

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
DECEMBER 10, 2014
EDUCATION CENTER – BOARD ROOM

Superintendent Vital called the meeting to order at 5:30 p.m. and announced that newly elected Trustees Hatton-Hodson, Jones, and McNicholas were sworn in at 5:00 p.m. by her in the Superintendent's office and a ceremonial swearing in will take place in Open Session. The Board recessed to closed session to: discuss Student Expulsions; discuss Public Employee Discipline/Dismissal/Release; confer with Legal Counsel regarding Anticipated Litigation; confer with Labor Negotiators; and discuss Public Employee Performance Evaluation.

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

The Oath of Office was administered to Trustee Hatton-Hodson by her children Annie, Jason, and Tyler.

The Oath of Office was administered to Trustee Jones by Judge Gassia Apkarian.

The Oath of Office was administered to Trustee McNicholas by Superintendent Kirsten Vital.

The Pledge of Allegiance was led by Trustee John Alpay.

Present: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon, and Student Advisor Akhil Patel.

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

Adoption of the Board Agenda

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

Superintendent Vital reported the following action was taken during closed session:

Report Out From Closed Session

Agenda Item #3 A1 – A8 – Student Expulsions:

The Board voted 7-0 to expel the following students by stipulated agreements: Case #2015-007, #2015-009, #2015-010, #2015-011, #2015-012, #2015-014, #2015-015, and #2015-017.

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

Attorney Dan Shinoff and Assistant Superintendent Michelle Le Patner were present in closed session for this item.

Agenda Item #3 B1 – Public Employee Discipline/Dismissal/Release:

No action was taken.

Agenda Item #3 B2 – Public Employee Discipline/Dismissal/Release:

By a roll call vote, the Board voted 7-0 to approve the Resignation Agreement and General Release between the District and Certificated Employee No. 10790. Pursuant to the terms of the agreement, Certificated Employee No. 10790 will resign effective November 10, 2014. Under the agreement, Certificated Employee No. 10790 releases the District from any and all legal claims.

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

Agenda Item #3 D – Conference with Labor Negotiators:

The Board gave direction to staff.

Agenda Item #3 E – Public Employee Performance Evaluation:

No action was taken.

Superintendent Vital announced nominations were in order for President of the Board.

Trustee Alpay nominated Trustee Hatton-Hodson. There being no further nominations, nominations were closed by Trustee Alpay, seconded by Trustee Reardon. By a 7-0 vote Trustee Hatton-Hodson was elected President of the Board.

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

President Hatton-Hodson declared that nominations were in order for Vice President. Trustee Alpay nominated Trustee Hanacek. There being no further nominations, nominations were closed by Trustee Alpay, seconded by Trustee Pritchard. By a 7-0 vote, Trustee Hanacek was elected Vice President of the Board.

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

President Hatton-Hodson declared nominations were in order for Clerk of the Board. Trustee Alpay nominated Trustee McNicholas. There being no further nominations, nominations were closed by Trustee Alpay, seconded by Trustee McNicholas. By a 7-0 vote, Trustee McNicholas was elected Clerk of the Board.

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

**Reorganization of
the Board
Agenda Item 1-3**

Dana Hills High School Blue Lantern Vocal Jazz Ensemble directed by Ray Woods presented a holiday musical performance.

**Musical
Performance**

The Board recessed at 7:32 p.m. to reorganize the dais. President Hatton-Hodson reconvened the meeting at 7:40 p.m.

Break

Superintendent Vital thanked the Monarch Beach Sunrise Rotary for hosting the 25th Annual Vocational Day for Dana Hills and Aliso Niguel high school students; shared the District received an award for its Two-Way Language Immersion Programs from the Orange County Business Council; reported on her school visits since the October 22 Board meeting; stated her December Community letter addresses the new state standards implementation and plans for K-12 parent nights; and commented that she, along with Clark Hampton, Julie Hatchel, and Michelle Le Patner have been eating lunches with elementary, middle, and high school students and will be meeting with Dawn Davey to discuss ways to improve student lunches.

**Board and
Superintendent
Comments**

Trustee Hanacek reported she attended the Orange County GRIP Ford Mentorship Program event with Superintendent Vital; the dedication of the new playground equipment at R.H. Dana ENF with Trustee Jones; and she will be the keynote speaker at the Model United Nations event being held at Capistrano Valley High School on Saturday.

Trustee McNicholas shared she had attended the Aliso Viejo area vocal concert and the Special Olympics basketball tournament at Tesoro High School.

Trustee Jones stated she had attended the following District events: PTA Refection's Gallery Night; Aliso Viejo area choral concert; San Clemente High School's CIF game; Ambuehl's Jingle and Mingle; and toured Carl Hankey K-8 School with Superintendent Vital to observe their International Baccalaureate Program.

Student Advisor Akhil Patel thanked Trustee Hanacek for agreeing to be the keynote speaker to launch the opening of Model United Nations on Saturday.

Trustee Hatton-Hodson thanked her supporters who got her through the election and stated just as she is dedicating her next four years to District students, she is dedicating her presidency to Chris Korpi, a strong supporter of the District, who passed away recently.

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:

- *LaVal Brewer congratulated the new Trustees on behalf of the CUSD Foundation and stated the Foundation is committed to partnering with the District to support all students.*
- *Ross Chung thanked the Trustees for serving and stated they are great leaders and can be counted on to make good decisions.*
- *Fran Sdao encouraged the Board to keep and act on their shared values, make their own decisions, and keep their hopes and dreams focused on the children of the District.*
- *Lisa Klipfel stated she wanted to commend the District for being progressive in developing the Intervention and Support Services Department and also shared her concerns on the District's current reading assessment based on information she received at a recent conference.*

- *Joe Ames requested the Board reconsider the District's decision to terminate the Memorandum of Understanding with the City of Dana Point.*

Trustee Alpay requested the record reflect that there was an empty chair in the front row of the audience in memory of Chris Korpi.

President Hatton-Hodson asked Trustees to select committees they want to serve on in 2015.

Trustee Reardon will serve as the District's representative on the Nominating Committee of the Orange County Committee on School District Organization with Trustee McNicholas serving as the alternate.

Trustee Jones will serve on the Orange County School Boards Political Action Group Effort (PAGE).

Trustees Hatton-Hodson, McNicholas, and Reardon all requested to serve on the IMRC. Since only two Trustees serve on this committee, Trustee consensus was to vote to select the two representatives after the other committee selections were completed.

Trustees selected to serve on the following ad hoc committees:

City of Aliso Viejo: Trustees McNicholas and Pritchard

City of Dana Point: Trustees Hanacek and McNicholas

City of Laguna Niguel: Trustees Jones and McNicholas

City of Mission Viejo: Trustees Jones and Reardon

City of Rancho Santa Margarita: Trustee Reardon

City of San Clemente: Trustees Alpay and Hanacek

City of San Juan Capistrano: Trustees Jones and Reardon

Trustee Hanacek will serve as an ex-officio member of the Capistrano Unified School District (CUSD) Foundation.

Trustee Pritchard will serve on the District Restructuring Council (DRC).

Trustees Alpay and Hanacek will serve on the Regional Occupational Program board and Trustee Jones will serve as the alternate.

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the selection of Trustees to serve on the County Committee on School District Organization, Political Action Group Effort (PAGE), City ad hoc committees, CUSD Foundation, District Restructuring Council (DRC), and South Coast Regional Occupational Program (ROP) for 2015, and to vote separately to select two Trustees to serve on the Instructional Materials Review Committee (IMRC).

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon, and Student Advisor Akhil Patel

NOES: None

President Hatton-Hodson stated the three Trustees who wished to serve on the IMRC were herself, Trustee McNicholas, and Trustee Reardon. Before voting to select the two Trustees to serve on this committee, Trustee Reardon asked if each Trustee would be appointing a community member to serve on the committee as in the past. President Hatton-Hodson responded yes. Trustee Reardon stated he would withdraw his name for consideration to serve on the committee as long as he can still make the appointment.

**Reorganization of
the Board-
Appointment to
Committees
Agenda Item 4**

It was moved by Trustee Alpay, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to approve the selection of Trustees Hatton-Hodson and McNicholas to serve on the Instructional Materials Review Committee (IMRC) for 2015.

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

Superintendent Vital stated this is an annual resolution the Board approves to reaffirm the role of the Board. This year, the resolution has been amended to include the additions of the Board protocols the Superintendent and Board have been discussing in the Board and Superintendent Workshops.

**Role of the Board:
Powers and
Responsibilities
Agenda Item 5**

It was moved by Trustee Hanacek, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve Resolution No. 1415-29, Role of the Board: Powers and Responsibilities.

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

DISCUSSION/ACTION

Deputy Superintendent Clark Hampton stated this item will present the 2013-2014 fiscal year Annual Financial Report. Mr. Hampton introduced Shilo Gorospe from Vavrinek, Tine, Day & Co., LLP to present a summary of the audit report for the year ending June 30, 2014, and answer Trustee questions.

**Annual Financial
Report
Agenda Item 6**

It was moved by Trustee Pritchard, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to receive the Annual Financial Report for the District for the fiscal year ending June 30, 2014.

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

Deputy Superintendent Clark Hampton provided a PowerPoint review of the budget, which covered 2014-2015 financial information and multi-year projections. Mr. Hampton stated staff is asking the Board to approve the First Interim Financial Report with a positive certification for 2014-2015, indicating the District will meet its financial obligations for the current and two subsequent fiscal years. *(The PowerPoint is posted on the District website: www.capousd.org)*

**First Interim
Report
Agenda Item 7**

It was moved by Trustee Alpay, seconded by Trustee Jones, and motion carried by a 7-0 vote to approve the Certification of the 2014-2015 First Interim Report and Adoption of Resolution No. 1415-26, 2014-2015 Revenue and Expenditure Increases/Decreases.

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

Deputy Superintendent Clark Hampton provided Trustees with a PowerPoint presentation summarizing the District's Road to Recovery Plan. Mr. Hampton stated the five recommended primary focus themes for 2014-2015 and 2015-2016 are: Safety; Student Services and Support; Curriculum and Instruction/Instructional Technology; Parent and Community Outreach; and Operational Efficiency. The emphasis in 2014-2015 is on Safety and Student Services and Support. Mr. Hampton concluded the PowerPoint by stating approval of the Recovery Plan would incorporate these funds into the 2014-2015 budget as illustrated in the Second Interim Report brought to the Board in the spring. *(The PowerPoint is posted on the District website: www.capousd.org)*

**Recovery Plan
Agenda Item 8**

Following discussion, it was moved by Trustee Reardon, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the 2014-2015 and 2015-2016 Road to Recovery budget allocation.

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

It was moved by Trustee Alpay, seconded by Trustee Hatton-Hodson, and motion carried by a 7-0 vote to continue the proposed July through December 2015 School Board Meeting Schedule to the January 14 Board meeting to allow staff time to research if there is a problem with eliminating the August 12 meeting from the calendar.

**Board Meeting
Schedule
Agenda Item 9**

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

President Hatton-Hodson asked Trustees for items they wished to pull from the Consent Calendar. Agenda items 13 and 37 were pulled.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

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

Minutes of the November 12, 2014, regular Board meeting.

**Minutes
Agenda Item 10**

Minutes of the November 17, 2014, Board/Superintendent Workshop.

**Minutes
Agenda Item 11**

Single School Plans for Student Achievement and Budgets (SPSA) for the 2014-2015.

**Single School Plans
for Student
Achievement and
Budget
Agenda Item 12**

Purchase orders, warrants, and previously Board-approved bids and contracts as listed.	Purchase Orders/Warrants Agenda Item 14
Donations of funds and equipment.	Donations Agenda Item 15
District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements.	Professional Services Agreements Agenda Item 16
Ratification of special education Informal Dispute Resolution Case #102614.	Informal Dispute Resolution Agreement Agenda Item 17
Appointment of Bridget Harvey, Kim Horner, Lisa Klipfel, Janette Morey, Shadi Pourkashaf, and Mercedes Wagner to serve as Community Advisory Committee (CAC) voting members for the 2015 and 2016 calendar years.	CAC Members Agenda Item 18
Memorandum of Understanding with Saddleback Valley Unified School District (SVUSD) for the purpose of implementing special education services and programs.	MOU with SVUSD Agenda Item 19
Resolution No. 1415-27 authorizing the Annual and Five-Year Reportable Fees Reports for Fiscal Year 2013-2014, in compliance with Government Code §66001 and §66006.	Annual Five Year Reportable Fees Report Agenda Item 20
Ratification of the Agreement for LCAP Infographic Services Full Service Option with GOBO, LLC.	LCAP Infographic Services Agenda Item 21
Amendment No. 2 to Agreement Bid No. 1112-10 for tree trimming services provided by West Coast Arborists, Incorporated.	Agreement Amendment Agenda Item 22
Amendment No. 1 to Agreement to Modify Restrictions on the Property Located at 2C Liberty in the City of Aliso Viejo between the Capistrano Unified School District and Shea Homes Limited Partnership.	Agreement Amendment Agenda Item 23
Amendment No. 2 to the Use of Facilities Lease Agreement for the 2015-2020 School Years with Journey Charter School at the Foxborough campus.	Agreement Amendment Agenda Item 24
Extension of Independent Contractor Agreement No. I1011110 with MTGL, Incorporated, to provide special inspections and materials testing, as required by the District.	Agreement Extension Agenda Item 25
Extension of Agreements Bid. No. 1314-15 with Certified Transportation Services, Incorporated; JFK Transportation Co., Incorporated; Transportation Charter Services, Incorporated; Pacific Coast Sightseeing Tours & Charters, Incorporated; and First Student, Incorporated, to provide transportation services, as needed by the District.	Agreement Extension Agenda Item 26
Extension of Agreement Bid. No. 1314-18 with Gilbert & Stearns, Incorporated, to provide repairs related to electrical services for all sites within the District.	Agreement Extension Agenda Item 27

Award of Bid No. 1415-08, Elevator Service to Vertical Transport, Incorporated.	Bid Award – Elevator Service Agenda Item 28
Award of Request for Proposal No. 3-1415, Classified Service Classification and Compensation Study to Ewing Consulting, Incorporated.	RFP Award – Classification and Compensation Study Agenda Item 29
Shorecliffs Middle School Roof Replacement and Repainting Project; Approval of the Agreement for Architectural and Related Services; and Approval to Advertise for Bid No. 1415-16, Shorecliffs Middle School Roof Replacement and Repainting Project.	Shorecliffs MS Roof/Repainting Agenda Item 30
Oxford Preparatory Academy New Portable Restroom Building and Locker Room Conversion; Approval of the Agreement for Architectural and Related Services.	OPA Upgrades Agenda Item 31
Resolution No. 1415-28, Approval of Internal Connections Equipment and Services Request for Proposals Process.	Internal Connections Equipment/Service RFP Process Agenda Item 32
Advertise for Request for Proposal (RFP) No. 6-1415, E-Rate Category Two Internal Connections Equipment and Services.	Advertise RFP – E-Rate Category Agenda Item 33
Advertise Request for Qualifications and Proposals (RFQ-P) No. 5-1415 to provide pre-construction and construction management services for Esencia K-8 School.	Esencia K-8 Construction Management Services Agenda Item 34
Advertise for bids to install, maintain, and repair refrigeration equipment, as requested by the District.	Advertise for Bids– Refrigeration Equipment Agenda Item 35
Advertise for bids to move and reconfigure relocatable buildings, as requested by the District.	Advertise for Bids– Relocatable Buildings Agenda Item 36
Resignations, retirements, and employment of certificated personnel.	Resignations/ Retirements/ Employment (Certificated Personnel) Agenda Item 38
Acceptance of the Memorandum of Understanding with the California School Employees Association, Chapter 224 for November 1, 2014, through June 30, 2015, regarding the Identification Badge Pilot Program.	MOU with CSEA Agenda Item 39

Acceptance of Williams Settlement Legislation First Quarter Report.

**Williams
Settlement
Agenda Item 40**

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

President Hatton-Hodson pulled this item because there were three blue cards submitted to speak to the item.

**MOU with
Breakthrough SJC
Agenda Item 13**

The following speakers addressed the Board:

- Lorena Martinez, Fari Valji, and Natalia Cearcia thanked Trustees for their support and partnership in the Breakthrough San Juan Capistrano program and gave personal testimonies from the perspective of Director, teacher, and student on the impact of the academic support for secondary students.

It was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve the Memorandum of Understanding with Breakthrough San Juan Capistrano, through the 2015-2016 school year.

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

Trustee Jones stated she needed to abstain from voting on this item.

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 6-0-1 vote to approve the resignations, retirements, and employment of classified personnel.

**Resignations/
Retirements/
Employment
(Classified
Personnel)
Agenda Item 37**

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, McNicholas,
Pritchard, Reardon, and Student Advisor Akhil Patel
NOES: None
ABSENT: None
ABSTAIN: Trustee Jones

At 9:05 p.m. President Hatton-Hodson announced the Board would recess to closed session to confer with Legal Counsel regarding Anticipated Litigation, Item 3C.

**Recess to Closed
Session**

The Board reconvened to Open Session at 9:41 p.m. and President Hatton-Hodson reported the following action taken during closed session:

**Report out from
Closed Session**

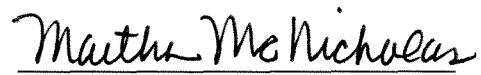
Agenda Item #3 C – Conference with Legal Counsel – Anticipated Litigation: 2 cases

The Board gave direction to staff for one case and no action was taken on the other case. Attorney Dan Shinoff was present in closed session for this item.

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

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones,
McNicholas, Pritchard, Reardon, and Student Advisor
Akhil Patel
NOES: None
ABSENT: None
ABSTAIN: None

President Hatton-Hodson announced the meeting adjourned at 9:43 p.m.


Board Clerk


Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations