

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
MAY 8, 2013
EDUCATION CENTER – BOARD ROOM

President Alpay called the meeting to order at 6:00 p.m. The Board recessed to closed session to: discuss Public Employee Appointment/Employment and confer with Labor Negotiators.

Closed session recessed at 6:19 p.m.

The regular meeting of the Board reconvened to open session and was called to order by President Alpay at 7:00 p.m.

The Pledge of Allegiance was led by Dana Hills High School Teacher Randy Hudson.

Present: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
Absent: Trustee Hanacek and Student Advisor Madison Wolfert

A CD of 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 Bryson, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

President Alpay reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3 A1 through A2 – Public Employee Appointment/Employment:

The Board voted by a 6-0 vote to approve the appointment of Heidi Crowley, Middle School Principal, Shorecliffs.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek
ABSTAIN: None

The Board voted by a 6-0 vote to approve the appointment of Paul Foucart, Elementary School Principal, Concordia.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek
ABSTAIN: None

The Board voted by a 6-0 vote to approve the appointment of Troy Hunt, Elementary School Principal, Vista del Mar.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek
ABSTAIN: None

Agenda Item #3 B – Conference with Labor Negotiators:

No action was taken. President Alpay announced Jon Pearl was not present in closed session.

Lyndcee Baragato was recognized for being the president of the Best Buddies program at Dana Hills High School and founder of the Just Like Me Club, an after-school club for children with intellectual developmental disabilities.

**Special
Recognitions**

Stephany Rose, Paul Coppes, and Randy Hudson were recognized as the District's top three Teachers of the Year. Chief Communications Officer Marcus Walton announced Randy Hudson was named one of the Orange County Department of Education's Teachers of the Year and would be representing the District in the State competition.

Trustee Bryson said she attended the Orange County Department of Education surprise announcement in Randy Hudson's classroom and had received a comment from one of the members of the press that District students always look so happy.

**Board and
Superintendent
Comments**

Trustee Hatton stated she attended the Teachers of the Year event and then shared a statement, taken from their applications, about each teacher. Trustee Hatton also shared excerpts from an article in the Orange County Register regarding the benefits of students who major in science, technology, engineering, and math (STEM).

Trustee Alpay announced and congratulated seniors Jamasb Sayadi and Ryan Song from Aliso Niguel High School, Nicholas Burakoff from Capistrano Valley High School, Amanda Buckingham from Dana Hills High School, and Clay Coleman from Tesoro High School who were named National Merit Scholars.

As specified in Board Bylaw 9323 for Oral Communications, each speaker was allowed three (3) minutes to speak.

**Oral
Communications**

The following speaker addressed the Board:

- *Timothy Gibbs shared he had chaperoned the recent Baja marine ecology field study trip for DHHS students organized by teacher Randy Hudson and encouraged the Board to allow the DHHS field study trips to continue.*

DISCUSSION/ACTION

President Alpay announced the Public Hearing open at 7:24 p.m. regarding the District's contract reopener proposal to Capistrano Unified Education Association (CUEA) for the 2013-2014 school year.

**Public Hearing:
District Contract
Reopener Proposal
to CUEA
Agenda Item 1**

The following speakers addressed the Board:

- *Julie Collier stated children were not being considered during negotiations and parents expect Trustees to vote in the best interest of children.*
- *Terri Mostert stated the District's priority was to educate children and asked Trustees to reduce employee compensation first and decrease class sizes.*

- Dawn Urbanek stated she was disappointed in the negotiation process and requested Trustees put children first and cut employees' pay.

President Alpay declared the Public Hearing closed at 7:30 p.m.

Assistant Superintendent Jodee Brentlinger stated the District and Capistrano Unified Education Association (CUEA) entered into a one-year settlement agreement effective July 1, 2012, through June 30, 2013. The Articles the District proposes to discuss are Articles 1, 5, 8, 13, and 14.

**District Contract Reopener Proposal to CUEA
Agenda Item 2**

The following speaker addressed the Board:

- Robert Reidel asked the Board to explain how the \$30 million dollars the District received due to Proposition 30 passing was being allocated; why the District was under funded compared to other districts in the state; and why staff salaries and benefits are more important than students.

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve the District contract reopener proposal to CUEA for the 2013-2014 school year.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
 NOES: None
 ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
 ABSTAIN: None

President Alpay announced the Public Hearing open at 7:59 p.m. regarding District's contract reopener proposal to Capistrano School Employees Association (CSEA) for the 2013-2014 school year. There being no speakers to address the Board, President Alpay declared the Public Hearing closed at 8:00 p.m.

**Public Hearing:
District Contract Reopener Proposal to CSEA
Agenda Item 3**

Assistant Superintendent Jodee Brentlinger explained unlike the one-year contract agreement entered into with CUEA, the District and California School Employee Association (CSEA) have a three-year agreement spanning July 1, 2012 through June 30, 2015. As defined in Article I, Articles 3, 4, 7, 8, 9, 11, 12, 13, as well as memorandums of understanding, and a retirement incentive, remained open for the term of the agreement. Mrs. Brentlinger stated with these articles already open to negotiate, there was no requirement to reopen and run two years of negotiations simultaneously. Thus the reopener only identifies opening Article I in order to return to limited reopeners in the future.

**District Contract Reopener Proposal to CSEA
Agenda Item 4**

It was moved by Trustee Pritchard, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve the District's contract reopener proposal to Capistrano School Employees Association (CSEA) for the 2013-2014 school year.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
 NOES: None
 ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
 ABSTAIN: None

President Alpay announced the Public Hearing open at 8:03 p.m. regarding the District contract reopener proposal to Teamsters for the 2013-2014 school year. There being no speakers to address the Board, President Alpay declared the Public Hearing closed at 8:04 p.m.

**Public Hearing:
District Contract
Reopener Proposal
to Teamsters
Agenda Item 5**

Assistant Superintendent Jodee Brentlinger stated the District and Teamsters entered into a one-year settlement agreement effective July 1, 2012, through June 30, 2013. The Articles the District proposes to discuss are Articles 1, 3, 11, and 23.

**District Contract
Reopener Proposal
to Teamsters
Agenda Item 6**

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve the District contract reopener proposal to Teamsters for the 2013-2014 school year.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

Chief Communications Officer Marcus Walton stated Resolution No. 1213-42 recognizes May 8, 2013, as California Day of the Teacher. This resolution serves as official notice to all employees and citizens of the District of the Board's recognition of the excellent service provided by its certificated staff.

**Day of the Teacher
Agenda Item 7**

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried unanimously to approve Resolution No. 1213-42, recognizing May 8, 2013, as California Day of the Teacher.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

Chief Communications Officer Marcus Walton stated Resolution No. 1213-43, recognizes the week of May 19 - 25, 2013, as Classified School Employees' Week. This resolution serves as official notice to all employees and citizens of the District of the Board's recognition of the excellent service provided by its classified staff. Mr. Walton announced the Classified Employees' of the Year Celebration is scheduled for Monday, May 20, at 4:30 p.m. in the San Juan Hills High School theater.

**Classified School
Employees' Week
Agenda Item 8**

It was moved by Trustee Hatton, seconded by Trustee Bryson, and motion carried unanimously to approve Resolution No. 1213-43, recognizing the week of May 19 - 25, 2013, as Classified School Employees' Week.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger stated the current collective bargaining agreement between the District and Capistrano Unified Education Association (CUEA) expires on June 30, 2013. On April 29, 2013, CUEA presented the District with the association's proposal to discuss Articles 5, 8, and 13. The District's proposal to reopen negotiations for the 2013-2014 school year was addressed in agenda item 2.

The following speaker addressed the Board:

- *Dawn Urbanek stated the multi-prong approach to negotiations was unfair and asked the Board to explain why there are 72 more teachers this year than last year.*

Trustee Addonizio requested Ms. Urbanek provide Trustees with the document she was referring to during her comments and directed staff to provide Trustees with the reason for an increase in personnel last year.

It was moved by Trustee Hatton, seconded by Trustee Reardon, and motion carried by a 6-0 vote to accept receipt of the CUEA contract reopener proposal.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

Deputy Superintendent Clark Hampton stated the District is currently in negotiations on a development mitigation agreement with Rancho Mission Viejo (RMV). As the development is moving forward and negotiations remain in progress, the Board is asked to ratify a project specific Certificate of Compliance form for use between RMV and the District relating to the building of homes pending a final mitigation agreement.

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Reardon, and motion carried by a 6-0 vote to approve the ratification of the Certificate of Compliance.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

Assistant Superintendent Julie Hatchel stated after the adoption of the 2013-2014 School Calendar on December 11, 2011, staff and Trustees received feedback regarding the placement of elementary parent conferences and the last day of school for students. Dr. Hatchel explained the Calendar Committee met again and is proposing the following three changes: moving elementary school parent conferences from December to November; moving one elementary non-student/teacher work day from the end of the year to November 1 to assist teachers with completing fall parent conferences; and moving the last day of school for elementary school teachers and students to Monday, June 23.

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 6-0 vote to approve the proposed Revised 2013-2014 School Calendar.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
 NOES: None
 ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
 ABSTAIN: None

Superintendent Farley stated a recent discussion on abstentions and the District bylaw prompted revisions to Board Bylaw 9323, *Meeting Conduct*. Staff confirmed with legal counsel that this bylaw was contrary to Education Code. This item will be brought back to a future meeting for a second reading.

**Board Policy
 Revision
 Agenda Item 12**

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Agenda items #23 and #24 were pulled.

**Items Pulled from
 the Consent
 Calendar**

CONSENT CALENDAR

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried by a 7-0 vote to approve the following Consent Calendar items:

Minutes of the April 24, 2013, special Board meeting.

**Minutes
 Agenda Item 13**

Minutes of the April 24, 2013, regular Board meeting.

**Minutes
 Agenda Item 14**

Petition to waive California Education Code §60851(a) and Board Policy 6162.52 – California High School Exit Examination: Case numbers 1213-018 through 1213-020.

**CAHSEE Waivers
 Agenda Item 15**

Purchase orders, warrants, and previously Board-approved bids and contracts as listed.

**Purchase
 Orders/Warrants
 Agenda Item 16**

Donation of Equipment.

**Donations
 Agenda Item 17**

Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.

**Professional
 Services
 Agreements
 Agenda Item 18**

Ratification of special education Informal Dispute Resolution Agreement Case #034313, Case #034413, and Case #034713.

**Informal Dispute
 Resolution
 Agreements
 Agenda Item 19**

Resolution No. 1213-44 to establish updated signature authorizations.

**Signature
 Authorizations
 Agenda Item 20**

Extension of Rental Service Agreement No. 1112046 with Capo Beach Calvary to provide designated parking at the District's bus facility for Capo Beach Calvary to use, as needed, for a fee of \$75 per bus per month.

**Rental Agreement
 Extension
 Agenda Item 21**

Extension of School Bus Service Agreement No. I09100045 to provide for rental of District owned buses to Santa Margarita Catholic High School on an as-needed basis.

**Extension of Bus
 Service Agreement
 Agenda Item 22**

Resignations, retirements, and employment of classified personnel.

**Resignations/
Retirements/
Employment
(Classified
Personnel)
Agenda Item 25**

Resignations, retirements, and employment of certificated personnel.

**Resignations/
Retirements/
Employment
(Certificated
Personnel)
Agenda Item 26**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard,
and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

Trustee Reardon asked staff if it was necessary to have the word “exclusive” in the agreement. Deputy Superintendent Clark Hampton explained this agreement was only for the ATM machine located at the Transportation Department in Aliso Viejo. Trustee Reardon responded if the agreement was exclusive for a single facility it would not be an issue but he was resistant to the idea of granting any financial institution exclusive access to the District.

**Addendum for
ATM Service
Agreement
Agenda Item 23**

It was moved by Trustee Reardon, seconded by Trustee Addonizio, and motion carried by a 6-0 vote to approve the fourth addendum for an Automated Teller Machine (ATM) Service Agreement with SchoolsFirst Federal Credit Union extending the contract term from May 5, 2013, to May 4, 2016.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and
Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

Trustee Reardon stated this is a significant increase in the cost of bus transportation for parents and asked if it was necessary. Trustee Reardon asked staff to explain what the District is charging versus what it costs for transportation. Deputy Superintendent Clark Hampton stated transportation costs are not fully funded by the state or federal government, so a contribution from the general fund is required to cover the costs. The amount allowed by Education Code is \$8.82 per day or \$1,588 annually, which is approximately the cost to transport a student. Mr. Hampton stated the last District increase was in 2009. Staff considered the possibility of a funded COLA, along with the improving economy, and decided the timing was right to increase the contribution but not fully fund the cost of transportation. Trustee Reardon asked Mr. Hampton what percentage of parents using transportation actually pays the fee; the dollar cost of the unfunded portion; and how many people are benefiting by it. Mr. Hampton replied he would need do some research and get back to Trustees with the answers.

**Transportation Fee
Increase
Agenda Item 24**

It was moved by Trustee Reardon, seconded by Trustee Bryson, and motion carried by a 5-1 vote to approve an increase to the home-to-school regular education transportation fee.

AYES: Trustees Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: Trustee Addonizio
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by **Adjournment** a 6-0 vote to adjourn the meeting.

AYES: Trustees Addonizio, Alpay, Bryson, Hatton, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Hanacek and Student Advisor Madison Wolfert
ABSTAIN: None

President Alpay announced the meeting adjourned at 8:26 p.m.

A handwritten signature in blue ink, appearing to read "Reardon", written over a horizontal line.

Board Clerk

A handwritten signature in blue ink, appearing to read "Joseph M. Juley", written over a horizontal line.

Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations