

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
MARCH 11, 2015
EDUCATION CENTER – BOARD ROOM

President Hatton-Hodson called the meeting to order at 5:30 p.m. and announced Attorney Dan Shinoff would be present in closed session during the discussion of agenda item 3 A-2. The Board recessed to closed session to: confer with Legal Counsel regarding Anticipated Litigation; confer with Real Property Negotiators; and confer with Labor Negotiators.

Trustee Pritchard arrived in closed session at 5:38 p.m.

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

The Pledge of Allegiance was led by Tesoro High School ASB President Broc Torres.

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

Prior to adopting the agenda, Trustee Hatton-Hodson announced agenda item 3, District English Language Advisory Committee Update, was being pulled and would be brought back to the March 25 Board meeting.

President Announcement

It was moved by Trustee Alpay, seconded by Trustee McNicholas, 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

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

President's Report from Closed Session Meeting

Agenda Item #3 A1 – Conference with Legal Counsel – Anticipated Litigation:

The Board gave direction to staff.

Agenda Item #3 A2 – Conference with Legal Counsel – Anticipated Litigation:

The Board gave direction to staff.

Agenda Item #3 B – Conference with Real Property Negotiators:

The Board voted 7-0 to approve Amendment No. 3 to the Purchase and Sale Agreement, and has authorized the Superintendent or designee to execute and deliver that Amendment to Escrow.

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

Agenda Item #3 C – Conference with Labor Negotiators:

No action was taken.

Julia Moss was recognized for collecting and donating unused musical instruments to students who cannot afford to purchase one, establishing the Let the Beat Go On Club, and providing music tutoring to students at Don Juan Avila Middle School.

**Special
Recognitions**

Student Body President Broc Torres from Tesoro High School presented a report on activities taking place at the high school.

ASB Report

Superintendent Vital announced that the Tesoro High School Music Program was selected as a Grammy Signature School of Excellence for 2015. She also reported she participated in Oak Grove Elementary School's Literacy Week Celebration by reading to a class, and the surprise visits to Wendy Washington's, Jennifer Jacobson's, and Melissa Washington's classrooms when they received notification they were selected as the District's Teacher of the Year for their grade level. Superintendent Vital also mentioned the recent bomb threats and encouraged parent/community positive and/or negative feedback regarding how the District handled the incident. She concluded her comments by reminding everyone of the opportunity to nominate a Classified Employee of the Year. Applications are available online and at school sites from March 9 through March 27.

**Board and
Superintendent
Comments**

Trustees McNicholas commented that she had participated in the Oak Grove Elementary School's Literacy Week Celebration by reading to a class; the Teachers of the Year surprise announcements; and the City of Laguna Niguel Ad Hoc meeting with Trustee Jones, and Superintendent Vital. She also mentioned she is going to Sacramento on Monday with PTA members to meet with Legislators.

Trustee Jones congratulated the Tesoro High School Music Program and shared she has attended several Parent Institute for Quality Education (PIQE) meetings. She explained PIQE is a nine-week program that teaches parents about high school and college prep requirements.

Trustee Hanacek announced Capistrano Valley High School (CVHS) Teacher Chris Dollar was mentioned in Time Magazine for the documentary he helped to create entitled KILLSWITCH, regarding the battle for a free and open Internet, which is being shown on Friday at CVHS. She also shared she attended the CVHS Open House and eighth grade parent night and a City of San Clemente Ad Hoc meeting with Trustee Alpay and Superintendent Vital.

Trustee Pritchard stated he had met with Aliso Viejo Council Members Chung and Harrington regarding an opportunity for partnering with the District for educational programs and added he would like to convene a public discussion with the City to develop the ideal. Trustee Pritchard also encouraged Board members to meet with their Ad Hoc committees and hold public discussions on partnerships for the benefit of both the District and the cities.

Trustee Reardon shared that he, along with Trustee Jones and Superintendent Vital met with the San Juan Capistrano Ad Hoc, and one of the items discussed was the traffic condition at San Juan Hills High School.

Trustee Hatton-Hodson shared her daughter took a trip to UCLA and thanked Capistrano Valley High School and all District schools for creating opportunities for the future for all 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:

- *Christine Zeppos spoke in support of the Bring Your Own Device Program at Wagon Wheel Elementary School.*
- *Claire Stanley shared her positive experience as a former special education student in the District and stated she will graduate in two months from UC Irvine with a judicial degree.*
- *Kyle Molnar stated the students at Aliso Niguel High School need better food options.*

DISCUSSION/ACTION

President Hatton-Hodson announced the Public Hearing open at 7:35 p.m. regarding the Journey Charter Petition Renewal request.

**Public Hearing:
Journey Charter
Renewal Request
Agenda Item 1**

The following speakers addressed the Board:

- Ross Chung, Mike Corbo, Tim Connolly, and Gavin Keller spoke in support of Journey Charter School.

President Hatton-Hodson declared the Public Hearing closed at 7:46 p.m.

Dawn Urbanek addressed the Board regarding high school parking and cap and gown fees. Ms. Urbanek stated the District is using a regulation to collect illegal parking fees and the District's policy is a violation as not all students, visitors, and District employees are charged to park on campus. To be compliant with the law the District must either charge a parking fee to everyone or no one. Ms. Urbanek stated the District should be widely publicizing that caps and gowns are free to everyone, unless the student wants to keep the cap and gown.

**Citizen's Request
Agenda Item 2**

Following the presentation, Trustees made comments and asked Superintendent Vital and staff questions.

This item was pulled prior to the adoption of the agenda.

**DELAC Update
Agenda Item 3**

Assistant Superintendent Michelle Le Patner provided a PowerPoint presentation on the District's immunization requirements, data collection, statistics, and the Orange County Health Care Agency. (The PowerPoint is available for viewing on the District website at www.capousd.org).

**Immunization and
Health Services
Agenda Item 4**

Following the presentation, the Board made comments and asked questions.

Assistant Superintendent Michelle Le Patner stated this item presents the amended Joint Powers Agreement between South Coast Regional Occupational Program, the District, and Laguna Beach Unified School District.

**ROP Amended
JPA
Agenda Item 5**

Following discussion, Trustees gave direction to staff to amend the document. This item will be brought back to the March 25 Board meeting for action.

Assistant Superintendent Michelle Le Patner stated the goal of the school calendar is to optimize learning, maximize instructional time prior to high-stakes testing, align with the majority of Orange County school districts, and increase the opportunities for students to attend summer college programs. The Calendar Committee is recommending the start date for the 2016-2017 school year be moved to Monday, August 15, 2016. The last student day would be Thursday, June 1, 2017.

**Proposed School
Calendar
Agenda Item 6**

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Alpay, and motion carried by a 6-1 vote to approve the proposed 2016-2017 School Calendar.

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

Deputy Superintendent Clark Hampton provided a PowerPoint presentation highlighting key elements of the Second Interim Report. Mr. Hampton concluded the presentation by stating this report presents a positive certification of the Second Interim Financial Report for 2014-2015, indicating the District will be able to meet its financial obligations for the current and two subsequent fiscal years. *(The PowerPoint is posted on the District website.)*

**Second Interim
Report
Agenda Item 7**

The following speaker addressed the Board:

- Dawn Urbanek shared her concerns regarding the District filing a positive Second Interim Report when employee compensation is 89 percent of the budget and the District has not negotiated employee contracts.
- Sally White stated CUEA is excited to see the significant improvement between the first and second interim reports and asked the Board to make teachers a priority when they approve the budget.

Following discussion, 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 Second Interim Report and Adoption of Resolution No. 1415-38, 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

Assistant Superintendent Jodee Brentlinger stated the specific services affected by Resolution No. 1415-39 are part of the District's Deaf and Hard of Hearing program and Adult Education Program services. Eliminating or reducing programs and services now are always precautionary measures and it doesn't preclude the District from coming back with additional information to return and revisit programs and services.

**Reduction or
Elimination of
Certificated
Employees
Agenda Item 8**

It was moved by Trustee Alpay, seconded by Trustee Jones, and motion carried by a 7-0 vote to adopt Resolution No. 1415-39, Reduction or Elimination of Particular Kinds of Services Performed by Certificated Employees.

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

Assistant Superintendent Michelle Le Patner stated this is the third reading of Board Policy 5116, *School Attendance Boundaries*, and changes Trustees requested during the previous readings have been made to the policy.

**Board Policy
Revision
Agenda Item 9**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Jones, and motion carried by a 7-0 vote to approve revised Board Policy 5116, *Schools Attendance Boundaries*, as amended.

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

Superintendent Kirsten Vital stated new Board Bylaw 9003, *Protocols: Board and Superintendent Operating Procedures*, incorporates the operating procedures developed in two Board and Superintendent Workshops.

**New Board Policy
Agenda Item 10**

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to waive the second reading and approve new Board Bylaw 9003, *Board and Superintendent Operating Procedures*, as amended.

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

President Hatton-Hodson announced staff has corrected page 410 in Item 17, Waiver Request for School Absences due to Imminent Danger. The calculations for the estimated attendance for each day is 710.68 students per day and the estimated daily attendance multiplied by number of days of material decrease, yields 683.04 days of attendance requested. Revised page 410 in Exhibit 17 will be posted on the website in the morning. President Hatton-Hodson then asked Trustees for items they wished to pull from the Consent Calendar. Item 22 was pulled.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

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

Minutes of the February 25, 2015, regular Board meeting.

**Minutes
Agenda Item 11**

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

**Purchase
Orders/Warrants
Agenda Item 12**

Donations of funds and equipment.	Donations Agenda Item 13
Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.	Professional Services Agreements Agenda Item 14
Ratification of special education Informal Dispute Resolution Case #013515.	IDR Settlement Agreement Agenda Item 15
Ratification of special education Settlement Agreement Case #2014110528.	Settlement Agreement Agenda Item 16
Waiver Request for School Absences Due to Imminent Danger.	Waiver Request Agenda Item 17
Ratification of Amendment No. 2 to Amended and Restated Purchase and Sale Agreement Between the Foundation for Affordable Housing II, Incorporated.	Amendment Agreement Agenda Item 18
Utilization of the State of Nevada, National Association of State Procurement Officials (NASPO), and Western States Contracting Alliance (WSCA) Contract No. 1907 awarded to Verizon Wireless, and approved for usage in the State of California pursuant to the California Participating Addendum Contract No. 7-10-70-16, for the purchase of wireless telecommunications services and equipment, through Verizon Wireless and Memorization Between Capistrano Unified School District (District) and Verizon Wireless to Provide Wireless Telecommunications Services and Equipment Under the Same Terms and Conditions as the NASPO and WSCA Contract.	Piggyback Bid – Wireless Telecommunication Agenda Item 19
Award of Request for Proposal No. 6-1415, E-Rate Category Two Internal Connections Equipment and Services to AMS.Net, Clear Source IT, Digital Networks Group, and Accuvant.	Request for Proposal Agenda Item 20
Utilization of the Waterford Unified School District Bid No. 01/12 for the purchase of school buses from A-Z Bus Sales, Incorporated, under the same terms and conditions of the public agency’s contract.	Piggyback Bid – Buses Agenda Item 21
Resignations, retirements, and employment of certificated personnel.	Resignations/ Retirements/ Employment (Certificated Personnel) Agenda Item 23
ROLL CALL: AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon and Student Advisor Akhil Patel	
NOES: None	
ABSENT: None	
ABSTAIN: None	

Trustee Jones pulled the item because she has concerns regarding Employee No. 18121 listed under Additional Assignments and she would like staff to investigate the concerns.

**Resignations/
Retirements/
Employment
(Classified
Personnel)
Agenda Item 22**

It was moved by Trustee Jones, seconded by Trustee Alpay, and motion carried by a 7-0 vote to approve the resignations, retirements, and employment of classified personnel as amended (without Employee No. 18121) and staff will review the concerns and report back to Trustees.


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

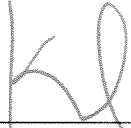
It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to adjourn the meeting.

Adjournment

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

President Hatton-Hodson announced the meeting adjourned at 9:49 p.m.



Board Clerk


Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations