



**November 9, 2022 Regular Board Meeting
11/09/2022 - 07:00 PM**

BOARD OF TRUSTEES BOARD ROOM
33122 Valle Rd., San Juan Capistrano, Ca 92675
Closed Session 4:30 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 via Zoom. Please submit a request to address the Board form by clicking [here](https://simbli.eboardsolutions.com/SU/xA9Oslsh8QuMtbNr9j3YXPXvg==) (<https://simbli.eboardsolutions.com/SU/xA9Oslsh8QuMtbNr9j3YXPXvg==>) . 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 [capousd.org](https://simbli.eboardsolutions.com/SU/TesYrpluspluzDt75ngsslsh0c8plusCQ==) (<https://simbli.eboardsolutions.com/SU/TesYrpluspluzDt75ngsslsh0c8plusCQ==>) .

CLOSED SESSION AT 4:30 P.M.

1. CALL TO ORDER

2. CLOSED SESSION COMMENTS

3. CLOSED SESSION (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Gregory Merwin/Kathy Purcell
Attorney – Justin Shinnfield
Significant Exposure to Litigation – Six Cases
1. ADR Case No. 20220713
2. ADR Case No. 20220928
3. ADR Case No. 20220929
4. ADR Case No. 20221004
5. ADR Case No. 20221010
6. ADR Case No. 20221017
(Pursuant to Government Code § 54956.9(d)(2))

Gregory Merwin
Attorney – Sara Young
Significant Exposure to Litigation – One Case



7. Cases Nos. 3761, 3770, and 3775

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

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Gregory Merwin/Kathy Purcell

Attorney – Justin Shinnfield

Significant Exposure to Litigation – Two Cases

1. OAH Case No. 2022060436

2. OAH Case No. 2022060596

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

Bob Presby

Significant Exposure to Litigation – Three Cases

3. Case No. 2223-01c

4. Case No. 2223-02c

5. Case No. 2223-03c

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

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

District Negotiators: Kirsten Vital Brulte/Clark Hampton

Attorney: Andreas Chialtas, AALRR

Property: South Transportation and Groundskeeping Facility; 5.51 acre property located at 26126 Victoria Blvd, Dana Point, CA 92624

Negotiating Party: Toll Brothers, Inc.

Under Negotiation: Price and Terms of Payment of Possible Third Amendment to Option Agreement

(Pursuant to Education Code § 54956.8)

D. 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)

E. LIABILITY CLAIMS

Clark Hampton

Significant Exposure to Litigation – Two Cases

1. Rejection of Government Claim No. 2209737

2. Rejection of Government Claim No. 2209868

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

F. PUBLIC EMPLOYEE PERFORMANCE EVALUATION



Bob Presby/Gregory Merwin
Principal Supervision and Evaluation
(Pursuant to Government Code § 54957(b)(1))

G. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Bob Presby
Principal, Interim Elementary School
(Pursuant to Government Code § 54957)

H. STUDENT EXPULSIONS

Mike Beekman
Eight Cases
1. Case No. 2023-002
2. Case No. 2023-007
3. Case No. 2023-008
4. Case No. 2023-009
5. Case No. 2023-010
6. Case No. 2023-011
7. Case No. 2023-013
8. Case No. 2023-014

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

5. CALL TO ORDER - ROLL CALL

6. PLEDGE OF ALLEGIANCE

7. ADOPTION OF THE AGENDA

8. REPORT ON CLOSED SESSION ACTION

9. SPECIAL RECOGNITIONS

Extra Milers

San Clemente Education Foundation

Garry Green – President
Jim Sigafoos – Chairman
Jason Talley – Treasurer
Linda Verraster – Secretary
Kathleen Sigafoos – Director

COVID Support Team

Heidi Crowley
Sue Hill



Debbie Burse
Astrid Salen
Michelle Pena
Karla Lopez
Lori McKain
Danielle McGowen

Ambuehl Crossing Guard

Steve Behmehrwold

Cox Communications Recognition - 2021 Teachers of the Year

Karen Kauo, *Castille Elementary School*
Sergio Sanabria, *Marco Forster Middle School*
Marie Finman, *San Juan Hills High School*

Associated Student Body

Aliso Niguel High School
Michael Hatcher, *Principal*
Alison Nero, *Activities Director*
Madsen (Bleu) Packer, *ASB President*

10. BOARD AND SUPERINTENDENT COMMENTS

11. STUDENT BOARD MEMBER COMMENTS

12. ORAL COMMUNICATIONS (Non-Agenda Items)

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

13. CONSENT CALENDAR

24

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

25



This is a monthly item. Approval of donations of funds and equipment. A number of gifts have been donated to the District, including \$176,484.33 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

28

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 \$12,627,545.95 and the commercial warrants total \$19,134,430.15. 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

123

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 ten new agreements totaling \$843,381.38 and three amendments to existing agreements totaling \$949,087. 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/pGjpAte82mJ8jVYqS0d1Ww==>).

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


4. AWARD BID NO. 2223-05, ASPHALT MINOR PROJECTS DISTRICTWIDE – BEN'S ASPHALT, INCORPORATED


206


This is a regular business item. Approval of Award of Bid No. 2223-05, Asphalt Minor Projects Districtwide to Ben's Asphalt, Incorporated. Seventeen vendors viewed the bid; however, only three bids were received prior to the bid deadline and opened on September 22, 2022. The bid award was determined utilizing job scenarios of anticipated District projects using select line items and will be awarded to the lowest responsive, responsible bidder per category as indicated on Exhibit A. The initial contract term is October 1, 2022, through June 30, 2023, with renewal terms, at the option of the Board, for a total contract term not-to-exceed three years. Annual expenditures under this contract are estimated to be \$500,000, funded by the general fund and deferred maintenance; however, actual expenses may vary dependent on District needs and availability of funds.


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



5. CHARTER FACILITIES AGREEMENT FOR 2023-2024 – OCASA COLLEGE PREP CHARTER SCHOOL  216
This is a reoccurring business item. Approval of Charter Facilities Agreement with OCASA College Prep Charter School (OCP) to enter into an in-lieu agreement where OCP will occupy space at 31522 El Camino Real, San Juan Capistrano, California 92675 (formerly the College and Career Advantage campus) in the 2023-2024 school year. Terms of this agreement include the use of the space described and depicted in Exhibit A, for a one-year term from July 1, 2023, to June 30, 2024. The agreement has been reviewed and approved by the District’s legal counsel.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

6. CONTRACT FOR E-RATE COMPLIANCE SERVICES – CSM CONSULTING, INC.  242
This is an annual item. Approval of the Contract for E-Rate Compliance Services with CSM Consulting, Inc., for the purposes of assisting the District with applying for E-Rate funds for Category 1 and Category 2 services. The consultant group will assist the District to ensure all timelines are met, forms are completed, and the greatest amount of discount is achieved through the Universal Service Administrative Company (USAC) program. The contract term is from July 1, 2022, through June 30, 2023. Annual expenditures under this contract are limited to \$41,000 funded by the general fund.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

7. SCHOOL MEALS AGREEMENT 2022-2023 – OCEAN VIEW NON-PUBLIC SCHOOL  249
This is a new business item. Approval of the School Meals Agreement with Ocean View Non-Public School for the District’s Food and Nutrition Services (FNS) department vending student breakfast and lunch meals daily per the California Universal Meals Program during the 2022-2023 school year. In August 2022, Ocean View contacted the District regarding FNS providing school meals for students at the non-public school. In accordance with the California Universal Meals Program, public schools, charter schools, and county offices of education are required to provide two free meals (breakfast and lunch) during each school day to students requesting a meal. Meals are provided regardless of students’ free and reduced-price meal eligibility, and regardless of whether or not the school is participating in the National School Lunch Program or School Breakfast Program. Ocean View will pick up the meals from the central kitchen daily. There is no financial impact to the District. Proceeds from the agreement will be deposited into the cafeteria fund.
Contact: Clark Hampton, Deputy Superintendent, Business and Support Services

8. MEMORANDUM OF UNDERSTANDING FOR FOOD HUB PARTNERSHIP WITH RIVERSIDE UNIFIED SCHOOL DISTRICT  257
This is a new item. Approval of the ratification of the Memorandum of Understanding (MOU) for Food Hub Participation with Riverside Unified School District (RUSD). In June 2022, Food and Nutrition Services (FNS) staff contacted Riverside Unified School District (RUSD) about forming a partnership to supplement locally-grown produce for the school meals program from the RUSD Food Hub. This agreement will help enhance the District’s ability to source locally-grown produce. The term of the MOU will begin



on or about July 1, 2022, and will automatically terminate on July 1, 2025. The partnership aligns with the FNS farm-to-school initiative department goal. Anticipated expenditures are approximately \$25,000 funded by the cafeteria fund. Actual expenditures may vary depending on District needs.

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

9. RESOLUTION NO. 2223-27, APPROVING THE ANNUAL AND FIVE-YEAR REPORTABLE FEES REPORT FOR FISCAL YEAR 2021-2022, IN COMPLIANCE WITH GOVERNMENT CODE § 66006 AND § 66001

263

This is an annual item. Approval of the adoption of Resolution No. 2223-27, Approving the Annual and Five-Year Reportable Fees Report for Fiscal Year 2021-2022, in compliance with Government Code § 66006 and § 66001. The Board of Trustees adopted guidelines in Senate Bill 1693 legislation requiring school districts to justify and report the need and reasonableness of any collection and spending of developer fees for new school facilities. As long as the District continues to use developer fees as a funding mechanism for new school facilities projects, the findings on the type and amount of fees are to be published in an Annual and Five-Year Report.

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

10. RESOLUTION NO. 2223-28, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT APPROVING AND AUTHORIZING EXECUTION OF A JOINT COMMUNITY FACILITIES AGREEMENT, AND DELEGATING AUTHORITY RELATED THERETO

279

This is a subsequent item. Approval of the adoption of Resolution No. 2223-28 allows the District to receive funds from the County of Orange (County) Mello-Roos Community Facilities District (CFD) for the planning, acquisition, and construction of Rienda K-8 school. The Resolution approves and authorizes the execution of a Joint Community Facilities Agreement (JCFA) with the County and RMV PA 3 Development, LLC (RMV PA), a Delaware limited liability company relating to CFD No. 2022-1 of the County. RMV PA is a master developer of land located in the unincorporated area of the County being developed into the master-planned community known as "Rienda" (project). RMV PA intends to construct approximately 514 residential units as part of the project.

RMV PA requested the County form a CFD pursuant to the Mello-Roos Community Facilities Act of 1982 and Government Code § 53316.2 which authorizes a CFD to finance facilities pursuant to a JCFA. Accordingly, RMV PA, the County, and the District have negotiated the terms of the JCFA for consideration by the Board. The JCFA relates to the financing of the acquisition or construction of school facilities through CFD bond proceeds. The agreement is effective upon full execution.

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

11. RESOLUTION NO. 2223-32, APPROVING GRANT APPLICATIONS AND AGREEMENTS FOR CALIFORNIA SCHOOLS HEALTHY AIR, PLUMBING, AND EFFICIENCY PROGRAM PROJECTS AT 11 VARIOUS SCHOOL SITES

300

This is a subsequent item. Approval of the adoption of Resolution No. 2223-32 allows



the District to apply and potentially receive grant funds for repair and maintenance of ventilation systems, installation of carbon dioxide monitors, and replacement of noncompliant plumbing fixtures and appliances at 11 school sites. The Resolution approves Grant Applications and Agreements for California Schools Healthy Air, Plumbing, and Efficiency Program (CalSHAPE) projects at the following 11 school sites: Canyon Vista Elementary, Arroyo Vista Middle, Castille Elementary, Moulton Elementary, Newhart Middle, Philip J. Reilly Elementary, Arroyo Vista Elementary, Oak Grove Elementary, Don Juan Avila Elementary, Dona Juan Avila Middle, and Tijeras Creek Elementary schools. The Grant Agreements total \$1,293,180.

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

12. RESOLUTION NO. 2223-33, APPROVING GRANT APPLICATIONS AND AGREEMENTS FOR CALIFORNIA SCHOOLS HEALTHY AIR, PLUMBING, AND EFFICIENCY PROGRAM PROJECTS AT 39 VARIOUS SCHOOL SITES

333

This is a subsequent item. Approval of the adoption of Resolution No. 2223-33 allows the District to apply and potentially receive grant funds for repair and maintenance of ventilation systems, installation of carbon dioxide monitors, and replacement of noncompliant plumbing fixtures and appliances at 39 school sites. The Resolution approves Grant Applications and Agreements for California Schools Healthy Air, Plumbing, and Efficiency Program (CalSHAPE) projects at the following 39 school sites: Vista del Mar Elementary, Vista del Mar Middle, Ladera Ranch Elementary, Ladera Ranch Middle, Oso Grande Elementary, San Juan Hills High, Carl Hankey Middle, Esencia Elementary, Esencia Middle, Aliso Niguel High, Tesoro High, Bridges Community Day, San Clemente High, Dana Hills High, Concordia Elementary, Las Palmas Elementary, Richard Henry Dana Elementary, Viejo Elementary, Niguel Hills Middle, Harold Ambuehl Elementary, Shorecliffs Middle, Carl Hankey Elementary, Marion Bergeson Elementary, Truman Benedict Elementary, George White Elementary, Aliso Viejo Middle, Bathgate Elementary, Hidden Hills Elementary, Clarence Lobo Elementary, John Malcolm Elementary, Wood Canyon Elementary, Las Flores Elementary, Wagon Wheel Elementary, Bernice Ayer Middle, Las Flores Middle, Richard Henry Dana Exceptional Needs, Chaparral Elementary, Marblehead Elementary, and Laguna Niguel Elementary schools. The Grant Agreements total \$4,878,120.

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

13. SECOND READING – BOARD POLICY 1220, CITIZEN ADVISORY COMMITTEE

375

This is a subsequent item. Approval of the Second Reading of Board Policy 1220, *Citizen Advisory Committee*. The proposed revisions bring language in alignment with the law, and include federal and state requirement updates. Changes are underlined; deletions are struck through.

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

B. CURRICULUM AND INSTRUCTION

1. AGREEMENT WITH ASSISTANCE LEAGUE OF CAPISTRANO VALLEY


380


This is a new item. Approval of the agreement with Assistance League of Capistrano Valley, November 10, 2022, through November 9, 2025, to provide the following




philanthropic programs: Operation School Bell, Hands on Literacy, Links to Learning, and Scholarships for Military Families. These programs provide students with new school clothing, shoes, hygiene and other supplies, reading assistance, classroom supplies, and scholarships for graduating seniors from military families. Participating schools include all schools except those in Rancho Santa Margarita since the Assistance League of Mission Viejo serves Rancho Santa Margarita schools. There is no financial impact.

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

2. AGREEMENT WITH INSTITUTE FOR MULTI-SENSORY EDUCATION  387
This is an annual item. Approval of the agreement with Institute of Multi-Sensory Education to provide a consultant that will offer in-person, comprehensive training and materials, for grades 1-3 General Education teachers and new Education Specialists on Orton-Gillingham reading program. Up to 50 teachers will participate in a 5-day comprehensive Orton-Gillingham training March 27- March 31, 2023. Orton-Gillingham training will provide the critical literacy strategies and skills to provide support and intervention in the fundamentals of literacy. This training will support implementation of academic intensive Tier III interventions for students who need additional support, including students with dyslexia and students with dyslexic tendencies. The Orton Gillingham reading program and training will support the District's Multi-tiered System of Support in the area of academics, for Tiers 1-3. The cost is approximately \$68,000 funded by Title II.
Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

3. MEMORANDUM OF UNDERSTANDING WITH LAURA'S HOUSE 2022-2025  399
This is an annual item. Approval of the Memorandum of Understanding (MOU) with Laura's House July 1, 2022, through June 30, 2025. The MOU will outline the collaborative work between Las Palmas Elementary School, Marblehead Elementary School, Palisades Elementary School, Bernice Ayer Middle School, and San Clemente High School, and Laura's House. This MOU provides support for student enrollment, legal documents, and contacts to support confidentiality, safety, and communication, providing assistance to victims of domestic violence. There is no financial impact.
Contact: *Gregory Merwin, Associate Superintendent, Education and Support Services*

4. MEMORANDUM OF UNDERSTANDING WITH PARTNERS4WELLNESS  405
This is an annual item. Approval of the Memorandum of Understanding (MOU) with Partners4Wellness, formerly known as National Council on Alcoholism and Drug Dependence - Orange County, November 1, 2022, through June 1, 2023. Partners4Wellness is intended to educate students from 5th grade through 12th grade on the dangers of tobacco/nicotine use. Students in violation of the District tobacco/vaping policy would be required to watch a 1-hour pre-recorded or live webinar on vaping prevention and the dangers of tobacco/nicotine. The goal is to provide interactive education, prevention, and awareness activities for students regarding vaping and e-cigarettes. Each of the 28 schools that have had the highest participation rates in the past, which are listed in the Board Report, will have access to a pre-recorded webinar, a live webinar and in-person parent presentations. The District



will pay Partners4Wellness for services rendered, not-to-exceed \$21,100 through funds received from the California Department of Justice Tobacco Grant.

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

5. MEMORANDUM OF UNDERSTANDING WITH WESTED FOR THE CALIFORNIA HEALTHY KIDS SURVEY 2022-2023

411

This is an annual item. Approval of Memorandum of Understanding with WestEd for the California Healthy Kids Survey (CHKS) 2022-2023. This is an annual agreement which outlines conditions to be met by the District as they relate to access to, and the administration of, the CHKS and the California School Parent Survey. Data from the surveys help schools foster a positive school climate including: student learning engagement; prevent risky behaviors; other impediments to academic achievement; and to promote positive health habits and behaviors. The District uses CHKS results to inform interventions and supports for students' social emotional and behavioral needs in the District's Multi-tiered System of Support. The results are also used to measure progress in the Board approved Cultural Proficiency Plan.

Parents will receive a letter about the CHKS administration, and parents of middle and high school students will be able to return a form to have their child opt out. Parents of elementary students will be required to return a permission form to have their child participate. Collecting permission forms for elementary students is an Education Code requirement. Student personally identifiable information is not collected or released. Parents will be notified multiple times through multiple means, and will have access to the survey questions and content for their full review online, and in hard copy.

The surveys have multiple modules. The administration of CHKS is planned for mid-January to early February 2023, when students in grades 5, 7, 9, and 11 will complete the core module of the survey. A District letter will be sent in January 2023 to notify parents/guardians. This letter informs parents regarding the survey questions. All survey questions, timelines, and procedures have been posted online on the District website for public access. The grade level surveys, created by WestEd, will include all of the questions, per grade level, as included on the District's CHKS website. WestEd does not allow districts to remove or add questions to the surveys. Therefore, the survey will not be altered from the original survey, and no questions will be removed or added.

The District will receive approximately \$10,631 from the Orange County Department of Education and the Orange County Health Care Authority to help offset the anticipated cost of \$18,832 associated with survey administration, and reports. The net cost to the District is anticipated to be \$8,201 funded by the general fund.

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

6. MOBILE HEALTH CARE SERVICES AMENDMENT WITH CHILDREN'S HOSPITAL OF ORANGE COUNTY, dba CHOC

422

This is a subsequent item. Approval of the Amendment to the Mobile Health Care Services Agreement with Children's Hospital of Orange County, dba Children's



Hospital of Orange County (CHOC), a non-profit public benefit corporation. This item corresponds with and supports the Memorandum of Understanding with CHOC approved by Trustees on March 16, 2022. Past services have focused on the CHOC Breathmobile providing services for students with asthma. Future services, per the service amendment, may include treatment of asthma, minor medical conditions, acute and well-child physical examinations, adolescent services, immunizations, and appropriate medical referrals for follow-up care and writing prescriptions, which may or may not include dispensing medications. District school sites opting to extend the mobile health care services to students will provide an accessible safe condition and a 220V electrical outlet for the mobile unit. **All participants will require parent permission to participate in the services offered, including, but not limited to, any immunizations.** There is no financial impact.

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

7. PROFESSIONAL SERVICES AGREEMENT WITH EVERDRIVEN 

458

This is a new item. Approval of the Professional Services Agreement with EverDriven, November 10, 2022, through December 31, 2023, to provide volunteers for community events such as the Thanksgiving food basket distribution. Each year the District partners with organizations such as Families Forward to distribute Thanksgiving food baskets to District families. EverDriven (formerly ALC Schools) has expressed an interest in also providing volunteers for this and other similar events. EverDriven will provide volunteers to help with the Thanksgiving food basket distribution event scheduled for November 17, 2022, from 3:00 p.m. - 5:00 p.m. at the District office. District staff and EverDriven volunteers will distribute Thanksgiving food baskets to over 100 District families. EverDriven staff will help set up the food baskets, distribute them to families, and deliver any leftover baskets to the neighboring mobile home community. There is no financial impact.

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

8. SUBSCRIPTION AGREEMENT AND SERVICE ORDER WITH THOUGHTEXCHANGE 

469

This is a new item. Approval of the Subscription Agreement and Service Order with ThoughtExchange, December 1, 2022, through November 30, 2023. ThoughtExchange is a platform to gather unbiased insight to support decision-making. The purpose of the use of the software is to get real-time feedback for the Local Control and Accountability Plan (LCAP) educational partner engagement. Open-ended questions based on goals can be asked to educational partners including staff, parents and students, and participants confidentially share their answers and rate each others' answers in a variety of languages. The technology platform provides an unbiased view of the discussion, and the qualitative data analysis collates the information into key ideas and themes to understand the educational partner feedback. This platform will be used for a variety of purposes including LCAP educational partner engagement, parent advisory, and principal meetings. The cost of \$37,800 will be funded by Local Control Funding Formula Supplemental funds.

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



9. PROGRAM SERVICE AGREEMENT - YMCA 481
- This is an annual item. Approval of the Program Service Agreement for participation with the YMCA of Orange County, to provide a noontime sports program for students at San Juan Elementary School, November 10, 2022, through May 31, 2023. This program will provide students with organized sports during lunch/recess time, five times per week. Other District schools have successfully partnered with the YMCA to provide noontime sports to students. San Juan Elementary School would like to participate in this program. The estimated expenditure under this contract is \$12,900 funded by site Title I.
- Contact: Gregory Merwin, Associate Superintendent, Education and Support Services*

C. HUMAN RESOURCE SERVICES

1. CLINICAL EDUCATION AFFILIATION AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, SAN MARCOS 488
- This is an annual item. Approval of Clinical Education Affiliation Agreement with California State University, San Marcos. This agreement will be effective upon the date of the last signature and expiring after five years. During the school year, credential candidates will work with District nurses and/or speech language pathologists to fulfill practicum/fieldwork requirements to earn their credential and/or certification. There is no financial impact.
- Contact: Bob Presby, Associate Superintendent, Human Resource Services*
2. STUDENT TEACHING AGREEMENT WITH CONCORDIA UNIVERSITY, IRVINE 497
- This is an annual item. Approval of Student Teaching Agreement with Concordia University, Irvine. This agreement will be effective January 1, 2023, and expiring December 31, 2027. 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*
3. FIRST QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT 507
- This is a quarterly item. Acceptance of Williams Settlement Legislation Uniform Complaint First Quarter Report. As a result of the Williams Settlement, Education Code § 35186 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety. Furthermore, Education Code § 35186 requires any deficiencies or complaints to be reported to the Board of Trustees at a regularly scheduled public meeting each quarter. During the first quarter, the District received four minor facilities complaints. All four of the complaints have been resolved.
- Contact: Bob Presby, Associate Superintendent, Human Resource Services*
4. MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION FOR CLASSIFICATION PLAN 511
- This is a new item. The District and California School Employees Association (CSEA)



have signed a Memorandum of Understanding (MOU) to develop a Classification Plan. The Classification Plan has now been created and will be initiated after Board approval. The Classification Plan allows for employee and administration input on all job descriptions and ensures all classified job descriptions are reviewed on a regular basis. Moving forward, all District classified job descriptions will be in alignment with current industry standards and reflect the work being performed by our classified employees.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

5. MEMORANDUM OF UNDERSTANDING WITH CENTRAL STATE UNIVERSITY COLLEGE OF EDUCATION 530

This is an annual item. Approval of Memorandum of Understanding with Central State University College of Education. Agreement with Central State University, effective January 1, 2023, and expiring June 30, 2024. During the school year, District classified employees enrolled in the CSEA no cost college program with Central State University will work with District teachers to fulfill practicum/fieldwork requirements to earn their bachelor's degree and teaching credential.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

6. MEMORANDUM OF AGREEMENT WITH PACIFIC OAKS COLLEGE FOR STUDENT TEACHING 534

This is an annual item. Approval of the Memorandum of Agreement with Pacific Oaks College for Student Teaching, effective on the date of the last signature and continuing for a three year term. During the school year, credential candidates will work with District teachers to fulfill practicum/fieldwork requirements to earn their credential.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

7. GOVERNMENT PRICE QUOTATION AND ORDER FORM – QUALTRICS AT CARAHSOFT 543

This is a new item. Approval of the Government Price Quotation and Order Form with Qualtrics at Carahsoft to increase the Districts data collecting abilities in the area of on-boarding, initial job satisfaction, and off boarding for all employee groups. The initial contract is for 3 years and will provide Human Resource Services (HRS) with automated employee surveys and options for follow-up interviews. This data will be used to modify areas in the hiring process, give site and department leaders a better understanding of the experiences of newly hired employees, and provide crucial data when employees transfer, promote, or leave the District. The term of this agreement is effective November 21, 2022, through November 20, 2025. For the HRS goal support, the cost includes the initial implementation fee of \$16,103.09; Year 1 \$56,619.83; Year 2 \$54,680; Year 3 \$68,350. The three-year expenditures under this agreement are not-to-exceed \$179,649.83 funded by the general fund.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

8. CONSIDER AND APPROVE MAINTENANCE AND OPERATIONS CLERICAL REORGANIZATION TO INCLUDE THE ELIMINATION OF TWO INTERMEDIATE OFFICE ASSISTANT POSITIONS 565

This is a subsequent item. Approval of the Maintenance and Operations Clerical Reorganization to



include the elimination of two Intermediate Office Assistant positions. The Executive Director completed an assessment of the Maintenance and Operations Department's current positions/roles by measuring them against the current operational needs of the department. The goal was to identify inefficiencies or any other necessary modifications to the clerical organizational structure, to achieve the highest return of departmental productivity and come up with a solution to provide crossover support for both departments. The recommendations would require the recruitment of three positions; Bilingual Staff Secretary, Bilingual Senior Staff Secretary, and Use of Facilities and Operations Specialist, and the elimination of two Intermediate Office Assistants.

Current Structure	Proposed Reorganization
(1) Intermediate Office Assistant	(1) Bilingual Staff Secretary
(1) Intermediate Office Assistant	(1) Bilingual Senior Staff Secretary
(1) Staff Secretary	(1) Account Clerk III
(1) Account Clerk III	(1) Use of Facilities Operations Specialist
(1) Senior Staff Secretary	

The Bilingual Staff Secretary and the Bilingual Senior Staff Secretary job descriptions were previously approved and are in the recruitment process.

CSEA has been included in ongoing conversations related to the reorganization. Both CSEA and Management have provided current employees with information about opportunities, including applying for new positions within the department or transferring to vacant positions of the same classification per CSEA contract language. No current employee will receive a reduction in hours or salary. The reorganization results in *ongoing savings* for the District of \$20,995.

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

9. CONSIDER AND APPROVE JOB DESCRIPTION – USE OF FACILITIES AND OPERATIONS SPECIALIST


568


This is a new item. Approval of the job description for the position of Use of Facilities and Operations Specialist. This position is being proposed as part of the Maintenance and Operations Clerical Reorganization. It is a highly specialized position serving as the sole contact and support to the District's vast Use of Facilities program. The employee will provide leadership, and efficiently plans and organizes the functions and operations of community use programs, as they relate to the Civic Center Act. The employee will support the safe and effective use of District facilities (e.g. reviewing contracts, assigning costs for rentals, confirming scheduled use, tracking costs to the District such as custodial overtime, and verifying liability insurance, etc.) The employee will review, approve and/or deny, and process use of District facilities requests by outside agencies and/or various school functions for the purpose of ensuring compliance with related policies and procedures, and ensuring fair and equitable community use of facilities. In the course of duties, the employee will oversee and coordinate billing of facility use fees to make sure organizational objectives are achieved, District facilities use fees are paid in a timely manner, and that related





appropriate accounting practices are followed. The person in this position will prepare board items as they relate to joint-use agreements, the Civic Center Act, and other lease and maintenance agreements that provide for a more efficient and/or effective use of District facilities and grounds by outside organizations. The employee in this position would also provide cross-coverage to support the absence of any clerical position within the department. The total fiscal impact of this position is \$112,405. However, the clerical reorganization in the Maintenance & Operations department results in ongoing savings for the District of \$20,995. See item 13.C.8 for reorganization.

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

- 10. CONSIDER AND APPROVE JOB DESCRIPTION – COORDINATOR II, UNIVERSAL PRE-K  573
This is a new item. Approval of the job description for the position of Coordinator II, Universal Pre-K. Staff is currently in the process of adding 30 TK classrooms for the 2022-2023 school year. The increased workload for TK planning has become time intensive for Early Childhood teams as a result of the District approved plan for Universal Pre-Kindergarten (UPK). Additional support is needed in order to give the attention necessary to this plan while staff continue with their regular responsibilities and meet other programmatic deadlines and requirements. Staff recommends the creation of a Coordinator II, Universal Pre-K for a three-year period to mirror the Universal Pre-K plan rollout. The Coordinator II, Universal Pre-K position will be placed at Range 54 on the Certificated Management Compensation Schedule and funded for a portion of 2022-2023, all of 2023-2024, and 2024-2025 using one-time general funds for an annual cost of \$150,000, not-to-exceed a total cost of \$450,000.
Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

- 11. CONSIDER AND APPROVE REVISED JOB DESCRIPTION - MANAGER I, CUSTODIAL SERVICES  578
This is a new item. Approval of the revised job description for Manager I, Custodial Services. The revised job description is aligned with the recent reorganization of the Maintenance and Operations (M&O) management team and accurately reflects the correct reporting relationship to match the M&O management structure.
Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

- 12. CONSIDER AND APPROVE REVISED JOB DESCRIPTION - MANAGER I, GROUNDS OPERATIONS  582
This is a new item. Approval of the revised job description for Manager I, Grounds Operations. The revised job description is aligned with the recent reorganization of the Maintenance and Operations (M&O) management team and accurately reflects the correct reporting relationship to match the M&O management structure..
Contact: *Bob Presby, Associate Superintendent, Human Resource Services*

- 13. CONSIDER AND APPROVE REVISED JOB DESCRIPTION - MANAGER I, MAINTENANCE AND OPERATIONS  586
This is a new item. Approval of the revised job description for Manager I, Maintenance and Operations. The revised job description is aligned with the recent reorganization



of the Maintenance and Operations (M&O) management team and accurately reflects the correct reporting relationship to match the M&O management structure.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

- 14. CONSIDER AND APPROVE REVISED JOB DESCRIPTION - MANAGER II, MAINTENANCE AND OPERATIONS  590

This is a new item. Approval of the revised job description for Manager II, Maintenance and Operations. The revised job description is aligned with the recent reorganization of the Maintenance and Operations (M&O) management team and accurately reflects the correct reporting relationship to match the M&O management structure.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

- 15. CONSIDER AND APPROVE RECLASSIFICATION - COORDINATOR I, MENTAL HEALTH SERVICES TO COORDINATOR II, MENTAL HEALTH SERVICES  594

This is a new item. Approval of the reclassification of the Coordinator I, Mental Health Services to a Coordinator II, Mental Health Services position to accommodate the needed additional 18 days to fulfill the requirements of the position. Since 2017, when the job description for Coordinator I, Mental Health Services was written, mental health needs have increased, and laws and policies have been enacted that have added to the required duties of the position. The financial implications of the reclassification will be \$10,550 and will be funded through Medi-Cal funding and through the cost savings from the restructuring of the Special Education ADR/Compliance Legal Specialist position. There is no cost to the general fund.

Contact: Bob Presby, Associate Superintendent, Human Resource Services

- 16. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES  599

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

- 17. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES  625

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 - OCTOBER 19, 2022  646

This is a monthly item. Approval of the October 19, 2022, Regular Board meeting minutes.

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

- 2. RESOLUTION 2223-29, CONTINUING AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO ASSEMBLY BILL 361  660



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 November 9, 2022, is Resolution No. 2223-29, 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

665

A. DISCUSSION/INFORMATION ITEMS

1. ACTION ON THE PETITION FOR CALIFORNIA REPUBLIC LEADERSHIP ACADEMY CHARTER SCHOOL

666

This is a new action item. On August 31, 2022, California Republic Leadership Academy (CRLA) submitted a petition to establish a new charter school for a five-year term beginning July 1, 2023, with a projected enrollment of 374 students in transitional kindergarten through fifth grade. CRLA plans to expand to include grades six through eight, increasing total enrollment to 554 students, by the 2026-2027 school year. In accordance with Education Code § 47605, the Board held a public



hearing on October 19, 2022, to consider the level of support for the petition by District teachers, other employees, parents, and community members. District education, finance and operations staff, as well as legal counsel, conducted a comprehensive analysis of CRLA’s petition and identified numerous material issues and deficiencies per 4 of the 8 criteria as defined in Education Code § 47605 (c), which form the basis of the staff recommendation to deny the charter petition, published October 25, 2022, and the factual findings in Resolution No. 2223-30A.

The Board has 3 options for action regarding the charter school petition.

- Option 1: Follow staff recommendation and deny the charter petition, adopting Resolution No. 2223-30A.
- Option 2: Approve the charter petition as written.
- Option 3: Approve the charter petition with conditions, adopting Resolution No. 2223-30B. The action in Option 3 would result in approval of the charter petition and require the execution of a Memorandum of Understanding to address the issues outlined in the staff report and establish appropriate timelines for the petitioners to meet the conditions as specified.

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

Following discussion, it is recommended that the Board of Trustees adopt Resolution No. 2223-30A, denying the charter.

Motion by _____ Seconded by _____

2. CALIFORNIA DEPARTMENT OF EDUCATION BEST PRACTICES REGARDING THE DISTRICT ADVISORY COMMITTEE FOR SCHOOL CAPACITY ANALYSIS 

741

This is a subsequent information item. Staff will present an overview of the California Department of Education best practices for analyzing school capacity. With the District’s declining enrollment, staff is developing a process and criteria for the evaluation of school capacity and needs throughout the District. Staff will clarify the formation of the District Advisory Committee, including the number of members, the expectation of the members, the number of meetings and the process timeline. At a future Board meeting, staff will be making a recommendation to the Board, specifically for school site transitions and implementation strategies.

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

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

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



Staff Recommendation

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

3. SPRING 2022 CALIFORNIA ASSESSMENT OF STUDENT PERFORMANCE AND PROGRESS RESULTS

765

This is a recurring information item. During Spring 2022, over 21,000 District students in grades 3 through 8 and 11 participated in the Smarter Balanced Assessment (SBA) computerized test as part of the California Assessment of Student Performance and Progress (CAASPP). The assessments measure students' mastery of the State Standards in mathematics and English-language arts/Literacy as well as readiness for college-level work. Additionally, 780 students in grades K-12 who are designated as English Learners participated in the English Language Proficiency Assessments for California (ELPAC) Initial assessment while 3,792 students in grades K-12 were administered the Summative ELPAC assessment. This item presents a summary of the Spring 2022 test results with comparisons at both the county and state levels.

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.

4. FIRST READING - BOARD POLICY 1312.3, UNIFORM COMPLAINT PROCEDURE

784

This is a new action item. Board Policy 1312.3, *Uniform Complaint Procedures*, needed to be updated as a result of the Federal Program Monitoring audit. According to the California Department of Education Monitoring Tool (CMT), there is missing required language in the existing Board Policy 1312.3. The following statements must be included:

- In paragraph two after the statement, "The District does not operate programs in all these areas; however, these areas include" add *"and may not necessarily be limited to"*
- In Item 1, add to Section 52334.7 before Sections 52500
- In Item 7, add *"and accommodations for pregnant and parenting pupils (per Section 46015)"* after Lactation accommodations pursuant to Section 222
- In Item 8, after "other youth" add *"(e.g. students who are homeless, from military families, or were previously in Juvenile Court)"*
- In Item 10, after Section 51228.3, add *"or course periods without*



educational content pursuant to Section 51228.1”

- Add the following as a new Item 16: “Other programs as outlined specifically in Education Code as falling under the Uniform Complaint Procedures, as then current in law. These may include such areas as the following; however, in the event there is a disagreement between this policy and the law, the procedures outlined in Education Code will govern:
 - a. After School Education and Safety (Sections 8482 through 8484.64)
 - b. Agricultural Career Technical Education (Sections 52460 through 52462)
 - c. Compensatory Education (sections 54400)
 - d. Every Student Succeeds Act (Section 52059)
 - e. Regional Occupational Centers and Programs (Section 52300-52334.7)
 - f. School Plans for Student Achievement (Section 64001)
 - g. School Site Councils (Section 65000): and
 - h. State Preschools (Section 8235-8238.1)
- Add the following: “In addition to filing a UCP, complainants may have rights to pursue civil law remedies under state or federal discrimination, harassment, intimidation or bullying laws.

Staff is therefore requesting to approve the changes to Board Policy 1312.3, *Uniform Complaint Procedures*. Staff is also updating corresponding Administrative Regulations. These revisions will align Board Policy 1312.3, *Uniform Complaint Procedures*, to California Education Code and Code of Federal Regulations. The revisions have been reviewed by legal counsel. This policy was last revised May 18, 2022. Changes are underlined; deletions are struck through. There is no financial impact.

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

Contact: 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 Board Policy 1312.3, *Uniform Complaint Procedure*.

Moved by _____ Seconded by _____

5. FIRST READING - BOARD POLICY 9100, ORGANIZATION

793

This is a new action item. The proposed revisions to Board Policy 9100, *Organization*, bring the language into alignment with the law. Pursuant to Education Code § 35143, the Board shall hold an annual organizational meeting within 15 days following the second Friday in December, but no later than December 20.



The proposed revisions further update the Trustee Committee assignments. Revisions reflect updates to the selection of the number of Board members to serve on various committees and councils both inside and outside of the District, and will remove the selection of members of the Board to sit on the Instructional Materials Review Committee (IMRC). This policy was last revised on November 14, 2018. Changes are underlined; deletions are struck through.

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

Contact: Kirsten Vital Brulte, Superintendent

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Board Policy 9100, *Organization*.

Motion by _____ Seconded by _____

15. ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, DECEMBER 14, 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(<https://simbli.eboardsolutions.com/SU/gVJJvijbX8ELS5F73uB1A==>)

**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.