

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
OCTOBER 22, 2014
EDUCATION CENTER – BOARD ROOM

President Alpay called the meeting to order at 5:30 p.m. and announced that Attorney Jon Pearl would be present in closed session during the discussion of Agenda Item 3E. The Board recessed to closed session to: discuss Student Expulsions; confer with Real Property Negotiators; discuss Public Employee Appointment/Employment; 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 Alpay at 7:10 p.m.

The Pledge of Allegiance was led by Retired School Resource Officer Rod Valdez.

Present: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, 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 Bryson, seconded by Trustee Hatton-Hodson, 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-Hodson, Pritchard, Reardon, and Student Advisor Akhil Patel
NOES: None
ABSENT: None
ABSTAIN: None

President Alpay reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3 A1, A3, A4 – Student Expulsion:

The Board voted 7-0 to expel the following students by stipulated agreement: Case #2015-003, #2015-004, and #2015-005.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None

Agenda Item #3 A2 – Student Expulsion:

The Board voted 7-0 to approve moving forward with expulsion: Case #2015-006.

AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None

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

The Board gave direction to staff.

Agenda Item #3 C – Public Employee Appointment/Employment:

The Board gave direction to staff.

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

No action was taken.

Agenda Item #3 E – Conference with Labor Negotiators:

The Board voted 5-2 to approve the reading of the following statement:

AYES: Trustees Alpay, Bryson, Hanacek, Hatton-Hodson, and
Pritchard
NOES: Trustees Addonizio and Reardon

Recently, individuals within our community have made statements regarding negotiations between the Capistrano Unified School District (the District) and the Capistrano Unified Education Association (CUEA). While the Board of Trustees recognizes and respects individuals exercising their rights protected by the First Amendment to the United States Constitution, the purpose of this statement is to provide factual information about the status of these negotiations and to correct some misinformation being circulated. On behalf of the Board of Trustees, District management team, and CUEA, I state the following facts:

1. The previous collective bargaining agreement between the District and CUEA expired on June 30, 2014. As a matter of law, the terms of the expired contract must be generally maintained until (a) a new agreement is reached through bargaining, or (b) the impasse process is completed. Therefore, the District and CUEA will continue to negotiate in good faith towards a successor agreement.
2. The District and CUEA teams have both “sunshined” initial proposals at Board meetings in accordance with Government Code §3547.
3. The District’s proposals to CUEA were adopted by the Board at its meeting on March 26, 2014.
4. CUEA’s initial proposals to the District were presented to the Board during the meeting on April 23, 2014.
5. The District and CUEA bargaining teams have met for purposes of negotiation on June 12, 2014, and August 12, 2014.
6. The District and CUEA postponed negotiations on certain dates as follows:
 - a. October 3, 2014, given the need for clarity regarding priorities and recommendations regarding the District’s Recovery Plan, and
 - b. October 16, 2014, given the previously scheduled events relating to the Great California ShakeOut
7. Additional full-day negotiation sessions are on calendar for:
 - a. Friday, November 14
 - b. Tuesday, December 2
 - c. Thursday, December 18
8. The District is mindful of its obligation to address negotiable issues with employee groups. The District’s Recovery Plan, and the priorities and recommendations set forth in that Plan, will be part of important dialogue with CUEA.
9. The District and CUEA remain committed to working collaboratively on behalf of all students served in the District.

Teachers Rob Harris, Barbara Bauer, and Joel Tapper were recognized for their involvement with the Structured Teaching Educating Prepared Students (STEPS) Program at Dana Hills High School for students with moderate to severe disabilities.

Special Recognition

Retired School Resource Officer Rod Valdez was recognized for his outstanding service at San Clemente High School.

Superintendent Kirsten Vital commented on her recent site visits, meeting with ASB Presidents, and Friday night's Teacher of the Year celebration at the Disneyland Hotel. Superintendent Vital also reported that staff has been following up on Trustee Hatton-Hodson's recommendation of planting a tree with a plaque honoring the memory of the students the District recently lost due to a car accident.

Board and Superintendent Comments

Trustee Hatton-Hodson shared she had attended the grand opening of Newhart Middle School's organic garden, which is the result of a collaborative effort with the community and is a hands-on learning experience for 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:

- *Dawn Urbanek informed the Board that a group of parents, lead by her, is suing the State of California in Federal Court on the grounds that Governor Brown's Local Control Funding Formula withholds funds for education.*
- *Elizabeth Votava provided Trustees with a handout with information on free federal grant money available for implementing teen safe driving programs and also suggested the Board consider identification cards for middle and high school students with the Teen Driver Safety laws on the backside of the card.*

DISCUSSION/ACTION

President Alpay announced the Public Hearing open at 7:33 p.m. regarding Resolution No. 1415-22, Statement of Assurance for Instructional Materials Realignment Fund, Fiscal Year 2014-2015. There being no speakers to address the Board, President Alpay declared the Public Hearing closed at 7:34 p.m.

**Public Hearing:
Instructional
Materials
Realignment Fund
Agenda Item 1**

Assistant Superintendent Julie Hatchel stated this item meets the annual requirement to bring forth a resolution of assurance of textbook sufficiency at each school. Dr. Hatchel reported both she and Dr. Le Patner have received signed assurance from each principal that their site had sufficient textbooks for all of their students.

**Instructional
Materials
Realignment Fund
Agenda Item 2**

It was moved by Trustee Bryson, seconded by Trustee Hatton-Hodson, and motion carried by a 7-0 vote to approve Resolution No. 1415-22, Statement of Assurance for Instructional Materials Realignment Fund, Fiscal Year 2014-2015.

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

Superintendent Kirsten Vital provided the Board with a PowerPoint presentation on her recommendation for 2014-2015 District goals and objectives based on her preliminary observations. The goals presented were: Create and implement a “Road to Recovery”; Improve facilities through both short- and long-range planning; Implement programs and services to increase academic achievement for all students; Implement our Local Control Accountability Plan; and Prioritize programs and investments. This item will be brought back to the November 12, 2014, Board meeting for discussion and action. *(The PowerPoint is available for viewing on the District website at www.capousd.org)*

**District Goals and Objectives
Agenda Item 3**

Deputy Superintendent Clark Hampton provided a PowerPoint update on the District’s Recovery Plan. The presentation included information on important future considerations; the Local Control Funding Formula; 2014-2015 growth toward the target; thoughtful recovery based on state funding and future goals and objectives; recommended primary focus themes for 2014-2015 and 2015-2016; and next steps. *(The PowerPoint is available for viewing on the District website at www.capousd.org)*

**Recovery Plan Update
Agenda Item 4**

Assistant Superintendents Julie Hatchel and Michelle Le Patner presented a PowerPoint overview of the Local Control Accountability Plan (LCAP), funding, goals, community engagement, and progress status since the last presentation. *(The PowerPoint is available for viewing on the District website at www.capousd.org)*

**LCAP Update
Agenda Item 5**

The following speaker addressed the Board:

- Dawn Urbanek stated her concerns that parents were not involved in the decisions the District is making regarding LCAP spending and curriculum.

Superintendent Kirsten Vital stated this is the second reading for revised Board Policy 2210, *Administrative Leeway in Absence of Governing Board Policy*. The changes requested by Trustees at the September 24, 2014, Board meeting, have been added and the Cabinet Organizational Chart has been attached to the policy.

**Board Policy Revisions
Agenda Item 6**

It was moved by Trustee Bryson, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to approve the revisions to Board Policy 2210, *Administrative Leeway in Absence of Governing Board Policy*.

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

Superintendent Vital stated changes to Board Bylaw 9324, *Board Minutes* consist of eliminating language that is redundant of the agenda the District already has and to clarify regular and special Board meetings. Trustee Reardon requested staff “untangle” verbiage on the first page of the bylaw so that it is clear and concise. Trustee Alpay suggested Trustee Reardon contact staff and provide specific direction.

**Board Policy Revisions
Agenda Item 7**

President Alpay asked Trustees for items they wished to pull from the Consent Calendar. Item 9 was pulled.

Items Pulled from the Consent Calendar

CONSENT CALENDAR

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

Minutes of the October 8, 2014, special Board meeting.

**Minutes
Agenda Item 8**

Memorandum of Understanding (MOU) with the National Council on Alcoholism and Drug Dependence-Orange County (NCADD-OC).	MOU-NCADD-OC Agenda Item 10
Master teacher payment.	Master Teacher Payment 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 #081614.	Informal Dispute Resolution Agenda Item 15
Ratification of special education Settlement Agreement Case #2014090217, Informal Dispute Resolution Case #066914, Case #092114, and Case #092214.	Settlement Agreement Agenda Item 16
Personnel Reimbursement Agreement with Laguna Beach Unified School District to provide five days of instruction by a qualified Orientation and Mobility Specialist to LBUSD during the 2014-2015 school year.	Personnel Reimbursement Agreement Agenda Item 17
Personnel Reimbursement Agreement with Saddleback Valley Unified School District to provide 40 days of instruction by a qualified Orientation and Mobility Specialist to SVUSD during the 2014-2015 school year.	Personnel Reimbursement Agreement Agenda Item 18
Ratification of Change Order No. 1 related to the construction of five relocatable classroom buildings at Ladera Ranch Middle School.	Change Order #1 - LRMS Agenda Item 19
Ratification of Change Order No. 1 related to the construction of ten relocatable classroom buildings and one relocatable restroom building at San Juan Hills High School.	Change Order #1- SJHHS Agenda Item 20
Ratification of Change Order No. 2 related to the construction of ten relocatable classroom buildings and one relocatable restroom building at San Juan Hills High School.	Change Order #2- SJHHS Agenda Item 21
Ratification of Change Order No. 3 related to the construction of the Capistrano Valley High School lunch pavilion and music plaza.	Change Order #3 - CVHS Agenda Item 22

Final acceptance and filing of the Notice of Completion for the roof replacement of the Triton Center, Little Theater, and polyurethane foam encapsulation of the Upper Campus U buildings at San Clemente High School.

**Final Acceptance
and Notice of
Completion
Agenda Item 23**

Denial of Government Claim No. 14-18036 DP.

**Government Claim
Agenda Item 24**

Authorization to utilize the State of California Multiple Award Schedule Contract No. 3-14-70-3018A, GSA Schedule No. GS-35F-0511T, awarded to Epic Machines, Incorporated, for the purchase and warranty of hardware and software, software maintenance, and installation for Cisco brand products, as needed by the District.

**Multiple Award
Schedule Contract
Agenda Item 25**

Resignations, retirements, and employment of classified personnel.

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

Resignations, retirements, and employment of certificated personnel.

**Resignations/
Retirements/
Employment
(Certificated
Personnel)
Agenda Item 27**

Internship Contract Agreement with California State University, Fullerton.

**Internship
Contract
Agenda Item 28**

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

Trustee Addonizio asked staff how many teachers are participating in the ESCAPE program. Assistant Superintendent Julie Hatchel responded there are currently 15 teachers participating and more are expected.

**MOU-ESCAPE
Grant
Agenda Item 9**


It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried by a 7-0 vote to approve the Memorandum of Understanding with the Regents of the University of California, supporting the ESCAPE Grant.

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

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

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

President Alpay announced the meeting adjourned at 8:49 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations