

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

February 13, 2019

Closed Session 5:00 p.m.
Open Session 5:30 p.m.

AGENDA

CLOSED SESSION AT 5:00 P.M.

1. **CALL TO ORDER**
2. **CLOSED SESSION COMMENTS**
3. **CLOSED SESSION** (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Susan Holliday
Attorney – Sara Young
Significant Exposure to Litigation – One Case
(Pursuant to Government Code § 54956.9(d)(2))

EXHIBIT A-1

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Kirsten M. Vital and Clark Hampton
Attorney – Stan Barankiewicz
Capistrano Unified School District v. County of Orange
(OCSC #: 30-2017-00963064-CU-TT-CXC)
(Pursuant to Government Code section 54956.9(a))

C. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT

Tim Brooks
Chief Technology Officer
(Pursuant to Government Code § 54957)

EXHIBIT C-1

D. CONFERENCE WITH LABOR NEGOTIATORS

District Negotiators: Kirsten M. Vital/Tim Brooks/Clark Hampton
Employee Organizations:
1) Capistrano Unified Education Association (CUEA)
2) California School Employees Association (CSEA)
3) Teamsters
4) Capistrano Unified Management Association (CUMA)
(Pursuant to Government Code § 54957.6)

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 5:30 P.M.

CALL TO ORDER – ROLL CALL

PLEDGE OF ALLEGIANCE

ADOPTION OF THE AGENDA

REPORT ON CLOSED SESSION ACTION

PUBLIC HEARING

1. PUBLIC HEARING: PRESENTATION OF RENEWAL PETITION FOR COMMUNITY ROOTS ACADEMY CHARTER SCHOOL: Page 1
EXHIBIT 1

A Public Hearing is scheduled before the Board of Trustees which necessitates this Board item. Community Roots Academy charter school has presented a renewal petition for a charter school within the District. Due to the size of the exhibit, the information can be viewed by clicking [here](#).

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 open the public hearing, determine if members of the public have submitted requests to speak on this item, and after hearing any speakers, formally close the hearing.

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.

GENERAL FUNCTIONS

2. SCHOOL BOARD MINUTES: Page 3
EXHIBIT 2

Approval of the January 24, 2019 Regular Board meeting minutes.

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

DISCUSSION/ACTION ITEMS

3. RESOLUTION NO. 1819-32 OF THE GOVERNING BOARD OF THE CAPISTRANO UNIFIED SCHOOL DISTRICT DECLINING TO REVOKE THE CHARTER OF THE OXFORD PREPARATORY ACADEMY CHARTER SCHOOL- SOUTH ORANGE COUNTY AND AUTHORIZING SUBMISSION OF CHARTER RENEWAL PETITION (FINAL DECISION): DISCUSSION/
ACTION
Page 13
EXHIBIT 3

On July 25, 2018, Trustees approved a Memorandum of Understanding (MOU) with Oxford Preparatory Academy (OPA). In the MOU, the District and OPA (Parties) agreed to extend the timeframe established in Education Code § 47607, subdivision (e) and California Code of Regulations, title 5, § 11968.5.2, subdivision (f) to provide OPA until December 31, 2018 to take the actions identified in Section 3 “A” through “P” of the MOU. The Parties agreed that California Code of Regulations, title 5, § 11968.5.2, subdivision (h), which states that “[i]f the chartering authority does not act to issue a Final Decision within the timeframe specified in subdivision (f), the revocation process is terminated and the Notice of Intent to Revoke is void,” would be inapplicable and that they would instead adhere exclusively to the timeframe detailed in the MOU. OPA submitted evidence confirming completion of all required actions by December 18, 2018. Staff verified all documents submitted and recommends that Trustees vote not to revoke OPA’s charter and to authorize OPA to submit a charter renewal petition. Pending approval from Trustees, OPA will submit their renewal petition at the February 27, 2019 Board meeting.

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 vote to approve Resolution No. 1819-32 of the Governing Board of the Capistrano Unified School District Declining to Revoke the Charter of Oxford Preparatory Academy Charter School – South Orange County and Authorizing Submission of Charter Renewal Petition (Final Decision).

Motion by _____ Seconded by _____

ADJOURNMENT

Motion by _____ Seconded by _____

**THE NEXT REGULAR MEETING OF THE BOARD OF TRUSTEES IS
WEDNESDAY, FEBRUARY 27, 2019, 7:00 P.M.
AT THE CAPISTRANO UNIFIED SCHOOL DISTRICT OFFICE BOARD ROOM
33122 VALLE ROAD, SAN JUAN CAPISTRANO, CALIFORNIA**

For information regarding Capistrano Unified School District, please visit our website:

www.capousd.org

INSTRUCTIONS FOR PRESENTATIONS TO THE BOARD BY PARENTS AND CITIZENS PRESENT AT THIS MEETING

We are pleased you can be with us at this meeting, and we hope you will return often. Your visit assures us of continuing community interest in our schools.

The members of the Board of Trustees of this District are locally elected state officials, who serve four-year terms of office, and who are responsible for the educational program of our community from grades kindergarten through twelve. They are required to conduct programs of the schools in accordance with the State of California Constitution, the State Education Code, and other laws relating to schools enacted by the Legislature, and policies and procedures which this Board adopts.

The Board is a policy-making body whose actions are guided by the school district's Mission and Goals. Administration of the District is delegated to a professional administrative staff headed by the Superintendent.

The agenda and its extensive background material are studied by each member of the Board for at least two days preceding the meeting. Board Members can call the administrative staff for clarification on any item, and many of the items on the agenda were discussed by the Board during previous meetings. These procedures enable the Board to act more effectively on agenda items than would otherwise be possible.

WHAT TO DO IF YOU WISH TO ADDRESS THE BOARD OF TRUSTEES

CLOSED SESSION: In accordance with Education Code § 35146 and Government Code § 54957, the Board may recess to Closed Session to discuss personnel matters which they consider inadvisable to take up in a public meeting.

Members of the public shall have an opportunity to address the Board regarding items on the agenda to be considered during Closed Session prior to the Board adjourning the meeting to Closed Session. Individual presentations are limited to a maximum of three minutes; however, the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers who wish to address a specific agenda topic.

ORAL COMMUNICATIONS (Non-Agenda Items): Regular, scheduled meetings of the Board shall have a portion of each meeting devoted to Oral Communications. Oral Communications, will take place following Special Recognitions. The total time for the Oral Communications portion of regular meetings shall be twenty minutes. Individual presentations are limited to a maximum of three minutes per individual but could be less if there are a large number of Oral Communication speakers. Legally, the Board may not take action on items raised by speakers under Oral Communications. The Board may, however, at its discretion, refer items to the administration for follow-up or place topics on a future Board agenda.

ORAL COMMUNICATIONS (Agenda Items): Members of the public shall also have an opportunity to address the Board on Open Session agenda items before their consideration by the Board. Individual presentations for the Consent Calendar are limited to a maximum of five minutes for all Consent Calendar items. Individual presentations for Discussion/Action agenda items are limited to a maximum of three minutes however; the time assigned for individual presentations could be fewer than three minutes depending upon the total number of speakers, who wish to address a specific agenda topic. The total time for presentations shall be limited to twenty minutes per agenda topic, unless the Board grants additional time. The Board shall hear all presentations after any staff comments but prior to the formal discussion by Board members of the agenda topic under consideration.

Once an agenda item has been opened for public comment, no additional "Request to Address the Board of Trustees" cards shall be accepted for that topic unless otherwise approved by the Board. When addressing a specific item on the agenda, the Board may vote to allow additional public speaker time for an individual Discussion/Action item.

PUBLIC HEARINGS: Any time the Board schedules a separate public hearing on a given topic, it shall not hear speakers on that topic before the public hearing, except as to the scheduling of the hearing, nor shall it hear speakers after the hearing, except as to changes in the recommended action at the time of the hearing.

REASONABLE ACCOMMODATION

In order to help ensure participation in the meeting of disabled individuals, appropriate disability-related accommodations or modifications shall be provided by the Board, upon request, in accordance with the Americans with Disabilities Act (ADA). Persons with a disability who require a disability-related accommodation or modification, including auxiliary aids and services in order to participate in a Board meeting, shall contact the Superintendent or designee in writing by noon on the Friday before the scheduled meeting. Such notification shall provide school district personnel time to make reasonable arrangements to assure accessibility to the meeting.