

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
September 14, 2016
EDUCATION CENTER – BOARD ROOM

President Hanacek called the meeting to order at 5:31 p.m.

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

At 5:31 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel - Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Public Employee Discipline/Dismissal/Release; and Public Employee Employment/Appointment.

The regular meeting of the Board reconvened to open session and was called to order by President Hanacek at 7:03 p.m.

ROLL CALL:

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

Absent: None

The Pledge of Allegiance was led by Student Advisor Quinn Darling.

**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**

President Hanacek announced Agenda Item 12 and Agenda Item 22 were duplicates and Agenda Item 22 was pulled by staff.

**Adoption of the
Board Agenda**

It was moved by Trustee Alpay, seconded by Trustee McNicholas and motion carried by a 7-0 vote to adopt the Board agenda.

AYES: Trustees Alpay, Hanacek, Hatton-Hodson, Jones, McNicholas, Pritchard, Reardon, and Student Advisor Darling.

NOES: None

ABSENT: None

Student Advisor Darling voted Aye to adopt the Board agenda.

President Hanacek reported the following action taken during closed session:

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

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

Trustees voted 7-0 to approve the ratification of IDR Case Numbers 20160616, 20160722, 20160801, 20160802, 20160805, 20160806, 20160812, 20160816 and 20160818.

Agenda Item #3B – Conference with Legal Counsel – Existing Litigation

Trustees voted 7-0 to approve OAH Case Number 2016060615, OAH Case Number 2016070015 and OAH Case Number 2016080091.

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

Trustees voted 7-0 to approve the dismissal of employee #08016.

Agenda Item #3D – Public Employee Employment/Appointment

Trustees voted 7-0 to approve the employment of Dr. Daniel Burch to the position of Associate Superintendent, Special Education, SELPA for the period of one year beginning October 1, 2016.

Ryan Burris recognized Kathy Pelzer’s for her nomination for School Counselor of the Year by California Association School Counselor (CASC).

**Special
Recognitions**

Superintendent Vital welcomed back Dr. Daniel Burch as the Associate Superintendent, Special Education, SELPA. She made school site visits to Laguna Niguel Elementary, Ladera Ranch Elementary, Moulton Elementary and Niguel Hills Middle School. She was also able to attend the San Clemente High School football game.

**Board and
Superintendent
Comments**

Superintendent Vital gave an update on the GATE identification process and GATE assessments and spoke on the addition of the July 13, 2016 Board Meeting to continue the discussion regarding facilities funding.

The following speakers addressed the Board:

- *Donovan Higbee spoke regarding an upcoming event hosted by Congresswoman Mimi Walters.*
- *Wendy Shrove spoke regarding statements made on social media pertaining to Measure M.*
- *Dawn Urbanek spoke regarding contract approval.*
- *Katie Nichol spoke regarding the Mandarin Immersion Program.*
- *Lindsey Dennison spoke regarding the Mandarin Immersion Program.*
- *Kim Sprague spoke regarding accountability.*

**Oral
Communications**

PUBLIC HEARING

President Hanacek announced the Public Hearing open at 7:40 p.m. to hear Resolution No. 1617-19, Approving Energy Services Contract with Schneider Electric Buildings Americas, Inc. for Approved Plan No.1 for the District’s Energy Conservation Program for Six School Sites.

With no public speakers present, President Hanacek declared the Public Hearing closed at 7:41 p.m.

**Public Hearing:
Resolution No.
1617-19,
Approving Energy
Services Contract
with Schneider
Electric Buildings
Americas, Inc. for
Approved Plan
No. 1 (Application
No. 1497) for the
District’s Energy
Conservation
Program for Six
School Sites
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 discussed and/or removed from the Consent Calendar. The Superintendent and the staff recommend approval of all Consent Calendar items.

Agenda Item 22 was pulled from the Consent Calendar by staff.

**Items Pulled from
the Consent
Calendar**

President Hanacek asked Trustees for Items they wished to pull from the Consent Calendar. Trustee Alpay requested to pull Items 3 and 23. Trustee Reardon requested to pull Item 4.

Dawn Urbaneck pulled Item 12 as a Blue Card speaker.

It was moved by Trustee Alpay, seconded by Trustee Jones, and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar, with the exception of Items 3,4 and 23.

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

Student Advisor Darling voted Aye to approve the Consent Calendar, with the exception of Items 3, 4, and 23.

Approval of Income Agreement No. 43250 with Orange County Superintendent of Schools to provide professional development for elementary school teachers, specifically to extend teachers' knowledge of students' mathematical thinking and support instructional implementation practices.

**Income
Agreement No.
43250 - Orange
County
Superintendent Of
Schools
Agenda Item 12**

The following speaker addressed the Board:

- Dawn Urbaneck spoke regarding Income Agreement No. 43250.

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Alpay, and motion carried by 7-0 vote to approve Agenda Item 8.

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

Student Advisor Darling voted Aye to approve Agenda Item 8.

Approval of donations of funds and equipment.

**Donation of Funds
and Equipment
Agenda Item 2
Change Order No.
1, Bid No. 1516-
06, Compressed
Natural Gas**

Approval of Change Order No. 1, Bid No. 1516-06, Compressed Natural Gas Fueling Dispenser at Aliso Viejo Transportation Center related to hose extensions at fill stations and additional K-rail to protect the gas line.

Approval of Change Order No. 1, Bid No. 1516-1, San Juan Hills High School Addition Phase I, West Parking Upgrades Project related to the credit for boring of the electrical pathway in lieu of trenching and various project value enhancements.

Approval of Change Order No. 1, Bid No. 1516-15, Ladera Ranch Middle School Relocatable Classroom and Restroom Project related to the installation of owner provided: custom canopy shade structures, rubber surfacing at playgrounds and the installation of low voltage data.

Approval of Change Order No. 1, Bid No. 1516-21, Bergeson Elementary School Relocatable Classroom Project related to fire alarm and low voltage upgrades required for the new modular classrooms.

Approval of Change Order No. 1, Bid No. 1516-22, Aliso Niguel High School Relocatable Classrooms Project related to additional work required to close out a pre-existing DSA application number, as well as, fire alarm upgrades.

Approval of the Licensing Agreement with Document Tracking Services, LLC to provide a license to use a proprietary web-based application to create, edit, update, print and track the 2016 School Accountability Report Card, the 2016 Single Plan for Student Achievement, translation service for Spanish school Accountability Report, and other documents as needed by the District.

Approval of Income Agreement No. 43167 with Orange County Superintendent of Schools to provide professional development for middle and high school Health and Physical Education teachers.

Approval of Income Agreement No. 43280 with Orange County Superintendent of Schools to provide written and oral translation/interpretation services.

**Fueling Dispenser
At Aliso Viejo
Transportation
Center
Agenda Item 5
Change Order No.
1, Bid No. 1516-
12, San Juan Hills
High School
Addition Phase I,
West Parking
Upgrades
Agenda Item 6
Change Order No.
1, Bid No. 1516-
15, Ladera Ranch
Middle School
Relocatable
Classroom And
Restroom Project
Agenda Item 7
Change Order No.
1, Bid No. 1516-
21, Bergeson
Elementary
School
Relocatable
Classroom Project
Agenda Item 8
Change Order No.
1, Bid No. 1516-
22, Aliso Niguel
High School
Relocatable
Classrooms
Agenda Item 9
Licensing
Agreement With
Document
Tracking Services,
LLC
Agenda Item 10
Income
Agreement No.
43167 - Orange
County
Superintendent Of
Schools
Agenda Item 11
Income
Agreement No.**

Approval of the Memorandum of Understanding with Saddleback Valley Unified School District (SVUSD) for the purpose of implementing special education services and programs.

Approval of the Agreements for Participation for Inside the Outdoors No. 90004 and No. 90023 with Orange County Superintendent of Schools.

Approval of a Personnel Reimbursement Agreement with Laguna Beach Unified School District (LBUSD) to provide five days of instruction by a qualified Orientation and Mobility Specialist to LBUSD during the 2016-2017 school year.

Approval of a Personnel Reimbursement Agreement with Saddleback Valley Unified School District (SVUSD) to provide 40 days of instruction by a qualified Orientation and Mobility Specialist to SVUSD during the 2016-2017 school year.

Approval of Resolution No. 1617-36, Authorizing the Increase and Decrease in Appropriations for the Fiscal Year ending 2015-2016.

Approval of Resolution No. 1617-37, Authorizing the Re-appropriation of Carryover Funds.

**43280 - Orange
County
Superintendent Of
Schools
Agenda Item 13
Memorandum Of
Understanding
With Saddleback
Valley Unified
School District
Agenda Item 14
Agreements For
Participation,
Inside The
Outdoors Field
Program No.
90004 And No.
90023 - Orange
County
Superintendent Of
Schools
Agenda Item 15
Personnel
Reimbursement
Agreement With
Laguna Beach
Unified School
District
Agenda Item 16
Personnel
Reimbursement
Agreement With
Saddlehack Valley
Unified School
District
Agenda Item 17
Resolution No.
1617-36,
Authorizing The
Increase And
Decrease In
Appropriations
For The Fiscal
Year Ending
2015-2016
Agenda Item 18
Resolution No.
1617-37, Re-
Appropriation Of
Carryover Funds
Agenda Item 19**

Approval of Resolution No. 1617-38, Adopting the 2015-2016 Actual Gann Limit and the 2016-2017 Estimated Gann Limit.

Resolution No. 1617-38, Adopting The 2015-2016 Actual Gann Limit And The 2016-2017 Estimated Gann Limit

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

Agenda Item 20 Support Agreement – Ideal Computer South, Inc.

Approval of the Contractor Agreement, Cognitively Guided Instruction, with Orange County Department of Education (OCDE), will provide three days of Cognitive Guided Instruction training to six cohorts of elementary teachers, administrators, and instructional coaches.

Agenda Item 21 Contractor Agreement – Cognitively Guided Instruction, Orange County Department of Education

This Item was pulled by staff.

Approval of Fieldwork Agreement with the University of La Verne for July 1, 2016 until terminated upon mutual consent of both parties.

Agenda Item 22 Fieldwork Agreement with The University of La Verne

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

Agenda Item 24 Resignations/Retirements/ Employment – Classified Employees

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

Agenda Item 25 Resignations/Retirements/ Employment – Certificated Employees
Agenda Item 26

Discussion/Action Items

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

Smarter Balanced Assessment Results
Agenda Item 27

This item is information only.

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

First Reading – Board Policy

This item was moved to a Second Reading.

**9270, Conflict Of
Interest
Agenda Item 28**

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

**Resolution No.
1617-19,
Approving Energy
Services Contract
with Schneider
Electric Buildings
Americas, Inc. for
Approved Plan
No. 1 (Application
No. 1497) for the
District's Energy
Conservation
Program for Six
School Sites
Agenda Item 29**

Following discussion, it was moved by Trustee Pritchard, seconded by Trustee McNicholas, and motion carried by a 7-0 Roll Call vote to adopt Resolution No. 1617-19, Approving Energy Services Contract with Schneider Electric Buildings Americas, Inc. for Approved Plan No. 1 (Application No. 1497) for the District's Energy Conservation Program for Six School Sites.

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

Student Advisor Darling voted Aye to approve Agenda Item 29.

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

**Resolution No.
1617-35,
Preliminary 2015-
2016 Financial
Statements
(Unaudited
Actuals)
Agenda Item 30**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 Roll Call vote to adopt Resolution 1617-35, Preliminary 2015-2016 Financial Statements (Unaudited Actuals).

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

Student Advisor Darling voted Aye to approve Agenda Item 30.

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

**First Reading –
Board Policy
0420.41, Charter
School Oversight
Agenda Item 31**

This item was moved to a Second Reading.

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

**First Reading –
Board Policy
0420.43, Charter
School Revocation
Agenda Item 32**

This item was moved to a Second Reading.

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

**First Reading –
Revisions To
Board Policy
0420.4, Charter
School
Authorization**

This item was moved to a Second Reading.

Agenda Item 33

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

This item was moved to a Second Reading.

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

This item was moved to a Second Reading.

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

This item was moved to a Second Reading.

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

Following discussion, it was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to approve Board Policy 6170.1, *Transitional Kindergarten*.

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

Student Advisor Darling voted Aye to approve Agenda Item 37.

Approval of purchase orders and commercial warrants.

The Purchase Order for Irvine Valley Air Conditioning in the amount of \$87,000 was added to the list in error and will be removed.

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Hatton-Hodson, and motion carried by a 7-0 vote to approve Agenda Item 8.

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

Student Advisor Darling voted Aye to approve Agenda Item 3.

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

**First Reading –
Revisions To
Board Policy
5112, Absences
And Excuses
Agenda Item 34
First Reading –
Revisions To
Board Policy
5130, Student
Records
Agenda Item 35
First Reading –
Revisions To
Board Policy
5141.1, Bus
Conduct
Agenda Item 36
Second Reading –
Addition Of
Board Policy
6170.1
Transitional
Kindergarten
Agenda Item 37**

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

**Independent
Contractor,**

Following discussion, it was moved by Trustee Alpay, seconded by Trustee Hatton-Hodson, and motion carried by a 7-0 vote to approve Agenda Item 4 with the exception of the Best Best & Krieger contract.

**Professional Services, Field Service and Master Contract Agreements.
Agenda Item 4**

Trustee Alpay directed staff to investigate the allegation of comments made against the bond on public social media by Best Best & Krieger.

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

Student Advisor Darling voted Aye to approve Agenda Item 4.

Approval of the Hanover Research Partnership Agreement will support research based evaluation of the District's Spanish and Mandarin Immersion Programs to include quantitative and qualitative data analysis, primary research and stakeholder feedback, secondary research and peer benchmarking.

**Hanover Research Partnership Agreement
Agenda Item 23**

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

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

Student Advisor Darling voted Aye to approve Agenda Item 23.

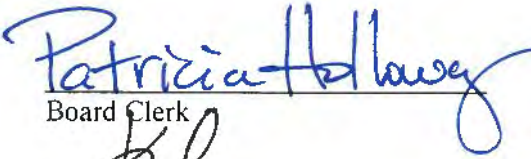
It was moved by Trustee Alpay, seconded by Trustee McNicholas, and motion carried by a 7-0 vote to adjourn the meeting.

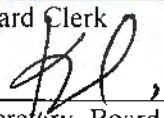
Adjournment

President Hanacek announced the meeting adjourned at 10:28 p.m.

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

Student Advisor Darling voted Aye to adjourn the meeting.



Board Clerk


Secretary, Board of Trustees