

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR MEETING  
MAY 27, 2015  
EDUCATION CENTER – BOARD ROOM

President Hatton-Hodson called the meeting to order at 5:30 p.m.

The following speaker addressed the Board:

- *Paige Foreman spoke regarding closed session items pertaining to existing and anticipated litigation. She shared District funds are being spent too freely and believes staff counsel should be used so more money can be used on facilities.*

The Board recessed to closed session to: confer with Legal Counsel regarding Existing Litigation; confer with Legal Counsel regarding Anticipated Litigation; discuss Public Employee Employment/Appointment; and discuss Student Expulsions.

Closed session recessed at 6:45 p.m.

The regular meeting of the Board reconvened to open session and was called to order by President Hatton-Hodson at 7:01 p.m.

The Pledge of Allegiance was led by Student Advisor Akhil Patel.

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](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, Reardon, and Student Advisor Akhil Patel  
NOES: None

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

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

**Agenda Item #3 A – Conference with Legal Counsel –Existing Litigation:**

The Board voted 7-0 to approve the Settlement Agreement not-to-exceed \$64,000 fully resolving this litigation.

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

**Agenda Item #3 B – Conference with Legal Counsel –Existing Litigation:**

The Board voted 7-0 to approve the Settlement Agreement as presented.

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

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

No action was taken.

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

The Board voted 7-0 to approve the appointment of Dara Stephens, Coordinator, Student Study Team/504.

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

**Agenda Item #3 E – Student Expulsions:**

The Board voted 7-0 to expel the following students by stipulated agreements: Case #2015-026, Case #2015-027, Case #2015-028, Case #2015-30, and Case #2015-035.

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

Wendy Washington, Jennifer Jacobson, and Melissa Washington were recognized as the District’s top three Teachers of the Year.

**Special Recognitions**

Las Palmas Teacher Paola PazSoldan was recognized for STEM education.

Kaitlyn Cook, Jean-Michel Depew, John Renard, Connor Suggs, Vincent McFadden, and Jackson Zoch were recognized as graduating seniors who will be entering U.S. Military Academies.

Ed Molina and student coaches Patrick Landeros, Eddie Molina, Donovan Shreve, Sahand Zargari, and Zach Young were recognized for their contributions to the GRIP program.

Student Body President Paul Mauntel from Adult Transition shared his background and how the Adult Transition program and staff have impacted his life.

**ASB Report**

Superintendent Vital publicly recognized the District’s classified employees, Visual and Performing Arts staff, Carl Hankey K-8 School for their middle school’s receipt of the California Gold Ribbon award, the six-year WASC Accreditation for ROP, and the recognition of Bernice Ayer, Canyon Vista, Castille, and Newhart as outstanding Peer Assistance Leadership programs by the Orange County Department of Education. She also presented an update on School of Choice.

**Board and Superintendent Comments**

Trustee Hanacek thanked those given special recognition and the Teachers of the Year. She then thanked Student Advisor Akhil Patel for his service and shared the letter of recommendation she wrote for him.

Trustee Hatton-Hodson presented Student Advisor Akhil Patel with a gift from the Board of Trustees in recognition of his service and upcoming graduation.

Student Advisor Akhil Patel thanked everyone involved with the District and the Board and shared how his experiences on the Board will assist him in the future.

Trustee Jones expressed her appreciation for those recognized and for Student Advisor Akhil Patel. She then shared her background and shared the decision-making principles that guide her when voting on items as a Trustee.

Trustee Alpay thanked Akhil Patel and then requested to modify the agenda. It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to move agenda item 10A to the top of the agenda under Item 1.

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

The following speakers addressed the Board:

- *Enrique Romero and Gonzalo Vizcaya spoke regarding their view of the District's culture and perception.*
- *Paul Jenkinson and Stacy Tran spoke regarding Pacifica San Juan CFD 981-A requesting a one percent levy for 2015-2016 and to have a discussion before CFD amounts are determined.*

Trustee Reardon requested Pacifica San Juan be agendized for the July 22, 2015, Board meeting. Trustee Hatton-Hodson agreed.

## DISCUSSION/ACTION

Jennifer Miramontes requested the placement of an agenda item regarding residency verification for impacted schools. Ms. Miramontes thanked the Board for the steps the District had taken in the last few weeks regarding residency verification. She expressed her concern that once verification has been completed for the 2015-2016 school year, this process will cease and address verification will no longer be conducted. On behalf of Ladera Ranch parents, Ms. Miramontes requested that a Districtwide policy regarding annual residency verification at all schools be adopted prior to the 2015-2016 school year. In addition, she requested the Board consider a formal Residency Verification process similar to the one used in the Irvine Unified School District.

The following speaker addressed the Board:

- *Carrie Kitcher requested a long-term Board policy be established for address verification.*

Following discussion, Trustees gave direction to staff to provide a report on the data analysis of the Ladera Ranch address verification at the June 22, 2015, Board meeting.

Trustee Reardon made a motion to postpone item 10A to an open session to be conducted after closed session on June 4, 2015. Trustee McNicholas seconded this motion. Trustee Alpay asked if there are any blue cards on this subject and raised point of clarification. President Hatton-Hodson read Roberts Rules of Order. Trustee Alpay raised point of clarification requesting the section used from Roberts Rules of Order. Trustee Reardon requested the President rule on this item. President Hatton-Hodson stated the item would be moved to the June 4, 2015, special Board meeting. Trustee Alpay disagreed with the motion and appealed to the body and requested Trustees vote on this ruling.

A roll-call vote was taken to appeal to the body to learn if Trustees agree with the President's ruling to move this item and the blue cards for this item to the June 4, 2015, special Board meeting. President Hatton-Hodson's ruling carried by a 6-1 vote.

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

**Oral  
Communications**

**Citizen's Request  
Agenda Item 1**

**Trustee Request-  
Independent  
Investigator  
Agenda 10A**

Trustee Reardon's motion, seconded by Trustee McNicholas, was then voted on by a roll-call vote to postpone the item and the discussion pertaining to this item to the June 4, 2015, special Board meeting. Motion carried by a 6-1 vote.

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

NOES: Trustee Alpay

ABSTAIN: Student Advisor Akhil Patel

President Hatton-Hodson called a five-minute break. At 8:28 p.m., the President reconvened the meeting. **Break**

Assistant Superintendent Julie Hatchel stated staff is recommending the Board approve the Journey Charter Petition Renewal. The District has worked with Journey staff to review and revise the petition to ensure the petition addresses integration of the new state standards into Journey's curricular program, as well as accountability measures to ensure students are meeting standards. Dr. Hatchel introduced Journey Charter School Executive Director Shaheer Faltas and School Director Gavin Keller, who gave a brief presentation of the charter petition.

**Journey Charter  
Petition Renewal  
Agenda Item 2**

The following speakers addressed the Board:

- *Ross Chun, Emma Townley Smith, Amy Capelle, and Robin Davis spoke in favor of Journey Charter School.*

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Jones, and motion carried by a 7-0 vote to approve Journey Charter School's request for a five-year renewal of its charter petition.

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

NOES: None

Superintendent Vital stated, at the March 18 and April 29 Board and Superintendent Workshops, Trustees developed a District Vision, Mission, and three Wildly Important Goals (WIGs). Trustees have selected Teaching and Learning, Communication, and Facilities as the three WIG areas for 2015-2016. Superintendent Vital stated this item provides Trustees the opportunity to discuss the draft District Vision, Mission, and WIGs in open session, and to provide further direction to staff for defining the WIGs.

**District Vision,  
Mission, Goals  
Agenda Item 3**

The following speakers addressed the Board:

- *Paige Foreman stated transparency should be included at the top when developing the District's Wildly Important Goals.*
- *Shelley Reyland asked Trustees what they are teaching students through this process and to look at the quality of communication they have given to the San Clemente community.*

Following discussion, Trustees voiced support of Option 2 for the WIG under Teaching and Learning and Option 2 for the WIG under Communication. After further discussion, Trustee McNicholas suggested the Facilities WIG be revised to something similar to "The facilities and infrastructure of CUSD will be designed with community engagement to optimize student learning in a safe, warm, cool, and dry environment that outlines both long- and short-term plans." This item will be brought back to the Board as an action item so the LCAP, EL Master Plan, LEA, and Facilities can be aligned with the Board-approved goals.

Deputy Superintendent Clark Hampton provided a PowerPoint overview of the economic outlook and the Governor's May Revised Budget. (The PowerPoint is available for viewing on the District website at [www.capousd.org](http://www.capousd.org)).

**Financial Report  
Agenda Item 4**

The following speakers addressed the Board:

- *Paige Foreman spoke regarding the wasteful spending of District funds on security for staff and the cost of electricity in the District.*

Assistant Superintendent Michelle Le Patner provided the Board with a PowerPoint presentation, which included: the Local Control Accountability Plan Over View (LCAP); Stakeholder Engagement; 2014-2015 Annual Update and 2015-2016 Actions and Services for Goals 1-5; and next steps. (The PowerPoint is available for viewing on the District website at [www.capousd.org](http://www.capousd.org)).

**LCAP  
Implementation  
Update  
Agenda Item 5**

The following speakers addressed the Board:

- *Grant Meyer spoke regarding LCAP Goal Number 5 and the status of repairs listed in the School Accountability Report Cards at District high schools.*

Following discussion, Trustee McNicholas requested Facilities be added to the next presentation on LCAP and Trustee Reardon requested the new Honors class information also be added to the next presentation. Trustee Hanacek requested assisting Transitional Kindergarten families through this process. Superintendent Vital requested that Deputy Superintendent Clark Hampton and Executive Director John Forney follow up on Grant Meyer's comments.

Assistant Superintendent Jodee Brentlinger stated the current Collective Bargaining Agreement between the District and Teamsters Local 952 expires on June 30, 2015. On May 8, 2015, Teamsters presented the District with the Association's reopener proposal. Board Policy 4143.1, *Public Notice – Issues of Meeting and Negotiations*, describes the steps to be taken by the Board and its authorized representatives in order to enter into a new Agreement with an exclusive bargaining unit.

**Teamsters  
Contract Reopener  
Proposal  
Agenda Item 6**

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 6-0 vote to accept receipt of the Teamsters Local 952 contract reopener proposal.

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

NOES: None

ABSENT: Trustee Jones (temporarily left dais)

Assistant Superintendent Jodee Brentlinger stated Board Policy 4143.1, *Public Notice – Issues of Meeting and Negotiations*, describes the steps to be taken by the Board and its authorized representatives in order to enter into a new Agreement with an exclusive bargaining unit. The District is submitting its proposal so 2015-2016 negotiations may be addressed within the context of the District's Road to Recovery.

**District Contract  
Reopener Proposal  
to Teamsters  
Agenda Item 7**

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 6-0 vote to approve the District's contract reopener proposal to Teamsters Local 952.

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

NOES: None

ABSENT: Trustee Jones (temporarily left dais)

Deputy Superintendent Clark Hampton stated a committee process for engaging the community is being developed to look at the District's need for safe, cool, warm, and dry facilities. Mr. Hampton introduced the District's financial advisor Keith Weaver from Government Financial Strategies, who provided a PowerPoint presentation of the key features of the suggested committee process, the syllabus of topics to be discussed, a schedule of events, the goals, and next steps for the committee process. Following discussion, the Board gave direction to staff.

**Facilities  
Community  
Engagement  
Process  
Agenda Item 8**

**Facilities Projects  
and Funding  
Agenda Item 9**

Deputy Superintendent Clark Hampton stated this item is a continuation of the discussion of the District's facilities needs and potential solutions relating to high school capacity, as well as other important facility upgrades over the next several years presented at the April 22 Board meeting. Mr. Hampton provided a PowerPoint presentation consisting of a Facilities Update; Summer 2015 Projects; Future Projects; Enhancing High School Capacity; Sample Construction Schedule; Other Projects; and Funding Sources. (The PowerPoint is available for viewing on the District website at [www.capousd.org](http://www.capousd.org)).

The following speakers addressed the Board:

- *Wendy Shrove suggested District administration heal the rift in community before attempting to pass a bond measure.*
- *Randy Griffin stated students cannot move forward without all parties working together and urged the Board to review records and reinstate Michael Halt.*
- *Laura Ferguson and Debbie Flowers urged the Board and its legal counsel to carefully consider appropriation of Talega's over collected taxes.*
- *Jennifer Miramontes shared concerns after reviewing a recent Public Records Request to find the term construction but no details regarding what the construction was.*

Following discussion, Trustee McNicholas stated she would not support this item since there was nothing in item addressing facilities needs at Dana Hills High School.

It was moved by Trustee Hanacek, seconded by Trustee Reardon, and motion carried by a 6-1 vote to approve the presented proposal.

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

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to continue this item to the June 10, 2015, Board meeting.

**Board Policy  
Revisions  
Agenda Item 10**

Prior to the adoption of the Consent Calendar, President Hatton-Hodson announced that Agenda Item 13, Order Confirmation-Meltwater News, was being pulled by staff.

**President  
Announcement**

President Hatton-Hodson asked Trustees for items they wished to pull from the Consent Calendar. Items 12, 14, 16, 21, and 22 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:

Minutes of the May 13, 2015, regular Board meeting.

**Minutes  
Agenda Item 11**

This item was pulled prior to the adoption of the Consent Calendar.

**Order  
Confirmation-  
Meltwater News  
Agenda Item 13**

Donations of funds and equipment.

**Donations  
Agenda Item 15**

Award of Bid No. 1415-16, Shorecliffs Middle School Roof Replacement and Repainting.

**Award of Bid –  
SMS Roof  
Agenda Item 17**

Award of Bid No. 1415-19, Las Flores Elementary School New Portable Restroom Building and Associated Site Work.

**Award of Bid –  
LFES Restrooms  
Agenda Item 18**

Award of Bid No. 1415-20, Dana Hills High School New Portable Wrestling Room Building, New Portable Restroom Building, and Associated Site Work.

**Award of Bid –  
DHHS Wrestling  
Room/Restroom  
Agenda Item 19**

Award of Bid No. 1415-21, Oxford Preparatory New Portable Restroom Building and Associated Site Work.

**Award of Bid –  
OPA Restroom  
Agenda Item 20**

Resignations, retirements, and employment of classified personnel.

**Resignations/  
Retirements/  
Employment  
(Classified  
Personnel)  
Agenda Item 23**

Resignations, retirements, and employment of certificated personnel.

**Resignations/  
Retirements/  
Employment  
(Certificated  
Personnel)  
Agenda Item 24**

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 stated she pulled this item asking staff why we keep bringing this forward when CIF continues to deny the request. Assistant Superintendent Michelle Le Patner responded that the parents of two students residing in Dana Hills High School attendance area, attending Capistrano Connections Academy, have requested to participate in sports at Dana Hills High School. Following discussion, it was moved by Trustee Reardon, seconded by Trustee McNicholas, and motion carried by a 5-2 vote to approve the Multi-School Agreement between Dana Hills High School and Capistrano Connections Academy Charter School.

**Multi-School  
Agreement  
Agenda Item 12**

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

NOES: Trustees Alpay and Jones

Trustee Jones stated staff told her Acorn Media is providing optical mice for the Chromebooks. She requested this be noted in the minutes.

**Purchase  
Orders/Warrants  
Agenda Item 14**

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

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

NOES: None

Trustee Jones asked if a staff person could be hired instead of using a contractor. Assistant Superintendent Sara Jocham responded that District staff are used whenever available.

**Professional Services Agreements  
Agenda Item 16**

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

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

Trustee Alpay asked why this retainer was needed. Deputy Superintendent Clark Hampton responded that another expert on CFD-Mello Roos law is needed until the RFP process has concluded; therefore, this is only for a short period of time.

**Retainer Agreement  
Agenda Item 21**

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve Retainer Agreement with Burke, Williams & Sorensen, LLP to provide legal counsel relating to the District's Community Facilities Districts.

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

At, 10:57 p.m., it was moved by Trustee McNicholas, seconded by Trustee Hatton-Hodson, and carried by a 7-0 vote to extend the meeting for 10 minutes.

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

Trustee Alpay asked why there is a second Agreement attached to this item. Assistant Superintendent Michelle Le Patner responded the End User Agreement is for the work to do the address verification. The proprietary document is to ensure Experian will not use the data they receive from the District for any other purposes.

**End User License Agreement  
Agenda Item 22**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the End-User License Agreement for Experian QAS Software and Services Agreement and Proprietary Information Agreement subject to the contracts being revised so California law prevails, to provide address verification and other student attendance monitoring services.

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



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

President Hatton-Hodson announced the meeting adjourned at 11:01 p.m.



Board Clerk



Secretary, Board of Trustees

*Minutes submitted by Connie Scott, Executive Secretary to the Superintendent*