity to express itself on the initial proposals, the Board shall approve its initial proposal.

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

Contact: Bob Presby, Associate Superintendent, Human Resource Services

Staff Recommendation:

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



Following discussion, it is recommended the Board of Trustees approve the District's initial proposal to CSEA for 2022-2023 negotiations.

Motion by _____ Seconded by _____

- 12. RESOLUTION NO. 2223-06, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 92-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LAS FLORES), DISSOLVING COMMUNITY FACILITIES DISTRICT NO. 92-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LAS FLORES), ELIMINATING ALL TAX LIENS AND APPROVING RECORDATION OF A NOTICE OF CESSATION OF SPECIAL TAX

1407

This is a new action item. The Board is asked to consider adoption of a resolution dissolving Community Facilities District (CFD) No. 92-1 (Las Flores). The CFD was established in 1992 for the purpose of funding facilities and infrastructure for the District, County of Orange, and Foothill/Eastern Transportation Corridor Agency for the benefit of the Las Flores community. Bonds were issued in 1993 through 1998 to fund the facilities and infrastructure improvements. The bonds are reaching their maturity and no further collection of special taxes is necessary to repay the bonds. Even though the CFD does not have an expiration, the District may consider dissolving the CFD for the benefit of taxpayers. If adopted, the Resolution would (i) dissolve the CFD, (ii) authorize District staff to record a notice of cancellation of special tax (thereby removing the liens on CFD properties upon recordation), and (iii) end the District's collection of the CFD tax. Taxpayers within the CFD would benefit from no longer paying this property tax.

**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 discuss this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 2223-06, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 92-1 of the Capistrano Unified School District (Las Flores), Dissolving Community Facilities District No. 92-1 of the Capistrano Unified School District (Las Flores), Eliminating All Tax Liens and Approving Recordation of a Notice of Cessation of Special Tax.

Motion by _____ Seconded by _____

- 13. RESOLUTION NO. 2223-15, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1998-1A (PACIFICA SAN JUAN) OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, DECLARING INTENTION TO ELIMINATE "PAY-AS-YOU-GO" SPECIAL TAX COLLECTIONS FROM COMMUNITY



FACILITIES DISTRICT NO. 1998-1A (PACIFICA SAN JUAN)

1414

This is a new action item. The Board is asked to consider adoption of a resolution eliminating “pay-as-you-go” taxes in Community Facilities District (CFD) No. 98-1A (Pacifica San Juan). The Resolution would officially eliminate CFD taxes above the 110 percent debt service ratio required for repayment of the CFD bonds. Taxpayers within the CFD would benefit from a reduction in this property tax.

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 discuss this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 2223-15, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 1998-1A (Pacifica San Juan) of the Capistrano Unified School District, Declaring Intention to Eliminate “Pay-As-You-Go” Special Tax Collections from Community Facilities District No. 1998-1A (Pacifica San Juan).

Motion by _____ Seconded by _____

- 14. RESOLUTION NO. 2223-16, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1998-1B (PACIFICA SAN JUAN) OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, DECLARING INTENTION TO ELIMINATE “PAY-AS-YOU-GO” SPECIAL TAX COLLECTIONS FROM COMMUNITY FACILITIES DISTRICT NO. 1998-1B (PACIFICA SAN JUAN)

1419

This is a new action item. The Board is asked to consider adoption of a resolution eliminating “pay-as-you-go” taxes in Community Facilities District (CFD) No. 98-1B (Pacifica San Juan). The Resolution would officially eliminate CFD taxes above the 110 percent debt service ratio required for repayment of the CFD bonds. Taxpayers within the CFD would benefit from a reduction in this property tax.

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 discuss this item.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 2223-16, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 1998-1B (Pacifica San Juan) of the Capistrano Unified School District, Declaring Intention to Eliminate “Pay-As-You-Go” Special Tax Collections from Community Facilities District No. 1998-1B (Pacifica San Juan).



Motion by _____ Seconded by _____

- 15. RESOLUTION NO. 2223-04, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) FOR FISCAL YEAR 2022-2023

1424

This is an annual action item. Resolution No. 2223-04 authorizes the levy of Special Tax in Community Facilities District (CFD) No. 90-2 (Talega) for Fiscal Year 2022-2023. In order to secure the tax roll for CFD No. 90-2 in Fiscal Year 2022-2023, the District must notify the County of Orange Auditor-Controller no later than August 17, 2022, or other duly authorized date, with a certified copy of Resolution No. 2223-04, along with a copy of the annual levy of Special Taxes for Fiscal Year 2022-2023. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

Staff Recommendation

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

Following discussion, in adopting Resolution No. 2223-04, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega) For Fiscal Year 2022-2023, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

Motion by _____ Seconded by _____

- 16. RESOLUTION NO. 2223-05, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY FOR IMPROVEMENT AREA NO. 2002-1 OF COMMUNITY FACILITIES DISTRICT NO. 90-2 IA OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-2 IA OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) FOR FISCAL YEAR 2022-2023

1434

This is an annual action item. Resolution No. 2223-05 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 90-2 IA Improvement Area No. 2002-1 (Talega) for Fiscal Year 2022-2023. In order to secure the tax roll for CFD No. 90-2 IA in Fiscal Year 2022-2023, the District must notify the County of Orange Auditor-Controller no later than August 17, 2022, or other duly authorized date, with a



certified copy of Resolution No. 2223-05, along with a copy of the annual levy of Special Taxes for Fiscal Year 2022-2023. David Taussig & Associates will deliver the required documents on the District’s behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 2223-05, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 IA Improvement Area No. 2002-1 of the Capistrano Unified School District (Talega), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-2 IA of the Capistrano Unified School District (Talega) For Fiscal Year 2022-2023, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

Motion by _____ Seconded by _____

- 17. RESOLUTION NO. 2223-07, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN) FOR FISCAL YEAR 2022-2023

1443

This is an annual action item. Resolution No. 2223-07 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-1A (Pacifica San Juan) for Fiscal Year 2022-2023. Such Special Taxes were levied, in prior fiscal years, on a partial basis. It is proposed that for Fiscal Year 2022-2023 the Special Taxes be levied on a partial basis at less than the Assigned Special Tax for CFD No. 98-1A. As in prior fiscal years, this is not a precedent for future fiscal years. In order to secure the tax roll for CFD No. 98-1A in Fiscal Year 2022-2023, the District must notify the County of Orange Auditor-Controller no later than August 17, 2022, or other duly authorized date, with a certified copy of Resolution No. 2223-07, along with a copy of the annual levy of Special Taxes for Fiscal Year 2022-2023. David Taussig & Associates, will deliver the required documents on the District’s behalf to the County of Orange.

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

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

Staff Recommendation

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



Following discussion, in adopting Resolution No. 2223-07, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan) For Fiscal Year 2022-2023, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

Motion by _____ Seconded by _____

- 18. RESOLUTION NO. 2223-08, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-1B OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN) FOR FISCAL YEAR 2022-2023

1452

This is an annual action item. Resolution No. 2223-08 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-1B (Pacifica San Juan) for Fiscal Year 2022-2023. It is proposed that for Fiscal Year 2022-2023 the Special Taxes be levied on a partial basis at less than the Assigned Special Tax for CFD No. 98-1B. This is not a precedent for future fiscal years. In order to secure the tax roll for CFD No. 98-1B in Fiscal Year 2022-2023, the District must notify the County of Orange Auditor-Controller no later than August 17, 2022, or other duly authorized date, with a certified copy of Resolution No. 2223-08, along with a copy of the annual levy of Special Taxes for Fiscal Year 2022-2023. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

Staff Recommendation

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

Following discussion, in adopting Resolution No. 2223-08, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan) For Fiscal Year 2022-2023, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

Motion by _____ Seconded by _____

- 19. RESOLUTION NO. 2223-09, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY



OF COMMUNITY FACILITIES DISTRICT NO. 98-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LADERA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LADERA) FOR FISCAL YEAR 2022-2023

1461

This is an annual action item. Resolution No. 2223-09 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-2 (Ladera) for Fiscal Year 2022-2023. In order to secure the tax roll for CFD No. 98-2 in Fiscal Year 2022-2023, the District must notify the County of Orange Auditor-Controller no later than August 17, 2022, or other duly authorized date, with a certified copy of Resolution No. 2223-09, along with a copy of the annual levy of Special Taxes for Fiscal Year 2022-2023.

David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 2223-09, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera) For Fiscal Year 2022-2023, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

Motion by _____ Seconded by _____

20. RESOLUTION NO. 2223-10, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (RANCHO MADRINA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (RANCHO MADRINA) FOR FISCAL YEAR 2022-2023

1470

This is an annual action item. Resolution No. 2223-10 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 2004-1 (Rancho Madrina) for Fiscal Year 2022-2023. In order to secure the tax roll for CFD No. 2004-1 in Fiscal Year 2022-2023, the District must notify the County of Orange Auditor-Controller no later than August 17, 2022, or other duly authorized date, with a certified copy of Resolution No. 2223-10, along with a copy of the annual levy of Special Taxes for Fiscal Year 2022-2023. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

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

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



Staff Recommendation

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

Following discussion, in adopting Resolution No. 2223-10, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho Madrina), Authorizing the Levy of Special Taxes in Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho Madrina) For Fiscal Year 2022-2023, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

Motion by _____ Seconded by _____

- 21. RESOLUTION NO. 2223-11, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS) FOR FISCAL YEAR 2022-2023

1479

This is an annual action item. Resolution No. 2223-11 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 2005-1 (Whispering Hills) for Fiscal Year 2022-2023. In order to secure the tax roll for CFD No. 2005-1 in Fiscal Year 2022-2023, the District must notify the County of Orange Auditor-Controller no later than August 17, 2022, or other duly authorized date, with a certified copy of Resolution No. 2223-11, along with a copy of the annual levy of Special Taxes for Fiscal Year 2022-2023. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 2223-11, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills), Authorizing the Levy of Special Taxes in Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills) For Fiscal Year 2022-2023, the Board will designate the amount set forth in the David Taussig & Associates Annual Report as set forth in Section 4 of the Resolution.

Motion by _____ Seconded by _____



15. ADJOURNMENT

Motion by _____ Seconded by _____

THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, SEPTEMBER 21, 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 three 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.

Persons seeking to address the Board on an agenda item shall complete a "Request to Address the Board of Trustees" card and give it to the Board Secretary or other designated staff member. "Request to Address the Board of Trustees" will be accepted only until 30 minutes after the start of Open Session.

Special Board meetings or separately scheduled Board public hearings shall not have Oral Communications time scheduled.

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.