

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
FEBRUARY 12, 2014  
EDUCATION CENTER – BOARD ROOM

President Alpay called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was led by Trustee Hatton.

Present: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Leilah Rodriguez

**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](http://www.capousd.org)**

**Permanent Record**

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to adopt the Board agenda.

**Adoption of the Board Agenda**

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

Sergeant Nancy Wilkey was recognized for her dedication to the safety and well-being of children.

**Special Recognitions**

Student Body President Sohrob Nayebaziz from Dana Hills High School presented a report on activities taking place at the high school.

**Student Body Report**

Trustee Hanacek highlighted school events she had attended at Capistrano Valley High School, Dana Hills High School, San Juan Hills High School, and Palisades Elementary School.

**Board and Superintendent Comments**

Trustee Reardon shared he had attended the DELAC meeting, the Serra graduation, and toured the Food Service Department to observe how meals are prepared for District students.

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

**Oral Communications**

The following speakers addressed the Board:

- *Stan Wasbin requested the Board end its affiliation with the National School Lunch Program.*
- *Laura Ferguson reminded the Board of the outstanding issue pertaining to CFD 90-2, the resolution, and the tax savings from the 2006 bond refinance and asked when this issue will be resolved.*

**DISCUSSION/ACTION**

President Alpay announced the Public Hearing open at 7:53 p.m. regarding a request to waive the penalty for class size increases in kindergarten through eighth grade.

**Public Hearing:  
Class Size Waiver Request  
Agenda Item 1**

The following speakers addressed the Board:

- *Patricia Morgan asked how the approval of the waiver would provide additional staff support and placement options that would reduce the number of combination classes at the elementary level. Dr. Farley responded that staff would cover her questions during the presentation in item 2.*
- *Dawn Urbanek spoke in regards to the class size waivers and the overall budget and told the Board they needed to write the state and advocate for more money for education.*

President Alpay declared the Public Hearing closed at 7:57 p.m.

Assistant Superintendent Julie Hatchel stated, based on the Governor's preliminary budget proposal the District will build the 2014-2015 budget with the assumption the District will return to a 180 day school year for students and lower class sizes. If the Governor's budget is finalized as projected, it will not be necessary for the District to renew the current waivers, which expire on June 30, 2014; however, this request for the renewal of the existing waivers to waive the penalties for class sizes is due to the timeline that is imposed by the state, which requires the District to seek renewals prior to the approval of the final budget of the Governor and State of California. This action request is being taken in case budget projections change and the class size waiver is needed.

**Class Size Waiver  
Request  
Agenda Item 2**

President Alpay stated a blue card had been submitted after this item opened and asked Trustees if they wished to waive the Board policy requirement regarding not accepting requests to speak once the item is opened. All Trustees agreed to waive Board policy and allow the speaker to address the Board.

The following speaker addressed the Board:

- *Dawn Urbanek asked the Board to be more transparent regarding the District's financial situation so parents and the public can work together to advocate for greater funding from the state.*

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 6-1 vote to approve the Request to Waive the Penalty for Class Size Increases in Kindergarten through Eighth Grade.

AYES: Trustees Alpay, Bryson, Hanacek, Hatton, Pritchard,  
Reardon, and Student Advisor Leilah Rodriguez  
NOES: Trustee Addonizio

President John Alpay announced the Board had selected Hazard, Young, Attea and Associates as the search firm to assist the Board with the selection of the new superintendent and then introduced representatives Bill Attea and Carolyn McKennan, who provided a presentation on the superintendent search process.

**HYA Presentation  
Agenda Item 3**

The following speaker addressed the Board:

- *Martha McNicholas stated she was pleased Hazard, Young, Attea and Associates has designated the PTA as one of the focus groups they will meet with for input on the selection of the new superintendent.*

Deputy Superintendent Clark Hampton stated the District currently has two cell towers at both Capistrano Valley High School and Dana Hills High School. The lease agreements are with American Tower, Sprint Nextel, T-Mobile, and AT&T. The American Tower lease agreement for the Capistrano Valley High School facility expires on or about August 31, 2014, and American Tower is interested in renewing the lease. Mr. Hampton explained staff is seeking Board direction on the status of cell towers in general and the options to renew the existing leases, renegotiate the leases, or allow the leases to expire.

**Cellular Facilities  
Lease Agreements  
Agenda Item 4**

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Addonizio, and motion carried by a 6-1 vote to direct staff to commence negotiations with American Tower with respect to the cell phone tower at Capistrano Valley High School, to research all the terms of the lease at Dana Hills High School, and report back to the Board.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton,  
Pritchard, and Student Advisor Leilah Rodriguez  
NOES: Trustee Reardon

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Items 12 and 17 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:

Approval of the minutes of the January 8, 2014, regular Board meeting.

**Minutes  
Agenda Item 5**

Approval of the minutes of the January 15, 2014, special Board meeting.

**Minutes  
Agenda Item 6**

Approval of the minutes of the January 22, 2014, regular Board meeting.

**Minutes  
Agenda Item 7**

Readmission of students from expulsion: Case #2012-090, #2013-070, Case #2013-073 and Case #2013-077.

**Expulsion  
Readmissions  
Agenda Item 8**

Resolution No. 1314-33 authorizes the District to designate a representative to sign documents for the Community Care Licensing Child Care Division.

**Designated  
Signature  
Authorization  
Agenda Item 9**

Student teaching agreement with Brandman University.

**Student Teaching  
Agreement  
Agenda Item 10**

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

**Purchase  
Orders/Warrants  
Agenda Item 11**

Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.	<b>Professional Services Agreements Agenda Item 13</b>
Ratification of special education Informal Dispute Resolution Agreement Case Agreement Case #013814.	<b>Informal Dispute Resolution Agreement Agenda Item 14</b>
Ratification of special education Settlement Agreement Case #2012120173, Settlement Agreement Case #2013110539, and Informal Dispute Resolution Agreement Case #112413.	<b>Settlement Agreements Agenda Item 15</b>
Memorandum of Understanding with the California Department of Education, Nutrition Services Division.	<b>MOU for Nutrition Services Division Agenda Item 16</b>
Amendment to the Agreement Architectural Services No. 1213187 with WLC Architects, Incorporated to add San Clemente High School reroofing and Dana Hills High School heating, ventilation, and air conditioning replacement projects.	<b>Amendment To Agreement-Architectural Services Agenda Item 18</b>
Amendment to Agreement Bid No. 1213-02 for weed abatement services with E. Stewart and Associates, Incorporated increasing the not-to-exceed amount to \$170,000 annually, for additional services, as requested by the District.	<b>Amendment to Agreement Bid – Weed Abatement Agenda Item 19</b>
Resignations, retirements, and employment of classified personnel.	<b>Resignations/Retirements/ Employment (Classified Personnel) Agenda Item 20</b>
Resignations, retirements, and employment of certificated personnel.	<b>Resignations/Retirements/ Employment (Certificated Personnel) Agenda Item 21</b>
Acceptance of Williams Settlement Second Quarter Site Review Report.	<b>Williams Settlement Agenda Item 22</b>
ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton, Pritchard, Reardon, and Student Advisor Leilah Rodriguez NOES: None ABSENT: None ABSTAIN: None	

The following speaker addressed the Board:

**Donations  
Agenda Item 12**

- *Dawn Urbanek requested the Superintendent direct staff to itemize, for public transparency, any donation above \$500 and she voiced her concern that two cities donated money to pay for certificated salaries at specific schools.*

Trustee Hanacek shared her concerns regarding the \$28K donated by a booster club to a school for smart boards. Trustee Hanacek cautioned parent groups that it is important to consider, when something like a smart board is purchased, it is something the school wants or is already using, staff has been trained to use it, and the level of obsolescence of the item.

It was moved by Trustee Hanacek, seconded by Trustee Addonizio, and the motion carried unanimously to approve the donations of funds and equipment.

Trustee Bryson shared her grave concerns regarding the implementation of the Common Core Mathematics methodology and the impact it will have on students.

**Income Agreement  
Agenda Item 17**

It was moved by Trustee Bryson, seconded by Trustee Hatton, and motion carried by a 4-3 vote to approve the ratification of an Income Agreement with the Orange County Superintendent of Schools to provide Common Core Mathematics professional development training.

AYES: Trustees Alpay, Hanacek, Hatton, Pritchard, and Student Advisor Leilah Rodriguez  
NOES: Trustees Addonizio, Bryson, and Reardon

The Board recessed at 8:52 p.m. to closed session to discuss Public Employee Appointment/Employment and confer with Labor Negotiators.

Trustee Hatton left the meeting at 8:53 p.m.

The Board reconvened to open session and was called to order by President Alpay at 9:17 p.m.

President Alpay reported the following action taken during closed session:

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

**Agenda Item #3 A – Public Employee Appointment/Employment:**

The Board voted by a 6-0 vote to approve the appointment of Carlos Chicas, Director IV, Transportation.

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

**Agenda Item #3 B – Conference with Labor Negotiators:**

No action was taken.

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

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Pritchard,  
and Reardon  
NOES: None  
ABSENT: Trustee Hatton and Student Advisor Leila Rodriguez

President Alpay announced the meeting adjourned at 9:18 p.m.

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Board Clerk

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Secretary, Board of Trustees

*Minutes submitted by Jane Boos, Manager, Board Office Operations*