

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
MARCH 9, 2016  
EDUCATION CENTER – BOARD ROOM

President Hanacek called the meeting to order at 5:00 p.m.

**Call to Order**

At 5:00 p.m. the Board recessed to closed session to discuss: Public Employee Performance Evaluation; Public Employee Employment/Appointment; Employee Discipline/Dismissal/Release; Conference with Legal Counsel – Anticipated Litigation, one case; Conference with Legal Counsel – Anticipated Litigation, multiple cases; Conference with Labor Negotiators; and Student Expulsion, one case. The regular meeting of the Board reconvened to open session and was called to order by President Amy Hanacek at 7:01 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](http://www.capousd.org)**

**Permanent  
Record**

It was moved by Trustee Hatton-Hodson, 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 – Public Employee Performance Evaluation**

No reportable action.

**Agenda Item 3B – Public Employee Employment/Appointment**

The Board voted 7-0 to appoint Brad Baker, Principal, Shorecliffs Middle School.

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

NOES: None

ABSENT: None

**Agenda Item 3C – Public Employee Discipline/Dismissal/Release**

No reportable action.

**Agenda Item 3D – Conference with Legal Counsel – Anticipated Litigation**

The Board voted 7-0 to approve staff denial to hear the Level 4 Complaint received on February 27, 2015 regarding minimum educational curriculum requirements for Visual and Performing Arts.

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

**Agenda Item 3E – Conference With Legal Counsel – Anticipated Litigation**

Item not discussed.

**Agenda Item 3F – Conference with Labor Negotiators**

No reportable action.

**Agenda Item 3G – Student Expulsion**

The Board voted 7-0 to ratify Student Expulsion Stipulation Agreement, Student Expulsion Case #2016-024.

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

**Associated Student Body Report:**

*Dr. Jason Allemann, Principal, Mr. Ken Nedler, Director Of Student Activities, and John Stafford, Student Body President Dana Hills High School will report on their school and activities.*

**Special  
Recognitions**

Elizabeth Sorensen, Student Advisor introduced Dr. Jason Allemann, Principal, Dana Hills High School.

**Extra Miler:**

*To recognize Keith Hancock, Tesoro High School Choral Conductor who was recently recognized as a Grammy Music Educator finalist, one of ten in the nation out of 4,500 nominations. He was the only choir director to be nominated for this prestigious award. In addition, Mr. Hancock was chosen as Secondary Vocal Music Educator of the Year in Orange County. The District is recognizing Keith Hancock as an "Extra Miler."*

Ryan Burris introduced Keith Hancock.

Superintendent Vital reported on various school visits and the activities of the past two weeks including her visit to testify to the Assembly Budget Subcommittee on Educational Finance.

**Board and  
Superintendent  
Comments**

Trustee Gila Jones reported on her role as the new President for South Coast ROP and presented Trustee John Alpay with a plaque to recognize his work as past President of South Coast ROP.

Trustee Amy Hanacek reported on various school visits and reminded everyone that Spring Music Season has begun and encouraged everyone to attend as many events as possible.

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

**Oral  
Communications**

The following speakers addressed the Board:

- *Ami Barrett spoke on the 5<sup>th</sup> Annual Friends of MIP Gala at Bergeson Elementary*
- *Dawn Urbanek spoke on LCFF and Study regarding adequate funding*

### **PUBLIC HEARING**

President Hanacek announced the Public Hearing open at 7:35 p.m. to hear instructional materials Recommended For Adoption: Secondary Mathematics, Grades 6 – 12.

**Public Hearing:  
Recommended  
For Adoption:  
Secondary  
Mathematics,  
Grades 6 - 12**

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:36 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.

President Hanacek asked Trustees for items they wished to pull from the Consent Calendar. Staff pulled Item 13. Trustee McNicholas requested to pull Item 15.

**Items Pulled  
from the Consent  
Calendar**

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 Item 13 and Item 15.

Approval of donations of funds and equipment.

**Donations  
Agenda Item 2**

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1415-16, Shorecliffs Middle School Roof Replacement and Repainting.

**Notice Of  
Completion For  
Bid No. 1415-16,  
Shorecliffs  
Middle School  
Roof  
Replacement**

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

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

Approval of the ratification of special education Settlement Agreement Case #2015110140, Settlement Agreement Case #2015110932, Informal Dispute Resolution Case #20160111, Informal Dispute Resolution Case #20160113, and Informal Dispute Resolution Case #20160129.

Approval of the Sungard Business-Plus System Implementation and Software Support Service Agreement, Human Resources Application Implementation and Software Support Service Agreement, and Payroll Time and Attendance System Development and Implementation Agreement, a business administrative software, which includes agreements encompassing Human Resources and Payroll components.

Approval of Internship Contract Agreement with Brandman University. To meet the growing demand of employing qualified teachers in hard-to-fill areas such as Special Education, Mathematics, Physics, Chemistry, and Foreign Language, Human Resource Services has several options for attracting and training highly qualified candidates.

Rejection of Government Claim: No. LPD 1501533 DP, a claim filed against the District by United Financial Casualty Company for John Rodriguez.

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

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

Approval of the minutes for the November 18, 2015 Regular Board Meeting.

**And Repainting –  
Letner Roofing  
Company  
Agenda Item 3  
Master Contract  
Agreements  
Agenda Item 4  
Purchase Orders  
and Warrants  
Agenda Item 5  
Special  
Education  
Settlement  
Agreements  
Agenda Item 6  
Sungard  
Business-Plus  
System  
Implementation  
And Software  
Support Service  
Agreement  
Agenda Item 7  
Internship  
Contract  
Agreement With  
Brandman  
University  
Agenda Item 8  
Government  
Claim: No. LPD  
1501533 DP  
Agenda Item 9  
Resignations/  
Retirements/  
Employment –  
Classified  
Employees  
Agenda Item 10  
Resignations/  
Retirements/  
Employment –  
Certificated  
Employees  
Agenda Item 11  
Board Meeting  
Minutes  
November 18,  
2015  
Agenda Item 12**

Item pulled by staff.

**Board Meeting  
Minutes  
December 9, 2015  
Agenda Item 13  
Board Meeting  
Minutes January  
13, 2016  
Agenda Item 14  
Board Meeting  
Minutes January  
20, 2016  
Agenda  
Item 15**

Approval of the minutes for the January 13, 2016 Regular Board Meeting.

Approval of the minutes for the January 20, 2016 Board workshop minutes.

### **DISCUSSION/ACTION ITEMS**

It was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 7-0 vote to move Item 20 to the beginning of the Discussion/Action Items.

**Revisions To  
Board Policy  
5111.5, Language  
Immersion And  
International  
Baccalaureate  
Admissions  
Agenda Item 20**

Due to the number of Blue Cards, President Hanacek requested a motion to waive the maximum time limit and allow each speaker 3 minutes.

It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to waive the time limit and hear all speakers.

The following speakers addressed the Board:

- *Juan Araiza IV spoke on Mandarin Immersion Program, expand Kindergarten*
- *Hilary Kisting spoke on Mandarin Immersion Program, expand Kindergarten*
- *Susanne Dachgruber spoke on Mandarin Immersion Program, feeder pattern, Kindergarten and propose another site for growth*
- *Chi Nguyen spoke on Mandarin Immersion Program, for Carl Hankey K-8 as site*
- *Ron Pei spoke on Mandarin Immersion Program, for Carl Hankey K-8 as site*
- *Mari Scott spoke on Mandarin Immersion Program, for Carl Hankey K-8 as site*
- *Ami Barrett spoke on Mandarin Immersion Program, Middle School Mandarin Class Schedule*
- *Paula Yousef spoke on Mandarin Immersion Program, feeder pattern and more options for sites*
- *Mike Yousef spoke on Mandarin Immersion Program, feeder pattern and option to allow for growth, please maintain the integrity of the program with greatest Mandarin content*
- *Debra Smith spoke on Mandarin Immersion Program, middle school with two immersion programs will potentially divide the two communities, requested another site option*
- *Juintow Lin spoke on Mandarin Immersion Program, middle school alternative location, Newhart is not a sustainable option for her family*
- *Anna Stehrenberg spoke on Mandarin Immersion Program, middle school alternative location, Newhart is a difficult option for family*

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Reardon, and motion carried by a 4-3 vote to continue the Item and add Niguel Hills to the analysis as a potential site.

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

Following discussion, it was moved by Trustee Jones, seconded by Trustee McNicholas, and motion carried by a 7-0 Roll Call vote to approve Certification of the 2015-2016 Second Interim Report and Adoption of Resolution No. 1516-38, 2015-2016 Revenue and Expenditure Increases/Decreases.

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.

Following discussion, it was moved by Trustee Reardon, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve the Tentative Agreement with Teamsters, Local 952, for July 1, 2015 – June 30, 2018.

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.

Following discussion, it was moved by Trustee Reardon, and seconded by Trustee McNicholas to approve Board Policy 5180, discussion followed.

Following discussion Trustee Reardon made a substitute motion to remove governing language at the bottom of the policy and change the word shall to must, Trustee Alpay seconded, motion carried by a 7-0 vote.

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

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

**Certification Of  
The 2015-2016  
Second Interim  
Report And  
Adoption Of  
Resolution No.  
1516-38, 2015-  
2016 Revenue  
And Expenditure  
Agenda Item 16  
Recommendation  
Of Tentative  
Agreement With  
Teamsters, Local  
952  
Agenda Item 17**

**Board Policy  
5180 Non-  
discrimination  
Agenda Item 18**

**Instructional  
Materials  
Recommended  
For Adoption:  
Secondary**

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

Item was continued.

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

Item was continued.

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

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon, and motion carried by a 7-0 Roll Call vote to approve Resolution No. 1516-39, Close Inactive Funds 0908, 2147, and 3034.

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

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

Following discussion, it was moved by Trustee Jones, seconded by Trustee Reardon, and motion carried by a 6-1 Roll Call vote to approve Resolution No. 1516-40, Declaring an Intention to Consider the Conveyance of Easement to the City of San Clemente subject to the parcel swap.

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

**ITEMS PULLED FROM CONSENT CALENDAR**

Following discussion, it was moved by Trustee McNicholas, seconded by Trustee Reardon and motion carried by a 5-0-2 vote to approve of the minutes of the January 20, 2016 Board workshop as amended.

The amendment was as follows: Trustee McNicholas corrected her statement ‘health should not be required’ to ‘CCP should not be required’.

**Mathematics,  
Grades 6 – 12  
Agenda Item 19  
Revisions To  
Board Policy  
3290, Gifts,  
Grants And  
Bequests  
Agenda Item 21  
Revisions To  
Board Policy  
3300,  
Expenditures/Ex  
pending  
Authority  
Agenda Item 22  
Resolution No.  
1516-39, Close  
Inactive Funds  
0908, 2147, and  
3034  
Agenda Item 23**

**Resolution No.  
1516-40,  
Declaring An  
Intention To  
Consider The  
Conveyance Of  
Easement To The  
City Of San  
Clemente  
Agenda Item 24**

**Board Meeting  
Minutes January  
20, 2016  
Agenda Item 15**

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

**ADJOURNMENT**

It was moved by Trustee Reardon, seconded by Trustee McNicholas 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 10:09 p.m.

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

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