

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
MAY 11, 2016
EDUCATION CENTER – BOARD ROOM

President Hanacek called the meeting to order at 5:02 p.m.

Call to Order

At 5:02 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation, Public Employee Employment/Appointment; Conference with Labor Negotiators; and Public Employee Performance Evaluation. The regular meeting of the Board reconvened to open session and was called to order by President Amy Hanacek at 7:08 p.m.

**Adjourn to
Closed Session**

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, Jason Allemann, Principal, Dana Hills High School.

**Pledge of
Allegiance**

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 Jones, seconded by Trustee Reardon and by a 7-0 vote, motion carried to adopt the Board Agenda.

**Adoption of 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 – Conference with Legal Counsel

Trustee gave direction to staff.

Agenda Item 3B-1 – Public Employee Employment/Appointment

The Board voted 7-0 to appoint Paul Foucart, Principal, Wood Canyon Elementary School and Jeana Dagley, Principal, Canyon Vista Elementary School.

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

NOES: None

ABSENT: None

Agenda Item 3B-2 – Public Employee Employment/Appointment

The Board voted 7-0 to appoint Donald Mahoney, Principal on Special Assignment.

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

Agenda Item 3C – Conference with Labor Negotiators

No reportable action.

Agenda Item 3D – Public Employment and Evaluation of Performance

No reportable action.

Celebration of Employee Anniversaries

30 Years of Service

Mark Allen, Store Keeper/Delivery Driver

Eric Benson, Teacher

Nancy Blackburn, Teacher

Maureen Cordina, Teacher

Deborah Daniels, Teacher

Geri Dendel, Academic Advisor

Brian Devaney, Teacher

Michelle English, Teacher

Taine Gavin, Teacher

Joyce Hogan, Teacher

Lisa Hoover, Teacher

Cynthia Johnson, Teacher

Deanna Maass, Teacher

Helen Marty, Campus Supervisor

Mark Pearson, Teacher

Maria Pino-Miranda, Preschool Site Facilitator

20 Years of Service

Laura Lyon, Principal

Jennifer Cortez, Teacher

Bobbi Sue Yslas, Manager

**Special
Recognitions**

Extra Miler

Thank you to C.D. "Brud" LeTourneau and Sonia LeTourneau for their dedication to the Social Committee and their commitment to the Employees of Capistrano Unified School District they are recognized as "Extra Milers".

Ryan Burris introduced C.D. "Brud" LeTourneau and Sonia LeTourneau.

Superintendent Vital began by thanking all teachers, site administrators, faculty and staff. She stated, 'The 20 and 30 year anniversaries are extraordinary when you look at the number of young people supported.'

**Board and
Superintendent
Comments**

Superintendent Vital recognized California Teacher Day and Nurse's Day and thanked them all for their contribution to the wellbeing of all children.

Superintendent Vital reported on her site visits and the Teacher of the Year event at SOKA University. Superintendent Vital and Cabinet visited Dana Hills High School to recognize Kristine Clarke our District High School Teacher of the Year who was also awarded the Orange County Teacher of the year honor.

Trustee Gila Jones reported on TWI in our District. Trustee Jones requested staff work to determine and make certain that the English Learners in TWI develop the academic level skills to be successful in college and future careers.

Trustee Amy Hanacek reported other districts have shared with her they use our TWI program as a model for their own programs.

Trustee McNicholas spoke regarding the previous decision on MIP feeder pattern. She requested the item be brought back to the Board for further discussion and to possibly rescind the previous action, due to an estimate of over \$1 million for full renovation at Niguel Hills. She also ask to look into instructional issues that need to be addressed. She asked to give Staff more time to investigate the instructional model for middle and high school before we make a decision on the middle school location.

Trustee Alpay requested the MIP feeder pattern decision be agendized with respect to facilities surrounding cost to renovate Niguel Hills on May 25.

President Hanacek announced all speakers will be heard for oral comments.

**Oral
Communications**

The following speakers addressed the Board:

- *Danielle Mosh spoke regarding the Mandarin Immersion feeder pattern.*
- *Paula Yousef spoke regarding the Mandarin Immersion feeder pattern.*
- *Michele Ploessel-Campbell spoke regarding Crown Valley Bravo Assembly.*
- *Mike Yousef spoke regarding the Mandarin Immersion feeder pattern.*

- *Ronda Walen spoke regarding Classified School Employee Week.*
- *Jennifer Pang spoke regarding Mandarin Immersion feeder pattern.*
- *Polly Cheng spoke regarding Mandarin Immersion feeder pattern.*
- *Stephanie Norman spoke regarding Mandarin Immersion feeder pattern.*

PUBLIC HEARING

Trustee Alpay recused himself from Public Hearing Items 1 and 2 due to a potential economic interest in the proximity of CFD area 98-1B Pacifica San Juan.

President Hanacek announced the Public Hearing open at 7:58 p.m. to hear Resolution No. 1516-52, a Resolution of the Board of Trustees of the Capistrano Unified School District of formation of Community Facilities District No. 98-1b of the Capistrano Unified School District (Pacifica San Juan), authorizing the Levy of a special tax within the District and Establishing an appropriations limit for the District.

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:58 p.m.

President Hanacek announced the Public Hearing open at 7:58 p.m. to hear Resolution No. 1516-53, A Resolution of the Board of Trustees of the Capistrano Unified School District deeming it necessary to incur bonded indebtedness within Community Facilities District No. 98-1B of the Capistrano Unified School District (Pacifica San Juan).

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:59 p.m.

President Hanacek announced the Public Hearing open at 8:00 p.m. to hear instructional materials for secondary mathematics, grade 6-8.

With no public speakers present, President Hanacek declared the Public Hearing closed at 8:00 p.m.

**Public Hearing:
Resolution No.
1516-52,
Formation of
Community
Facilities District
No. 98-1B
Pacifica San
Juan
Agenda Item 1**

**Public Hearing:
Resolution No.
1516-53,
Deeming it
Necessary to
Incur Bonded
Indebtedness
within
Community
Facilities District
No. 98-1B
Pacifica San
Juan
Agenda Item 2
Public Hearing:
Instructional
Materials
Recommended
for Adoption:
Secondary
Mathematics,
Grade 6 - 8:
Agenda Item 3**

President Hanacek announced the Public Hearing open at 8:01 p.m. to hear the Capistrano Unified Education Association's (CUEA) and Capistrano Unified School District's initial proposals for negotiations for the 2016-2017 school year.

**Public Hearing:
CUEA Initial
Proposal and
District's Initial
Proposal
Negotiations:
Agenda Item 4**

With no public speakers present, President Hanacek declared the Public Hearing closed at 8:01 p.m.

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.

**Items Pulled
from the
Consent
Calendar**

President Hanacek asked Trustees for items they wished to pull from the Consent Calendar. Trustee Alpay requested to pull Items 27, 28 and recused himself from Items 18, 19, 20 and 21 due to a potential economic interest. Trustee Pritchard recused himself from Items 23 and 24 due to a potential property interest. Trustee McNicholas requested to pull Items 18, 19, 20, 21, and 22. Trustee Reardon requested to pull Items 27 and 28 for comment. President Hanacek pulled Item 10.

It was moved by Trustee McNicholas, seconded by Trustee Jones, and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar, with the exception of Items 10, 18, 19, 20, 21, 22, 27 and Item 28.

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

Approval of the Amendment to Agreement Bid No. 1415-12 for the purchase of Chromebooks with CDW Government LLC, adding a replacement model to the current price list.

**Amendment to
Agreement BID
NO. 1415-12,
Chromebooks-
CDW
Government,
LLC.
Agenda Item 5
American Red
Cross Shelter
Agreement
Agenda Item 6**

Approval of the American Red Cross Shelter Agreement to permit the American Red Cross to use District facilities on a temporary basis as an emergency public shelter during a disaster.

Approval of the Award of Bid No. 1516-12, San Juan Hills High School Addition Phase I, West Parking Upgrades, to Paul C. Miller Construction Co., Inc.	Award BID No. 1516-12, San Juan Hills High West Parking Upgrades Agenda Item 7
Approval of Award of Bid No. 1516-22, Aliso Niguel High School Relocatable Classrooms to R. Jensen Company, Incorporated.	Award Bid No. 1516-22, Aliso Niguel High School Relocatable Classrooms- R. Jensen Company Incorporated Agenda Item 8
Approval of the Award of Bid No. 1516-25, Asphalt Paving, Sealcoating and Repair to Ben’s Asphalt, Incorporated.	Award Bid No. 1516-25, Asphalt Paving, Sealcoating and Repair-Ben’s Asphalt, Incorporated Agenda Item 9
Approval of Diablo Valley College Academy Support Center Western Academy Support and Training Center Affiliation Agreement to establish an association with Contra Costa Community College District’s Diablo Valley College to provide various forms of operational support.	Diablo Valley College Academy Support Center Western Academy Support and Training Center Affiliation Agreement Agenda Item 11
Approval of donations of funds and equipment.	Donation of Funds and Equipment Agenda Item 12
Approval of the District standardized Independent Contractor, Professional Services, Master Contract, and Field Service Agreements.	Master Contract Agreements Agenda Item 13

Approval to procure eligible E-Rate items (Categories 1 and 2) utilizing Requests for Proposals (RFP) process.

Procure Eligible E-Rate Utilizing Requests for Proposals Process

Agenda Item 14

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

Purchase Orders, Commercial Warrants, and Previously Board-Approved Bids and Contracts

Agenda Item 15

Approval of Quintessential School Systems Services and Support Agreement (FY 16-17), a business administrative software system. The term of the contract for annual support services expires June 30, 2017.

Quintessential School Systems Services and Support Agreement (FY 16-17)

Agenda Item 16

Acceptance of Williams Settlement Third Quarter Report.

Quarterly Report-Williams Settlement Uniform Complaint

Agenda Item 17

Approval of Resolution No. 1516-58 acting on behalf of CFD 87-1 authorizing the prepayment of the outstanding bonds for CFD 87-1.

Resolution No. 1516-58, Retirement Of Bonds and Cessation Of Special Taxes

Agenda Item 23

Approval of Resolution No. 1516-60 authorizing the prepayment of the outstanding bonds for CFD 87-1.

Resolution No. 1516-60, prepayment of the outstanding bonds for CFD 87-1

Agenda Item 24

Approval of the Interagency Agreement between Regional Center of Orange County and Orange County Special Education Local Plan Areas also referred to as California Early Start Agencies (CES) and Early Head Start grantees which

Agreement Regional Center of Orange

include Orange County Head Start Inc. and Rancho Santiago Community College District Early Head Start Program, also referred to as Early Head Start Agencies (EHS).

**County and
Rancho Santiago
Community
College
Agenda Item 25
Government
Claim: No. Emp
1602220DP
Agenda Item 26
Board Meeting
Minutes March
9, 2016
Agenda Item 29
Board Meeting
Minutes
February 24,
2016
Agenda Item 30**

Rejection of Government Claim: No. EMP 1602220 DP, this agenda item pertains to a claim filed against the District by William W. Crosby, Esq.

Approval of the minutes for the March 9, 2016 Regular Board Meeting.

Approval of the minutes for the February 24, 2016 Regular Board Meeting.

DISCUSSION

President Hanacek ask the Trustees to honor a request to hear Item 34 next on the Agenda.

Reorder Agenda

It was moved by Trustee Hatton-Hodson, seconded by Trustee Jones, and motion carried by a 7-0 vote to hear Agenda Item 34.

AYES: Trustees 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.

**Third Reading-
Revision to
Board Policy
5165.1,
Immunization
Requirements
for School Entry
Agenda Item 34**

The Following speakers addressed the Board:

- *Mark Brown spoke regarding SB277/IEP Students.*
- *Hennette Brown spoke regarding SB277/IEP Students.*
- *Susan Born spoke regarding revision to Board Policy Immunization.*

Item was continued.

Trustee Alpay asked for verification of the posting of Items 31 and 36. It could not be verified that these Items were posted to the public 72 hours before the meeting.

**Second Reading-
Revisions to
Board Policy**

Item was continued to May 18, 2016.

**6146.1 High
School
Graduation
Requirements.
Agenda Item 31**

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to reopen Oral Communications to hear Blue Card speakers on Item 31.

The Following speakers addressed the Board:

- *Craig Cunningham spoke regarding the CCP Course Waiver.*
- *Sharon Spiers spoke regarding the CCP Course Waiver.*
- *Ken Workman spoke regarding the CCP Course Waiver.*
- *Lisa Gaspar spoke regarding the CCP Course Waiver.*
- *Christina Lee spoke regarding High School Requirement Changes.*

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

**Calendar
Development
Progress
Agenda Item 32**

The Following speakers addressed the Board:

- *Heather Akbarzadeh spoke regarding the proposed Calendar.*
- *Michele Ploessel-Campbell spoke regarding the proposed Calendar.*

Item was information only.

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

**Board Policy
1221,
Community
Facilities District
Citizens'
Oversight and
Advisory
Commission
Agenda Item 33**

Item was continued.

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

**First Reading-
Revisions to
Board Policy
5181, Section
504 of the
Rehabilitation
Act
Agenda Item 35**

Item was continued.

It could not be verified that the Item was posted to the public 72 hours before the meeting.

**Deletion of
Board Policy
6164.6,
Identification
and Education**

Item was continued to May 25, 2016.

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

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Alpay, and motion carried by a 6-1 vote to table the Item indefinitely.

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

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

Following discussion, it was moved by Trustee Reardon, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the adoption of *California Go Math, Middle School, Grade 6, Grade 7, Grade 7 Accelerated & Grade 8*, Houghton Mifflin Harcourt ©2015, grade 6-8.

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

President Hanacek recognized Kirsten Vital, Superintendent, to present the Item.

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Jones, and motion carried by a 7-0 Roll Call vote to approve Resolution No. 1516-61, to adopt Resolution No. 1516-61, Resolution and Order of Biennial Trustee Election and Specifications of the Election Order.

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

Trustee Alpay recused himself from the Item due to a potential economic interest.

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

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Jones, and motion carried by a 6-0-0-1 Roll Call vote to approve Resolution No.

**under Section 504.
Agenda Item 36
First Reading-Revisions to Board Policy 7511, Naming of Facility
Agenda Item 37**

**Instructional Materials Recommended for Adoption: Secondary Mathematics, Grade 6-8
Agenda Item 38**

**Resolution No. 1516-61, Resolution and Order of Biennial Trustee Election Specifications of the Election Order
Agenda Item 39**

Resolution No. 1516-57, Aggregate Principal of Community Facilities District No. 98-1A of the

1516-57, a Resolution of the Board of Trustees of the Capistrano Unified School District Authorizing the Issuance of Not to Exceed \$6,500,000 Aggregate Principal Amount of Community Facilities District No. 98-1A of the Capistrano Unified School District (Pacifica San Juan).

CUSD (Pacific San Juan) Special Tax Agenda Item 40

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

Trustee Alpay recused himself from the Item due to a potential economic interest. Trustee Pritchard recused himself from the Item due to due to a potential property interest.

Resolution No. 1516-59, Aggregate Principal of Community Facilities District No. 90-2 of the CUSD (Talega) Special Tax Agenda Item 41

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

Item to be brought back May 18, 2016.

ITEMS PULLED FROM CONSENT CALENDAR

Trustee Alpay excused himself from the meeting at 10:27 p.m.

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon and motion carried by a 6-0-1 vote to approve Charter Facilities Agreement with Community Roots Academy in-lieu of Proposition 39 where Community Roots Academy (Charter School) will operate at Crown Valley Elementary School starting the 2016-2017 school year.

Charter Facilities Agreement for 2016-2017 through 2018-2019, Community Roots Academy Agenda Item 10

The Following speaker addressed the Board:

- *Michele Ploessel-Campbell spoke regarding the Community Roots Lease Agreement.*

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

Trustee Pritchard excused himself from the meeting at 10:36 p.m.

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Reardon and motion carried by a 5-0-2 vote to approve a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-52 and related documents on the formation of CFD 98-1B for the Pacifica San Juan community.

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

Resolution No. 1516-52, A Resolution of The Board of Trustees of CUSD of Formation of Community Facilities District No. 98-1B Pacifica San Juan Agenda Item 18
Resolution No. 1516-53, Community Facilities District No. 98-1B Agenda Item 19

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Reardon and motion carried by a 5-0-2 vote to approve a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-53 determining it is necessary to issue bonds to help fund the share of mitigation owed by new homes within CFD 98-1B.

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

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Jones, and motion carried by a 5-0-2 vote to approve a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-54 calling for a special election of the landowners within CFD 98-1B.

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

Resolution No. 1516-54 Special Election for Community Facilities District No. 98-1B Agenda Item 20

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Hatton-Hodson, and motion carried by a 5-0-2 vote to approve a resolution of intention to establish CFD 98-1B on March 23, 2016, the Board is asked to consider approval of Resolution No. 1516-55 declaring the results of the special election of the landowners within CFD 98-1B.

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

Resolution No. 1516-55, Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien Agenda Item 21

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Jones, and motion carried by a 5-0-2 vote to approve a Resolution No. 1516-56 permanently reducing the maximum special tax levy for CFD 98-1A to 39.67 percent of the prior maximum special tax levy.

**Resolution No. 1516-56, Reducing the Levy of Special Taxes within Community Facilities District No. 98-1A
Agenda Item 22**

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

It was moved by Trustee McNicholas, seconded by Trustee Jones and motion carried by a 5-0-2 vote to continue the meeting past the 11:00 o'clock hour.

Continue Meeting past the Hour

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

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Reardon and motion carried by a 5-0-2 vote to approve the activity list for employment, separation, and additional assignments of classified employees.

**Resignations/ Retirements/ Employment – Classified Employees
Agenda Item 27**

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

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Reardon and motion carried by a 5-0-2 vote to approve the activity list for employment, separation, and additional assignments of certificated employees.

**Resignations/ Retirements/ Employment – Certificated Employees
Agenda Item 28**

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

ADJOURNMENT

It was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon and motion carried by a 5-0-2 vote to adjourn the meeting.

Adjournment

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

President Hanacek announced the meeting adjourned at 10:56 p.m.



Board Clerk



Secretary Board of Trustees

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