



January 18, 2023 Regular Board Meeting

01/18/2023 - 07:00 PM

BOARD OF TRUSTEES BOARD ROOM

33122 Valle Rd., San Juan Capistrano, Ca 92675

Closed Session 5:30 PM Open Session 7:00 PM

AGENDA

CLOSED SESSION AT 5:30 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Clark Hampton/Gregory Merwin

Attorney – Marley Fox

1. Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d)(2)(3))

Attorney – Mark Bresee

2. Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d)(2))

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell

Attorney – Justin Shinnfield

Significant Exposure to Litigation – One Case

1. OAH Case No. 2022100452
(Pursuant to Government Code § 54956.9(d)(1))

Bob Presby

Significant Exposure to Litigation – Multiple Cases

2. Resolution No. 2223-07
(Pursuant to Government Code § 54956.9(d)(2))

C. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: Bob Presby/Clark Hampton/Krista Castellanos

Employee Organizations:

- 1) Capistrano Unified Education Association (CUEA)
- 2) California School Employees Association (CSEA)
- 3) Teamster
- 4) Capistrano Unified Management Association (CUMA)
- 5) Unrepresented Employees/ Superintendent/Interim Superintendent
(Pursuant to Government Code § 54957.6)

D. LIABILITY CLAIM

Clark Hampton

Significant Exposure to Litigation – One Case

1. Rejection of Government Claim No. 2110104



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

E. STUDENT EXPULSION

Mike Beekman
One Case

1. Case No. 2023-022

F. STUDENT READMISSION

Mike Beekman
One Case

1. Case No. 2021-001

G. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

Significant Exposure to Litigation - Two Cases

1. Case No. 2223-03
2. Case No. 2223-09

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

H. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Krista Castellanos

1. Interim Superintendent

(Pursuant to Government Code § 54957)

Bob Presby

2. Chief Technology Officer

(Pursuant to Government Code § 54957)

Bob Presby/Gregory Merwin

3. Principals, Elementary School

(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. SPECIAL RECOGNITIONS

Associated Student Body
Capistrano Union High School
Brittany Casey, *Principal*
Ranna Dendel, *ASB Teacher*



Madison Bailen, *Associated Student Body Leader*

Kaila Louie, *Associated Student Body Leader*

10. BOARD COMMENTS

11. STUDENT BOARD MEMBER COMMENTS

12. ORAL COMMUNICATIONS (Non-Agenda Items)

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

13. CONSENT CALENDAR

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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 staff recommend approval of all Consent Calendar items.

A. BUSINESS AND SUPPORT SERVICES

1. DONATION OF FUNDS AND EQUIPMENT

20

This is a monthly item. Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$166,826.98 in cash. These funds will be deposited in the appropriate school accounts. Items other than cash have no financial impact on the budget. The District does not guarantee maintenance of items or the expenditure of any District funds for continued use.

Contact: *Clark Hampton, Deputy Superintendent*

2. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS

24

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 \$11,334,991.72 and the commercial warrants total \$20,561,670.33. 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*

3. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS


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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 one new agreement totaling \$27,324.74 and three amendments to existing agreements totaling \$326,000. Due to the size of the contract documents, the General Conditions for each type of agreement are posted online on the District's Board Agendas and Supporting Documentation page here(<https://simbli.eboardsolutions.com/SU/qFtRZB13Q1v4vfZgsb0l8Q==>).

Contact: Clark Hampton, Deputy Superintendent

- 4. AGREEMENT NO. 10002385 HARVEST OF THE MONTH PROGRAM – ORANGE COUNTY SUPERINTENDENT OF SCHOOLS  178
This is a new item. Approval of Agreement No. 10002385 for the Harvest of the Month (HOTM) program with the Orange County Superintendent of Schools. This agreement allows the Orange County Department of Education to provide a HOTM nutrition education program and ties into the nutrition education goals stated in Board Policy 5030, *Student Wellness*. The agreement permits 138 District classrooms to participate at a cost of \$175 per classroom. The total cost for all participating classrooms will be \$24,150. The agreement is effective January 1, 2023, through June 30, 2023, and funded by the cafeteria fund.
Contact: Clark Hampton, Deputy Superintendent

- 5. EMPLOYEE CELL PHONE ALLOWANCE  189
This is a regular business item. Approval of the revised employee cell phone allowance list. Certain District management employees have been designated by the Board of Trustees to be paid a \$35 monthly allowance for the use of a personally owned cell phone or mobile communication device for District-related business. These positions have been designated as needing to be contacted while off-site or away from a District land line phone. The revised list includes the addition of the job title of Director, Performing Arts Centers and Facilities. Although this position was inadvertently left off the cell phone allowance list when it was originally created, the employee has been receiving an allowance since its inception. Also included are minor job title changes and obsolete deletions. Changes are underlined; deletions are struck through.
Contact: Clark Hampton, Deputy Superintendent

- 6. CHANGE ORDER NO. 1, BID NO. 2122-20, ESENCIA PORTABLE PROJECT  192
This is a regular business item. Approval of Change Order No. 1, Bid No. 2122-20 for the Esencia Portable Project related to the additional cost for District directed carpet installation in three classrooms. This change order consists of additions, deletions, or other revisions now being presented to the Board for approval. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$1,480,000. With Change Order No. 1 in the amount of \$21,416.84, the new contract sum will be \$1,501,416.84 funded by developer fees. With this change order, the contract with the general contractor remains under the \$1,628,000 budget that represents the bid award plus contingency.
Contact: Clark Hampton, Deputy Superintendent

- 7. CHANGE ORDER NO. 1, BID NO. 2122-24, AMBUEHL ELEMENTARY SCHOOL MODERNIZATION PROJECT  200



This is a regular business item. Approval of Change Order No. 1, Bid No. 2122-24 for the Ambuehl Elementary School Modernization Project related to the unused allowance for the project. This change order consists of additions, deletions, or other revisions now being presented to the Board for approval. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$2,960,000. With Change Order No. 1 in the amount of - \$28,907, the new contract sum will be \$2,931,093 funded by Whispering Hills Community Facilities District (CFD) No. 2005-1. With this change order, the contract with the general contractor remains under the \$3,256,000 budget that represents the bid award plus contingency.

Contact: Clark Hampton, Deputy Superintendent

- 8. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 2122-20 FOR THE ESENCIA PORTABLE PROJECT 205

This is a regular business item. Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 2122-20 for the Esencia Portable Project. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. The project was funded by developer fees.

Contact: Clark Hampton, Deputy Superintendent

- 9. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 2122-24, AMBUEHL ELEMENTARY SCHOOL MODERNIZATION PROJECT 209

This is a regular business item. Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 2122-24, Ambuehl Elementary School Modernization Project. In order to obtain Division of State Architect closeout with certification, Notice of Completion is required. Work has been inspected and completed to the satisfaction of staff. The project was funded by Whispering Hills Community Facilities District (CFD) No. 2005-1.

Contact: Clark Hampton, Deputy Superintendent

B. CURRICULUM AND INSTRUCTION 213

- 1. AGREEMENT NO. 10002410 WITH ORANGE COUNTY SUPERINTENDENT OF SCHOOLS 214

This is an annual item. Approval of Agreement No. 10002410 with Orange County Superintendent of Schools regarding a proposal to provide Aliso Viejo Middle School peer-led mental health training for students and a designated teacher advisor, January 1, 2023, through June 30, 2023. Students are not providing counseling during their peer-led activities. They are supporting the information shared by the designated teacher advisor, who is present during every peer-led activity. Peer-led student representatives support their student peers by modeling discussion with their designated teacher advisor. The peer-led trainings focus around the following ten components:

- 1. Youth Participation: Involve a minimum of ten students to serve as peer leaders in the development and implementation of the campaign.



2. Peer Leader Training: Host a Mental Health 101 and/or Suicide Prevention training provided by the Orange County Department of Education (OCDE) for peer leaders.
3. Peer Leader Discussion: Host a discussion facilitated by OCDE staff, and include school counseling, to discuss the issue of mental health and how this campaign can support student well-being.
4. Campaign Plan and Supplies: Develop a campaign plan with dates and supplies needed for the program's activities.
5. Peer-led Outreach Activity: Develop and disseminate mental health information to the student body. The activity should aim to raise awareness of mental health issues, reduce mental health stigma, increase knowledge of self-care strategies, and promote school and community resources. Dissemination of the information to the student audience can be conducted via in-person/virtual presentations, public service announcements, etc.
6. Peer-led Awareness Week Activity: Host a week-long event to promote mental health resources and self-help strategies. This should include a school wide media blitz (e.g. posters, morning announcements, social media) and interactive activities with the student body.
7. Parent Outreach Activity: Conduct one parent outreach activity to raise awareness of mental health issues affecting youth and how families can support their children. The activity should include a youth perspective and promote school and community resources. Information can be shared through a parent presentation, parent newsletter, website, etc.
8. Staff Outreach Activity: Conduct one staff outreach activity to raise awareness of mental health issues affecting youth and how school staff can support students.
9. Advisor Communication and Reporting: Advisor is to maintain ongoing communication with OCDE staff. In addition, they must complete the activity completion form following each activity.
10. Advisor Campaign Debrief, Advisor Survey, and Peer Leader Survey: Participate in a debrief discussion and advisor survey.

The designated teacher advisor will receive a \$1,200 stipend funded by the Orange County Superintendent of Schools.

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

2. ADDENDUM NO. 01 TO STATEMENT OF WORK UNDER THE AGREEMENT FOR USE OF EMERALD COVE OUTDOOR SCIENCE INSTITUTE, FACILITIES, SUPPLIES, EQUIPMENT, AND SERVICES, PUBLIC SCHOOL DISTRICTS, SCHOOL YEAR 2022-2023

This is a subsequent item. Approval of Addendum No. 01 to Statement of Work under the Agreement for Use of Emerald Cove Outdoor Science (ECOS) Institute, Facilities, Supplies, Equipment, and Services, Public School Districts, School Year 2022-2023. Staff brings outdoor science school contracts to the Board 2 times a year. Trustees approved the original agreement at the September 21, 2022, Board meeting for 12 schools to participate in the ECOS Institute overnight science camp. Hidden Hills

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Elementary School, Concordia Elementary School, and Laguna Niguel Elementary School have expressed an interest in attending this outdoor science camp. This item aligns with the Vision of a CUSD Graduate by supporting the development of Innovative Problem Solvers and Continuous Learners. The total estimated expenditure is \$56,092.55 funded by gift funds from each participating school.

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

3. ILLUMINATED COLLECTIVE, LLC AGREEMENT  232

This is a new item. Approval of ratification of the Illuminated Collective, LLC Agreement, 2022-2023. Trustees directed staff to revise Board Policy 5121.1, *Grades/Evaluation of Student Achievement*. In order to revise this Board Policy and accompanying Administrative Regulation, it is imperative to solicit input from a wide range of stakeholders including students, parents, teachers, and administrators. However, it is also important to use a collaborative and objective process to identify the key issues as well as implement solutions.

Staff identified the Situational Appraisal process as the most effective means to achieve this goal and Illuminated Collective, LLC as the consultant. The Situational Appraisal process was used for collaborative problem-solving and decision-making skills to facilitate the process of revising the current Board Policy and Administrative Regulations related to grading. Expenditures under this agreement are \$10,000 funded by Education and Support Services Discretionary general funds.

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

4. IRVINE RANCH OUTDOOR EDUCATION CENTER  237

This is an annual item. Approval of the Irvine Ranch Outdoor Education Center, 2023 Academic Agreement. Staff will bring outdoor science school contracts to the Board two times a year. The first round of contracts were approved at the September 21, 2022, Board meeting. These agreements will provide overnight outdoor science school trips aligned with grade level science standards. Canyon Vista Elementary School, Clarence Lobo Elementary School and Del Obispo Elementary School would like to utilize this program for their fifth grade students. This item aligns with the Vision of a CUSD Graduate by supporting the development of Innovative Problem Solvers and Continuous Learners. The estimated total expenditure under this contract is \$87,621.70 funded by gift funds.

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


5. LOCAL CONTROL ACCOUNTABILITY PLAN INFOGRAPHIC AGREEMENT WITH GOBO LLC  266


This is a new item. Approval of the Local Control Accountability Plan (LCAP) Infographic Agreement with Gobo LLC, to provide an LCAP infographic in English and Spanish. The Board approved 2022-2023 LCAP is 82 pages. To support communication and transparency with educational partners, the LCAP infographic provides an 8-12 page summary of the LCAP through a variety of visual tools. LCAP information such as the goals and progress can be easily understood in a simple visual format. The cost of \$6,925 for the infographic and Spanish translation will be funded





with Local Control Funding Formula Supplemental funds.

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

6. OUTDOOR SCIENCE SCHOOL CONTRACT WITH HIGH TRAILS  277
This is an annual item. Approval of Outdoor Science School Contract with High Trails March 28, 2023, through March 31, 2023. Staff will bring outdoor science school contracts to the Board two times a year. The initial round of contracts was presented at the September 21, 2022, Board meeting. The contract with High Trails will provide an overnight outdoor science school trip aligned with grade-level science standards. Ladera Ranch Elementary School has expressed an interest in sending their fifth grade students to this camp. This item aligns with the Vision of a CUSD Graduate by supporting the development of Innovative Problem Solvers and Continuous Learners. Expenditures under this contract are estimated to be \$27,840 funded by site gift funds.
Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

7. SCHOOL ACCOUNTABILITY REPORT CARDS 2021-2022  280
This is an annual item. Approval of the School Accountability Report Cards (SARC) 2021-2022. Education Code § 35256 states that the governing board of each school district with an elementary or secondary school shall annually issue a SARC for each school in the school district and post them by February 1 of that school year. The SARCs contain information about the condition and performance of each school and includes required state and local data utilizing the California Department of Education SARC template. Staff has also completed the additional requirements that include posting and publicizing the reports, and notifying parents or guardians of pupils that a hard copy is available upon request. There is no financial impact.
Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

8. RESOLUTION NO. 2223-39, SIGNATURE AND ACCEPTANCE FOR AUTHORIZATION OF 2023-2024 CONTINUED FUNDING APPLICATION  284
This is an annual item. Approval of Resolution No. 2223-39, Signature and Acceptance for Authorization of 2023-2024 Continued Funding Application, for California State Preschool Program Contract. In order to be considered for continued funding for the implementation of the California State Preschool Program for the fiscal year 2023-2024, a Continued Funding Application (CFA) must be submitted. By completing the fiscal year 2023-2024 CFA, the District is indicating that it wishes to renew the contract for fiscal year 2023-2024 and continue implementing the California State Preschool Program. Past allocations have ranged from \$3,115,575 to \$4,258,757, for the purpose of providing services related to early childhood development and school readiness for state funded programs.
Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*


9. PROPOSAL TO INCREASE TUITION RATES FOR TUITION-BASED PRESCHOOL CLASSES FOR THE 2023-2024 SCHOOL YEAR  325
This is an annual item. Approval of proposal to increase Tuition Rates for Tuition-based Preschool Classes for the 2023-2024 School Year. The Early Childhood Programs (ECP) office proposes to increase the rates for the 2023-2024 school year, and return





to increasing tuition rates annually. This is to help offset the increase in costs associated with increased teacher salary and benefits. For the 2023-2024 school year, ECP proposes a 10 percent tuition increase to make up for the minimal \$10 increase last year and no increase for two years prior due to the impact of COVID-19. The ECP office will plan on continuing to increase tuition rates between 2-3 percent each year going forward after this year's 10 percent increase.


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

C. HUMAN RESOURCE SERVICES

- 1. AGREEMENT WITH HOPE INTERNATIONAL UNIVERSITY OF FULLERTON  327
 This is a reoccurring item. Approval of Agreement with Hope International University of Fullerton effective January 1, 2023, through June 30, 2026. During the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their credential. There is no financial impact.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

- 2. ANNUAL REPORT – EMPLOYMENT OF RELATIVES  333
 This is an annual item. Approval of Annual Report – Employment of Relatives 2022-2023 School Year. Board Policy 4112.8, 4212.8, 4312.8, *Employment of Relatives*, requires the Board of Trustees be provided the names, positions and work locations of close relatives employed within the same department or work location. The purpose of this policy is to ensure that assignments do not interfere with the orderly supervision, security or morale of the school, department or work location. For purposes of this policy, relative includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, stepchildren, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse or domestic partner. District department administrators and principals were asked to provide information regarding the names and positions of close relatives employed within their work location. The information provided confirms that the assignment of close relatives at the identified work locations is not interfering with the orderly supervision, security or morale of those work locations.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

- 3. FIELD EDUCATION AFFILIATION AGREEMENT WITH CALIFORNIA STATE UNIVERSITY SAN MARCOS  340
 This is a reoccurring item. Approval of Field Education Affiliation Agreement with California State University, San Marcos effective for five years from the date of last signature. During the school year, university students will work with District educators to fulfill fieldwork, practicum, and clinical requirements to earn their Master's in Social Work and a Pupil Personnel Services credential. There is no financial impact.
Contact: Bob Presby, Associate Superintendent, Human Resource Services

- 4. CONSIDER AND APPROVE REVISED JOB DESCRIPTION – LEAD TRADES WORKER INTO THE FOLLOWING SIX JOB DESCRIPTIONS: LEAD HVAC TECHNICIAN, LEAD ELECTRICIAN, LEAD PLUMBER, LEAD CARPENTER, LEAD PAINTER, AND LEAD WAREHOUSE WORKER MAINTENANCE AND OPERATIONS  349



This is a revised item. Approval of the revised job description for the position of Lead Trades Worker to be bifurcated into six distinct job descriptions: Lead HVAC Technician at Range 44, Lead Electrician at Range 44, Lead Plumber at Range 44, Lead Carpenter at Range 41, Lead Painter at Range 41, and Lead Warehouse Worker Maintenance and Operations at Range 36. Human Resource Services (HRS), Maintenance and Operations (M&O), and California School Employees Association (CSEA) worked on a revised job description and salary range assignment for these six positions. A Lead Trades Worker job description currently exists; however, it does not have a range assigned and is not specific to the Maintenance categories. The current maintenance trades structure within the M&O Department does not include any "Lead" positions within the trade teams. The purpose of revising the Lead Trades Worker job description to six specific positions; Lead HVAC Technician, Lead Electrician, Lead Plumber, Lead Carpenter, Lead Painter, and Lead Warehouse Worker M&O is to designate an individual responsible for leading a team of workers within this specific trade, under the supervision of management.

A Lead HVAC Technician will plan, organize, coordinate, and participate in the work functions of skilled and general HVAC technicians to inspect, monitor, and participate in the repair, maintenance, and construction of District facilities. The Lead HVAC Technician will provide leadership, motivation, and training to maintenance personnel and will fully participate in all aspects and functions of said trade including maintenance, repair, and construction.

The Lead Electrician will plan, organize, coordinate, and participate in the work functions of skilled and general Electricians to inspect, monitor, and participate in the repair, maintenance, and construction of District facilities. The Lead Electrician will provide leadership, motivation, and training to maintenance personnel and will fully participate in all aspects and functions of the trade including maintenance, repair, and construction.

The Lead Plumber will plan, organize, coordinate, and participate in the work functions of skilled and general Plumbers to inspect, monitor, and participate in the repair, maintenance, and construction of District facilities. The Lead Plumber will provide leadership, motivation, and training to maintenance personnel and will fully participate in all aspects and functions of the trade including maintenance, repair, and construction.

The Lead Carpenter will plan, organize, coordinate, and participate in the work functions of skilled and general Carpenters to inspect, monitor, and participate in the repair, maintenance, and construction of District facilities. The Lead Carpenter will provide leadership, motivation, and training to maintenance personnel and will fully participate in all aspects and functions of the trade including maintenance, repair, and construction.

The Lead Painter will plan, organize, coordinate, and participate in the work functions of skilled and general Painters to inspect, monitor, and participate in the repair,



maintenance, and construction of District facilities. The Lead Painter will provide leadership, motivation, and training to maintenance personnel and will fully participate in all aspects and functions of the trade including maintenance, repair, and construction.

The Lead Warehouse Worker M&O will plan, organize, coordinate, and participate in the work functions of skilled and general Painters to inspect, monitor, and participate in the repair, maintenance, and construction of District facilities. The Lead Warehouse Worker M&O will provide leadership, motivation, and training to maintenance personnel and will fully participate in all aspects and functions of the trade including maintenance, repair, and construction.

In the current competitive market, the revision of Lead Trades Worker job description into the six distinct positions will serve as a retention strategy. The six Lead positions will add a “rung” in the career advancement ladder, incentivizing loyalty to the District. Employees in these positions will also be better prepared to fill future management needs within the department. The implementation of the revised Lead Trades Worker job description into Lead HVAC Technician, Lead Electrician, Lead Plumber, Lead Carpenter, Lead Painter, and Lead Warehouse Worker M&O job descriptions represents the final piece in the reorganization of the M&O Department. The financial impact is an ongoing cost for the District of \$34,345.

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

5. CONSIDER AND APPROVE REVISED JOB DESCRIPTION – SENIOR PAYROLL SPECIALIST  366

This is a revised item. Approval of the job description for the position of Senior Payroll Specialist. This position currently exists, however has not had an approved range assigned. An employee held this position in 2005 at Range 41. After doing a local compensation study and in consultation with the California School Employees Association (CSEA) and the Payroll Department, Human Resource Services (HRS) is proposing an assignment of Range 38. The financial impact to upgrade the open Payroll Specialist position to a Senior Payroll Specialist is an ongoing cost for the District of \$12,675.

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

6. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES  370

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  390

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 - DECEMBER 14, 2022 413
This is a monthly item. Approval of the December 14, 2022, Regular Board meeting minutes.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office
- 2. SCHOOL BOARD MINUTES - DECEMBER 21, 2022 430
This is a monthly item. Approval of the December 21, 2022, Special Board meeting minutes.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office
- 3. 2022 - 2023 BOARD MEETING SCHEDULE - REVISED 434
This is a revised item. Approval of the revised Board Meeting Schedule for the 2022-2023 school year. The only change to the meeting schedule is the addition of a Board Workshop/Special meeting on February 1, 2023, as needed.
Contact: Colleen Hayes, Manager II, Board Operations/Superintendent's Office

14. DISCUSSION ACTION ITEMS 436

A. DISCUSSION/INFORMATION ITEMS

- 1. INSTRUCTIONAL MATERIALS RECOMMENDED FOR ADOPTION BY THE INSTRUCTIONAL MATERIALS REVIEW COMMITTEE 437
This is a recurring action item. Teachers have recommended the following instructional materials for adoption. This instructional material recommendation was then evaluated by the Instructional Materials Review Committee (IMRC). The materials were found to be in alignment with other disciplines and grade-level reading standards. The instructional materials were recommended by the IMRC by a majority vote during public meetings on October 25, 2022, and December 6, 2022, and are therefore being recommended to the Board for adoption. The votes were:

Title	Author	Grade(s)	Ayes	Noes	Absent
<i>Refugee</i>	Alan Gratz	7	12	0	2
<i>Contexts for Learning Mathematics, Level 1 Investigating Number Sense Grades K-3</i>	Catherine Twomey Fosnot	K-3	12	0	2
<i>Steering The Craft: A Twenty-First-Century Guide to Sailing the Sea of Story</i>	Ursula Le Guin	11-12	9	1	4
<i>Literature and Composition Essential Voices, Essential Skills 3rd Edition</i>	Renee H. Shea, Robin Dissin Aufses, Lawrence Scanlon, Katherine E. Cordes, Carlos A. Escobar,	11-12	10	0	4



	Carol Jago				
<i>Looking At Movies: An Introduction to Film</i>	Dave Monahan, Richard Barsam	9-12	10	0	4
<i>Hazardous Tales: The Underground Abductor</i>	Nathan Hale	8	10	0	4

The adoption of these materials support the development of the key competencies of the Vision of a CUSD Graduate: Engaged Citizen and Innovative Problem Solver. Purchase of these supplemental titles will be funded by site funds.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve the Instructional Materials Recommended for Adoption by the Instructional Materials Review Committee.

Motion by _____ Seconded by _____

2. MATHEMATICS PLAN

465

This is a subsequent item. This updated Mathematics Plan addresses the recommended revisions to existing college prep and accelerated Math pathways based on feedback from the draft Mathematics Plan discussion with Trustees at the May 18, 2022, Board meeting. The revised plan reflects the planning and collaboration with University of California, Irvine’s Irvine Math Project as well as input and guidance from District Mathematics teachers at all levels. Staff will share recommendations of new Math pathways which provide:

- Middle school students with a strong foundation in Math 6 standards
- Opportunities for compacting standards in grades 7-10 in order to have options for regular college prep pathways
- Accelerated pathways which enable students to access Calculus BC and other higher level Math coursework in high school
- Continued accommodation for the District’s uniquely advanced students with an option to accelerate in sixth grade, including individualized pathways for students who require advanced high school courses such as Geometry during their middle school years
- Increase opportunities for students to join the accelerated pathway at multiple points, known as ‘on ramps,’ in their secondary years without compromising the rigor necessary to achieve at the highest levels

If approved by the Board, staff will finalize new course content to begin a multi-year



implementation starting in the 2023-2024 school year. Next steps will include community forums to share information and gather student and parent feedback to assist with the implementation of the plan. The Mathematics Plan directly supports the District’s Vision of a CUSD Graduate’s competencies of “Innovative Problem Solver” and “Continuous Learner.” The Mathematics Plan also strengthens the District’s Multi-tiered System of Support in the area of academics. Financial implications are approximately \$65,000 for professional development and substitutes, using Title II funds.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve the Mathematics Plan.

Motion by _____ Seconded by _____

3. FIRST READING - BOARD POLICY 5121.1, GRADES/EVALUATION OF STUDENT ACHIEVEMENT

484

This is a new action item. During the 2020-2021 school year as Trustees were developing the Vision of a CUSD Graduate, a discussion regarding District grading policy resulted in a direction to staff to revisit Board Policy 5121.1, *Grades/Evaluation of Student Achievement*, and solicit stakeholder voice including students, teachers, and parents. After feedback sessions with stakeholders and Trustees, community values on grading were defined as follows:

- Grades should reflect student mastery of content and learning
- Grading practices should be consistent for similar content and courses
- Grading practices should be understandable by students and parents/guardians
- Grading practices should provide relevant and actionable feedback for students and parents/guardians
- Grading practices should scaffold in purpose and complexity throughout grade spans
- The inclusion of homework in grading practices and the availability of extra credit assignments should be meaningful and purposeful
- Grading practices should be equitable and objective

Utilizing the community and stakeholder values, staff then conducted a situation appraisal on grading with a kindergarten (K) through grade 12 Grading Task Force to identify and prioritize issues related to grading. Subsequent meetings were conducted by grade span work groups (elementary, middle, and high school) to revise the Board



Policy language from a grade span-specific perspective. Based upon the recommendations from the work groups and Task Force, staff has made revisions to the Board Policy. All changes have been reviewed by legal counsel. Changes are underlined; deletions are struck-through. There is no financial impact.

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

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 5121.1, *Grades/Evaluation of Student Achievement*.

Motion by _____ Seconded by _____

4. GOVERNOR’S JANUARY BUDGET PROPOSAL FOR FISCAL YEAR 2023-2024  492


This is an annual information item. On January 19, 2023, staff will attend the School Services of California Governor’s Budget Workshop. Trustees will be provided with a brief overview of the initial impressions from the Governor’s 2023-2024 budget and what it represents for the District budget.

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

Staff Recommendation

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

5. PRESENTATION AND RECEIPT OF THE DISTRICT AND COMMUNITY FACILITIES DISTRICTS ANNUAL FINANCIAL REPORTS FOR THE FISCAL YEAR ENDING JUNE 30, 2022  495

This is an annual action item. State law requires each school district in California to have an annual audit conducted by a state-certified independent auditor. The audit is conducted according to generally accepted auditing standards, specific guidelines and procedures set by the State Controller’s office. Under state law, annual fiscal audits are neither accepted nor rejected by a board, but merely received by the district. For record keeping purposes, the Board of Trustees has annually adopted a motion indicating recognition of receipt of the District annual audit report. Additionally, the Board requested staff to provide an audit on the Community Facilities Districts (CFDs). This audit will be conducted annually for all CFDs. This agenda item pertains to the presentation of the 2021-2022 fiscal year Annual Financial Reports to the Board of Trustees. The Annual Financial Reports for the fiscal year ending June 30, 2022, were completed by the firm Nigro and Nigro, PC, Certified Public Accountants.



***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***

Staff Recommendation

It is recommended the Board President recognize Clark Hampton, Deputy Superintendent, who will introduce a partner from the audit firm Nigro and Nigro, PC, Certified Public Accountants, to present a summary of the audit reports for the year ending June 30, 2022.

Following discussion, it is recommended the Board of Trustees receive the District and Community Facilities Districts Annual Financial Reports for the fiscal year ending June 30, 2022.

Motion by _____ Seconded by _____

6. CALIFORNIA SCHOOL DASHBOARD FALL 2022 

635

This is an annual information item. The state accountability model is focused on one continuous improvement system that meets local, state and federal needs. The three major components are: (1) Local Control Accountability Plan and Annual Update, (2) California School Dashboard and (3) Support and Assistance System. This item will provide background about the California School Dashboard, information about 2022 California School Dashboard changes, performance levels, District performance on the Fall 2022 release of the California School Dashboard, and next steps regarding training and communication. 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 information on this item and answer any questions Trustees may have. This is an information item only and no Board action is necessary.

15. ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, FEBRUARY 22, 2023
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA 92675
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.