

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
May 24, 2017
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 5:37 p.m.

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

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Conference with Labor Negotiators and Public Employment and Evaluation of Performance.

At 5:44 p.m. the Board recessed to closed session to discuss: Student Expulsions; Public Employee Employment/Appointment; Conference with Labor 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 7:15 p.m.

ROLL CALL:

Present: Trustees Hanacek, Hatton-Hodson, Holloway, Jones, McNicholas, Pritchard
Trustee Reardon and Student Advisor Darling

Absent: None

The Pledge of Allegiance was led by Marc Patterson, Assistant Superintendent, Curriculum and Instruction Grades 6-12, K-8, Alternative Education.

**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 Hatton-Hodson and motion carried by a 7-0 vote to adopt the Board agenda.

**Adoption of the
Board Agenda**

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

Student Advisor Darling voted Aye to adopt the Board agenda.

President McNicholas reported the following action taken during closed session:

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

Agenda Item #3A – Student Expulsions

Trustees voted 5-0-2 to approve the expulsion of Case Numbers 2017-042, 2017-043, 2017-044, 2017-048, 2017-050, 2017-051 and 2017-052.

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

Trustees voted 6-0-1 to appoint Dr. Gregory Merwin to the position of Associate Superintendent, Student Support Services effective June 1, 2017.

Agenda Item #3C – Conference with Labor Negotiators

Trustees gave direction to staff.

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

No Reportable Action.

President McNicholas recognized Student Advisor Darling to present the Learning in CAPO Spotlight. **Special Recognitions**

Learning in CAPO Spotlight

High School Guidance/Counseling Support Presentation
Quinn Darling, *Student Advisor*

Perfect Attendance

Perfect Attendance Kindergarten through 12th Grade

President McNicholas recognized and thanked Student Advisor Quinn Darling for his commitment and contribution to the District, on behalf of students in his role as the Student Advisor to the Board. **Board and Superintendent Comments**

President McNicholas announced Max Eunice from Aliso Niguel High School as the Student Advisor to the Board for the 2017-2018 school year.

Superintendent Vital recognized and thanked Trustee Hatton-Hodson for her six years of service and leadership to the Board.

The following speakers addressed the Board:

- Grace Ware spoke regarding tardy policies.
- Donna Smiggs spoke regarding a farewell to Lynn Hatton-Hodson.
- Cadance Jacobson and Izzy Imhoff spoke regarding the dress code.
- Michele Ploessel-Campbell spoke regarding PTA activities around the District.
- Karen Millard spoke regarding block scheduling.

Oral Communications

PUBLIC HEARING

The Board will conduct a public hearing on approving the request to waive the penalty for class size increases in first through third grades.

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

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding the request to waive penalty for class size.

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

**Public Hearing:
Request to Waive
Penalty for Class
Size Increases in
First through
Third Grades
Agenda Item 1**

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

**Items Pulled from
the Consent
Calendar**

discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all Consent Calendar items.

President McNicholas asked Trustees for items they wished to pull from the Consent Calendar. There were no Trustee requests to pull any Consent Calendar items.

Citizen, Dawn Urbanek requested to make a public comment on items 2, 4, 10, 14 and 15.

Following discussion, it was moved by Trustee Jones, seconded by Trustee Holloway and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar.

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

Student Advisor Darling voted Aye to approve the Consent Calendar.

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

**Purchase Orders,
Commercial
Warrants And
Previously Board-
Approved Bids
And Contracts
Agenda Item 3**

Approval of Extension No. 2 of Bid. No. 1516-05, Fence Repairs and Maintenance with Q Fence and Fabrication, Inc. to provide fence repairs and maintenance for all sites within the District.

**Extension No. 2 Of
Bid No. 1516-05,
Fence Repairs And
Maintenance - Q
Fence And
Fabrication, Inc.
Agenda Item 5**

Approval of Extension No. 1 of Bid No. 1516-24, Service to Collect, Recycle and Dispose of Solid Waste Districtwide to CR&R Incorporated, furnishing all labor, materials and equipment, including trash and recycling bins, required for providing service to collect, recycle and dispose of solid waste.

**Extension No. 1 Of
Bid No. 1516-24,
Service To Collect,
Recycle And
Dispose Of Solid
Waste - CR&R
Incorporated
Agenda Item 6**

Approval of the Server Lease Agreement with IDEAL Computer Services, Inc. for the purpose of maintaining an existing HP3000 server.

**Server Lease
Agreement – Ideal
Computer
Services, Inc.
Agenda Item 7**

Approval of the Support Agreement with IDEAL Computer South, Inc. for the purpose of maintaining an existing HP3000 server.

**Support
Agreement - Ideal
Computer South,
Inc.
Agenda Item 8**

Approval of the Joint Powers Agreement with the County of Orange, specifically the Sheriff-Coroner Department to provide supplemental law enforcement services, as needed by the District.

**Joint Powers
Agreement With
County Of Orange
For Law
Enforcement
Services
Agenda Item 9**

Acceptance of Williams Settlement Legislation Uniform Complaint Third Quarter Report.

**Quarterly Report –
Williams
Settlement
Legislation
Uniform
Complaint
Agenda Item 11**

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) Third Quarter Report. Education Code § 1240 requires OCDE to report visits and reviews of District schools conducted by OCDE, if any.

**Orange County
Department Of
Education Third
Quarter Report –
Williams
Settlement
Legislation
Agenda Item 12**

Approval of the Education Specialist Internship Contract Agreement with Chapman University effective August 1, 2017 until September 1, 2022.

**Internship
Contract
Agreement with
Chapman
University
Agenda Item 13**

ITEMS PULLED FROM CONSENT CALENDAR

Approval of donations of funds and equipment.

**Donation of Funds
and Equipment
Agenda Item 2**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Donations.

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Jones and motion carried by a 7-0 vote to approve Agenda Item 2.

AYES: Trustee Hanacek, Hatton-Hodson, Holloway, Jones, McNicholas, Pritchard and Reardon.

NOES: None
ABSENT: None

Student Advisor Darling voted Aye to approve Agenda Item 2.

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 4**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding the contract with AW Industries.

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Pritchard and motion carried by a 7-0 vote to approve Agenda Item 4.

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

Student Advisor Darling voted Aye to approve Agenda Item 4.

Approval of Resolution No. 1617-84 for Acceptance of Agreement No. FCI-SD3-04 with Children and Families Commission of Orange County.

**Resolution No. 1617-84 for Acceptance of Agreement No. FCI-SD3-04 with Children and Families Commission of Orange County
Agenda Item 10**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Resolution No. 1617-84.

Following discussion, it was moved by Trustee Jones, seconded by Trustee Holloway and carried by a 6-1 vote to approve Agenda Item 10.

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

Student Advisor Darling voted Aye to approve Agenda Item 10.

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

**Resignations/Retirements/Employment – Classified Employees
Agenda Item 14**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding classified staff.

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Jones and motion carried by a 7-0 vote to approve Agenda Item 14.

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

Student Advisor Darling voted Aye to approve Agenda Item 14.

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

**Resignations/
Retirements/
Employment –
Certificated
Employees
Agenda Item 15**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding certificated staff.

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Jones and motion carried by a 7-0 vote to approve Agenda Item 15.

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

Student Advisor Darling voted Aye to approve Agenda Item 15.

DISCUSSION/ACTION ITEMS

Education Code § 41376 requires school districts maintain in first through third grades an average class size of 30 or less and no single class with an enrollment in excess of 32 students.

**Request to Waive
the Penalty for
Class Size
Increases in First
through Third
Grades
Agenda Item 23**

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

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Holloway and motion carried by a 7-0 vote to approve Agenda Item 23.

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

Student Advisor Darling voted Aye to approve Agenda Item 23.

At the April 19, 2017 Board Meeting, Trustee Lynn Hatton-Hodson formally announced her resignation from the Board of Trustees effective Friday, June 2, 2017. Pursuant to Education Code § 5090-5095, the resignation necessitates action be taken by the Board of Trustees within 60 days of the vacancy to make a provisional appointment or call for a special election.

**Selection of
Appointee for
Trustee Area 7
Agenda Item 16**

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

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Jones and motion carried by a 6-0-1 vote to table indefinitely Agenda Item 16.

AYES: Trustee Hanacek, Holloway, Jones, McNicholas, Pritchard

and Reardon.
NOES: None
ABSENT: None
ABSTAIN: Hatton-Hodson

Student Advisor Darling voted Aye to table indefinitely Agenda Item 16.

At the April 19, 2017 Board Meeting, Trustee Lynn Hatton-Hodson formally announced her resignation from the Board of Trustees effective Friday, June 2, 2017. Pursuant to Education Code § 5090-5095, the resignation necessitates action be taken by the Board of Trustees within 60 days of the vacancy to make a provisional appointment or call for a special election.

**Resolution No.
1617-82, to Call for
a Special Election
to Fill Vacancy of
Trustee Area 7
Agenda Item 17**

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

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Jones and motion carried by a 6-0-1 vote to table indefinitely Agenda Item 17.

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

Student Advisor Darling voted Aye to table indefinitely Agenda Item 17.

The State Accountability System has several Local Control Funding Formula priority areas that do not meet the criteria established for state indicators.

**State
Accountability
Local Indicators
And Local Control
Accountability
Plan Update
Agenda Item 18**

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

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding LCAP indicators.

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Hatton-Hodson and motion carried by a 7-0 vote to approve Agenda Item 18.

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

Student Advisor Darling voted Aye to approve Agenda Item 18.

The Board of Trustees participated in five Board Study Sessions on the topic of High School Graduation Requirements.

**Second Reading -
Board Policy
6146.1, High
School Graduation**

President McNicholas recognized Susan Holliday, Associate Superintendent,

Education Services to present this item.

**Requirements
Agenda Item 19**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding high school graduation requirements.
- David Pino spoke regarding CCP and high school graduation requirements.

Following discussion, it was moved by Trustee Jones, seconded by Trustee Holloway and motion carried by a 7-0 vote to approve Agenda Item 19.

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

Student Advisor Darling voted Aye to approve Agenda Item 19.

Approval of Broadening the Course of Study: New Secondary Course. Advanced Placement (AP) Human Geography is proposed for the 2017-2018 course catalog in accordance with Board Policy 6143, *Course of Study*.

**Broadening The
Course Of Study –
New Secondary
Course
Agenda Item 20**

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

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon and motion carried by a 7-0 vote to approve Agenda Item 20.

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

Student Advisor Darling voted Aye to approve Agenda Item 20.

Approval of Broadening the Course of Study – New Secondary Course. College Application Essay Essentials is proposed for the 2017-2018 course catalog in accordance with Board Policy 6143, *Course of Study*.

**Broadening The
Course Of Study –
New Secondary
Course
Agenda Item 21**

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

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Reardon and motion carried by a 7-0 vote to approve Agenda Item 21.

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

Student Advisor Darling voted Aye to approve Agenda Item 21.

Aeries Software, Inc. (DBA Eagle Software) is the only company who can upgrade, update and maintain the AERIES Student Information System owned by the District.

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

Following discussion, it was moved by Trustee Hatton-Hodson, seconded by Trustee Pritchard and motion carried by a 6-0-1 Roll Call vote to adopt Agenda Item 22.

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

Student Advisor Darling voted Aye to approve Agenda Item 22.

Kitchell completed a site facilities condition assessment of Ambuehl Elementary School. Staff is working with school stakeholders to evaluate project priorities within existing funding available for the school. Staff will share with Trustees the Ambuehl Elementary School assessment and the process for stakeholder engagement and input.

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

The following speakers addressed the Board:

- Ron Ruef spoke regarding Districtwide Facilities Condition Assessment Services Proposal.
- Bob Bunyan spoke regarding Agenda Item 24.
- Marilyn Amato spoke regarding school facilities.

Following discussion, it was moved by Trustee Holloway, seconded by Trustee Reardon and motion carried by a 7-0 vote to approve Agenda Item 24.

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

Student Advisor Darling voted Aye to approve Agenda Item 24.

At 10:18 p.m., the Board recessed to Closed Session to continue discussion on Closed Session items: Conference with Labor Negotiators and Public Employment and Evaluation of Performance.

The regular meeting of the Board reconvened to open session at 10:54 p.m.

President McNicholas reported the following action taken during closed session:

Agenda Item #3C – Conference with Labor Negotiators

Resolution No. 1617-83, Authorization Of Aeries Software, Inc. (DbA Eagle Software) As A Sole Source For System Maintenance And Support Services For The Aeries Student Information System Agenda Item 22

Districtwide Facilities Condition Assessment Services Proposal Agenda Item 24

Recess to Closed Session

President's Report from Closed Session Meeting

Trustees voted 6-0-1 to move this item to the May 30, 2017 Board Meeting.


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

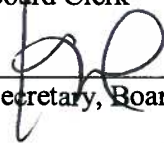
Trustees voted 6-0-1 to move this item to the May 30, 2017 Board Meeting.

It was moved by Trustee Jones, seconded by Trustee Reardon and motion carried by a **Adjournment** 6-0-1 vote to adjourn the meeting.

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

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



Board Clerk


Secretary, Board of Trustees

Minutes submitted by Nicole Berkman, Executive Secretary, Board Operations