

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
April 13, 2016
EDUCATION CENTER – BOARD ROOM

President Hanacek called the meeting to order at 5:31 p.m.

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

At 5:31 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel - Existing 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 7:00 p.m.

ROLL CALL:

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

Absent: None

The Pledge of Allegiance was led by Clint Collins, Principal of Adult Transition.

**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

The following Items were pulled from the Agenda by staff: Item 1, Item 17 and Item 28.

**Adoption of the
Board Agenda**

It was moved by Trustee McNicholas, seconded by Trustee Reardon and motion carried by a 7-0 vote to adopt the Board agenda.

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

President Hanacek reported the following action taken during closed session:

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

Agenda Item #3A-1 – Conference with Legal Counsel – Existing Litigation

Trustees vote 6-0-1 to approve settlement agreement not to exceed \$82,388.

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

Agenda Item #3A-2 – Conference with Legal Counsel – Existing Litigation

Trustee Reardon recused himself from the item because of his position as Vice President of New Vista School.

Trustees vote 5-0-1-1 to approve settlement agreement not to exceed \$50,000 for a two year period.

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

Agenda Item #3B – Public Employee Employment/Appointment

Trustees gave direction to staff.

Agenda Item #3C – Conference with Labor Negotiators

No reportable action.

President Hanacek announced that for agenda items 3A-1 and 3A-2 Attorney Ernest Bell was present via phone.

SPECIAL RECOGNITIONS

**Special
Recognitions**

Associated Student Body Report – Adult Transition Programs:

Clint Collins, Principal, and Olivia Willet, Student Representative of Adult Transition Programs will report on their school and activities.

Student Advisor, Ms. Elizabeth Sorensen recognized Clint Collins, Principal of Adult Transitions Program and Olivia Willet, student body Representative of Adult Transition Programs. Olivia a 22 year old student has been in CUSD since preschool. She graduated in December of 2015. She has been working and continuing her education through the help of the Adult Transition Programs. She has received her driver's license and is now able to drive to and from work and classes at Saddleback College. She thanked the teachers at Adult Transition Programs for her continued success.

Celebration of Employee Anniversaries

20 Years of Service

Amy Duarte, Teacher

Laurie Flynn, Teacher

Cori Giacchino, Teacher

Deanna Gross, Teacher

Judy Henry, Teacher

Megan Hunner, Teacher

Valerie Kenney, Teacher

Marie Kirk, Teacher

Rachiel Macalistarie-Frey, Teacher

Jennifer Morris, Teacher

Kim Fleischer, Teacher

Nancy Garell, Teacher

Daniel Grassman, Teacher

Christy Heidner, Teacher

Thomas Hogan, Teacher

Robert Jansen, Teacher

Neal Kirby, Teacher

Carolyn Leslie, Teacher

Michelle McKinley, Teacher

District Teacher of the Year Recipients

High School Teacher of the Year from Dana Hills High School, Kristine Clarke

Middle School Teacher of the Year from Las Flores Middle School, Lisa Hoover

Elementary School Teacher of the Year from George White Elementary, Troy Paula Kubly.

Orange County Classified Employee of the Year Representative

Classified Employee Denise Yota is an Occupational Therapist and finalist who will represent Orange County in the 2016 California Classified Employee of the Year Program.

Superintendent Vital reported on various school visits and the activities of the past two weeks. She highlighted the District Leadership Academy. She also visited the GRIP soccer camp in San Clemente.

Board and Superintendent Comments

The following speakers addressed the Board:

Oral Communications

- *Jeff Hamilton, Parent and Student Supervisor, Oso Grande Elementary, requested the pay be increased for student supervisors. Mr. Hamilton also requested improvements be made to the facility.*
- *John Bibeau, Parent, Palisades Elementary, requested considerations regarding capital improvements and deferred maintenance at Palisades Elementary.*

PUBLIC HEARINGS

This item was pulled from the agenda by staff.

Resolution No. 1516-41, Convey an Easement to the City of San Clemente for Verde Park Agenda Item 1

Following discussion, it was moved by Trustee Jones and seconded by Trustee Reardon to hear Item 29 and Item 22 after Consent Calendar, motion carried by a 7-0 vote.

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

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered by the Board to be routine and will be enacted by the Board in one motion in the form listed below. There will be no discussion of these items prior to the time the Board votes on the motion unless members of the Board, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all Consent Calendar items.

President Hanacek asked Trustees for Items they wished to pull from the Consent Calendar. Trustee Pritchard requested to pull Item 2. Trustee Hatton-Hodson stated she would abstain from Items 14 and 15 due to her absences from those meetings.

Items Pulled from the Consent Calendar

It was moved by Trustee Reardon, seconded by Trustee McNicholas, and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar, with the exception of Item 2.

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

Approval of donations of funds and equipment.

**Donation of funds
and equipment
Agenda Item 3**

Approval of Extension No. 1 of Agreement for Bid No. 1415-17, Movement and Reconfiguration of Relocatable Buildings with G.A. Dominguez, to provide movement and reconfiguration of relocatable buildings as needed throughout the District.

**Extension No. 1 of
agreement for bid
no. 1415-17,
movement and
reconfiguration of
relocatable
buildings**

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

**Agenda Item 4
Master Contract
Agreements**

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2).

**Agenda Item 5
Purchase Orders
and Warrants**

Approval of the ratification of special education Settlement Agreement Case #2015110501, Informal Dispute Resolution Case #20160210, and Informal Dispute Resolution Case #20160222.

**Agenda Item 6
Special Education
Settlements
Agenda Item 7**

Approval of unpaid field experience/student teaching agreement with Longy School of Music of Bard College for placement of teaching candidates.

**Field Experience/
Student Teaching
Agreement –
Longy School Of
Music Of Bard
College**

Approval of scholarship agreement between Brandman University and the District.

**Agenda Item 8
Premier Partners
Program
Agreement –**

Approval of partnership between Brandman University and the District to support and enhance professional development opportunities for classified, certificated, and management employees aligned to the District's Vision, Mission, and Wildly Important Goals.

**Brandman
University
Agenda Item 9
Brandman/District
Professional
Development
University
Partnership
Agenda Item 10**

Approval of the second reading Board Policy 5180, *Nondiscrimination*.

**Second Reading –
Board Policy 5180,
Nondiscrimination
Agenda Item 11**

Approval of the activity list for employment, separation, and additional assignments of classified employees.

**Resignations/
Retirements/
Employment –
Classified
Employees**

Approval of the activity list for employment, separation, and additional assignments of certificated employees.

**Agenda Item 12
Resignations/
Retirements/
Employment –
Certificated
Employees**

Approval of the minutes for the December 9, 2015 Regular Board Meeting.

**Agenda Item 13
School Board
Minutes December
9, 2015 Agenda
Item 14**

Approval of the minutes for the January 27, 2016 Regular Board Meeting.

**School Board
Minutes January
27, 2016**

Approval of the minutes for the February 10, 2016 Regular Board Meeting.

**Agenda Item 15
School Board
Minutes February
10, 2016**

This item was pulled from the agenda by staff.

**Agenda Item 16
School Board
Minutes February
24, 2016**

Approval of the Award of Bid No. 1516-15, Ladera Ranch Middle School Relocatable Classroom and Restroom project to R. Jensen Company, Incorporated.

**Agenda Item 17
Award bid no.
1516-15, Ladera
Ranch Middle**

The Following speaker addressed the Board:

- *Gary Kephart spoke on Ladera Ranch Middle School portables and fences.*

**School Relocatable
Project
Agenda Item 2**

The Following speaker addressed the Board:

- *Dr. Christine Zeppos spoke regarding Brandman University Partnership and scholarship to say thank you.*

Agenda Item 9

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Hatton-Hodson, and motion carried by a 6-0-1 vote to approve Award Bid No. 1516-15, Ladera Ranch Middle School Relocatable Classroom and Restroom project to R. Jensen Company, Inc.

Agenda Item 2

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

DISCUSSION/ACTION ITEMS

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present the item.

**Resolution No.
1516-50, Deny the
Petition for the
Global Business
Academy Charter
School
Agenda Item 29**

The Following speaker addressed the Board:

- *Jerry Simmons available to speak as needed in response to Trustee questions regarding Charter School Petition Denial.*

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Pritchard, and motion carried by a 7-0 vote to Table the Item indefinitely.

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

Following discussion, Trustees came to consensus to hold a Special Meeting to approve the Minutes of the March 23 Regular Board Meeting. The meeting will take place at 3:00 p.m. on April 20, 2016.

**Special Meeting
Date Set for
April 20, 2106**

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present the item.

**Fifth Reading –
Revisions To
Board Policy
5111.5, Language
Immersion And
International
Baccalaureate
Admissions
Agenda Item 22**

The Following speakers addressed the Board:

- *Jennifer Pang spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Michelle Lee spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Katie Nichol spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Susanne Dachgruber spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Juinton Lin spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Kathryn and Alex Go spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Ron Pei spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Mari Scott spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Dave Djavaherian spoke on Mandarin Immersion Program feeder pattern for Middle School.*
- *Danielle Mosh spoke on Mandarin Immersion Program feeder pattern for Middle School.*

- *Lindsey Denison spoke on Mandarin Immersion Program feeder pattern for Middle School.*

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Jones, to approve Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions*.

Trustee Alpay made a substitute motion to approve Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions* with the exception to change the Middle School to Niguel Hills Middle School, seconded by Trustee Reardon, motion carried by a 5-2 Roll Call vote.

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

Trustee Alpay made a motion to hold a 3 minute break, seconded by Trustee Reardon motion carried 7-0. **Break**

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

President Hanacek honored a request to hear Item 20 next on the Agenda.

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present the item.

**First Reading –
Board Policy
5141.27 Food
Allergies
Agenda Item 20**

Following discussion, Trustees came to a consensus to bring back Item 20, Board Policy 5141.27 *Food Allergies*.

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present the item. Clark Hampton introduced Dan Whitaker to present on Proposition 39-The Clean Energy Jobs Act. This was an information item only and no Board action was necessary.

**Proposition 39-
The Clean Energy
Jobs Act
Agenda Item 27**

Trustee Alpay made a motion to waive the time limitation for the meeting to continue on past the 11:00 p.m. hour, seconded by Trustee McNicholas motion carried 7-0.

**Waive Time
Limitation for the
Meeting to
Continue Past the
11:00 p.m. Hour.**

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

President Hanacek recognized Gordon Amerson, Assistant Superintendent, Human Resource Services to present the item.

**Tentative
Agreement with
California School
Employees**

The Following speaker addressed the Board:

- *Ronda Walen spoke on CSEA contract to thank the Board for training opportunities for employees and thanked negotiating team.* **Association Agenda Item 18**

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Jones, and motion carried by a 7-0 vote to approve the Tentative Agreement between the District and the California School Employees Association (CSEA), and its Capistrano Chapter 224.

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

President Hanacek recognized Gordon Amerson, Assistant Superintendent, Human Resource Services to present the item.

The Following speaker addressed the Board:

- *Sally White spoke on CUEA/CUSD contract to thank negotiating team, staff and teachers.*

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve the Tentative Agreement between the District and the California School Employees Association (CSEA), and its Capistrano Chapter 224.

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

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present the item.

The Following speakers addressed the Board:

- *Susan Born spoke on revisions to board policy regarding immunizations.*
- *Melissa Alsop spoke on revisions to board policy regarding immunizations.*
- *Michelle Magno available to speak on revisions to board policy regarding immunizations if further questions arise.*

Following discussion, Trustees directed staff to bring back item.

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present the item.

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 6-0-1 vote to revise Board Policy 5122, *Promotion/Acceleration/Retention.*

Tentative Agreement with Capistrano Unified Education Association for July 1, 2015 – June 30, 2017 Agenda Item 19

Second Reading – Revisions to Board Policy 5165.1, Immunization Requirements for School Entry Agenda Item 23

Second Reading – Revisions to Board Policy 5122, Promotion/Acceleration/Retention Agenda Item 24

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

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present the item.

**Second Reading –
Revisions to Board
Policy 3290, Gifts,
Grants and
Bequests
Agenda Item 25**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 6-0-1 vote to revise Board Policy *3290, Gifts, Grants and Bequests*.

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

President Hanacek recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present the item.

**Second Reading –
Revisions to Board
Policy 3300,
Expenditures/
Expending
Authority
Agenda Item 26**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 6-0-1 vote to revise Board Policy *3300, Expenditures/Expending Authority*.

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

President Hanacek recognized Susan Holliday, Assistant Superintendent, Education Services to present the item.

**First Reading –
Revisions To
Board Policy
6146.1 High School
Graduation
Requirements
Agenda Item 21**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 6-0-1 vote to continue Item 21 Board Policy *6146.1 High School Graduation Requirement*.

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


This item was pulled from the agenda by staff.


Agenda Item 28

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

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

President Hanacek announced the meeting adjourned at 11:20 p.m.



Board Clerk


Secretary, Board of Trustees

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