

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES – REGULAR BOARD MEETING  
NOVEMBER 18, 2015  
EDUCATION CENTER – BOARD ROOM

Vice President Hanacek called the meeting to order at 5:01 p.m. and asked if there were any members of the public who wished to address a closed session item. Seeing none, Vice President Hanacek announced that Attorney Jonathan Pearl will be present during closed session item 3A: Conference with Labor Negotiators; Attorney Dan Spradlin will be present during closed session item 3B: Conference with Legal Counsel – Anticipated Litigation – One Case; Attorney David Huff will be present during closed session item 3C: Conference with Real Property Negotiators; Attorney Jeanne Blumenfeld will be present during closed session item 3D: Conference with Legal Counsel – Existing Litigation; and staff has pulled closed session Item 3E:

At 5:04 p.m. the Board recessed to closed session to discuss: Conference with Labor Negotiators; discuss item 3B: Conference with Legal Counsel – Anticipated Litigation – One Case; discuss item 3C: Conference with Real Property Negotiators; and discuss item 3D; Conference with Legal Counsel – Existing Litigation.

The regular meeting of the Board reconvened to open session and was called to order by Vice President Hanacek at 7:05 p.m.

**ROLL CALL:**

**PRESENT:** Trustees Alpay, Hanacek, Jones, McNicholas, Pritchard, Reardon and Student Advisor Sorensen

**ABSENT:** Trustee Hatton-Hodson

Vice President Hanacek took a brief moment to recognize the tragic events of this past week and paraphrased a quote by author T.H. White used in *The Once and Future King*:

“The best thing for being sad ... is to learn something. That’s the only thing that never fails. You may grow old ... miss your only love ... see the world about you devastated by evil lunatics. There is only one thing for it then - to learn. Learn why the world wags and what wags it. That is the only thing which the mind can never exhaust, never alienate, never be tortured by, never fear or distrust, and never dream of regretting. Learning is the only thing for you. Look what a lot of things there are to learn.”

The Pledge of Allegiance was led by Vice President Hanacek.

**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 McNicholas, seconded by Trustee Reardon, and motion carried by a 6-0-1 vote to adopt the Board Agenda as presented.

**Adoption of the Board Agenda**

**AYES:** Trustees Alpay, Hanacek, Jones, McNicholas, Pritchard, Reardon and Student Advisor Sorensen

**NOES:** None

ABSENT: Trustee Hatton-Hodson  
ABSTAIN: None

Vice President Hanacek reported the following action taken during closed session:

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

**Agenda Item 3A: Conference With Labor Negotiators:**

Attorney Jonathan Pearl was present in closed session for this item. The Board gave direction to staff.

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

Attorney Dan Spradlin was present in closed session for this item. There is no reportable action.

**Agenda Item 3C: Conference with Real Property Negotiations:**

Attorney David Huff was present in closed session for this item. The Board gave direction to staff.

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

Attorney Jeanne Blumenfeld was present in closed session for this item. There is no reportable action.

**Agenda Item 3E: Public Employee Discipline/Dismissal/Release:**

This item was pulled by staff prior to closed session.

**Student Body President Report - Capistrano Valley High School:**

*Sofia "Nikki" Izadshenas, Student Body President Report - Capistrano Valley High School, Josh Hill, Principal, Capistrano Valley High School  
Steven Bryant, Activities Director, Capistrano Valley High School*

**Special  
Recognitions**

Vice President Hanacek recognized Student Advisor Elizabeth Sorensen to introduce Capistrano Valley High School's Student Body President Sofia "Nikki" Izadshenas, together with Principal, Josh Hill and Activities Director, Steven Bryant. Nikki shared information about Capistrano Valley High School Cougar spirit, support of one another, and involvement in the over 80 clubs on campus and other campus activities.

**Extra Milers:**

*Kathi Brevoort - College Fair Chair and Chief Organizer  
Debbie Bursey - Event management, logistics, and volunteers – College Fair  
Sue Hill - Event management, logistics, and volunteers – College Fair*

Vice President Hanacek recognized Ryan Burris, Public Information Officer, who provided information on the College and Career Fair recently housed by Aliso Niguel High School and recognized the event's organizers; Kathi Brevoort, College Fair Chair and Chief Organizer; Sue Hill, Council President and Debbie Bursey, Council Executive

Vice President, assisted with event management and the logistics of the event. The Board personally congratulated and thanked the PTA.

**Learning in Capo Spotlight**

*Area 7 - Schools in Mission Viejo – Implementing real world learning and hands on concepts in science and engineering.*

Superintendent Kirsten Vital introduced a new Board Item; *Learning in Capo Spotlight*. The Superintendent stated this new item provides the opportunity to highlight exceptional practices and partnership in our schools. The first exemplary model is in Area 7 Schools in Mission Viejo where teachers are implementing real world learning and hands-on concepts in science and engineering. Principals and teachers from Castille Elementary School, Newhart Middle School and Capistrano Valley High School were introduced and presented information on their STEM pathway partnership and shared the exciting opportunities they have created for our schools for collaboration, commitment and focus on our students for hands-on science and engineering learning.

Superintendent Kirsten Vital shared information from the fourth and final meeting of the Community Facilities Committee and stated the Committee of 80 District families, community members, teachers and staff, as a group, has arrived at a consensus. The Community Facilities Committee Consensus Report will address District facilities, funding, community engagement and accountability and will be presented to the Board of Trustees at the December 9, 2015 Regular Board meeting. The Superintendent thanked Sonia LeTourneau, Social Committee chair, and complemented her work in coordinating the District Thanksgiving feast which was attended and enjoyed by a large number of District employees. The Superintendent shared information from each of the school site and District activities which she attended over the past few weeks including visits at Hidden Hills Elementary School, Crown Valley Elementary School, the Esencia property, San Juan Hills High School, San Clemente High School, and Concordia Elementary Schools 60th Anniversary celebration. The Superintendent asked any Veterans present to stand and thanked them for their service. The Superintendent stated she attended a Veteran’s Day ceremony at Canyon Vista Elementary School and recognized Castille Elementary School’s Family Day honoring veterans and the many other District schools that held special Veteran’s Day events. Superintendent Vital shared highlights from additional events she attended including CUCPTSA’s Reflection Gallery Night showcasing student artwork from each school that had advanced in the competition; the 2016 Orange County Teacher-of-the-Year dinner was held at Disneyland resort which honor teachers. Superintendent Vital stated ‘after leaving this event you can’t help but realize we have some of the best teachers in the State of California’; lastly, the Superintendent shared her visit to Irvine Kaiser Permanente Campus with Pati Romo and ROP leaders and the enthusiasm of the students in the program and the planning and career path this program provides.

**Board and  
Superintendent  
Comments**

Trustee Jones shared her recent visit to Orange County Business Council Workforce and Development Committee Meeting and referenced discussions concerning “career in a year”, presented by special guest, Assembly Member Patrick O’Donnell. CUSD already does this through the Surgical Technologists Program. Carl Hankey K-8 is the only public K-8 IB program in South Orange County and the work being done by these young students is wonderful.

Trustee McNicholas reported SCHS 52-0 and on to the second round of CIF play-offs. Shared her involvement over the years on the Reflections Gallery Night and the fabulous work of students. Shared highlights from her visit at John S. Malcom Elementary School for the fun and moving Veteran’s Day celebration; Orange County Teacher-of-the-Year Celebration; and tour of Kaiser. Trustee McNicholas complemented Pati Romo and the students for their dedication to the Pathways to Careers program at CUSD.

Vice President Hanacek asked the Board if agenda item 17 could be heard immediately following the Public Hearing item. By unanimous consent the Board agreed.

The following speakers addressed the Board:

**Oral  
Communications**

- *Sally White introduced the Aliso Niguel School Family and named the schools which comprise this ‘Family.’ Ms. White told the Board a different School Family will be attending each meeting.*
- *Farooq Ansari – the most direct responsibility to Solving the Summer Learning Gap Club. Club President, Mr. Ansari, provided information on the academic achievement gap and summer learning loss suffered by students from low socio-economic backgrounds. Mr. Ansari asked the Board to consider utilizing funds to invest in this program.*
- *Dawn Urbanek shared a lawsuit of Doe v. Albany Unified School District and Education Code 51210 and told the Board she will be publishing the list of donations to the District. Ms. Urbanek urged the Board to use her information to go to the State of California and get the money owed to the District.*

**PUBLIC HEARINGS**

Vice President Hanacek opened the public hearing at 7:48 p.m. and introduced Mr. Dan Burch, interim Assistant Superintendent Communication Services. Mr. Burch introduced Mr. Kapil Mathur. Mr. Kapil Mathur provided a power point presentation and answered questions.

**Public Hearing:  
OCASA  
Agenda Item 1**

The Following speakers addressed the Board:

- *Sally White, spoke against another charter in the District.*
- *Joel Peshkin urged the Board to focus on furthering STEM education in current classrooms.*
- *Michelle Ploessel-Campbell cautioned the Board to monitor the charter school and protect students currently enrolled.*
- *Josh Leuenberger, Mayra Novello, Geetika Mathur, Michelle Anderson, Frank Gonzalez, Todd Keener, Nicole Weatherbee, Charlotte Kritikes, Anna Breese, and Dorothy Lee all spoke in support of the OCASA petition.*

Superintendent Vital requested further clarification from Mr. Mathur, as to whether or not he is formally withdrawing the Prop 39 request. Mr. Mathur responded by stating, “It is our goal, as stated in the charter petition, to secure a private facility.” He further

stated, they do not have a signed lease agreement in place and are pursuing multiple facilities that meet the requirements.

Trustees questioned Mr. Mathur in a comprehensive inquiry of the proposed charter school. Mr. Mathur explained and answered various questions and elaborated on the program and the students who would be attending the new charter school. After discussion amongst Trustees, Vice President Hanacek closed the public hearing on Agenda item 1 at 9:42 p.m.

Vice President Hanacek suggested moving Agenda items 6, 10, 11, 12 and 15 to the December 9, 2015 Board meeting.

It was moved by Trustee McNicholas, seconded by Trustee Reardon, and motion carried by a 6-0-1 vote to move Agenda items 6, 10, 11, 12 and 15 to the December 9, 2015 meeting.

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

Vice President Hanacek opened the public hearing for Agenda item 2 at 9:47 p.m. with no notices received by the Clerk of the Board and no public speakers, Vice President Hanacek closed the public hearing Agenda item 2 at 9:48 p.m.

**Public Hearing:  
CSEA Initial  
Proposal for  
Negotiations  
Agenda Item 2**

Vice President Hanacek opened the public hearing Agenda item 3 at 9:48 p.m. with no notices received by the Clerk of the Board and no public speakers, Vice President Hanacek closed the public hearing Agenda item 3 at 9:48 p.m.

**Public Hearing:  
District Contract  
Reopener  
proposal to CSEA  
Agenda Item 3**

After discussion amongst the Trustees, it was moved by Trustee Pritchard, seconded by Trustee Jones, and motion carried by a 6-0-1 vote.

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

### **DISCUSSION/ACTION ITEMS**

Vice President Hanacek introduced Mr. John Roach, Interim Assistant Superintendent, Personnel Services to discuss this item. Mr. Roach provided a summary of the Board policies.

**Board Policies  
0410, 4030 and  
5180  
Nondiscrimination  
Exhibit 17**

The following speakers addressed the Board:

- *Danielle Serio, resident of Rancho Santa Margarita, stated some students feel unwelcomed and alienated during the school day due to nondiscrimination and supports the revised policy.*
- *Sid Piravi, sophomore at San Juan Hills High School. As a transgender, he felt unacceptance of his identity at school and wants to be seen as an equal.*

After discussion amongst the Trustees, it was unanimously decided to bring back the Board Policies 0410, 4030 and 5180, with suggested revisions from the Trustees, for a second reading action at the December 9, 2015 Board Meeting.

Student Advisor Elizabeth Sorensen excused herself from the meeting in the 10 o'clock hour.

Vice President Hanacek introduced John Roach, Interim Assistant Superintendent Personnel Services to present this item. Mr. Roach stated Staff requests approval of the MOU.

**MOU CSEA  
Agenda Item 4**

It was moved by Trustee Reardon, seconded by Trustee McNicholas and motion carried by a 6-0-1 vote to approve the MOU agreement with the District and CSEA for November 19, 2015 – June 30, 2016.

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

Vice President Hanacek introduced Mr. Clark Hampton, Deputy Assistant Superintendent, Business and Support Services to present this item. Mr. Hampton presented a Power Point presentation introduced the boundary areas, based on study areas.

**Boundary  
Adjustments for  
Crown Valley  
Agenda Item 5**

The following speakers addressed the Board:

- *Michelle Ploessel-Campbell, stated her concerns of a negative impact on homes that are affected by the boundary changes. She asked what is being done to revitalize the Hidden Hills area.*

This item will be brought back for a Public Hearing during the December 9, 2015 Board meeting.

Vice President Hanacek introduced Clark Hampton, Deputy Assistant Superintendent, Business and Support Services, to present this item.

**Esencia k-8  
Agenda Item 7**

This item will be brought back for the December 9, 2015 Board meeting.

Vice President Hanacek introduced Superintendent Vital, Superintendent to present this item. She stated an error in the Policy and requested the Board place this item on consent, with the revisions, at the next Board meeting.

**Board Policy  
2111, Assistants  
to the Chief**

After discussion amongst the Trustees, it was unanimously decided to bring this item back for the December 9, 2015 Board meeting. **Administrative Officer  
Agenda Item 8**

Vice President Hanacek introduced Superintendent Vital to present this item. She stated the reasoning for the Board policy. **Board Policy 2210,  
Administrative Leeway  
Agenda Item 9**

After discussion amongst the Trustees, it was unanimously decided to bring this item back for the December 9, 2015 Board meeting, with suggested revisions by Trustees. **Board Policy 5119, School of Choice  
Agenda Item 13**

Vice President Hanacek introduced Susan Holliday, Interim Assistant Superintendent Education Services, to present this item. She provided a summary of revisions to the Board policy.

The following speakers addressed the Board:

- *Michelle Ploessel-Campbell, requested the Board give priority in the School of Choice program.*

After discussion amongst the Trustees, it was suggested to bring back this item for the December 9, 2015 Board meeting, with suggested revisions by Trustees.

Vice President Hanacek introduced Susan Holliday, Interim Assistant Superintendent Education Services, to present this item. She stated revisions were made to the Policy and advised the immediate need for training the administration of epinephrine pens. **Board Policy 5162,  
Administering Medications  
Exhibit 14**

After discussion amongst the Trustees, staff was directed to begin training. Trustees unanimously decided to bring this item back for the December 9, 2015 Board meeting, with Trustees revisions.

Vice President Hanacek introduced John Roach, Interim Assistant Superintendent, Personnel Services to present this item. **Board Policies 4119.11, 4219.11,  
4319.11, Sexual Harassment  
Exhibit 16**

After discussion amongst the Trustees, the Board suggested revisions to the Policy.

John Roach, Interim Assistant Superintendent Personnel Services introduced this item. **Board Policies 1312.1, 1312.2,  
1312.3 Uniform Complaint Procedures  
Exhibit 18**

After discussion amongst the Trustees, the Board suggested revisions to the Policy.

Vice President Hanacek asked Trustees for items they wished to pull from the Consent Calendar. Item 29 was pulled. **Items Pulled from the Consent Calendar**

**CONSENT CALENDAR**

It was moved by Trustee McNicholas, seconded by Trustee Reardon, and motion carried by a 6-0-1 vote to approve the Consent Calendar, with the removal of Item 29 for additional discussion, and move the balance of calendar items:

**ROLL CALL:**

AYES: Trustees Alpay, Hanacek, Jones, McNicholas, Pritchard and Reardon  
NOES: None  
ABSENT: Trustee Hatton-Hodson  
ABSTAIN: Trustee Alpay, abstain from item 20 only

Trustee McNicholas asked questions regarding credentialing; staff provided clarification. It was moved by Trustee McNicholas, seconded by Trustee Alpay and motion carried by a 5-0-2 vote to approve Consent Calendar item 29.

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

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

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

Vice President Hanacek announced the meeting adjourned at 10:58 p.m.

  
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Board Clerk  
  
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Secretary, Board of Trustees