

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

August 23, 2017

Closed Session 4:30 p.m.  
Open Session 7:00 p.m.

**AGENDA**

**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** **EXHIBIT A-1**  
Greg Merwin/Sara Young **EXHIBIT A-2**  
Attorney - Ernest Bell **EXHIBIT A-3**  
Significant Exposure to Litigation – Five Cases **EXHIBIT A-4**  
IDR Case Number 20170526 **EXHIBIT A-5**  
IDR Case Number 20170527  
IDR Case Number 20170601  
IDR Case Number 20170602  
IDR Case Number 20170613  
(Pursuant to Government Code § 54956.9(d)(2))
- Kirsten M. Vital and Clark Hampton  
Attorney: David Huff  
Attorney: Jeff Hoskinson  
Significant Exposure to Litigation - Two Cases  
(Pursuant to Government Code § 54956.9(d)(2) (3))
- B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** **EXHIBIT B-1**  
Greg Merwin/Sara Young **EXHIBIT B-2**  
Attorney - Ernest Bell  
Significant Exposure to Litigation – Two Cases  
OAH Case Number 2017040274  
OAH Case Number 2017060240  
(Pursuant to Government Code § 54956.9(d)(1))
- C. LIABILITY CLAIMS** **EXHIBIT C-1**  
Clark Hampton  
Significant Exposure to Litigation - Two Cases  
Rejection of Government Claim: No. ABI 1703799  
(Pursuant to Subdivision (d) of Government Code § 54956.9, Paragraph (2) or(3))
- D. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE** **EXHIBIT D-1**  
Gordon Amerson  
One Case  
(Pursuant to Government Code § 54957)
- E. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
District Negotiators: Kirsten M. Vital and Clark Hampton

Attorney: Stan Barankiewicz  
Property: PA2 School Site APN: 755-301-37  
Negotiating Party: RMV PA2 Development, LLC, a Delaware limited liability company  
Under Negotiation: Price  
(Pursuant to Education Code § 54956.8)

District Negotiators: Kirsten M. Vital and Clark Hampton  
Attorney: Andreas Chialtas  
Financial Advisor: Keith Weaver  
Real Estate Consultant: George Peterson

Property: Pacifica San Juan property. 7.292 acre property located at the north east corner of Camino Las Ramblas and Avenida California  
Negotiating Party: One or more potential buyers for the Property who may purchase the Property through a request for proposals process

Property: South Transportation and Groundskeeping Facility. 5.51 acre property located at 26126 Victoria Blvd., Dana Point, CA 92624  
Negotiating Party: One or more potential buyers or lessees for the Property who may purchase or lease the Property through a surplus property bid auction process

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

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

**F. CONFERENCE WITH LABOR NEGOTIATORS**

District Negotiators: Kirsten M. Vital/Gordon Amerson/Clark Hampton  
Attorney - Jonathan Pearl  
Employee Organizations:  
1) Capistrano Unified Education Association (CUEA)  
2) California School Employees Association (CSEA)  
3) Teamsters  
(Pursuant to Government Code § 54957.6)

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

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

**RECORDING OF SCHOOL BOARD MEETINGS**

**In accordance with Board Policy 9324, Board Minutes, all Regular School Board Meetings will be audio recorded.**

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

**CALL TO ORDER – ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF THE AGENDA**

**REPORT ON CLOSED SESSION ACTION**

**SPECIAL RECOGNITIONS**

**Capo Spotlight the Classified Employees of the Year**

**Office and Technical:** *Michael Mortensen* - Technology Support Specialist IV, District Office

**Transportation:** *Rafael Murillo* - School Bus Driver, Aliso Viejo

**Support Services and Security:** *Rhonda Walsh* - High School Campus Supervisor, Aliso Niguel High School

**Child Nutrition:** *Colleen Morreale* - Food Service Elementary Cashier, Castille Elementary School

**Maintenance and Operations:** *Efren Florentino* - Custodian III, Serra High School

**Para-Educator and Instructional Assistance:** *Dorcas Scinico* - Preschool Teacher, George White Elementary School

**Extra Miler**

Tracy Miller, Lisa Grossman and Susan Eckermann for their participation in the *Gang Reduction and Intervention Partnership (GRIP)*.

**BOARD AND SUPERINTENDENT COMMENTS**

**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.

**CONSENT CALENDAR**

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

**BUSINESS AND SUPPORT SERVICES**

- 1. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS:** Page 1  
**EXHIBIT 1**

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 \$83,962,224.42 and the commercial warrants total \$24,619,527.51. 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*
- 2. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE AND MASTER CONTRACT AGREEMENTS:** Page 64  
**EXHIBIT 2**

Approval of the District standardized Independent Contractor, Professional Services, Master Contract and Field Service agreements. The expenditures related to the listed agreements were previously authorized as part of the District's budget approval process. The exhibit shows twenty-one new agreements totaling \$1,092,408.41 and four amendments to existing agreements totaling \$710,300. 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.

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

- 3. AWARD OF REQUEST FOR PROPOSALS NO. 4-1718, FRESH DAILY, PRE-BAKED READY TO SERVE DELIVERED PIZZA SERVICE - PEOPLE FIRST PIZZA, INC. DBA DOMINO'S PIZZA:**

Approval of award of Request for Proposals No. 4-1718, Fresh Daily, Pre-Baked Ready to Serve Delivered Pizza Service to Domino's Pizza, a single service vendor, for delivered pizza to twelve middle schools. The awarded vendor was selected based on criteria specified in the Request for Proposals No. 4-1718 documents. The District received two proposals from vendors. The agreement is for the term of August 28, 2017 through August 27, 2018 with optional renewals for a contract term not-to-exceed three years for an estimated initial annual contract amount of \$375,000 funded by Food and Nutrition Services. Actual expenditures will vary depending on District need and use. The winning proposal and evaluation criteria are available in the Purchasing Department for review.

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

Page 154  
**EXHIBIT 3**
- 4. CHANGE ORDER NO. 1, BID NO. 1617-16, MARBLEHEAD ELEMENTARY SCHOOL OUTDOOR CLASSROOM PROJECT:**

Approval of Change Order No. 1, Bid No. 1617-16 for the Marblehead Elementary School Outdoor Classroom Project related to value engineering and eliminating cost prohibitive portions of the contract, including eliminating the wood trellis, alternative seating and reduction in tree box size. This change order consists of additions, deletions, or other revisions that are 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 \$102,050. The new contract sum including Change Order No. 1 is \$89,222.44 funded by the general fund. *Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

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**EXHIBIT 4**
- 5. CHANGE ORDER NO. 3, BID NO. 1617-01, SAN JUAN HILLS HIGH SCHOOL BUILDING J PROJECT:**

Approval of Change Order No. 3, Bid No. 1617-01 for the San Juan Hills High School Building J Project related to rain damage and concrete acceleration to maintain the project schedule as well as owner directed changes. This change order consists of additions, deletions, or other revisions that are now being presented to the Board of Trustees for approval. All such changes in the work are performed under applicable conditions of the change in contract documents. The original contract sum was \$8,495,000. The new contract sum including Change Order No. 3 is \$8,815,108.77 funded by developer fees, CFD 90-2, CFD 98-2 and CFD 2004-1.

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

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**EXHIBIT 5**
- 6. CHANGE ORDER NO. 3, BID NO. 1516-10, SAN CLEMENTE HIGH SCHOOL BUILDING 800 PROJECT:**

Approval of Change Order No. 3, Bid No. 1516-10 for the San Clemente High School Building 800 Project related to rain damage and concrete acceleration to maintain the project schedule as well as owner directed changes. This change order consists of additions, deletions, or other revisions that are now being presented to the Board of Trustees for approval. All such changes in the work are performed under applicable

Page 263  
**EXHIBIT 6**

conditions of the change in contract documents. The original contract sum was \$8,988,888. The new contract sum including Change Order No. 3 is \$9,198,166.42 funded by developer fees, school facility funds, special reserve funds and CFD 90-2.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

- 7. EXTENSION NO. 1 OF BID NO. 1617-05, FRESH PRODUCE (FRUITS & VEGETABLES) PRODUCTS AND SERVICES - VAL-PRO, INC. DBA VALLEY FRUIT & PRODUCE CO.:** Page 320  
**EXHIBIT 7**

Approval of Extension No. 1 of Bid No. 1617-05, Fresh Produce (Fruits & Vegetables) Products and Services with Val-Pro, Inc., dba Valley Fruit & Produce Co. The vendor agrees to maintain current pricing for the renewal period of July 1, 2017 through June 30, 2018. Annual expenditures utilizing this contract are estimated to be \$200,000 funded through Food and Nutrition Services. Actual expenditures will vary based on District needs and availability of funding.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 8. EXTENSION NO. 1 OF REQUEST FOR PROPOSALS NO. 1-1617, E-RATE MULTIPLE CATEGORIES - VARIOUS VENDORS:** Page 329  
**EXHIBIT 8**

Approval of various Extensions No. 1 of Request for Proposal No. 1-1617, E-Rate Multiple Categories as awarded to various vendors for the purchase of eligible E-Rate funded products and services. The Board approved award to various vendors on May 25, 2016, where the original agreement term was June 1, 2016 through May 31, 2017. The proposed extension agreements will be extended through June 30, 2018. The vendors will provide the products and services at the originally awarded prices set forth in the respective agreements. The additional contract terms are required to complete the projects. The federal E-Rate funding program provides a pre-determined amount of funding for eligible applicants with properly procured contracts. No additional funding is needed for the extensions.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 9. FINAL ACCEPTANCE AND FILING OF NOTICE OF COMPLETION FOR BID NO. 1617-16, MARBLEHEAD ELEMENTARY SCHOOL OUTDOOR CLASSROOM – R. JENSEN CO., INC.:** Page 371  
**EXHIBIT 9**

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1617-16, Marblehead Elementary School Outdoor Classroom. In order to obtain legal protection from undisclosed and unknown potential lien claimants, Notice of Completion is required. All work has been inspected and completed to the satisfaction of staff. The project was funded by the general fund.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*
- 10. NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICE (NASPO FORMERLY WSCA-NASPO) COOPERATIVE PURCHASING ORGANIZATION LLC DBA VALUEPOINT MASTER PRICE AGREEMENT NO. AR233 FOR INFORMATION TECHNOLOGY GOODS AND SERVICES - CISCO SYSTEMS, INC. AND CONVERGEONE, INC. AS AN AUTHORIZED RESELLER:** Page 375  
**EXHIBIT 10**

Approval to utilize the State of Utah National Association of State Procurement Officer (NASPO formerly WSCA-NASPO) ValuePoint Master Price Agreement No. AR233 awarded to Cisco Systems, Inc. and ConvergeOne, Inc. as an authorized reseller for the purchase of information technology goods and services, specifically various Cisco brand network equipment, software, routers, security, SMARTnet warranty and related services. The District can utilize such contracts pursuant to California Public Contract Code §§ 10298, 10290, 10290.1 and 12100 without going to bid. The California Participating Addendum and associated amendment permits California public agencies, including the District, to make purchases from this contract to comply with

competitive bidding requirements. The prices offered by the contractor have been assessed to be fair, reasonable and competitive. Staff determined it is in the best interest of the District to utilize the contract for the purchase of these technology products and related services. The contract term is valid through May 31, 2019. Expenditures under this contract are estimated to be \$250,000 based on the number of devices to be covered by SMARTnet warranties and services. Expenditures are funded by general funds and will vary depending on District need and availability of funding.  
*Contact: Clark Hampton, Deputy Superintendent, Business and Support Services*

## **CURRICULUM AND INSTRUCTION**

- 11. ADDENDUM TO CLIENT SERVICES AGREEMENT WITH THE HANOVER RESEARCH COUNCIL LLC:** Page 444  
**EXHIBIT 11**

Approval of the Addendum to Client Services Agreement with the Hanover Research Council LLC (“Hanover”) will amend the existing agreement dated November 21, 2016 and will extend the District’s access to Hanover’s Research Services. The term of this addendum is one year beginning August 26, 2017 to August 25, 2018. The \$47,000 cost will be funded with education services funds.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
- 12. AGREEMENT FOR PARTICIPATION INSIDE THE OUTDOORS SCHOOL PROGRAM PUBLIC SCHOOLS 2017-2018:** Page 450  
**EXHIBIT 12**

Approval of Agreement for Participation Inside the Outdoors School Program Public School 2017-2018. District schools routinely participate in the Orange County Department of Education’s outdoor science school/field trip programs and “Traveling Scientist” programs and assemblies. Multiple sites have expressed interest in the Traveling Scientist program for the 2017-2018 school year which will provide school assemblies by a traveling naturalists on various science topics.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
- 13. AGREEMENT FOR PARTICIPATION WITH THE YMCA OF ORANGE COUNTY LAGUNA NIGUEL TO PROVIDE A PHYSICAL EDUCATION PROGRAM FOR STUDENTS AT CONCORDIA AND VIEJO ELEMENTARY SCHOOLS 2017-2018:** Page 466  
**EXHIBIT 13**

Approval of Agreement for Participation with the YMCA of Orange County Laguna Niguel to provide Physical Education (P.E.) Programs for Students at Concordia and Viejo Elementary Schools 2017-2018 will provide P.E. lessons in grades 1-5 that are modeled after the Physical Education Content Standards for California Public Schools. This program would help sites meet the required 100 minutes of P.E. instruction that students must receive per Education Code as well as providing them with rich, engaging and challenging Physical Education instruction. Since 2014-2015, several District schools have successfully partnered with the YMCA to provide P.E. instruction to students. Concordia and Viejo Elementary Schools would like to utilize this program for its students in 2017-2018 .  
*Contact: Susan Holliday, Associate Superintendent, Education Services*
- 14. PROPOSED SCHOOL START AND DISMISSAL TIMES FOR THE 2017-2018 SCHOOL YEAR:** Page 474  
**EXHIBIT 14**

Approval of the Start and Dismissal Times for the 2017-2018 school year. Per Board Policy 6111, *School Calendar*, this item seeks approval of the start and dismissal times for each school site for the 2017-2018 school year. There is no financial impact.  
*Contact: Susan Holliday, Associate Superintendent, Education Services*

## **STUDENT SUPPORT SERVICES**

15. **MEMORANDUM OF UNDERSTANDING WITH ANAHEIM UNION HIGH SCHOOL DISTRICT:** Page 477  
**EXHIBIT 15**  
Approval of the Memorandum of Understanding (MOU) with Anaheim Union High School District (AUHSD) to provide special education programs and services for eligible District adult students (18 and older) who reside in group homes in AUHSD from August 9, 2017 through June 30, 2018. The District is currently projected to have two students in the AUHSD program, but the approval of the MOU allows the District to place additional students as determined by the IEP team or through a settlement agreement. Estimated cost per student is \$55,000. Annual expenditures under this MOU are estimated to \$110,000 paid by special education funds.  
*Contact: Gregory Merwin, Associate Superintendent, Student Support Services*
16. **RESOLUTION NO. 1718-10, TRANSITION PARTNERSHIP PROJECT INTERAGENCY AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF REHABILITATION:** Page 486  
**EXHIBIT 16**  
Approval of Resolution No. 1718-10, Transition Partnership Project Interagency Agreement with the California Department of Rehabilitation. This resolution authorizes staff to execute the Transition Partnership Project Interagency Agreement with the California Department of Rehabilitation. This Agreement provides funding to the District and the local Department of Rehabilitation Office to transition students into competitive employment. Specifically, the funding provides for case management staff, pre-employment training, job placement, staff-development services and clerical support. These services are conducted collaboratively between the District and the local Department of Rehabilitation Office. In addition, the District will also receive the services of state Department of Rehabilitation counselors to plan and coordinate the provision of support services. The District will receive a total of approximately \$746,322 per year. Due to the size of the document, a copy of the Agreement will be posted online on the District Board Agendas and Supporting Documentation page.  
*Contact: Gregory Merwin, Associate Superintendent, Student Support Services*
17. **SERVICE AGREEMENT - PARADIGM HEALTHCARE SERVICE, LLC:** Page 489  
**EXHIBIT 17**  
Approval of Service Agreement with Paradigm Healthcare Services, LLC to provide Medi-Cal Local Educational Agency (LEA) and Medi-Cal Administrative Activities (MAA) billing services. The firm has proposed an overall lower fee structure for services, including a one percent reduction in the LEA billing service fees and a fifty percent reduction in the MAA billing service fees. The contract term will be July 1, 2017 through June 30, 2018, with renewals at the option of the Board with a 30-day notice termination provision option. Fees vary and are relative to the amounts that the District is reimbursed by Medi-Cal for applicable Individualized Education Program (IEP) related services. This year, it is anticipated that the LEA billing program will provide the District with an estimated \$750,000 in revenue. Anticipated MAA generated funds are difficult to predict because a new measurement methodology is implemented in conjunction with an outcome based upon performance of a consortium of school districts who are also participating in the program. Expenditures utilizing this contract are estimated to be \$56,000 funded by the general fund and \$100,000 funded by Special Education using revenues generated via the LEA billing program. Overall, this contract represents an expenditure that represents less than ten percent of the District's estimated income from participation with the Medi-Cal LEA and MAA billing programs.  
*Contact: Gregory Merwin, Associate Superintendent, Student Support Services*

## HUMAN RESOURCE SERVICES

18. **PURCHASE AGREEMENT - GALLUP, INCORPORATED:** Page 506  
Approval of Purchase Agreement with Gallup, Incorporated to access the Gallup Client Portal for one time survey administration (six-month term) as an Engagement Study Pilot at five schools. This project includes five school-specific engagement report debriefing sessions that are delivered virtually with each of the five school site leaders. Expenditures under this agreement are not-to-exceed \$10,190 funded by the general fund.  
*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services* **EXHIBIT 18**
19. **PURCHASE AGREEMENT - THE HILLS HOTEL:** Page 514  
Approval of Purchase Agreement with The Hills Hotel to provide facility space and food for the Capistrano Unified Management Association (CUMA) retreat. The term of this agreement is effective July 25, 2017 and 27, 2017. Expenditures under this agreement are not-to-exceed \$23,793.35 funded by the Educator Effectiveness Grant.  
*Contact: Gordon Amerson, Associate Superintendent, Human Resource Services* **EXHIBIT 19**
20. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CLASSIFIED EMPLOYEES:** Page 528  
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: Gordon Amerson, Associate Superintendent, Human Resource Services* **EXHIBIT 20**
21. **RESIGNATIONS/RETIREMENTS/EMPLOYMENT – CERTIFICATED EMPLOYEES:** Page 562  
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: Gordon Amerson, Associate Superintendent, Human Resource Services* **EXHIBIT 21**

## GENERAL FUNCTIONS

22. **SCHOOL BOARD MINUTES:** Page 571  
Approval of the May 24, 2017 Regular Board Meeting minutes.  
*Contact: Nicole Berkman, Executive Secretary, Board Operations* **EXHIBIT 22**
23. **SCHOOL BOARD MINUTES:** Page 582  
Approval of the June 28, 2017 Regular Board Meeting minutes.  
*Contact: Nicole Berkman, Executive Secretary, Board Operations* **EXHIBIT 23**

## DISCUSSION/ACTION ITEMS

24. **CITIZENS' REQUEST:** INFORMATION/  
Citizen, Kim Sprague, requested the placement of an agenda item to address the violation of Education Code § 44987, and plans to seek reimbursement from Capistrano Unified Education Association (CUEA), California Teachers Association (CTA) and National Education Association (NEA), for the past several years (as permitted by the statute of limitations). Board Policy 9322, *Agenda/Meeting Materials*, states any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting.  
DISCUSSION  
Page 599  
*CUSD WIG 2: Communications – Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.* **EXHIBIT 24**  
*Contact: Kirsten M. Vital, Superintendent*

Staff Recommendation

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

**25. CITIZENS' REQUEST:**

Citizen, Dawn Urbanek, requested the placement of an agenda item to address health risk studies for Tesoro High School and Esencia K-8. Board Policy 9322, *Agenda/Meeting Materials*, states any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting.

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

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

INFORMATION/  
DISCUSSION  
Page 607  
**EXHIBIT 25**

Staff Recommendation

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

**26. TRUSTEE REQUEST:**

A Trustee requested the placement of an agenda item and resolution in support of requesting the California Department of Corrections and Rehabilitation (CDCR) to correct Proposition 57 to restore human trafficking of a minor, and rape of an unconscious person and/or use of a date rape drug to be classified as violent felonies. Board Policy 9322, *Agenda/Meeting Materials*, states any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting.

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

***Contact: Martha McNicholas, President, Board of Trustees***

DISCUSSION/  
ACTION  
Page 708  
**EXHIBIT 26**

Staff Recommendation

It is recommended the Board President, Martha McNicholas, present information on this item and answer any questions Trustees may have.

Following discussion, it is recommended the Board of Trustees adopt Resolution No. 1617-12, Resolution of the Capistrano Unified School District Requesting the California Department of Corrections and Rehabilitation (CDCR) to Correct Proposition 57 to Restore Human Trafficking of a Minor, and Rape of an Unconscious Person and/or Use of a Date Rape Drug to be Classified as Violent Felonies.

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

**27. CAPITOL ADVISORS GROUP, LLC PRESENTATION:**

The District currently has a contract with Capitol Advisors Group, LLC, a legislative consulting and advocacy firm, providing strategic counsel and assistance in developing mutually beneficial partnerships. Capitol Advisors provides professional consulting services related to legislative, administrative, and regulatory guidance. Representatives from the Capitol Advisors Group are returning to the August 23, 2017 Board meeting to share what is currently taking place in Sacramento.

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

INFORMATION/  
DISCUSSION  
Page 710  
**EXHIBIT 27**

Contact: *Kirsten M. Vital, Superintendent*

Staff Recommendation

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

28. **UTILIZE REMAINING FUNDS IN CFD 87-1 AND REDEVELOPMENT FUNDS–MISSION VIEJO TO CONSTRUCT STEM CLASSROOM BUILDINGS AT ALISO NIGUEL HIGH SCHOOL AND NEWHART MIDDLE SCHOOL; APPROVAL OF ARCHITECTURAL AND RELATED SERVICES AGREEMENT; APPROVAL TO ADVERTISE FOR BIDS:** DISCUSSION/  
ACTION  
Page 711  
**EXHIBIT 28**

Approval to Utilize Remaining Funds in Community Facilities District (CFD) 87-1 and Redevelopment Funds-Mission Viejo (RDA-MV) to Construct Science, Technology, Engineering and Mathematics (STEM) Classroom Buildings at Aliso Niguel High School and Newhart Middle School; Approval of the Architectural and Related Services Agreement; Approval to Advertise for Bids. Approval to utilize the approximately \$11 million in remaining CFD 87-1 funds to construct a new STEM classroom building at Aliso Niguel High School and approximately \$10.5 million in RDA-MV funds to construct a new STEM classroom building at Newhart Middle School. WLC Architects have provided an estimate of \$10,971,106 for the Aliso Niguel High School project, and \$10,484,548 for the Newhart Middle School project. Staff will also provide a brief presentation outlining the scope of both projects. The architectural-related services for these projects are outlined in the Agreement for Architectural and Related Services. The Aliso Niguel High School STEM classroom building will be funded by the remaining CFD 87-1 funds (CFD ended), and the Newhart Middle School STEM classroom building will be funded by RDA-MV funds. *CUSD WIG 3: Facilities – Optimize facilities and learning environments for all students.*

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

Staff Recommendation

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

Following discussion, it is recommended the Board of Trustees approve Utilize Remaining Funds in CFD 87-1, and Redevelopment Funds-Mission Viejo (RDA-MV) to Construct STEM Classroom Buildings at Aliso Niguel High School and Newhart Middle School; Approval of the Architectural and Related Services Agreement; Approval to Advertise for Bids.

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

29. **RESOLUTION NO. 1718-03, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) FOR FISCAL YEAR 2017-2018:** DISCUSSION/  
ACTION  
Page 805  
**EXHIBIT 29**

Resolution No. 1718-03 authorizes the levy of Special Tax in Community Facilities District (CFD) No. 90-2 (Talega) for Fiscal Year 2017-18. In order to secure the tax roll for CFD No. 90-2 in Fiscal Year 2017-2018, the District must notify the County of Orange Auditor-Controller no later than August 24, 2017, or other duly authorized date, with a certified copy of Resolution No. 1718-03, along with a copy of the annual

levy of Special Taxes for Fiscal Year 2017-2018. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-03, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega) for Fiscal Year 2017-2018, the Board will designate the amount set forth in the David Taussig & Associates Annual Report designated in Section 4 thereof.

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

- 30. **RESOLUTION NO. 1718-04, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY FOR IMPROVEMENT AREA NO. 2002-1 OF COMMUNITY FACILITIES DISTRICT NO. 90-2 IA OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-2 IA OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (TALEGA) FOR FISCAL YEAR 2017-2018:**

DISCUSSION/  
ACTION  
Page 813  
**EXHIBIT 30**

Resolution No. 1718-04 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 90-2 Improvement Area (IA) No. 2002-1 (Talega) for Fiscal Year 2017-2018. In order to secure the tax roll for CFD No. 90-2 IA in Fiscal Year 2017-2018, the District must notify the County of Orange Auditor/Controller no later than August 24, 2017, or other duly authorized date, with a certified copy of Resolution No. 1718-04, along with a copy of the annual levy of Special Taxes for Fiscal Year 2017-2018. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-04, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 Improvement Area No. 2002-1 of the Capistrano Unified School District (Talega), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-2 IA of the Capistrano Unified School District (Talega) for Fiscal Year 2017-2018, the Board will designate the amount set forth in the David Taussig & Associates Annual Report designated in Section 4 thereof.

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

31. **RESOLUTION NO. 1718-05, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 92-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LAS FLORES), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 92-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LAS FLORES) FOR FISCAL YEAR 2017-2018:** DISCUSSION/  
ACTION  
Page 821  
**EXHIBIT 31**

Resolution No. 1718-05 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 92-1 (Las Flores) for Fiscal Year 2017-2018. In order to secure the tax roll for CFD No. 92-1 in Fiscal Year 2017-2018, the District must notify the County of Orange Auditor/Controller no later than August 24, 2017, or other duly authorized date, with a certified copy of Resolution No. 1718-05, along with a copy of the annual levy of Special Taxes for Fiscal Year 2017-2018. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-05, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 92-1 of the Capistrano Unified School District (Las Flores), Authorizing the Levy of Special Taxes in Community Facilities District No. 92-1 of the Capistrano Unified School District (Las Flores) for Fiscal Year 2017-2018, the Board will designate the amount set forth in the David Taussig & Associates Annual Report designated in Section 4 thereof.

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

32. **RESOLUTION NO. 1718-06, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-1A OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (PACIFICA SAN JUAN) FOR FISCAL YEAR 2017-2018:** DISCUSSION/  
ACTION  
Page 830  
**EXHIBIT 32**

Resolution No. 1718-06 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-1A (Pacifica San Juan) for Fiscal Year 2017-2018. Such Special Taxes were levied, in prior fiscal years, on a partial basis. It is proposed that for Fiscal Year 2017-2018 the Special Taxes be levied on a partial basis at less than the Assigned Special Tax for CFD No. 98-1A. As in prior fiscal years, this is not a precedent for future fiscal years. In order to secure the tax roll for CFD No. 98-1A in Fiscal Year 2017-2018, the District must notify the County of Orange Auditor-Controller no later than August 24, 2017, or other duly authorized date, with a certified copy of Resolution No. 1718-06, along with a copy of the annual levy of Special Taxes for Fiscal Year 2017-2018. The District's Special Tax Consultant, David Taussig & Associates, will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-06, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan) for Fiscal Year 2017-2018, the Board will designate the amount set forth in the David Taussig & Associates Annual Report designated in Section 4 thereof.

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

- 33. RESOLUTION NO. 1718-07, RESOLUTION OF THE BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 98-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LADERA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 98-2 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (LADERA) FOR FISCAL YEAR 2017-2018:**

DISCUSSION/  
ACTION  
Page 838  
EXHIBIT 33

Resolution No. 1718-07, authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-2 (Ladera) for Fiscal Year 2017-2018. In order to secure the tax roll for CFD No. 98-2 in Fiscal Year 2017-2018, the District must notify the County of Orange Auditor/Controller no later than August 24, 2017, or other duly authorized date, with a certified copy of Resolution No. 1718-07, along with a copy of the annual levy of Special Taxes for Fiscal Year 2017-2018. David Taussig & Associates will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-07, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera) for Fiscal Year 2017-2018, the Board will designate the amount set forth in the David Taussig & Associates Annual Report designated in Section 4 thereof.

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

- 34. RESOLUTION NO. 1718-08, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (RANCHO MADRINA), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2004-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (RANCHO MADRINA) FOR FISCAL YEAR 2017-2018:**

DISCUSSION/  
ACTION  
Page 846  
EXHIBIT 34

Resolution No. 1718-08 authorizes the levy of Special Taxes in Community Facilities

District (CFD) No. 2004-1 (Rancho Madrina) for Fiscal Year 2017-2018. In order to secure the tax roll for CFD No. 2004-1 in Fiscal Year 2017-2018, the District must notify the County of Orange Auditor-Controller no later than August 24, 2017, or other duly authorized date, with a certified copy of Resolution No. 1718-08, along with a copy of the annual levy of Special Taxes for Fiscal Year 2017-2018. The District's Special Tax Consultant, David Taussig & Associates, will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-08, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho Madrina), Authorizing the Levy of Special Taxes in Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho Madrina) for Fiscal Year 2017-2018, the Board will designate the amount set forth in the David Taussig & Associates Annual Report designated in Section 4 thereof.

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

35. **RESOLUTION NO. 1718-09, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS), AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 2005-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (WHISPERING HILLS) FOR FISCAL YEAR 2017-2018:**

Resolution No. 1718-09 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 2005-1 (Whispering Hills) for Fiscal Year 2017-2018. In order to secure the tax roll for CFD No. 2005-1 in Fiscal Year 2017-2018, the District must notify the County of Orange Auditor-Controller no later than August 24, 2017, or other duly authorized date, with a certified copy of Resolution No. 1718-09, along with a copy of the annual levy of Special Taxes for Fiscal Year 2017-2018. The District's Special Tax Consultant, David Taussig & Associates, will deliver the required documents on the District's behalf to the County of Orange.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-09, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills), Authorizing the Levy of Special Taxes in Community Facilities District No. 2005-1 of the Capistrano Unified School District (Whispering Hills) for Fiscal Year 2017-2018, the Board will designate the amount set forth in the David Taussig & Associates Annual Report designated in Section 4 thereof.

DISCUSSION/  
ACTION  
Page 854  
**EXHIBIT 35**

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

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

- 36. **RESOLUTION NO. 1718-11, RESOLUTION OF BOARD OF TRUSTEES OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 90-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (COTO DE CAZA), AFFIRMING, RATIFYING, AND AUTHORIZING THE LEVY OF SPECIAL TAXES IN COMMUNITY FACILITIES DISTRICT NO. 90-1 OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT (COTO DE CAZA) FOR FISCAL YEAR 2017-2018:**

DISCUSSION/  
ACTION  
Page 862  
**EXHIBIT 36**

Resolution No. 1718-11 affirms, ratifies, and authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 90-1 (Coto de Caza), for Fiscal Year 2017-2018. The Special Tax of CFD No. 90-1 is collected by the District prior to issuance of any building permit in CFD No. 90-1; therefore, there is no need to notify the County of Orange Auditor-Controller.

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

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

Staff Recommendation

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

Following discussion, in adopting Resolution No. 1718-11, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-1 of the Capistrano Unified School District (Coto De Caza), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-1 of the Capistrano Unified School District (Coto De Caza) for Fiscal Year 2017-2018 as determined to be collected by the District prior to issuance of any building permit in CFD No. 90-1.

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

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

- 37. **COMMUNITY TASK FORCE FOR ESTABLISHING ESENCIA K-8 SCHOOL BOUNDARIES:**

INFORMATION/  
DISCUSSION  
Page 869  
**EXHIBIT 37**

On May 10, 2017, the Board received an information presentation summarizing the process for establishing Esencia K-8 School boundaries. This evening’s information presentation outlines the details on the work of a boundary committee to be formed to establish the Esencia K-8 School boundaries along with adjustments to the San Juan Hills High School and Tesoro High School boundaries to serve the Esencia K-8 School.

*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 only item and no Board action is necessary.

- 38. **STRATEGIC PLAN PRESENTATION:**

INFORMATION/  
DISCUSSION  
Page 885  
**EXHIBIT 38**

Based upon Fiscal Crisis and Management Assistance Team recommendations and District stakeholder input, the Strategic Plan document is divided into five key priorities: Continuum of Services; Identification, Monitoring and Compliance; Support

and Related Services; Organization and Staffing; and Leadership and Communication. Through a joint effort of the Student Support Services, Education Services, and Human Resources Services departments, co-facilitators led work groups to develop each priority area. Work Group members were recruited from District personnel and worked collaboratively with the Strategic Plan Advisory Committee to develop a structured outline that included overarching goals, a series of corresponding strategies, and specific action steps to ensure each strategy is implemented in a specific, consistent and effective manner. The presentation will include information regarding stakeholder participation and future implementation plans.

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

***Contact: Gregory Merwin, Associate Superintendent, Student Support Services***

Staff Recommendation

It is recommended the Board President recognize Gregory Merwin, Associate Superintendent, Student 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.

**39. SECOND READING – BOARD BYLAW 9323, MEETING CONDUCT:**

Approval of proposed revisions to Board Bylaw 9323, *Meeting Conduct*. Revisions to this bylaw were made based upon feedback and direction of the Board during the July 26, 2017 Board Meeting. 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 M. Vital, Superintendent***

Staff Recommendation

It is recommended the Board President recognize Kirsten M. Vital, Superintendent, to present this item and that the Board review and discuss Board Bylaw 9323 and provide further direction to staff.

Following discussion, it is recommended the Board approve Board Policy 9323, *Meeting Conduct*.

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

**40. SECOND READING – BOARD POLICY 5173, SUICIDE PREVENTION:**

The proposed revision to Board Policy 5173, *Suicide Prevention*, updates and aligns the policy to reflect the September 26, 2016, Governor approved, Assembly Bill (AB) 2246 Pupil Suicide Prevention policies. AB 2246 requires the governing board or body of a local educational agency that serves pupils in grades 7 to 12, inclusive, to, before the beginning of the 2017-2018 school year, to adopt a policy on pupil suicide prevention that specifically addresses the needs of high-risk groups. Following AB 2246 requirements, revisions to the policy were developed in consultation with school and community stakeholders, school-employed mental health professionals and suicide prevention experts and address procedures relating to suicide prevention, intervention and postvention. The policy addresses suicide awareness and prevention. Revisions requested by Trustees during the first reading have been made. Changes are underlined; deletions are struck through.

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

DISCUSSION/  
ACTION  
Page 913  
**EXHIBIT 39**

DISCUSSION/  
ACTION  
Page 918  
**EXHIBIT 40**

*Contact: Greg Merwin, Associate Superintendent, Student Support Services*

Staff Recommendation

It is recommended the Board President recognize Greg Merwin, Associate Superintendent, Student Support Services to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 5173, *Suicide Prevention*.

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

- 41. **FIRST READING - BOARD POLICY 0420.4, CHARTER SCHOOL AUTHORIZATION:** DISCUSSION/  
ACTION  
Page 923  
**EXHIBIT 41**

The proposed revision to Board Policy 0420.4, *Charter School Authorization*, updates and aligns the policy to Board Policy 0420.41, *Charter School Oversight*. The policy was updated to add language to require charter school board meetings take place within District boundaries. Per Trustee feedback, at the October 12, 2016 Board meeting, staff added language to the policy to require charter petitions to comply with the Brown Act and California Public Records Act. Based on other recommendations, staff added language that indicates if the Board elects to approve a petition with conditions, this action by the Board shall constitute a denial of the petition unless the petitioner satisfies those conditions through a fully executed Memorandum of Understanding (MOU) ratified by the Board within 45 days of the date of the Board’s approval with conditions. Should the petitioner and the District enter into such an MOU, the petition shall then be deemed approved as modified by the MOU. Changes are underlined; deletions are struck through.

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

*Contact: Susan Holliday, Associate Superintendent, Education Services*

Staff Recommendation

It is recommended the Board President recognize Susan Holliday, Associate Superintendent, Education Services to present this item.

Following discussion, it is recommended the Board of Trustees approve Board Policy 0420.4, *Charter School Authorization*.

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

**ADJOURNMENT**

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

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS  
WEDNESDAY, SEPTEMBER 13, 2017, 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](http://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**

**ITEMS ON THE AGENDA.** Any person may address the Board concerning any item on the agenda and may, at the discretion of the Board, be granted three (3) minutes to make a presentation to the Board at the time a specific item is under discussion. However, the time assigned for individual presentations could be fewer than three (3) minutes depending upon the total number of speakers who wish to address a specific agenda topic. Prior to the opening of the meeting, a Request to Address the Board card (located in the foyer) should be completed and submitted to the Secretary of the Board. The total time devoted to presentations to the Board shall not exceed twenty (20) minutes, unless additional time is granted by the Board. All presentations shall be heard by the Board prior to the formal discussion of the agenda topic under consideration. Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic.

**ORAL COMMUNICATIONS (Non-Agenda Items).** Citizens may address the Board on any item not appearing on the agenda. Individual presentations are limited to three (3) minutes per individual, with twenty (20) minutes in total being devoted for this purpose, 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. However, at its discretion, the Board may refer items to the administration for follow-up or place topics on a future Board agenda.

**PUBLIC HEARINGS.** Anytime the Board schedules a separate public hearing on any 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 policy or recommended actions which are directed at the time of the hearing.

**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.

#### **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.*