

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
June 7, 2017
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 4:36 p.m.

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

At 4:37 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Student Expulsions; Liability Claim; Public Employee Employment/Appointment; Public Employee Discipline/Dismissal/Release; Conference with Real Property Negotiators and Public Employment and Evaluation of Performance.

The regular meeting of the Board reconvened to open session and was called to order by President McNicholas at 7:32 p.m.

ROLL CALL:

Present: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, Pritchard and Trustee Reardon

Absent: None

The Pledge of Allegiance was led by Jason Farris Jr. and Jacob Hubbard with Boy Scouts Troop 728.

**Pledge of
Allegiance**

President McNicholas recognized Kirsten Vital, Superintendent to present the Oath of Office.

Oath of Office

Superintendent Vital invited Trustee Bullockus to the podium to be sworn-in.

Trustee Bullockus was sworn in by her daughter, Jennifer Bullockus.

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

**Adoption of the
Board Agenda**

AYES: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas,
Pritchard and Reardon
NOES: None
ABSENT: None

President McNicholas reported the following action taken during closed session:

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

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

Trustees voted 5-0-2 to approve the ratification of IDR Case Numbers 20170424, 20170510, 20170511 and 20170512.

Agenda Item #3B-1 through B-2 – Conference with Legal Counsel – Existing Litigation

Trustees voted 7-0 to approve OAH Case Numbers 2017020807, 2017040033, 2017040286, 2017040476, 2017040852 and 2017041124.

Agenda Item #3C – Student Expulsions

Trustees voted 7-0 to approve the expulsion of Case Numbers 2017-041, 2017-047, 2017-049, 2017-054, 2017-055, 2017-056 and 2017-057.

Agenda Item #3D – Liability Claim

Trustees voted 7-0 to reject Government Claim No. LBI 1603649.

Agenda Item #3E-1 – Public Employee Employment/Appointment

Trustees voted 7-0 to approve the appointment of Matthew Krause to the position of Executive Director, Fiscal Services effective August 1, 2017.

Agenda Item #3E-2 – Public Employee Employment/Appointment

Trustees voted 7-0 to approve the appointment of Suzanne Keck to the position of Principal, Elementary School at Del Obispo Elementary School effective July 24, 2017.

Agenda Item #3E-3 – Public Employee Employment/Appointment

Trustees voted 7-0 to approve the appointment of Donald Mahoney to the position of Assistant Superintendent, Special Education/SELPA effective July 1, 2017.

Agenda Item #3E-4 – Public Employee Employment/Appointment

Trustees voted 7-0 to approve new assignments for the following employees effective July 1, 2017: Sara Young to the position of Executive Director, Alternative Dispute Resolution/Compliance, Jim Wood to the position of Executive Director, Special Education Programs and Instruction and Wendy Pospichal to the position of Executive Director, Integrated Support Services.

Agenda Item #3F – Public Employee Discipline/Dismissal/Release

Trustees voted 7-0 to adopt Resolution No. 1617-88, Resolution to Release from Certificated Administrative Position effective the 2017-2018 school year for Employee Number 17617.

Agenda Item #3G – Conference with Labor Negotiators

No Reportable Action.

Agenda Item #3H – Public Employment and Evaluation of Performance

No Reportable Action.

Superintendent Vital reported on various school visits and the activities of the past two weeks. She highlighted the graduation of nearly 4,000 high school seniors and expressed her honor in presiding over Tesoro High School's graduation ceremony.

**Board and
Superintendent
Comments**

Trustee Bullockus was welcomed, as a new Board member, to the District by Superintendent Vital and fellow Trustees.

Superintendent Vital provided clarity on the Field Service and Master contract agreements listed for Townsend Public Affairs for grant writing services.

The following speakers addressed the Board:

- Kate Vojtus spoke regarding a request for CUSD to oppose the TCA toll road extension through established towns and close to schools.
- Dawn Urbanek spoke regarding San Clemente High School.

**Oral
Communications**

PUBLIC HEARINGS

The Board will conduct a public hearing on the 2017-2018 Local Control Accountability Plan.

**Public Hearing:
2017-2018 Local
Control
Accountability
Plan
Agenda Item 1**

President McNicholas announced the Public Hearing open at 7:58 p.m.

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding the LCAP Public Hearing.

Following discussion, President McNicholas announced the Public Hearing closed at 8:01 p.m.

The Board will conduct a public hearing on the 2017-2018 Budget Adoption. Supporting documentation is located in Exhibit 24.

**Public Hearing:
2017-2018
Proposed Budget
Adoption
Agenda Item 2**

President McNicholas announced the Public Hearing open at 8:02 p.m.

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding the 2017-2018 adopted budget

Following discussion, President McNicholas announced the Public Hearing closed at 8:04 p.m.

The Board will conduct a public hearing on the 2017-2018 Special Education Local Plan Area Annual Service Plan and Annual Budget Plan.

**Public Hearing:
2017-2018 Special
Education Local
Plan Area Annual
Service Plan and
Annual Budget
Plan
Agenda Item 3**

President McNicholas announced the Public Hearing open at 8:04 p.m.

With no public speakers, President McNicholas announced the Public Hearing closed at 8:04 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

**Items Pulled from
the Consent
Calendar**

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.

Staff pulled Agenda Item #18. The Board pulled no Consent Calendar items. Citizen, Dawn Urbanek, requested to speak on agenda items 4, 6, 11, 17 and 18.

It was moved by Trustee Reardon, seconded by Trustee Holloway, and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar with the exception of items with public speaker comments.

AYES: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas,
Pritchard and Reardon
NOES: None
ABSENT: None

BUSINESS AND SUPPORT SERVICES

Approval of donations of funds and equipment.

**Donation of Funds
and Equipment
Agenda Item 4**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Donations.

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

**Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids and
Contracts
Agenda item 5**

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 6**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Contracts.

Approval of Extension No. 1 of Request for Proposal No. 1-1617, E-Rate Multiple Categories award to Dimension Data North America for the purchase of CISCO phones and related hardware.

**Extension No. 1 of
Request for
Proposals No. 1-
1617, E-Rate
Multiple
Categories -
Dimension Data
North America
Agenda Item 7**

Approval of Extension No. 2 of Bid No. 1516-03, Plumbing Services with Pacific Plumbing Company of Santa Ana, to provide plumbing services as needed throughout the District.

**Extension No. 2 of Bid No. 1516-03, Plumbing Services - Pacific Plumbing Company of Santa Ana
Agenda Item 8**

Approval of the Municipal Lease-Purchase Agreement with lessor Santander Bank N.A. for the purchase of 15 special education buses.

**Municipal Lease-Purchase Agreement for the Purchase of Special Education Buses
Agenda Item 9**

Approval of the Agreement for Student Transportation Services Between the Orange County School Districts to provide cooperative transportation services during peak demand periods among various Orange County school districts.

**Agreement for Student Transportation Services Between the Orange County School Districts
Agenda Item 10**

Approval of the Award of Request for Proposals No. 8-1617, Assessment Delivery and Data Management System to Illuminate Education, Incorporated.

**Award of Request for Proposals No. 8-1617 Assessment Delivery and Data Management System (ADDMS) - Illuminate Education, Incorporated
Agenda Item 11**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Illuminate Education.

Approval of the six comprehensive high school principals as league representatives to the California Interscholastic Federation (CIF) for 2017-2018.

**California Interscholastic Federation Representatives
Agenda Item 12**

Approval of the Single Plans for Student Achievement (SPSA) and Budgets for the 2017-2018 school year.

**Single Plans For Student Achievement and Budgets for 2017-2018
Agenda Item 13**

Approval of the proposed 2018 Extended School Year (ESY) program.	Extended School Year Proposal for 2018 Agenda Item 14
Approval of the appointment of Steve Burke, Meredith Chillemi, Claudia Ginsberg-Brown, Bridget Harvey, Veronica Hoggatt, Allison Jacobs, Janette Morey, Jodi Powell, Kimber Smith and Malissa Watson to serve as a Community Advisory Committee (CAC) voting member for the 2017 and 2018 calendar years.	Members of the Special Education Local Plan Area Community Advisory Committee Agenda Item 15
Approval of the Award of Request for Proposals No. 7-1617, Investigative Services to Nicole Miller & Associates, Incorporated.	Award of Request for Proposals No. 7-1617 Investigative Services - Nicole Miller & Associates, Incorporated Agenda Item 16
Approval of the activity list for employment, separation and additional assignments of classified employees.	Resignations/Retirements/ Employment – Classified Employees Agenda Item 17
The following speaker addressed the Board: <ul style="list-style-type: none">• Dawn Urbanek spoke regarding classified employees.	
Approval of the May 10, 2017 Regular Board Meeting minutes.	School Board Minutes Agenda Item 19
Approval of the May 17, 2017 Special Board Meeting minutes.	School Board Minutes Agenda Item 20
Approval of the May 17, 2017 Board Workshop minutes.	School Board Minutes Agenda Item 21
Approval of the May 23, 2017 Special Board Meeting minutes.	School Board Minutes Agenda Item 22

ITEMS PULLED FROM CONSENT CALENDAR

Approval of the activity list for employment, separation and additional assignments of certificated employees.	Resignations/ Retirements/
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The following speaker addressed the Board:

- Dawn Urbanek spoke regarding certificated employees.

**Employment –
Certificated
Employees
Agenda Item 18**

President McNicholas recognized Gordon Amerson, Associate Superintendent, Human Resource Services to present this item.

Following discussion, it was moved by Trustee Jones, seconded by Trustee Holloway and motion carried by a 7-0 vote to approve Agenda Item #18 with the noted revisions.

AYES: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas,
Pritchard and Reardon
NOES: None
ABSENT: None

DISCUSSION/ACTION ITEMS

Dawn Urbanek requested the placement of an agenda item to address the Board regarding the elimination of College and Career Planning and Health as graduation requirements. Board Policy 9322, *Agenda/Meeting Materials*, states any member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting.

**Citizens Request
Agenda Item 23**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding College and Career Planning and Health as graduation requirements.

President McNicholas recognized Kirsten M. Vital, Superintendent to present information on this item.

This was a discussion item only and no Board action was necessary.

The District is required by law to adopt a budget for the 2017-2018 fiscal year no later than June 30, 2017 for enactment on July 1, 2017.

**2017-2018
Proposed Budget
Adoption
Agenda Item 24**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding the 2017-2018 budget.

President McNicholas recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present information on this item.

This was a discussion item only and no Board action was necessary.

Education Code § 42603 authorizes the Board of Trustees to temporarily transfer money held in any fund to another fund for payment of obligations by the District.

**Resolution No.
1617-85,
Authorization of
Temporary
Interfund
Transfers
Agenda Item 25**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Resolution No. 1617-85, Authorization of Temporary Interfund Transfers.

President McNicholas recognized Clark Hampton, Deputy Superintendent, Business and Support Services to present this item.

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee Holloway and motion carried by a 7-0 Roll Call vote to adopt Resolution No. 1617-85, Authorization of Temporary Interfund Transfers.

AYES: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas,
Pritchard and Reardon
NOES: None
ABSENT: None

Staff will briefly present for Trustee feedback the 2017-2018 Local Control Accountability Plan.

**2017-2018 Local
Control
Accountability
Plan
Agenda Item 26**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding the Local Control Accountability Plan.

President McNicholas recognized Susan Holliday, Associate Superintendent, Education Services to present information on this item.


This was a discussion action item and no action by the Board was necessary.

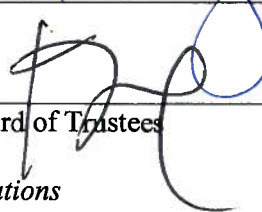
It was moved by Trustee Jones, seconded by Trustee Reardon and motion carried by a 7-0 vote to adjourn the meeting.

Adjournment

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

President McNicholas announced the meeting adjourned at 9:07 p.m.



Board Clerk


Secretary, Board of Trustees

Minutes submitted by Nicole Berkman, Executive Secretary, Board Operations