

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
FEBRUARY 10, 2016
EDUCATION CENTER – BOARD ROOM

President Hanacek called the meeting to order at 5:36 p.m.

**Call to Order/
Adjourn to
Closed Session**

At 5:37 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel - Anticipated Litigation; Public Employee Employment/Appointment; and conference with Labor Negotiators.

The regular meeting of the Board reconvened to open session and was called to order by President Hanacek at 7:04 p.m.

ROLL CALL:

Present: Trustees Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon and Student Advisor Sorensen

Absent: Trustees Alpay

The Pledge of Allegiance was led by Board President Hanacek.

**Pledge of
Allegiance
Permanent
Record**

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

It was moved by Trustee Reardon, seconded by Trustee McNicholas and motion carried by a 6-0-1 vote to adopt the Board agenda.

**Adoption of the
Board Agenda**

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

Trustee Alpay arrived at 7:06 p.m.

President Hanacek reported the following action taken during closed session:

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

Agenda Item #3A – Conference with Legal Counsel – Anticipated Litigation

Case #1 The Board gave direction to staff.

Case #2 The Board gave direction to staff.

Case #3 The Board took action to approve the settlement agreement with Brent Melbon approving a payment in the amount of \$47,499 in return for a general release of all claims.

Agenda Item #3B – Public Employee Employment/Appointment

The Board voted 7-0 to approve the Administrative Appointment, Gordon Amerson, Assistant Superintendent, Human Resource Services.

Agenda Item #3C – Conference with Labor Negotiators

The Board gave direction to staff.

Associated Student Body Report – Tesoro High School:

Bill Mocnik, Principal, Ryan Schreiber, Activities Director and Tony Tacheny, Student Body President of Tesoro High School.

**Special
Recognitions**

Student Advisor, Ms. Elizabeth Sorensen recognized Tony Tacheny, student body president at Tesoro High School. Mr. Tacheny discussed the activities at Tesoro High School, including current sporting events, student involvement in clubs, the achievements of the music department and recognized Keith Hancock, Tesoro High School's choral music director, as a top 10 teacher in the country.

Extra Milers:

Michelle Hart, Foundation Executive Director, CUSD Foundation

Ryan Burris announced Michelle Hart, Executive Director of the Capistrano Unified School District Foundation (CUSDF). He thanked her for her contributions and partnership with the District. He stated the mission of CUSDF is to raise money to enhance the quality of education for every student in the District.

Superintendent Vital welcomed CUEA representatives. She congratulated Mr. Amerson, the new Assistant Superintendent of Human Resources. She also announced: school visits to Arroyo Vista and San Clemente High School; new refillable water stations at Capistrano Valley High School and stated students at San Clemente High School are working on a plan to bring refillable water stations to San Clemente. Superintendent Vital announced her attendance at the Saddleback College 2016 South Economic Report and visited the principal at San Clemente High School to get an update on their current language immersion program.

**Board and
Superintendent
Comments**

The following speakers addressed the Board:

- *Sally White, represented the family of San Juan Hills High School. She spoke on behalf of the teachers and asked the Board to listen to their concerns.*
- *Tim Sampson, discussed his concerns for teacher's salaries and stated neighboring districts pay more, have better healthcare, better facilities and offer a stable environment.*
- *Charlie Briggs, teacher of 17 years, San Juan Hills High School, discussed the work ethic and passion of teachers. He asked for a quick and generous settlement for teachers.*
- *Danielle Serio, teacher, discussed her excitement to work for the District, the meaningful relationships with her students and to remember teachers like her who play an important and significant role in student's lives.*
- *Dawn Urbanek, discussed common core state facts, including the requirements for physical education. She stated concerns with children passing their SATs.*
- *Michelle Ploessel-Campbell, invited the Board to attend a musical performance at Crown Valley Elementary..*

**Oral
Communications**

DISCUSSION/ACTION ITEMS

President Hanacek recognized Dr. Susan Holliday who stated the main goals of the policy including the admissions of new students, the development of matriculation pathways, the grandfather clause and to ensure the program is a priority.

**Third Reading –
Revisions To
Board Policy
5111.5, Language
Immersion And
International**

Due to the number of Blue Cards submitted, Trustees discussed waiving Board Policy; Bylaw of the Board § 9323(b), *Meeting Conduct*, regarding the maximum time limit of 20 minutes to hear all speakers per Agenda topic.

**Baccalaureate
Admissions:
Agenda Item 1**

After discussion amongst Trustees, it was moved by Trustee Jones, seconded by Trustee Alpay and motion carried by a 7-0 vote to waive Board Policy, Bylaw of the Board § 9323(b), *Meeting Conduct*, and allow each speaker to address the Board.

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

The following speakers addressed the Board:

- *Jenn Callirgos, PTA president, spoke regarding the Mandarin Immersion Program and expressed concerns of parents who are apprehensive of the Board losing focus of students becoming bilingual.*
- *Jennifer Pang, stated Newhart Middle School is a better choice regarding Mandarin Immersion and stated Carl Hankey Middle School doesn't provide the same options. She suggested the Board hire a coordinator if both Mandarin and Spanish Immersion programs are going to be offered at the same school.*
- *Nadine Bernal, parent, stated her frustrations regarding programs available at San Clemente High School.*
- *Ami Barrett, stated concerns regarding the program being split with physical education, with only 50% dedicated to the Mandarin Immersion learning. She recommends Newhart Middle School with matriculation to Capistrano Valley High School.*
- *Shauna Hutchinson, expressed her appreciation for the Board and the language immersion program. She recommends a dedicated person to support language immersion.*
- *Scott Howell, parent, discussed the grandfather clause and asked the Board to pass the policy as-is. He supports a coordinator for the language immersion program.*
- *Michelle Lee, parent, requested Newhart Middle School to be the middle school for immersion. She is disappointed with the 50% Mandarin Immersion Program at Carl Hankey Elementary School.*
- *Katie Nichol, parent, discussed the survey for the feeder middle school for Mandarin Immersion and suggested one survey is not sufficient to determine the needs of the program.*
- *Susanne Dachgruber, requested more time to make a decision regarding the designated middle school for the Mandarin Immersion Program to address misconceptions of the survey.*

Trustee Jones asked questions regarding the International Baccalaureate program and stated concerns for student capacity at Marian Bergeson Elementary School (MBES). She requested to strike the last sentence on page 6 of the Policy.

Trustee McNicholas asked how many Mandarin Immersion students would continue in the program; Dr. Holliday stated a survey would be necessary to determine continued enrollment. Dr. Holliday also discussed the challenge of fitting in all of the requirements for the International Baccalaureate (IB) program at Carl Hankey Middle School.

Trustee Reardon stated Carl Hankey is an all-student IB school K-8. He stated students cannot take a language immersion program at an IB School. Dr. Holliday stated Newhart Middle School would be a good fit to offer both Mandarin and Spanish language immersion programs. Trustee Reardon ask how we can put 2 immersion programs at Newhart.

Superintendent Vital stated a larger middle school will allow for a better master schedule and allow flexibility for both language immersion programs. She stated principal Jeff Jones supports the program coming to Newhart.

Trustee Hatton-Hodson stated principal Jeff Jones would be an excellent principal to lead the programs at Newhart.

Trustee Hanacek commented that MIP (Mandarin Immersion Program) parents need additional information and direction regarding their choices. She requested that a decision on Viejo be made tonight.

Trustee Alpay expressed concerns for both programs and stated there is no perfect answer. He questioned page 6 of the Policy as well and ask for the feeder pattern to be set for High School.

Trustees gave direction to staff to designate the feeder pattern for Viejo Elementary to be Newhart Middle School.

It was moved by Trustee Reardon, seconded by Trustee Jones and motion carried by a 7-0 vote to bifurcate the Mandarin Immersion Program to be continued and approve the remainder of the Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions*, as amended, including Capistrano Valley as an IB High School, and Viejo to Newhart as the feeder pattern.

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

President Hanacek recognized Mr. Mark Miller, who recognized Veronica Hoggatt, CUSD Special Education Community Advisory Committee Chair. Ms. Hoggatt presented a power point presentation regarding the CAC and their focus to provide a bridge between general education and special education.

The CAC offers parent education and support to the District. Trustee Hanacek and Trustee Jones thanked Ms. Hoggatt for her work.

**Special Education
Community
Advisory
Committee
Annual Report:
Agenda Item 2**

Trustee Reardon left the meeting at 8:47 p.m.

President Hanacek recognized Mr. John Roach who highlighted the main points of the policy. He stated several options were reviewed and the numbers were not able to stay below the cap. He recommended Option 3, for a substitute daily rate of \$105 for the first thirty days, with a long-term rate of \$150 beginning on day thirty-one.

**Second Reading -
Approval of
Substitute Daily
Rate of Pay
Increase:
Agenda Item 3**

The following speakers addressed the Board:

- *Michelle Ploessel-Campbell, stated a daily rate of \$105 is still lower than all of the neighboring districts. She asked the Board to be competitive to ensure good substitute teachers. She also suggested the long-term rate begin at day 11.*

It was moved by Trustee Pritchard, seconded by Trustee Jones and by a 6-0-1 vote, motion carried to approve Option 3 of the Substitute Daily Rate of Pay Increase.

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

President Hanacek recognized Mr. John Roach who reported on this item. He stated the Policy was revised since the last Board meeting and staff recommends approval.

**Second Reading –
Board Policies
4111; 4211; 4311;
Recruitment,
Selection And
Appointment:
Agenda Item 4**

The following speaker addressed the Board:

- *Michelle Ploessel-Campbell, stated she supports the Board policies 4111, 4211 and 4311.*

Trustee McNicholas asked for clarification regarding the Policies. The three policies represent each of the three classifications of employment, Classified, Certificated and CUMA.

It was moved by Trustee McNicholas, seconded by Trustee Hatton-Hodson and by a 6-0-1 vote, motion carried to approve Board Policies 4111; 4211; 4311; *Recruitment, Selection And Appointment*:

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

President Hanacek recognized Superintendent Kirsten Vital to present this item. She stated the need for revising Board policies over the next eighteen months and the commitment involved for the nominated Trustees. The Board would be kept apprised of the status of the meetings to aid in expediting the work of updating policies before the Board meeting.

**Selection of
Trustee
Participation on
Board
Subcommittee on
Board Policy
Updates And
Revisions:
Agenda Item 5**

Trustee Gary Pritchard nominated the officers of the Board to serve in the three positions.

Trustee Jones acknowledged it is a big undertaking.

Trustee Alpay requested further clarification from Superintendent Vital and our work with CSBA. Superintendent Vital shared the work done by staff in the fall with CSBA to review the policies. Trustee Alpay asked for a specific time frame regarding the commitment for the subcommittee. Superintendent Vital stated the timeframe can be amended. Trustee Alpay requested that we include this committee each year in December as part of the annual meeting.

Trustee Jones stated it would be helpful for the goal of the committee to bring policies that are very clean when presented at the Board meetings.

Trustee McNicholas amended the motion for the subcommittee nominations to be brought back during the annual December election meeting.

The nominated trustees are: Trustee Hanacek, Trustee McNicholas and Trustee Reardon.

It was moved by Trustee Pritchard, seconded by Trustee McNicholas and motion carried by a 6-0-1 vote to approve Selection of Trustee Participation on Board Subcommittee on Board Policy Updates And Revisions, as amended, with nominations conducted to the Subcommittee during the annual December election meeting:

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

President Hanacek asked Trustees for items they wished to pull from the Consent Calendar. Trustee Alpay pulled items 9 and 10.

**Items Pulled from
the Consent
Calendar**

CONSENT CALENDAR

It was moved by Trustee McNicholas, seconded by Trustee Hatton-Hodson and motion carried by a 6-0-1 vote to approve the following Consent Calendar, with the exception of items 9 and 10:

Ratification of special education Informal Dispute Resolution Case #20160104, Case #20160105 and Case #20160108.

**IDR Settlement
Agreement
Agenda Item 6**

Approval of special education Settlement Agreement Case #2015071129.

**Settlement
Agreement
Agenda Item 7**

Approval of the Agreement for Architectural and Related Services with WLC Architects, Incorporated.

**Services
Agreement
Agenda Item 8**

Donations of funds and equipment.

**Donations
Agenda Item 11**

Approval of the Extension of Agreement of Bid No. 1314-18, Electrical Service with Gilbert & Stearns, Incorporated.

**Extension of
Agreement
Agenda Item 12**

Approval of the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements.

**Independent
Contractor
Agreements
Agenda Item 13**

Approval of the award of Request for Proposal (RFP) No. 5-1516 Energy Audit Services.

**Award Request
for Proposals
No. 5-1516
Agenda Item 14**

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

**Purchase
Orders/Warrants
Agenda Item 15**

Resignations, retirements, and employment of classified personnel.

**Resignations/
Retirements/
Employment
(Classified
Personnel)
Agenda Item 16**

Resignations, retirements, and employment of certificated personnel.

**Resignations/
Retirements/
Employment
(Certificated
Personnel)
Agenda Item 17**

ROLL CALL:

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

After discussion and further clarification regarding item 9, it was motioned by Trustee Alpay, seconded by Trustee McNicholas and motion carried by a 6-0-1 vote to approve item 9, Quarterly Report – Williams Settlement Uniform Complaint Acceptance of Williams Settlement First Quarter Report.

**Williams
Settlement
Agenda Item 9**

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

ABSENT: Trustee Reardon

Trustee Alpay discussed several discrepancies regarding item 10. He stated all minutes should be separated out by meeting as individual items. He will provide comments and edits and ask that the minutes be brought back to the next Board meeting. It was moved by Trustee Alpay, seconded by Trustee McNicholas and motion carried by a 6-0-1 vote to continue the item.

Minutes
Agenda Item 11

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

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 6-0-1 vote to adjourn the meeting.

Adjournment

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

President Hanacek announced the meeting adjourned at 9:18 p.m.



Board Clerk



Secretary Board of Trustees

Minutes submitted by Colleen Hayes, Manager IV, Superintendent's Office