

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
FEBRUARY 16, 2022
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 5:03 p.m.

**Call to Order/
Adjourn to Closed
Session**

ROLL CALL:

Present: Trustees Braunstein, Bullockus, Castellanos, Davis, Jones, and McNicholas

Absent: Trustee Hanacek

The following speakers addressed the Board:

- *Elizabeth Harris spoke regarding masks in the schools*
- *Jennifer Carlson spoke regarding masks in the schools*
- *Chelsea Allen spoke regarding masks in the schools*
- *Monica Matson spoke regarding masks in the schools*
- *Corinne Steinman spoke regarding masks in the schools*
- *Mark Erickson spoke regarding masks*

The Board recessed to closed session to discuss: Public Health Emergency; Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Conference with Real Property Negotiators; Conference with Labor Negotiators; Public Employee Discipline/Dismissal/Release; Public Employee Employment/Appointment; and Student Expulsion

**Closed Session
Comments**

The regular meeting of the Board of Trustees was called to order by President McNicholas at 7:10 p.m.

ROLL CALL:

Present: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, McNicholas and Student Adviser Padhya

Absent: None

The Pledge of Allegiance was led by Clint Collins, Assistant Superintendent, SELPA, Special Education.

**Pledge of
Allegiance**

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: www.capousd.org

Permanent Record

It was moved by Trustee Hanacek and seconded by Trustee Castellanos and motion carried by a 7-0 roll call vote to adopt the Regular Board agenda.

**Adoption of the
Board Agenda**

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and McNicholas

NOES: None

ABSENT: None

Student Adviser Padhya cast a preferential vote of aye to adopt the agenda.

President McNicholas asked Colleen Hayes, Manager II - Board Operations/ Superintendent's Office to read the report out of closed session:

**President's Report
from Closed
Session Meeting**

Agenda Item #3A– Public Health Emergency

No reportable action.

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Agenda Item #3B– Conference with Legal Counsel – Anticipated Litigation

Significant Exposure to Litigation – Two Cases

Trustees voted 7-0 to approve the staff recommendation on the following cases:

ADR Case No. 20210908

ADR Case No. 20210921

Agenda Item #3C – Conference with Legal Counsel – Existing Litigation

Significant Exposure to Litigation – Four Cases

Trustees voted 7-0 to approve staff recommendation on the following cases:

OAH Case No. 2021090322

OAH Case No. 2021090346

OAH Case No. 2021100718

OAH Case No. 2021120287

Agenda Item #3D – Conference with Real Property Negotiators

On agenda item D-1, Property: Pacifica San Juan property, a 7.292 acre property located at the north east corner of Camino Las Ramblas and Avenida California.

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

Property: Paseo de Colinas property. 2.47 acre property located on Paseo de Colinas adjacent to Niguel Hills Middle School.

Trustees gave direction to staff.

Agenda Item #3E – Conference with Labor Negotiators

On agenda item E-1, Trustees gave direction to staff.

Agenda Item #3F – Public Employee Discipline/Dismissal/Release

On agenda item F-1, Trustees voted 7-0 to approve staff recommendation.

On agenda item F-2, Trustees voted 7-0 to approve staff recommendation.

On agenda item F-3, the Board voted 7-0 to waive attorney/client privilege of a confidential investigation report for the purpose of submission of the report to the California Commission on Teacher Credentialing.

Agenda Item #3G – Public Employee Employment/Appointment

On agenda item G-1, Trustees voted 7-0 to appoint Clint Collins, Assistant Superintendent, SELPA, Special Education Services, effective February 17, 2022.

Agenda Item #3H – Student Expulsion

Trustees voted 7-0 to approve staff recommendation on the following case:

Case No. 2022-11

Associated Student Body

San Juan Hills High School

Manoj Mahindrakar, *Principal*

Brooke Valderrama, *Activities Director*

Kate Jarvis, *Associated Student Body President*

**Special
Recognitions**

Student Adviser to the Board, Kanei Padhya, reported on her meeting with the Associated Student Body Presidents from all the high schools.

**Student Board
Member Report**

Superintendent Vital Brulte reported on the various activities at our sites in the past weeks.

**Board and
Superintendent
Comments**

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President McNicholas requested a consensus of the Board to modify the individual time **Oral** allowed for each speaker to one minute. All Trustees were in favor of reducing the speaker **Communications** time to one minute per individual.

The following speakers addressed the Board:

- *Gwen McCraw spoke regarding dress code*
- *Matthew Goldbaum spoke regarding masks*
- *Luca Harrison spoke regarding masks*
- *Jude Hayes spoke regarding masks*
- *Hannah Jones spoke regarding masks*
- *Alicia Aguilar spoke regarding masks*
- *Owen Kranz spoke regarding masks*
- *Rye Puhek spoke regarding masks*
- *Lucy Nelson spoke regarding masks*
- *Harper Hoffman spoke regarding masks*
- *Ethan Fisher spoke regarding masks*
- *Bleu Parker spoke regarding masks*
- *Chandler Minnich spoke regarding masks*
- *Daniel Sorenson spoke regarding masks*
- *Jed Butler spoke regarding masks*
- *Tessa Johnson spoke regarding masks*
- *Macy Ferenstein spoke regarding masks*
- *Jaden Padayar spoke regarding masks*
- *Levi spoke regarding masks*
- *Brooklyn Kranz spoke regarding masks*
- *Madelyn Earnest spoke regarding masks*
- *Charly Wilkins spoke regarding masks*
- *Luke Avery spoke regarding masks*
- *Sienna Wells spoke regarding masks*
- *Braxton Bennett spoke regarding masks*
- *Trey Fischer spoke regarding masks*
- *Charlotte Imler spoke regarding masks*
- *Ryder Hoffman spoke regarding masks*
- *Carter Larson spoke regarding masks*
- *Blair Laidlaw spoke regarding masks*
- *Sophia spoke regarding masks*
- *Chelsea Edwards spoke regarding masks*
- *Darren Porter spoke regarding masks*
- *Katie Crocket spoke regarding masks*
- *Gnu Young spoke regarding masks*
- *Paul Duncan spoke regarding masks*
- *Kelli Mihaylo spoke regarding masks*
- *Michele Ploessel-Campbell spoke regarding Black History month*
- *Dana C. spoke regarding masks*
- *Michele McNutt spoke regarding masks*
- *Lizette Aguilar spoke regarding masks*
- *Stephanie Fisher spoke regarding masks*
- *Suzette Minnich spoke regarding masks*
- *Rudi Krause spoke regarding COVID-19*
- *Amber Isenhardt spoke regarding masks*

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- *Bill Minnich spoke regarding masks*
- *Brett/Christy Brian spoke regarding masks*
- *Jeana Persson spoke regarding masks*
- *Marina spoke regarding masks*
- *Jaymie Pollard spoke regarding masks*
- *Jenny Rogers spoke regarding masks*
- *Meredith Hayes spoke regarding masks*
- *Emily White spoke regarding masks*
- *Ryan Heath spoke regarding masks*
- *Eva Harrison spoke regarding masks*
- *Amber Smith spoke regarding masks*
- *Amy Heller spoke regarding masks*
- *Heather Wulfemeyer spoke regarding masks*
- *Heather Puhek spoke regarding masks*
- *Chris Jones spoke regarding masks*
- *Christa Jones spoke regarding masks*
- *Jenny Bruni spoke regarding masks*
- *Jessica Keath spoke regarding masks*
- *Laura Z. spoke regarding masks*
- *Katie Hoffman spoke regarding masks*
- *Lori McClaskey spoke regarding masks*
- *Aubrey Laidlaw spoke regarding masks*
- *Honey spoke regarding masks*
- *Lindsey R. spoke regarding masks*
- *Elena Iniguery spoke regarding masks*
- *Casey Gizzi spoke regarding masks*
- *Kelly Radojicil spoke regarding masks*
- *Wendy Lowry spoke regarding masks*
- *Elisa Capener spoke regarding masks*
- *Kristen Hellewell spoke regarding masks*
- *Jeannine Peart spoke regarding masks*
- *Amber Gilman spoke regarding masks*
- *Whitney Harrington spoke regarding masks*
- *Lindsay Matheus spoke regarding masks*
- *Ian Jameson spoke regarding masks*
- *Jeff Pearson spoke regarding masks*
- *Amanda Earnest spoke regarding masks*
- *Debra Thompson spoke regarding masks*
- *Jane L. spoke regarding masks*
- *Tasha Fischer spoke regarding masks*
- *Melyssa Chen spoke regarding masks*
- *Brooke Wilkins spoke regarding masks*
- *Jennifer Christensen spoke regarding masks*

The Board recessed the meeting to clear the Board Room.

At 10:17 p.m., the Board resumed the meeting and continued to hear speakers regarding Oral Communications.

**The Board
Recessed
The Board
Reconvened the
Meeting**

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The following speakers addressed the Board:

- *Bret Stahl spoke regarding masks*
- *Mindy spoke regarding masks*
- *Jennifer Shubert spoke regarding masks*
- *Sandra Miller spoke regarding masks*
- *Ashley Hladek spoke regarding masks*

**Oral
Communications**

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, staff, or the public 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.

Consent Calendar

President McNicholas asked Trustees for items they wished to pull from the Consent Calendar.

The following speakers addressed the Board:

- *Katie Crocket requested the minutes from January 19, 2022 be revised*
- *Michele Ploessel-Campbell spoke regarding PTA donations*

It was moved by Trustee Davis and seconded by Trustee Castellanos motion carried by a 7-0 roll call vote to approve the following Consent Calendar.

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and McNicholas
NOES: None
ABSENT: None

Student Adviser Padhya cast a preferential vote of aye to approve the Consent Calendar.

Approval of donations of funds and equipment.

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2).

Approval of the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements.

Approval of Agreement for Professional Services with Dannis Woliver Kelley.

**Donation of Funds
and Equipment
Agenda Item 1
Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 2
Independent
Contractor,
Professional
Services, Field
Service, and
Master Contract
Agreements
Agenda Item 3
Agreement for
Professional**

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	Services Bond Counsel – Dannis Woliver Kelley Agenda Item 4 Award of Request for Proposals No. 4-2122, E-Rate Category 2 – CDW Government LLC Agenda Item 5 Memorandum of Understanding with College and Career Advantage Agenda Item 6 Corona-Norco Unified School District Bid No. 2021/22-093R, Just-In-Time Pool Chemical Supply – Waterline Technologies, Incorporated Agenda Item 7 Request for Waiver of School Facilities Fees – City of San Clemente Agenda Item 8 2021-2022 Title I and II Every Student Succeeds Act Local Control Accountability Plan Federal Addendum Agenda Item 9 School Accountability Report Cards 2020-2021 Agenda Item 10 Proposed School Calendar for the 2024-2025 School Year Agenda Item 11 Supplement to the Annual Update to the 2021-2022
Approval of the Award of Request for Proposals No. 4-2122, E-Rate Category 2 to CDW Government LLC (CDWG).	
Approval of the Memorandum of Understanding with College and Career Advantage (CCA) to reduce the annual amount of funding the District provides to CCA.	
Approval to utilize the Corona-Norco Unified School District Bid No. 2021/22-093R awarded to Waterline Technologies, Incorporated and any subsequent revisions, amendments, and extensions for the purchase of Just-In-Time pool chemical supplies.	
Approval of the request for waiver of school facilities fees from the City of San Clemente.	
Approval of the 2021-2022 Title I and II Every Student Succeeds Act (ESSA) Local Control Accountability Plan (LCAP) Federal Addendum.	
Approval of the ratification of School Accountability Report Cards (SARC) 2020-2021.	
Approval of the 2024-2025 School Calendar. Staff is committed to always providing the community with three school calendar years that are Board approved and readily available to the public.	
Approval of the Supplement to the Annual Update to the 2021-2022 Local Control Accountability Plan (LCAP).	

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Approval of Title I Schoolwide Program Waivers for Carl Hankey Elementary School, Las Palmas Elementary School, Clarence Lobo Elementary School, Marblehead Elementary School, and Wood Canyon Elementary School 2021-2022.

**Local Control
Accountability
Plan
Agenda Item 12
Title I Schoolwide
Program Waivers
– Carl Hankey
Elementary
School, Las
Palmas
Elementary
School, Clarence
Lobo Elementary
School,
Marblehead
Elementary
School, and Wood
Canyon
Elementary
School 2021-2022**

Approval of teachers who are credentialed in subjects other than Physical Education (PE) to provide PE credit to students in that respective sport.

**Agenda Item 13
Biannual
Authorization of
Coaches to
Provide Second
Semester Physical
Education Credit**

Acceptance of Williams Settlement Legislation Uniform Complaint Second Quarter Report.

**Agenda Item 14
Second Quarter
Report – Williams
Settlement
Legislation
Uniform
Complaint**

Approval of Annual Report – Employment of Relatives 2021-2022 School Year. Board Policy 4112.8, 4212.8, 4312.8, Employment of Relatives, requires the Board of Trustees be provided the names, positions and work locations of close relatives employed within the same department or work location.

**Agenda Item 15
Annual Report –
Employment of
Relatives**

Ratification of the ongoing extension and increase of the temporary substitute rate of pay.

**Agenda Item 16
Temporary
Additional
Substitute Rate of
Pay Increase**

Approval of the activity list for employment, separation, and additional assignments of certificated employees.

**Agenda Item 17
Resignations/
Retirements/
Employment -
Certificated
Employees**

Approval of the activity list for employment, separation, and additional assignments of classified employees.

**Agenda Item 18
Resignations/
Retirements/
Employment -**

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Classified
Employees
Agenda Item 19
School Board
Minutes
Agenda Item 20
School Board
Minutes
Agenda Item 21
Resolution No.
2122-36,
Continuing
Authority to Hold
Virtual Meetings
Pursuant to
Assembly Bill 361
Agenda Item 22
Board Meeting
Schedule 2021-
2022 Revised
Agenda item 23
Committee for
Naming Newhart
Middle School
Steam Building
Agenda Item 24

Approval of the January 19, 2022 Regular Board meeting minutes.

Approval of the January 25, 2022 Special Board meeting minutes.

Approval of Resolution No. 2122-36, Continuing Authority to Hold Virtual Meetings Pursuant to Assembly Bill 361.

Approval of the 2021-2022 Board meeting schedule as revised.

President McNicholas recognized Judy Bullockus, Trustee Area 7, to present the item.

The following speakers addressed the Board:

- *Robert Breton spoke regarding the significance of the naming of the STEAM building at Newhart Middle School*

It was moved by Trustee Bullockus and seconded by Trustee Davis to approve the naming of Newhart Middle School's STEAM building to be named *Newhart STEAM Building* and the three common areas; Michael Lopez-Alegria, Leonardo da Vinci, and Mae C. Jemison. The motion carried 7-0 by a roll call vote.

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and McNicholas

NOES: None

ABSENT: None

Student Adviser Padhya cast a preferential vote of aye to approve the naming of Newhart Middle School's STEAM building to be named *Newhart STEAM Building* and the three common areas; Michael Lopez-Alegria, Leonardo da Vinci, and Mae C. Jemison.

President McNicholas recognized Gregory Merwin, Associate Superintendent, Education and Support Services, to present the item.

Cultural
Proficiency
Quarterly Report
Agenda Item 25

The following speakers addressed the Board:

- *Leanne Williams thanked staff*
- *Katie Crocket thankful for the support of staff*
- *Psi Padhya spoke regarding the Cultural Proficiency Plan*

This is an information item only and no Board action is necessary.

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It was moved by Trustee Hanacek and seconded by Trustee McNicholas to extend the meeting to 12:00 a.m. The motion carried 6-0-1.

**Motion to the
Extend the
Meeting Past the
Hour**

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, and McNicholas
NOES: None
ABSENT: Trustee Jones

Student Adviser Padhya cast a preferential vote of aye to extend the Board meeting to 12:00 a.m.

President McNicholas recognized Kirsten Vital Brulte, Superintendent, to present this item.

**Mid-Year Review
Presentation
Regarding 2021-
2022 District
Goals
Agenda Item 26**

This is an information item only and no Board action is necessary.

It was moved by Trustee Jones and seconded by Trustee Hanacek to extend the meeting to 1:00 a.m. The motion carried 7-0

**Motion to the
Extend the
Meeting Past the
Hour**

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and McNicholas
NOES: None
ABSENT: None

Student Adviser Padhya cast a preferential vote of aye to extend the Board meeting to 1:00 a.m.

President McNicholas recognized Gregory Merwin, Associate Superintendent, Education and Support Services, to present the item.

**A-G Completion
Improvement
Grant
Agenda Item 27**

This is an information item only and no Board action is necessary.

President McNicholas recognized Clark Hampton, Deputy Superintendent, Business and Support Services, to present the item.

**Trustee Area
Boundary
Redistricting
Agenda Item 28**

The following speakers addressed the Board:

- *Michele Ploessel-Campbell spoke regarding her appreciation for the hard work of staff on this item.*

It was moved by Trustee Hanacek and seconded by Trustee Jones to approve Plan Echo for Trustee area boundary redistricting. The motion carried 7-0 by a roll call vote.

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and McNicholas
NOES: None
ABSENT: None

Student Adviser Padhya cast a preferential vote of aye to approve Plan Echo for Trustee area boundary redistricting.

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President McNicholas recognized Clark Hampton, Deputy Superintendent, Business and Support Services, to present the item.

Resolution No. 2122-38, Adjusting Trustee Area Boundaries from Which District Board of Trustees Members Will be Elected Agenda Item 29

It was moved by Trustee Hanacek and seconded by Trustee Jones to adopt Resolution No. 2122-38, Adjusting Trustee Area Boundaries from which District Board of Trustees Members will be Elected. The motion carried 7-0 by a roll call vote.

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and McNicholas
NOES: None
ABSENT: None

Student Adviser Padhya cast a preferential vote of aye to adopt Resolution No. 2122-38, Adjusting Trustee Area Boundaries from which District Board of Trustees Members will be Elected.

It was moved by Trustee Davis and seconded by Trustee Bullockus to adjourn the meeting, motion carried 7-0 by a roll call vote.

Adjournment

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and McNicholas
NOES: None
ABSENT: None

Student Adviser Padhya cast a preferential vote of aye to adjourn the meeting.

President McNicholas announced the meeting adjourned at 12:39 a.m.



Board Clerk
Gila Jones, Trustee



Secretary, Board of Trustees
Kirsten M. Vital Brulte, Superintendent

Minutes submitted by Colleen Hayes, Manager II, Board Operations/Superintendent's Office