

President Hanacek called the meeting to order at 5:05 p.m.

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

At 5:05 p.m. the Board recessed to closed session to discuss: Public Employee Performance Evaluation; Public Employee/Discipline/Dismissal/Release; Conference with Legal Counsel - Anticipated Litigation; Conference with Labor Negotiators and Student Expulsions. 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 Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon and Student Advisor Sorensen

Absent: None

The Pledge of Allegiance was led by San Clemente High School Principal, Chris Carter.

**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](http://www.capousd.org)**

It was moved by Trustee McNicholas, seconded by Trustee Jones and by a 6-1-0 vote, motion carried to adopt the Board Agenda as amended with the following amendments, Item 4 was pulled from the Agenda and Exhibit 34 Classified Employment activities list was updated to reflect the addition of Janet Pilot, Supervisor IV Purchasing.

**Adoption of the  
Board Agenda**

AYES: Trustees Hanacek, McNicholas, Pritchard and Reardon  
NOES: Trustees Alpay  
ABSENT: None

President Hanacek reported the following action taken during closed session:

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

Agenda Item 3 A – Public Employee Performance Evaluation:

The Board voted to continue the item to March 9, 2016.

Agenda Item 3 B-1 – Resolution No. 1516-37 Non-Reelection of Probationary Management Employee #30777:

The Board voted 7-0 to adopt the Resolution.

Agenda Item 3 B-2 – Resolution No. 1516-37 Non-Reelection of Probationary Certificated Employees #32402, #31474, #12866, #32315, #32355, #31421, #31480, #32389:

The Board voted 7-0 to adopt the Resolution.

Agenda Item 3 C1 Conference with Legal Counsel –Anticipated Litigation:

No reportable action.

Agenda Item 3 C2 and Item 3 C3– Conference with Legal Counsel –Anticipated Litigation:

The Board did not address these items.

Agenda Item 3 D – Conference with Labor Negotiators.

Trustees gave direction to staff.

Agenda Item 3 E – Student Expulsions:

The Board voted 7-0 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-019.

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

The Board voted 7-0 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-020.

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

The Board voted 7-0 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-022.

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

**Associated Student Body Report – San Clemente High School:**

*Chris Carter, Principal, Matt Reid, Director of Student Activities and McKenna Brownell, Student Body President from San Clemente High School will report on their school and activities.*

**Special  
Recognitions**

Ms. Elizabeth Sorensen recognized McKenna Brownell, Student Body President from San Clemente High School who reported on their school and activities. San Clemente High School is the oldest High School in our District and this year will mark the end of the first 50 years and the beginning of the future. ASB President highlighted musicals, drama, homecoming and efforts to go forward by leaving a greener footprint.

**Extra Milers:**

*To recognize Shalin Shah, a Tesoro High School student for the creation of the Vision app that serves the blind and visually impaired. The District is recognizing Shalin as an “Extra Miler.”*

Ryan Burris recognized Tesoro High student Shalin Shah for the creation of his “voice” app. This app allows the blind and visually impaired individuals to hear any document, by taking a picture of any document the app processes the document and reads it allowed. Shalin’s voice app is free. 11,000 users have downloaded the app and read over 70,000 pictures for users.

**Learning in Capo Spotlight:**

*Innovation in Education: The District raises the bar with the addition of 30 school counselors at the start of the school year to support our students' needs in social-emotional prevention and support, academics and college and career readiness.*

Wendy Pospichal reported on the addition of 46 school counselors supporting student needs. At the recent Counselor Showcase, Dr. Jamie Parsons of OCDE said it is rare to have counselors at the elementary level. Dr. Parsons believes the earlier you provide intervention the better and life trajectories will be changed. The District goal is prevention and intervention. Rebecca Pianta discussed prevention and the Core Curriculum in K-8. SOS has been adopted in grade 10. Classroom presentation are based on student needs for instance, Naviance has been put in place for college and career planning. Counselors also provide indirect support. This program operates completely within the school system.

Superintendent Vital welcomed CUEA and the family of Tesoro High School. She also recognized Mike Beekman who received an outstanding Administrator Award from the 4<sup>th</sup> District PTA.

**Board and  
Superintendent  
Comments**

President Hanacek thanked teachers and shine a spotlight for taking students on field trips, athletic events, college visits and visit places they may never otherwise be able to attend.

The following speakers addressed the Board:

**Oral  
Communications**

- *Sally White represented the family of Tesoro High School. She shared the story of the Prudent Farmer as a parable to support teachers and the negotiation process.*
- *Peter Chance supported pay increase and will support a Bond Measure, but stated teachers need more than a pat on the back.*
- *Veronica Hoggatt complimented the STEPS program and Principal of San Clemente High School, Chris Carter.*
- *John Rosser supported pay increase and made a plea for a settlement.*
- *Michelle Ploessel-Campbell invited Trustees and the public to Class act family night concert at Crown Valley Elementary.*

**DISCUSSION/ACTION ITEMS**

**PUBLIC HEARING**

President Hanacek announced the Public Hearing open at 7:52 p.m. to hear presentation for Petition for Global Business Academy Charter School. President Hanacek recognized Dr. Susan Holliday, Assistant Superintendent Education Services. Dr. Holliday introduced Ryan Cummins, lead petitioner for Global Business Academy. Mr. Cummins gave a presentation and answered questions.

**Public Hearing  
Petition for  
Global Business  
Academy  
Charter School  
Agenda Item 1**

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.

After discussion amongst Trustees, it was moved by Trustee Alpay, seconded by Trustee Reardon and motion carried by a 5-2 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, McNicholas, Pritchard and Reardon  
NOES: Trustee Hatton-Hodson, and Jones  
ABSENT: None

The Following speakers addressed the Board:

- *Sally White, spoke against another charter school in the District.*
- *Dr. James Corbett, spoke against another charter school in the District.*
- *Monica Haydt, spoke in favor of Global Business Academy Charter School.*
- *Erika Johnson, spoke in favor of Global Business Academy Charter School.*
- *Ella Hansen, spoke in favor of Global Business Academy Charter School.*
- *Heidi Landgraf, spoke in favor of Global Business Academy Charter School.*
- *Shawna Brown, spoke in favor of Global Business Academy Charter School.*
- *Jon Hendricks, spoke in favor of Global Business Academy Charter School.*
- *Jon Hansen, spoke in favor of Global Business Academy Charter School.*
- *Abhihit Joshi, spoke in favor of Global Business Academy Charter School.*
- *Alison Burggren, spoke in favor of Global Business Academy Charter School.*
- *Michael McMahan, spoke in favor of Global Business Academy Charter School.*
- *Angela Hansen, spoke in favor of Global Business Academy Charter School.*
- *Lindsey Denison, spoke in favor of Global Business Academy Charter School.*
- *Skylar Clifford, spoke in favor of Global Business Academy Charter School.*
- *Wendy Lang, spoke in favor of Global Business Academy Charter School.*
- *Michelle Anderson, spoke in favor of Global Business Academy Charter School.*
- *Catherine Sanchirico, spoke in favor of Global Business Academy Charter School.*
- *Atul Gupta, spoke in favor of Global Business Academy Charter School.*
- *Alexis Hansen, spoke in favor of Global Business Academy Charter School.*

Following discussion, Dr. Susan Holliday stated staff will continue the review process and bring back a recommendation to the Board on March 23, 2016.

President Hanacek announced the Public Hearing open at 9:25 p.m. to hear the presentation for California Department of Education Waiver Approval Modified Instructional Day Transitional Kindergarten at Kinoshita Elementary.

President Hanacek called on Susan Holliday to present this item.

There were no speakers on this item. President Hanacek closed the public hearing at 9:31 p.m.

President Hanacek announced the request to move Agenda Item 5 before Item 3. It was moved by Trustee McNicholas and seconded by Trustee Reardon, motion carried 7-0.

President Hanacek recognized Dr. Susan Holliday to present Item 5 Fourth Reading, Revisions to Board Policy 5119 School of Choice.

The Following speakers addressed the Board:

**Public Hearing  
CDE Waiver  
Approval  
Modified Day  
Transitional  
Kindergarten at  
Kinoshita  
Agenda Item 2  
Move Agenda  
Item 5 before  
Item 3  
Fourth Reading  
Revisions to BP  
5119 School of  
Choice**

- *Roni Schwartz, spoke for teachers' rights for school of choice priority.*
- *Gina Reney, spoke for teachers' rights for school of choice priority.*
- *Kim Houldin, spoke for teachers' rights for school of choice priority.*
- *Anand Ganesan, spoke for parents rights for school of choice for siblings.*
- *Robin Chapa, spoke for teachers' rights for school of choice priority.*
- *Liza Dembiec, spoke for teachers' rights for school of choice priority.*
- *Michelle Procter, spoke for teachers' rights for school of choice priority.*

**Agenda Item 5**

Trustee Alpay noted that this policy was approved on a Third Reading on December 9, 2015 by a vote of 5-1-1. This item should be presented as a First Reading.

It was moved by Trustee Alpay and seconded by Trustee Reardon and by a 7-0 vote, motion carried to waive a second reading and approve the policy as amended.

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

President Hanacek recognized Clark Hampton, Deputy Superintendent, to present this item on CFD's. Mr. Hampton introduced Keith Weaver to present work on our CFD's.

**2016 Financing  
Plans for  
Community  
Facilities  
Districts  
Agenda Item 3**

The Following speakers addressed the Board:

- *Paul Jenkinson, shared his appreciation for this work.*
- *Stacy Tran, shared her appreciation for this work and all the support especially the work done by Clark Hampton.*
- *Chris Basiates, shared his appreciation and thanks to all CUSD staff.*

Trustee Alpay requested that it be reflected in the minutes that if this were to be an actionable item he would recuse himself from the action taken due to the fact he owns property within 90-2 to comply with applicable law.

This item was a discussion item only.

This item was pulled by staff during the adoption of the Agenda.

**Fourth Reading  
Revision to BP  
5111.5  
Language  
Immersion and  
IB Admissions  
Agenda Item 4  
First Reading  
Revisions to BP  
3100 Budget  
Agenda Item 6**

President Hanacek recognized Clark Hampton to present the item.

Trustee Alpay asked for the management resource listing at the bottom of the policy be stricken.

Following discussion, it was moved by Trustee Jones and seconded by Trustee Hatton-Hodson to waive a second reading and by a 7-0 vote, motion carried to approve the policy as amended.

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

President Hanacek recognized Clark Hampton, Deputy Superintendent to present the item.

**First Reading  
Deletion of BP  
3110 Fund  
Designation  
Agenda Item 7**

Following discussion, it was moved by Trustee Jones and seconded by Trustee Hatton-Hodson to waive a second reading and by a 7-0 vote, motion carried.

President Hanacek recognized Dr. Susan Holliday, Assistant Superintendent, Education Services to present the item. This item was a discussion item only.

**Local Control  
Accountability  
Plan Update  
Agenda Item 8  
Resolution No.  
1516-36 Non  
Reelection of  
Temporary  
Certificated  
Employees  
Agenda Item 9**

President Hanacek recognized Tim Brooks, Executive Director, Human Resource Service/Investigations to present the item.

Following discussion, it was moved by Trustee Reardon and seconded by Trustee McNicholas to adopt Resolution No. 1516-36 and by a Roll Call Vote motion carried by a 7-0 vote.

AYES: Trustee 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 Alpay removed items 28, 29, 30, 31, 32 and 33.

**Items Pulled  
from the  
Consent  
Calendar**

It was moved by Trustee Jones, seconded by Trustee Reardon and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar, with the exception of items 28, 29, 30, 31, 32 and 33.

### **BUSINESS & SUPPORT SERVICES**

Approval of donations of funds and equipment.

**Donations  
Agenda Item 10  
Purchase  
Orders and  
Warrants**

Approval of purchase orders and commercial warrants.

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

**Independent Contractor, Professional Services Field Service and Master Contract Agreements  
Agenda Item 12**

Approval of Extension No. 1 of Agreement Bid No. 1415-13, Concrete Repairs and Maintenance with Above All Names, Inc., to provide concrete repairs and maintenance as needed throughout the District.

**Extension No. 1 of Agreement for Bid No. 1415-13  
Concrete Repairs and Maintenance Above All Names Inc.  
Agenda Item 13**

Approval of Extension No. 2 of Agreement of Bid No. 1314-17, Milk and Dairy Products with Hollandia Dairy, Incorporated to provide milk and dairy products for all sites throughout the District.

**Extension No. 2 of Agreement for Bid No. 1314-17 Milk and Dairy Products  
Hollandia Dairy Inc.  
Agenda Item 14**

Approval of Change Order No. 1 related to the necessary upgrade of electrical wiring for new thermostats and the encapsulation of existing ductwork to seal and mitigate air loss.

**Change Order NO. 1 Bid No. 1516-09  
Newhart Middle School  
Agenda Item 15**

Approval to utilize the Chula Vista Elementary School District Bid No. 14/15-3 for the purchase, relocation, dismantle, and removal of DSA approved portable classroom buildings from Silver Creek Industries, Incorporated, under the same terms and conditions of the public agency's contract.

**District Bid No. 14/15-3,  
Purchase, Relocation, Dismantle and Removal of Portable Classrooms  
Districtwide  
Agenda Item 16**

Approval to utilize Corona-Norco Unified School District Bid No. 2015/16-006 JIT Classroom & Office Supplies for the purchase of office supplies and equipment from Southwest School Supply, as needed, under the same terms and conditions of the public agency's contract.

**Bid No. 2015/16-006 JIT  
Classroom & Office Supplies**

**Southwest  
School Supply  
Agenda Item 17**

Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Winter 2016.

**Aliso Viejo  
Community  
Assoc. Limited  
Use and  
Maintenance  
Agreement for  
Winter 2016  
Agenda Item 18**

Approval of the Agreement for Architectural and Related Services with WLC Architects, Incorporated to provide services related to the design and construction of one portable classroom and associated site work at Aliso Niguel High School to accommodate a growing orchestra and band program.

**Architectural  
and Related  
Services  
Agreement-  
WLC Architects  
Inc. Aliso Niguel  
High School  
Agenda Item 19**

Approval of the ratification of special education Informal Dispute Resolution Case #20160121.

**Special  
Education  
Informal  
Dispute  
Resolution  
Agenda Item 20**

Approval of the Amendment to the AVID College Readiness System Services and Products Agreement for AVID Secondary Membership.

**AVID College  
Readiness  
System Services  
and Products  
Agreement for  
AVID  
Secondary  
Membership  
Agenda Item 21**

Approval of Resolution No. 1516-34 authorizing the adoption of the Negative Declaration for Esencia K-8 in compliance with California Environmental Quality Act (CEQA) Guidelines 15072.

**Resolution  
Board of  
Trustees  
Adopting a  
Negative  
Declaration  
Approving  
Esencia K-8  
Agenda Item 22**

Approval to readmit students from expulsion.

**Student  
Readmissions  
Agenda Item 23**



Approval of waiver to offer modified instructional day Transitional Kindergarten program, Pursuant to Education Code § 37202.	<b>CDE Waiver Approval to Modify Instructional Day TK Program at Kinoshita Agenda Item 24</b>
Approval of payment to District master teachers who supported a student teacher during the 2015 Fall semester.	<b>CSUF Master Teacher Payment Agenda Item 25</b>
Approval of unpaid field experience/student teaching agreement with San Diego Christian College for placement of teaching candidates.	<b>Field Experience Student Teaching Agreement San Diego Christian College Agenda Item 26</b>
Approval of unpaid field experience/student teaching agreement with University of Phoenix for placement of teaching candidates.	<b>Field Experience Student Teaching Agreement University of Phoenix Agenda Item 27</b>
Approval of the activity list for employment, separation, and additional assignments of classified employees.	<b>Resignation Retirement Employment Classified Employees Agenda Item 34</b>
Approval of the activity list for employment, separation, and additional assignments of certificated employees.	<b>Resignation Retirement Employment Certificated Employees Agenda Item 35</b>

**ITEMS PULLED FROM CONSENT CALENDAR**

After discussion and further clarification regarding item 28, it was moved by Trustee Reardon, seconded by Trustee McNicholas and motion carried by a 7-0 vote to approve item 28, Modification to the Agenda. **Modification to the Agenda  
Agenda Item 28**

Trustee Alpay spoke to items 29, 30, 31 and 32. Trustee Alpay asked that the Board continue items again and have staff go back and make necessary corrections and add the consent calendar listing to the minutes. It was moved by Trustee Alpay, seconded by Trustee Reardon and motion carried by a 7-0 vote to continue the item. **School Board Minutes  
Agenda Item 29  
Agenda Item 30  
Agenda Item 31  
Agenda Item 32**

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

ABSENT: None

After discussion and further clarification regarding item 33, it was moved by Trustee Alpay, seconded by Trustee Reardon and motion carried by a 7-0 vote to continue the item Joint Powers Agreement School Employers Association of California.

**Joint Powers  
Agreement  
SEAC  
Agenda Item 33**

**ADJOURNMENT**

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, and Reardon  
NOES: None  
ABSENT: None

President Hanacek announced the meeting adjourned at 10:55 p.m.

  
\_\_\_\_\_  
Board Clerk

  
\_\_\_\_\_  
Secretary, Board of Trustees

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