

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
JUNE 10, 2015  
EDUCATION CENTER – BOARD ROOM

President Hatton-Hodson called the meeting to order at 5:30 p.m. and announced Agenda Item 3 A and 3 B3 had been pulled by staff.

The following speaker addressed the Board:

- *Jen Stenlake requested an extensive investigation on what has happened this year and asked that Trustees not approve any more employee appointments without doing an investigation of the employee's résumé.*

At 5:35 p.m. the Board recessed to closed session to: confer with Legal Counsel regarding Anticipated Litigation; discuss Public Employee Employment/Appointment; discuss Public Employee Discipline/Dismissal/Release; and confer with Labor Negotiators.

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

Present: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

The Pledge of Allegiance was led by the Robotics Team.

**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 Hanacek, seconded by Trustee Reardon, and motion carried by a 7-0 vote to adopt the Board agenda.

**Adoption of the Board Agenda**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None

President Hatton-Hodson reported the following action taken during closed session:

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

**Agenda Item #3 C1 – Public Employee Discipline/Dismissal/Release:**

By a roll call vote, the Board voted 7-0 to approve Resolution No.1415-47, Placing Certificated Employee on Compulsory Leave of Absence, to place employee #15339 on a mandatory leave of absence pursuant to Education Code §44940.

ROLL CALL: AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None  
ABSENT: None  
ABSTAIN: None

**Agenda Item #3 C2 – Public Employee Discipline/Dismissal/Release:**

By a roll call vote, the Board voted 7-0 to approve Resolution No.1415-48, Non-Reelection of Probationary Certificated Employees, to issue notices of non-reelection to probationary and temporary certificated employee(s), identified by #25214, #24036, and #27720, pursuant to Education Code section 44929.21(b), effective at the end of the 2014-2015 school year, and directed the Superintendent or designee to send out appropriate legal notices.

ROLL CALL: AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None  
ABSENT: None  
ABSTAIN: None

Tommy Beales, John Guevara, Christine Harris, Eloisa Robledo, Lisa Stilwagner, and Denise Yota were recognized as the 2015-2016 Classified Employees of the Year.

**Special  
Recognitions**

Canyon Vista Elementary School, Castille Elementary School, and Bernice Ayer Middle School were recognized for being honored by the Orange County Department of Education for their outstanding Peer Assistance Leadership programs.

Malcom Elementary School Teacher Nona Reimer and the sixth grade Robotics Team were recognized for winning the STEM Research Award in the VEX Robotics IQ challenge for middle schools.

Superintendent Vital reported she had met with the ASB Executive Council; visited San Clemente High School; attended an Ad Hoc meeting with the City of San Clemente; the CUCPTSA End-of-Year Breakfast meeting; and the CUSD Foundation dinner. Superintendent Vital also announced San Juan Elementary School received notice it will be sponsored for participation in the *Disney Musicals in Schools* program for 2015-2016; San Clemente High School students Kolby Allard and Lucas Herbert were selected by the Braves in the Major League draft; and clarified the process for making a Citizen's Request to agendaize an item.

**Board and  
Superintendent  
Comments**

Trustee Hatton-Hodson commented that this is the time of the year to celebrate the accomplishments of the graduates.

Trustee Hanacek shared she attended the Eighth Grade Awards Ceremony at Bernice Ayer Middle School, visited Marco Forster Middle School, and is impressed by the specialties at the middle school level.

Trustee McNicholas stated she attended Dana Hills High School, Aliso Niguel High School, Aliso Viejo Middle School, and Niguel Hills Middle School award ceremonies.

Trustee Alpay congratulated the Robotics Team and then read a prepared statement regarding San Clemente High School Principal Michael Halt recent events and requested the Board schedule, at a very near future meeting, an agenda item to discuss the appointment of a Special Master to conduct an independent inquiry of the District.

Trustee Jones reported she attended the award ceremonies at Capistrano Valley High School, Dana Hills High School, and San Juan Hills High School and shared the benefits and value of the Regional Occupational Program.

Trustee Reardon congratulated the Robotics Team and requested that College and Career Planning (CCP) be added to the High School Graduation Requirements Board Workshop agenda scheduled in July.

Due to the number of Blue Cards submitted, President Hatton-Hodson asked Trustees if they wished to waive the Board policy maximum time limit of 20 minutes for speakers. It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to waive Board Policy 9323.

**Oral  
Communications**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones,  
McNicholas, Pritchard, and Reardon  
NOES: None

The following speakers addressed the Board:

- *Justin Betrikas, Sean Conway, Anna Mendez, Natalie McGinley, Paige Foreman, and Evan Harris requested an investigation of the evaluation process and reinstatement of Mike Halt to San Clemente High School.*
- *Jennifer Miramontes, Carrie Kitcher, and Kim Studley stated their concerns regarding the residency verification process and next steps.*
- *David Petersen and Sally Edwards asked the Board to reconsider the plan to relocate the Reilly Elementary School STEP program and transport the students to R.H. Dana ENF.*
- *Jessica Weaver, Sara Havranek, and Jennifer Kellar requested Trustees reconsider the 2015-2016 School Calendar start date and to involve parents in the development of school calendars.*

## **DISCUSSION/ACTION**

Trustee Hatton-Hodson announced the Public Hearing open at 8:21 p.m. regarding the 2015-2016 Budget Adoption. There being no speakers to address the Board, Trustee Hatton-Hodson declared the Public Hearing closed at 8:21 p.m.

**Public Hearing:  
Proposed Budget  
Adoption  
Agenda Item 1**

Trustee Jones requested that Agenda Item 4 be moved up on the agenda. By consensus the Board agreed to move the item.

Superintendent Kirsten Vital introduced Jack O'Connell and Kevin Gordon, Capitol Advisors Group representatives who updated Trustees on issues of interest to the District in Sacramento. Following the presentation, Mr. O'Connell and Mr. Gordon answered Trustee questions.

**Capitol Advisors  
Group, LLC  
Agenda Item 4**

Deputy Superintendent Clark Hampton explained this item is a preliminary look at the general fund 2015-2016 budget and the 2014-2015 estimated actuals budget. The item includes the Budget Guidelines that provide the overarching approach for creating the fiscal year budget and the Budget Assumptions which provide the framework for preparing the 2015-2016 budget. Expenditure assumptions include site supply budgets allocated on a per-student basis, class size formulas, which determine teacher staffing levels, salary schedule step increases, and other assumptions. The final 2015-2016 budget will be presented for Board action at the June 24 meeting.

**Proposed Budget  
Adoption  
Agenda Item 2**

Trustee Pritchard requested moving Agenda Item 8 as the next item since there were parents wanting to address this item. By consensus the Board agreed to move the item.

Assistant Superintendent Julie Hatchel stated Community Roots Academy (CRA) has requested a long-term lease of an entire school site to support the growth of its programs for the 2016-2017 school year. Dr. Hatchel stated the first part of the process is to determine available sites that would facilitate a K-8 school and options for the reassignment of students who currently attend the school. Dr. Hatchel stated staff is looking for direction from the Board regarding the site analysis to be conducted in bringing forth a recommendation for the long-term lease negotiations.

**CRA Long-Term  
Lease and  
Engagement Plan  
Agenda Item 8**

Due to the number of Blue Cards, Trustees (by consensus) waived Board Policy 9323 and allowed all the speakers to address the Board.

The following speakers addressed the Board:

- Meredith Drews, Deana Lang, Brandi Newell, Dawne Both, Jessica Taylor, and Roxanne Metz asked Trustees to not consider Wood Canyon Elementary School as one of the facilities for CRA and requested staff research new development in the area that will affect enrollment; the accuracy of the analysis data regarding student growth; and to look at other available sites.
- Jeremy Cavallaro stated CRA needs a facility to enhance its educational program, is willing to relocate to any facility in Aliso Viejo, Laguna Niguel, or San Juan and has never advocated for the closure of any school.
- Brad Shapiro stated CRA is committed to project-based learning and the administration and faculty is devoted to the students' natural curiosity.

Following the speaker comments, Trustees asked staff questions.

Trustee Hatton-Hodson declared the Public Hearing open at 9:31 p.m. regarding the 2015-2016 Local Control Accountability Plan.

**Public Hearing:  
LCAP  
Agenda Item 3**

The following speakers addressed the Board:

- *Sally White requested staff incorporate recruitment and retaining qualified teachers in the LCAP.*

Superintendent Vital stated, for the record, staff received an e-mail today from the CUCPTSA Legislative Team with feedback for the LCAP and staff will follow up with both CUEA and CUCPTSA.

President Hatton-Hodson announced the Public Hearing closed at 9:37 p.m.

Deputy Superintendent Clark Hampton introduced Keith Weaver from Government Financial Strategies who presented a PowerPoint which included an overview of Community Facilities District bonds, potential refinancing opportunities, and next steps. (The PowerPoint is available for viewing on the District website at [www.capousd.org](http://www.capousd.org)).

**Proposed  
Refinancing of  
CFD 98-2 and  
2004-1  
Agenda Item 5**

Deputy Superintendent Clark Hampton provided a PowerPoint overview of the second phase of the Road to Recovery Plan, a recommendation, and timeline regarding the implementation of the plan for 2015-2016. (The PowerPoint is available for viewing on the District website at [www.capousd.org](http://www.capousd.org)).

**Road to Recovery  
Agenda Item 6**

Deputy Superintendent Clark Hampton stated this item allows the District to temporarily transfer money held in any fund to another fund for cash-flow purposes.

**Interfund  
Transfers  
Agenda Item 7**

It was moved by Trustee Reardon, seconded by Trustee Alpay, and motion carried by a 7-0 vote to Resolution No. 1415-45, Authorization of Temporary Interfund Transfers.

ROLL CALL: AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None  
ABSENT: None  
ABSTAIN: None

Superintendent Kirsten Vital stated the staff made the changes to the Facilities goal suggested during the May 27 Board meeting discussion of the District Vision, Mission, and three Wildly Important Goals (WIGs).

**Vision, Mission,  
WIGs  
Agenda Item 9**

Trustees discussed each WIG and made additional changes before they agreed to adopt the following:

Teaching and Learning

*Engage students in meaningful, challenging, and innovative educational experiences to increase post-secondary options for all students.*

Communications

*Communicate with, and engage students, parents, employees, and community members in Districtwide and community-specific decisions.*

Facilities

*Optimize facilities and learning environments for all students.*

It was moved by Trustee Jones, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the District Vision, Mission, and three WIGs as revised.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None

Deputy Superintendent Clark Hampton stated the Church of the Latter Day Saints recently purchased property adjacent to San Juan Hills High School to build a church. On the property is a backflow valve that serves the high school and the church desires to enter into a reciprocal parking agreement. Mr. Hampton introduced Attorney Jeff Hoskinson to answer Trustee questions regarding the agreement.

**Exchange of Real  
Property  
Agenda Item 10**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve Resolution No. 1415-46, Authorizing the Exchange of Certain Real Property Interests with The Corporation of the Presiding Bishop of the Church Of Jesus Christ Of Latter-Day Saints, Approving An Amendment To An Access Easement, Approving A Reciprocal Parking License, Accepting A Backflow Preventer Easement, and Taking Related Actions.

ROLL CALL: AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None  
ABSENT: None  
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger stated the documents represent a year of in-depth, involved, and passionate conversations between CSEA and the District negotiating teams. Mrs. Brentlinger briefly explained the changes to the Tentative Agreement and accompanying Memorandums of Understanding.

**TA with CSEA  
Agenda Item 10A**

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to approve the Tentative Agreement with CSEA for July 1, 2014 – June 30, 2015.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

NOES: None

It was moved by Trustee Hatton-Hodson, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to approve Board Policy 6163.5, *Student Use of Technology and Internet Safety*.

**Board Policy  
Revision  
Agenda Item 11**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

NOES: None

Deputy Superintendent Clark Hampton stated this is the first reading of Board Policy 1330, *Use of Facilities*, which brings the content up to current code. Trustees requested changes and additions to this policy, which will be brought back for a second reading to a future Board meeting.

**Board Policy  
Revision  
Agenda Item 12**

President Hatton-Hodson asked Trustees for items they wished to pull from the Consent Calendar. Items 13, 18, and 20 were pulled.

**Items Pulled from  
the Consent  
Calendar**

### **CONSENT CALENDAR**

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

Appointment of Jan Barrett, Steven Burke, Meredith Chillemi, Luci Coppola, Sarah Draper, Veronica Hoggatt, Allison Jacobs, and Barbara Kakuda to serve as Community Advisory Committee (CAC) voting members for the 2015-2016 and 2016-2017 school years.

**CAC Members  
Agenda Item 14**

Waive California Education Code §60851(c) and Board Policy 6162.52 for eleven students who have completed all requirements for passing the California High School Exit Examination (CAHSEE) subtest in Mathematics and/or English/Language Arts, case numbers 1314-014 to 1314-024.

**CAHSEE Waivers  
Agenda Item 15**

Six comprehensive high school principals as league representatives to the California Interscholastic Federation (CIF) for 2015-2016.

**CIF  
Representatives  
Agenda Item 16**

Payment to District master teachers who supported a student teacher during the 2015 Spring semester.

**Master Teacher  
Payment  
Agenda Item 17**

Donations of funds and equipment.

**Donations  
Agenda Item 19**

Ratification of special education Settlement Agreement Case #2015020196, Settlement Agreement Case #2015040198, Informal Dispute Resolution Case #034215, and Informal Dispute Resolution Case #044115.

**Settlement  
Agreement  
Agenda Item 21**

Ratification of special education Settlement Agreement Case #2015040373 and Informal Dispute Resolution Case #034315.

**Settlement  
Agreement  
Agenda Item 22**

Resolution No. 1415-44 authorizes the District to participate in a Temporary Transfer Agreement for the 2015-2016 fiscal year. **Temporary Transfer Agreement  
Agenda Item 23**

Extension of Agreement Bid. No. 1415-03 with Consolidated Electrical Distributors, Incorporated, to provide electrical supplies and materials for all sites within the District. **Extension Agreement  
Agenda Item 24**

Extension of Agreement Bid. No. 1314-03 with Ben's Asphalt, Incorporated, to provide asphalt paving, sealcoating, and repair services for all sites within the District. **Extension Agreement  
Agenda Item 25**

Award of Bid No. 1516-04, Weed Abatement Service to E. Stewart and Associates, Incorporated. **Bid Award – Weed Abatement Service  
Agenda Item 26**

Award of Bid No. 1516-05, Fence Repairs and Maintenance to Q Fence and Fabrication, Incorporated. **Bid Award – Fence Repairs and Maintenance  
Agenda Item 27**

Resignations, retirements, and employment of classified personnel. **Resignations/  
Retirements/  
Employment  
(Classified Personnel)  
Agenda Item 28**

Resignations, retirements, and employment of certificated personnel. **Resignations/  
Retirements/  
Employment  
(Certificated Personnel)  
Agenda Item 29**

ROLL CALL: AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None  
ABSENT: None  
ABSTAIN: None

Trustee Alpay pulled the item to clarify the announcement read by Trustee Hatton-Hodson at the meeting before the Board recessed to closed session. **Minutes  
Agenda Item 13**

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the minutes of the May 21, 2015, special Board meeting.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon  
NOES: None

Trustee Jones stated she had requested staff clarify several purchase orders in this item and she would like staff's responses noted in the record: **Purchase Orders/Warrants  
Agenda Item 18** 1276960

PO 345905, Paradigm Care Services provides billing services for the District's Medical Administrative Activities reimbursement.  
Various POs for CDWG Inc. are for Chromebooks, mice, and other related items.  
PO 209819, Port View Preparatory School pays the tuition of a student attending a non-public school per the student's IEP.

It was moved by Trustee Jones, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the purchase orders, warrants, and previously Board-approved bids and contracts as listed.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

NOES: None

Trustee Alpay requested staff add not-to-exceed \$20,000 to Contract #1415226, Strumwasser & Woocher LLP, and provide Trustees with the hourly rates.

**Professional Services Agreements  
Agenda Item 20**

It was moved by Trustee Alpay, seconded by Trustee Jones, and motion carried by a 7-0 vote to approve the ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements as amended.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

NOES: None

President Hatton-Hodson recessed the meeting to closed session at 10:28 p.m.

**Recess to Closed Session**

At 10:58 p.m., in closed session, it was moved by Trustee Hatton-Hodson, seconded by Trustee Alpay, and motion carried by a 7-0 vote to extend the Board meeting beyond 11:00 p.m. per Board Bylaw 9323.

**Extending the Meeting**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

NOES: None

President Hatton-Hodson reconvened the meeting at 11:17 p.m. and reported the following action taken during closed session:

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

**Agenda Item #3 B1 – Public Employee Appointment/Employment:**

The Board voted 7-0 to approve the appointments of Michelle Benham, Cynthia Steinert, and Nick Stever, Middle School Principal.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

NOES: None

**Agenda Item #3 B4 – Public Employee Appointment/Employment:**

The Board voted 7-0 to approve the appointments of Matthew Reid, Activities Director, San Clemente High School.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, and Reardon

NOES: None



**Agenda items B5 and B6 – Public Employee Appointment/Employment:**

Trustees continued these items to the June 24 Board meeting.


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

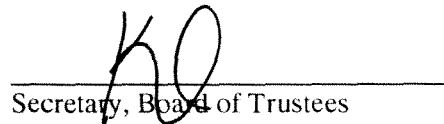
The Board gave direction to staff.

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to adjourn the meeting. **Adjournment**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas,  
Pritchard, and Reardon  
NOES: None

President Hatton-Hodson announced the meeting adjourned at 11:18 p.m.

  
Board Clerk

  
Secretary, Board of Trustees

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