

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
September 13, 2017  
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 4:38 p.m.

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

At 4:39p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel - Anticipated Litigation; Liability Claims; Student Expulsions; Student Readmissions; Public Employee Employment/Appointment; Public Employee Discipline/Dismissal/Release; 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 7:08 p.m.

**ROLL CALL:**

Present: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, Pritchard, Reardon and Student Advisor Max Eunice  
Absent: None

The Pledge of Allegiance was led by Trustee Gila Jones.

**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 Jones, seconded by Trustee Reardon 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:

Student Advisor Eunice 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-1 - Conference with Legal Counsel – Anticipated Litigation**

Trustees gave direction to staff.

**Agenda Item #3A-2 – Conference with Legal Counsel – Anticipated Litigation**

Trustees gave direction to staff.

**Agenda Item #3B – Liability Claims**

Trustees voted 7-0 to reject Government Claim No. ABI 1703925.

**Agenda Item #3C – Student Expulsions**

Trustees voted 7-0 to approve Student Expulsion Case Number 2017-058.

**Agenda Item #3D – Student Readmissions**

Trustees voted 7-0 to approve Student Readmissions Case Number 2016-019.

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

No Reportable Action.

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

No Reportable Action.

**Agenda Item #3G-1 – Conference with Labor Negotiators**

No Reportable Action.

**Agenda Item #3G-2 – Conference with Labor Negotiators**

Trustees gave direction to staff.

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

No Reportable Action.

**Extra Miler**

**Special  
Recognitions**

Extra Miler Award for their participation on the Orange County Science Technology and Math Team (OC STEM Team).

Susan Holliday, *Associate Superintendent, Education Services*  
Gregory Merwin, *Associate Superintendent, Student Support Services*  
Dave Stewart, *Executive Director, Professional Development*  
Debbi Keeler, *Director, Early Childhood Programs*  
Heidi Crowley, *Coordinator, Charter Schools and Strategic Initiatives*  
Stephanie Avera, *Coordinator, Educational Technology*  
Cheryl Samson, *Principal, Lobo Elementary School*  
Faith Morris, *Principal, Marblehead Elementary School*  
Christina Portillo, *Principal, RH Dana Elementary School*  
Sean McNamara, *Principal, Las Flores Middle School*  
Kellie Little, *Curriculum Specialist, Elementary Math & Science, Lead STEM Practitioner*  
Stacy Berrest, *Instructional Coach, TK-5*  
Barbara Hardos, *Instructional Coach, Educational Technology*  
Elisa Slee, *Teacher Malcom Elementary School*  
Marsha Johnson, *Teacher Kinoshita Elementary School*  
Kaycee Martin and Dorain Cassell, *YMCA, Area Managers*  
Michelle Hart, *CUSD Foundation*  
Laura Schmidl, *Discovery Science Center*

**Associated Student Body**

Aliso Niguel High School

Deni Christensen, *Principal*  
Ann Zender, *Activities Director*  
John Hellewell, *Student Body President*

Superintendent Vital reported on various school visits and the activities of the past two weeks. She welcomed Max Eunice as the 2017-18 Student Advisor to the Board and announced the resignation of the Executive Secretary, Board Operations effective October 11, 2017.

**Board and  
Superintendent  
Comments**

Superintendent Vital spoke regarding dress code and future revisions to the policy. She also invited the public to attend ribbon cuttings for the new buildings at San Clemente and San Juan Hills High Schools.

The following speakers addressed the Board:

- Lori Kosky spoke regarding dress code.
- Alyssa Marin spoke regarding dress code.
- Andrea Castner spoke regarding dress code.
- Megan Lee spoke regarding dress code.
- Martina Lee spoke regarding dress code.
- Sami Larue spoke regarding dress code.
- Mackenzie Eyres spoke regarding dress code.
- Christine Eyres spoke regarding dress code.
- Michele Okonski spoke regarding dress code.
- Piper Reed spoke regarding dress code.
- Michele Ploessel-Campbell spoke regarding PTA Membership/Advocacy
- Connie Lanzisera spoke regarding limiting time to speak.

**Oral  
Communications**

**PUBLIC HEARING**

The Board will conduct a public hearing on the consideration of seeking a waiver from the State Board of Education of the competitive bidding procedures set forth in Education Code § 17466 *et seq.* for the lease of District property located at 26126 Victoria Blvd, Dana Point, CA 92624 (South Bus Yard).

**Public Hearing:  
Intent To Request  
Waiver - South  
Bus Yard  
Agenda Item 1**

President McNicholas announced the Public Hearing open at 8:05 p.m.

The following speaker addressed the Board:

- Michele Ploessel-Campbell spoke regarding the South Bus Yard.

Following the public speaker, President McNicholas announced the public hearing closed at 8:06 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.

**Items Pulled from  
the Consent  
Calendar**

The following speakers addressed the Board:

- Michele Ploessel-Campbell spoke regarding Agenda Item 10.
- Dawn Urbanek spoke regarding Agenda Items 2, 3, 4, 9, 13, 18, 19, 24 and 28.

President McNicholas asked Trustees for Items they wished to pull from the Consent Calendar.

It was moved by Trustee Reardon, seconded by Trustee Bullockus, and motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar.

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

Student Advisor Eunice voted Aye to approve the following Consent Calendar.

Approval of donations of funds and equipment.

**Donation Of Funds  
And Equipment  
Agenda Item 2**

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 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**

Approval of Award of Bid No. 1718-09, Refrigeration and Ice Machine Equipment Repair Service and Preventative Maintenance Services to Refrigeration Control Company, Inc.

**Award Bid No.  
1718-09,  
Refrigeration And  
Ice Machine  
Equipment Repair  
Service And  
Preventative  
Maintenance  
Services -  
Refrigeration  
Control Company,  
Inc.**

**Agenda Item 5**

Approval of Change Order No. 4, Bid No. 1516-10 for the San Clemente High School Building 800 Project related to owner directed changes to maintain project schedule through inclement weather, unforeseen conditions and regrading of the fire lane to meet compaction requirements.

**Change Order No. 4, Bid No. 1516-10, San Clemente High School Building 800 Project  
Agenda Item 6**

Approval of Change Order No. 4, Bid No. 1617-01 for the San Juan Hills High School Building J Project related to unforeseen conditions and additional Division of State Architect requirements.

**Change Order No. 4, Bid No. 1617-01, San Juan Hills High School Building J Project  
Agenda Item 7**

Approval of Change Order No. 1, Bid No. 1617-20 for the Tesoro High School Building D Project related to the relocation of storage containers, increase asphalt areas in an effort to mitigate for lost parking and removal of unforeseen conditions of asbestos in existing roof mastic during demolition.

**Change Order No. 1, Bid No. 1617-20, Tesoro High School Building D Project  
Agenda Item 8**

Approval of the revised employee mileage allowance.

**Employee Mileage Allowance  
Agenda Item 9**

Approval of Extension No.1 of Bid No. 1516-14, Co-Curricular Bus Service to the following vendors: Certified Transportation Services, Incorporated; First Student, Incorporated; Grand Pacific Charter; and JFK Transportation Company, Incorporated for co-curricular transportation services, as needed by the District.

**Extension No. 1 Of Bid No. 1516-14, Co-Curricular Bus Service – Various Vendors  
Agenda Item 10**

Approval of Extension No. 1 of Bid No. 1617-02, Tree Trimming with West Coast Arborist, Inc.

**Extension No. 1 Of Bid No. 1617-02, Tree Trimming - West Coast Arborist, Inc.  
Agenda Item 11**

Approval of Extension No. 2 of Bid No. 1516-08, Districtwide Roof Assessment and Preventative Roof Maintenance with Weatherproofing Technologies, Inc.

**Extension No. 2 Of Bid No. 1516-08, Districtwide Roof Assessment And Preventative Roof Maintenance - Weatherproofing Technologies, Inc.  
Agenda Item 12**

Approval of Resolution No. 1718-14, Authorizing the Increase and Decrease in Appropriations for the Fiscal Year ending 2016-2017.	<b>Resolution No. 1718-14, Authorizing The Increase And Decrease In Appropriations For The Fiscal Year Ending 2016-2017 Agenda Item 13</b>
Approval of Resolution No. 1718-15, Authorizing the Reappropriation of Carryover Funds.	<b>Resolution No. 1718-15, Reappropriation Of Carryover Funds Agenda Item 14</b>
Approval Of Resolution No. 1718-16, Adopting The 2016-2017 Actual Gann Limit And The 2017-2018 Estimated Gann Limit. Resolution No. 1718-16 Establishes The Actual Gann Limit For 2016-2017 At \$293,102,757.52 And The Estimated Gann Limit For 2017-2018 At \$326,626,995.89.	<b>Resolution No. 1718-16, Adopting The 2016-2017 Actual Gann Limit And The 2017-2018 Estimated Gann Limit Agenda Item 15</b>
Approval of the Agreement with Orange County Department of Education to Provide Translation and Interpretation Services for the 2017-2018 school year.	<b>Agreement With Orange County Department Of Education To Provide Interpretation And Translation Services (Written And Oral) In Any Language Agenda Item 16</b>
Approval of renewal of the annual Memorandum of Understanding (MOU) for the 2017-2018 Migrant Education Program with San Diego County Office of Education for the 2017-2018 Migrant Education Program, Region 9.	<b>Memorandum Of Understanding With The San Diego County Office Of Education For The 2017-2018 Migrant Education Program, Region 9 Agenda Item 17</b>

Approval of the ratification of the Memorandum of Understanding (MOU) with Western Youth Services, Incorporated (WSY). In the 2016-2017 school year, WSY provided students accessibility to mental health services through the Alternatives to Suspension program.

**Memorandum Of Understanding With Western Youth Services Incorporated - Mental Health Services For Children And Families  
Agenda Item 18**

Approval of Playworks Memorandum of Understanding for 2017-2018.

**Memorandum Of Understanding With Playworks For 2017-2018  
Agenda Item 19**

Approval of the Agreement for Use of Document Tracking Services School Year 2017-2018 to provide a web-based application that allows staff to streamline the completion of various school and District-level reports.

**Agreement For Use Of Document Tracking Services School Year 2017-2018  
Agenda Item 20**

Approval of the Memorandum of Understanding (MOU) with Santa Ana Unified School District (SAUSD) to provide special education Deaf and Hard of Hearing programs and services for District students referred by their Individualized Education Program (IEP) team.

**Memorandum Of Understanding With Santa Ana Unified School District  
Agenda Item 21**

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 2017-2018 school year.

**Personnel Reimbursement Agreement With Laguna Beach Unified School District  
Agenda Item 22**

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 2017-2018 school year.

**Personnel Reimbursement Agreement With Saddleback Valley Unified School District:  
Agenda Item 23**

Approval of payment to District Master Teachers who supported a California State University, Fullerton student teacher during the 2017 spring semester.

**California State University, Fullerton Master Teacher Payments**

**Agenda Item 24**

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) Fourth 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 Fourth  
Quarter Report –  
Williams  
Settlement  
Legislation  
Agenda Item 25**

Acceptance of Williams Settlement Legislation Uniform Complaint Fourth Quarter Report. Board Policy 1312.4 mandates school districts establish policies and procedures to resolve deficiencies related to textbooks and instructional materials, teacher vacancies or misassignments, and facility conditions posing a threat to student/staff health or safety.

**Fourth Quarter  
Report – Williams  
Settlement  
Legislation  
Uniform  
Complaint  
Agenda Item 26**

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

**Resignations/  
Retirements/  
Employment -  
Classified  
Employees  
Agenda Item 27**

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

**Resignations/  
Retirements/  
Employment -  
Certificated  
Employees  
Agenda Item 28**

Approval of the July 26, 2017 Regular Board Meeting minutes.

**School Board  
Minutes  
Agenda Item 29**

Approval of the August 9, 2017 Special Board Meeting minutes.

**School Board  
Minutes  
Agenda Item 30**

**DISCUSSION/ACTION ITEMS**

The Board is asked to consider adoption of Resolution No. 1718-17, Resolution of the Board of Trustees of the Capistrano Unified School District Reconfirming Acceptance of the Advisory Committee Recommendation; Ratifying Declaration of Surplus Property; Declaring Intention to Offer the Property for Ground Lease; and Authorizing Request for Waiver of Competitive Bidding Procedures Under Education Code Section 17466 Et Seq. (South Bus Yard Property).

**Resolution No.  
1718-17,  
Resolution of the  
Board of Trustees  
of the Capistrano  
Unified School  
District  
Reconfirming**

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 Hanacek, and motion carried by a 7-0 Roll Call vote to adopt Resolution No. 1718-17.

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

Student Advisor Eunice voted Aye to adopt Resolution No. 1718-17.

**Acceptance of the  
Advisory  
Committee  
Recommendation;  
Ratifying  
Declaration of  
Surplus Property;  
Declaring  
Intention to Offer  
the Property for  
Ground Lease;  
and Authorizing  
Request for  
Waiver of  
Competitive  
Bidding  
Procedures Under  
Education Code  
Section 17466 Et  
Seq. (South Bus  
Yard Property):  
Agenda Item 31**

A Trustee asked staff if the District can transfer the administration and governance of our nine Community Facilities Districts (CFDs) to the County of Orange.

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

Following discussion, the Board took no action on this item.

Approval to Utilize Remaining Funds in Community Facilities District (CFD) 87-1 and Redevelopment Funds-Mission Viejo (RDA-MV) to Construct Science, Technology, Engineering and Mathematics (STEM) Classroom Buildings at Aliso Niguel High School and Newhart Middle School; Approval of the Architectural and Related Services Agreement; Approval to Advertise for Bids.

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 Jones, and motion carried by a 7-0 vote to approve Agenda Item 33.

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

Student Advisor Eunice voted Aye to approve Agenda Item 33.

**Consideration to  
Pursue Legislation  
Allowing Transfer  
of Community  
Facilities Districts  
(CFDs) to County  
of Orange  
Agenda Item 32**

**Utilize Remaining  
Funds in CFD 87-1  
and  
Redevelopment  
Funds–Mission  
Viejo to Construct  
STEM Classroom  
Buildings at Aliso  
Niguel High School  
and Newhart  
Middle School;  
Approval of  
Architectural and  
Related Services  
Agreement;  
Approval to  
Advertise for Bids  
Agenda Item 33**

At the May 17, 2017 Board workshop, staff presented an overview of information regarding the development of a District Dashboard including the rationale for the selection of various academic and social emotional indicators.

**District Dashboard  
Agenda Item 34**

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

This was an information item only and no Board action was necessary.

The Board will receive a presentation regarding the “re-imagining” project for seven elementary schools (as a follow-up to the December 14, 2016, January 25, 2017 and February 22, 2017 presentations).

**Presentation of  
#CapoForward  
Metrics  
Agenda Item 35**

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

Following discussion, it was moved by Trustee Hanacek, seconded by Trustee Holloway, and motion carried by a 6-0-1 vote to approve Agenda Item 35.

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

Student Advisor Eunice voted Aye to approve Agenda Item 35.

The Board of Trustees will be provided with a brief update on the 2016-2017 actuals and the revisions to the 2017-2018 budget.

**Resolution No.  
1718-13,  
Preliminary 2016-  
2017 Financial  
Statements  
(Unaudited  
Actuals)  
Agenda Item 36**

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

It was moved by Trustee Reardon, seconded by Trustee Holloway, and motion carried by a 6-0-1 Roll Call vote to adopt Resolution No. 1718-13.

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

Student Advisor Eunice voted Aye to approve Agenda Item 36.

The proposed revision to Board Policy 0420.4, *Charter School Authorization*, updates and aligns the policy to Board Policy 0420.41, *Charter School Oversight*.

**Second Reading –  
Board Policy  
0420.4, Charter  
School  
Authorization  
Agenda Item 37**

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

It was moved by Trustee Hanacek, seconded by Trustee Holloway, and motion carried by a 4-3 vote to approve Agenda Item 37 with the inclusion of conflict of interest language.

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

Student Advisor Eunice voted Aye to approve Agenda Item 37.

It was moved by Trustee Jones, seconded by Trustee Reardon, and motion carried by a 7-0 vote to extend the meeting time past the eleven o'clock hour to 11:15 p.m.

**Motion to Extend  
Past the Eleven  
O'clock Hour**

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

Student Advisor Eunice voted Aye to extend the meeting time past the eleven o'clock hour to 11:15 p.m.

The proposed revision to Board Policy 6175, *Education of Migrant Students*, removes language which reflected specific categorical and state and federal funding sources which no longer exist.

**First Reading -  
Board Policy 6175,  
Education of  
Migrant Students  
Agenda Item 38**

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

It was moved by Trustee Jones, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve Agenda Item 38.

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

Student Advisor Eunice voted Aye to approve Agenda Item 38.

This proposed revision of Board Policy 4111, 4211, 4311, *Recruitment, Selection and Appointment*, revises this policy to add management titles of Chief and Associate Superintendent to the existing list. Changes are underlined; deletions are struck through.

**First Reading -  
Board Policy 4111,  
4211, 4311,  
Recruitment,  
Selection and  
Appointment  
Agenda Item 39**

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

It was moved by Trustee Jones, seconded by Trustee Holloway, and motion carried by a 6-0-1 vote to approve Agenda Item 39.

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

Student Advisor Eunice voted Aye to approve Agenda Item 39.

This proposed revision of Board Policy 4315, *Evaluation/Accountability*, revises this policy to extend the probationary period of Management, Supervisory and Confidential Personnel.

**First Reading -  
Board Policy 4315,  
Evaluation/  
Accountability  
Agenda Item 40**

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

It was moved by Trustee Reardon, seconded by Trustee Holloway, and motion carried by a 7-0 vote to approve Agenda Item 40 with an annual report from the Superintendent to the Board regarding staff evaluations.

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

Student Advisor Eunice voted Aye to approve Agenda Item 40.

It was moved by Trustee Jones, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to waive the Second Readings for Agenda Items 38, 39 and 40.

**Motion to Waive  
Second Readings**

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

Student Advisor Eunice voted Aye to waive the Second Readings on Agenda Items 38, 39 and 40.

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

**Adjournment**

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

Student Eunice voted Aye to adjourn the meeting.

President McNicholas announced the meeting adjourned at 11:10 p.m.

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

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