

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
May 23, 2018
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 4:08 p.m.

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

At 4:08 p.m. the Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Conference with Labor Negotiators; Student Readmissions; Student Expulsions; Public Employee Discipline/Dismissal/Release; Public Employment and Evaluation of Performance – Superintendent.

The regular meeting of the Board reconvened to open session and was called to order by President McNicholas at 7:18 p.m.

ROLL CALL:

Present: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, Pritchard, Reardon, and Student Advisor Eunice.

Absent: None

The Pledge of Allegiance was led by Bob Picazo.

**Pledge of
Allegiance
Permanent Record**

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

It was moved by Trustee Holloway, seconded by Trustee Bullockus 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

Student Advisor Eunice voted Aye to approve the Agenda.

President McNicholas 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 IDR Case Numbers 20180308, 20180327, 20180328 and 20180329.

Trustees voted 7-0 to approve Waiver Request.

Agenda Item #3B – Conference with Legal Counsel – Anticipated Litigation
Trustees gave direction to staff.

Agenda Item #3C – Conference with Legal Counsel – Anticipated Litigation
No reportable action.

Agenda Item #3D – Conference with Legal Counsel – Anticipated Litigation
Trustees gave direction to staff.

Agenda Item #3E – Conference with Legal Counsel-Existing Litigation
Trustees gave direction to staff.

Agenda Item #3F – Conference with Legal Counsel-Existing Litigation
Trustees voted 7-0 to approve staff recommendation on the following cases:

OAH Case Number 2017101068
OAH Case Number 2017120560
OAH Case Number 2017121036
OAH Case Number 2018010229
OAH Case Number 2018010322
OAH Case Number 2018011088
OAH Case Number 2018021047
OAH Case Number 2018030454
OAH Case Number 2018031120
OAH Case Number 2018031255

Agenda Item #3G – Conference with Labor Negotiators
Trustees gave direction to staff.

Agenda Item #3H – Student Readmissions
Trustees voted 5-0-2 to approve staff recommendation for Case #2017-042 and Case #2018-006.

Agenda Item #3I – Student Expulsions
Trustees voted 5-0-2 to approve staff recommendation for Case #2018-039 and Case #2018-040.

Agenda Item #3J – Public Employee Discipline/Dismissal/Release
No reportable action.

Agenda Item #3K – Public Employment and Evaluation of Performance
No Reportable Action.

Associated Student Body

California Prep Academy/Capistrano Virtual School

Jolene Dougherty, Principal

Cassie Cate

Melissa Estrada

Gena Koenigshofer

Bethany Zelasko

**Special
Recognitions**

Learning In Capo Spotlight

Teachers of the Year

David Pino - High School

Susan Peterson – Middle School

Carol Cutkomp – Elementary School

2018 Classified Employee of the Year

Alberto Soto-Maintenance and Operations-Custodian IV-Tesoro High School
Denise Caras-Transportation- Dispatcher-Transportation
Rodrigo Rangel-Support Services and Security-Campus Supervisor-Don Juan Avila Middle School
Jose (Luis) Sanchez-Child Nutrition-Storekeeper/Delivery Driver-District Office-Food Service
Nancy Kuhlmann-Office and Technical-Elementary School Clerk-Castille Elementary School
Valerie Flaherty-Para-Educator and Instructional Assistance-Independent Facilitator-Las Flores Middle School

California School Counselor of the Year

Kathy Pelzer

Orange County Department of Education Counselor of the Year

Patricia Calkins
Alexis Goddard

CCA Teacher of the Year

Katherine Amoukhteh

Vex Robotics Teacher of the Year

Nona Reimer

Extra Miler

Katherine Amoukhteh recognized for her dedication to the District students on the award winning Robotics' Team the Robot Dolphins, and leading them to a global competition in Houston, Texas

Superintendent Vital reported on various activities and school events from the past few weeks. She shared her deep appreciation for all our employees during our end of the year appreciation weeks.

Board and Superintendent Comments

Trustee Holloway requested that staff revisit the March 14, 2018 minutes. Superintendent Vital reported 800 students supported the peaceful walk out, and Trustee Holloway wanted to report for the record over 3000 students Districtwide participated in a peaceful walk out.

The following speakers addressed the Board:

- *Kathy Peltzer spoke on counseling services*
- *Alexis Goddard spoke on counseling services*
- *Kathleen Daugherty spoke on Oxford Preparatory Academy*
- *Oswaldo Diaz spoke on Oxford Preparatory Academy*
- *Josh Arnold spoke on Oxford Preparatory Academy*
- *Jessica Geyer spoke on the California Healthy Youth Act*
- *Michele McNutt spoke on the California Healthy Youth Act*
- *Susan Saucedo spoke on the California Healthy Youth Act*
- *Franci Sassin spoke on Charter School Materials Revision for Capistrano Connections Academy*

Oral Communications

- *Ronda Walen spoke to thank Natalie Engelson for her work on the Classified Employee of the Year Event*
- Sally White spoke about teaching and serving CUEA

PUBLIC HEARINGS

The Board President opened the public hearing on the 2018-2019 Local Control Accountability Plan at 8:37 p.m. There were no public comments. President McNicholas closed the public hearing at 8:38 p.m.

**Public Hearing:
2018-2019 Local
Control
Accountability
Plan**

The Board President opened the public hearing 2018-2019 Proposed Budget Adoption at 8:38 p.m. There were no public comments. President McNicholas closed the public hearing at 8:38 p.m.

**Agenda Item 1
Public Hearing:
2018-2019
Proposed Budget
Adoption**

The Board President opened the public hearing Biotechnology College and Career Access Pathways Partnership Agreement with South Orange County Community College District at 8:39 p.m. There were no public comments. President McNicholas closed the public hearing at 8:39 p.m.

**Agenda Item 2
Public Hearing:
Biotechnology
College and Career
Access Pathways
Partnership
Agreement with
South Orange
County
Community
College District**

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 3
Items Pulled from
the Consent
Calendar – Items
10, 14, and 46
pulled by staff.
Items 15, 21, 22, 23
and 24 pulled by
Trustees.**

President McNicholas asked Trustees for items they wished to pull from the Consent Calendar. Staff pulled items 10, 14, and 46. Trustee Jones requested to make a correction on the funding source and Item 6 and be included in the approval of the balance. Trustee McNicholas pulled Item 15, 21, 22. Trustee Pritchard pulled items 23 and 24.

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

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

Student Advisor Eunice vote Aye to approve the Consent Calendar.

Approved Donation of Funds and Equipment.

Approval Purchase Orders (Attachment 1) and Commercial Warrants (Attachment 2).

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

Approval of Award of Bid No. 1718-16, Dana Hills High School Turf Replacement to Asphalt, Fabric & Engineering, Incorporated.

Approval of Award of Bid No. 1718-18, Chaparral Elementary School Playground Modernization and Repaint to Painting and Decor, Incorporated.

Approval of Award of Bid No. 1718-19, Aliso Viejo Middle School Modular Classrooms to R. Jensen Company, Incorporated.

Item pulled by staff.

**Donation of Funds and Equipment
Agenda Item 4
Purchase Orders, Commercial Warrants and Previously Board-Approved Bids and Contracts Agenda Item 5
Independent Contractor, Professional Services, Field Service and Master Contract Agreements
Agenda Item 6
Award Bid No. 1718-16, Dana Hills High School Turf Replacement – Asphalt, Fabric & Engineering, Incorporated
Agenda Item 7
Award Bid No. 1718-18, Chaparral Elementary School Playground Modernization and Repaint – Painting and Decor, Incorporated
Agenda Item 8
Award Bid No. 1718-19, Aliso Viejo Middle School Modular Classrooms – R. Jensen Company, Incorporated
Agenda Item 9
Agenda Item 10
Item pulled by staff.**

Approval of Award of Bid No. 1718-21, Dana Hills High School Structural Repairs to New Dimension General Construction.

**Award Bid No.
1718-21, Dana Hills
High School
Structural Repairs
– New Dimension
General
Construction
Agenda Item 11**

Approval of the Award of Request for Proposals (RFP) No. 6-1718 – Preconstruction and Construction Management Services to create a bench of eligible firms for upcoming projects as needed.

**Award Request
For Proposals No.
6-1718,
Preconstruction
And Construction
Management
Services –
Establishing A
Bench
Agenda Item 12**

Approval of Change Order No. 2, Bid No. 1617-18 for the Esencia K-8 Project related to several project enhancements and additional electrical scope due to Rancho Mission Viejo alterations in campus power connection and conduit placement.

**Change Order No.
2, Bid No. 1617-18,
Esencia K-8
Project
Agenda Item 13**

Item pulled by staff.

**Agenda Item 14
Item pulled by
staff.**

Approval of Change Order No. 2, Bid No. 1617-18 for the Esencia K-8 Project related to several project enhancements and additional electrical scope due to Rancho Mission Viejo alterations in campus power connection and conduit placement.

**Extension No. 2,
Bid No. 1516-14,
Co-Curricular Bus
Service – Certified
Transportation
Services,
Incorporated and
JFK**

Approval of the ability to utilize the State of California Multiple Award Schedule (CMAS) Contract No. 3-18-70-248K to Westcon Group North America, Inc. for the resale of Cisco products and Cisco branded services and CMAS Contract No. and 3-15-70-248E to Immix Group, Inc. for the purchase and warranty of information technology consulting services, WSCA-NASPO AR233 contract was awarded to Cisco Systems, Inc., WSCA-NASPO MNWNCC-108 awarded to Dell Marketing, L.P., WSCA-NASPO AR615 contract was awarded to F5 Networks, Inc., WSCA-NASPO MNNVP-133 contract was awarded to HP Inc., and WSCA-NASPO AR626 contract awarded to Palo Alto Networks, Inc.

**Transportation
Company,
Incorporated
Agenda Item 16
California Multiple
Award Schedule
Contracts
Information
Technology Goods
and Related
Services – Various
Vendors
Agenda Item 17**

Approval to utilize the WSCA-NASPO ValuePoint Master Agreement No. 3091, with California Participating Addendum No. 7-15-70-25, for the purchase of copiers,

**Wsc-Naspo
Valuepoint Master**

printers, and related devices, from Ricoh USA, Incorporated, as needed, under the same terms and conditions of the public agency's contract.

Approval of the Memorandum of Understanding (MOU) with Be Glad LLC to provide two Professional Learning Sessions to Support Training in The Project (Guided Language Acquisition Design) Model And Strategies.

Approval of the Memorandum of Understanding (MOU) with Be Glad LLC to provide two Professional Learning Sessions to Support Training in The Project (Guided Language Acquisition Design) Model And Strategies.

Approval of Broadening the Course of Study: New Career Technical Education course, Game Design.

Approval of Broadening the Course of Study: New Secondary Course, International Baccalaureate (IB) Psychology Higher Level Honors.

Approval of Agreement for Additional School Participating in Inside the Outdoors' School Programs Agreement Numbers: #10004-10, #10004-11, #10024-3, #10024-4.

**Agreement No.
3091, California
Participating
Addendum No. 7-
15-70-25, Copiers,
Printers, Related
Devices and
Associated
Services, Ricoh
USA, Incorporated
Agenda Item 18
Memorandum of
Understanding
with Be Glad LLC
to Provide
Professional
Learning
Workshops -
Project Guided
Language
Acquisition Design
Model and
Strategies
Agenda Item 19
Memorandum of
Understanding
with California
Association for
Bilingual
Education for
2018-2019
Agenda Item 20
Broadening the
Course of Study –
New Career
Technical
Education Course,
Game Design
Agenda Item 23
Broadening the
Course of Study –
New Secondary
Course,
International
Baccalaureate
Psychology Higher
Level Honors
Agenda Item 24
Agreement for
Additional School**

Approval of ratification for service agreement #45945 with Orange County Department of Education for provision of Friday Night Live Partnership at Fred Newhart Middle School. Orange County Department of Education will provide reimbursement for advisor stipends at the maximum rate of \$1,000 to provide comprehensive primary prevention programs.

Approval of the Single Plans for Student Achievement (SPSA) and Budgets for the 2018-2019 school year.

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

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

Approval of Master Services Agreement with Quantum Education Dynamics to provide coaching, mentoring, and support to the administrative team at Tesoro High School.

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) Third Quarter Report.

**Participating in
Inside the
Outdoors' School
Programs
Agreement
Numbers: #10004-
10, #10004-11,
#10024-3, #10024-4
Agenda Item 25
Service Agreement
#45945 with
Orange County
Department of
Education for
Provision of Friday
Night Live
Partnership
Agenda Item 26
Single Plans for
Student
Achievement and
Budgets for
2018-2019
Agenda Item 27
Resignations/
Retirements/
Employment -
Classified
Employees
Agenda Item 28
Resignations/
Retirements/
Employment -
Certificated
Employees
Agenda Item 29
Master Services
Agreement –
Quantum
Education
Dynamics
Agenda Item 30
Orange County
Department of
Education Third
Quarter Report –
Williams
Settlement
Legislation**

Acceptance of Williams Settlement Legislation Uniform Complaint Third Quarter Report.	Agenda Item 31 Third Quarter Report – Williams Settlement Legislation Uniform Complaint
Approval of Field Experience Agreement with Grand Canyon University to work with Nursing Students.	Agenda Item 32 Field Experience Agreement with Grand Canyon University
Approval of Clinical Education Affiliation Agreement with California State University, San Marcos to work with Speech and Language Pathologist and Nursing Students.	Agenda Item 33 Clinical Education Affiliation Agreement with California State University, San Marcos
Approval of Clinical Practicum Agreement with California State University, Northridge to work with Speech and Language Pathologist Students.	Agenda Item 34 Clinical Practicum Agreement with California State University, Northridge
Approval of School Psychology Supervised Unpaid Practicum/Internship Fieldwork Agreement with Chapman University to work with students working toward their Pupil Personnel Services Credential (School Psychologist).	Agenda Item 35 School Psychology Supervised Unpaid Practicum/ Internship Fieldwork Agreement with Chapman University
Approved the April 25, 2018 Special Board Meeting minutes.	Agenda Item 36 School Board Minutes
<u>DISCUSSION/ACTION ITEMS</u>	Agenda Item 37
Board President recognized Ryan Burris, to introduce Marilyn Amato and Bob Bunyan to present this item.	Presentation from the School Facilities and Finance Advisory Committee
This was an information item only and no Board action was necessary.	Agenda Item 38

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

**#CapoForward
Reimagining
Project Update
Agenda Item 39**

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

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

**2018-2019 Local
Control
Accountability
Plan Update
Agenda Item 40**

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

Board President, Martha McNicholas introduced Gordon Amerson, Associate Superintendent, Human Resource Services, to present the item.

**Recommendation
of Tentative
Agreement with
California School
Employees
Association
(CSEA), and its
Capistrano
Chapter 224, for
July 1, 2016 –
June 30, 2018
Agenda Item 41**

- *Ronda Walen spoke in support of this item.*

It was moved by Trustee Reardon and seconded by Trustee Holloway to approve Tentative Agreement with California School Employees Association (CSEA), and its Capistrano Chapter 224, for July 1, 2016 – June 30, 2018.

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

Student Advisor Eunice vote Aye.

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

**2018-2019
Proposed Budget
Adoption
Agenda Item 42**

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

President McNicholas recognized Greg Merwin, Associate Superintendent, Business and Support Services, to present this item.

**Family Resource
Center
Agenda Item 43**

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

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

**Resolution No.
1718-50,
Authorization of
Temporary
Interfund
Transfers Agenda
Item 44**

It was moved by Trustee Reardon and seconded by Trustee Holloway to adopt Resolution No. 1718-50, Authorization of Temporary Interfund Transfers. The motion carried by a 7-0 Roll Call vote.

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

Student Advisor Eunice vote Aye.

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

**First Reading –
Board Policy
5143.1, Tobacco
Agenda Item 45**

Trustee gave direction to staff to bring back this item with recommended changes.

Item pulled by staff.

**Presentation of
Material Revisions
to Charter of
Capistrano
Connections
Academy Charter
School
Agenda Item 46**

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

**Resolution No.
1718-48, Accepting
Credits from Non-
Accredited
Institutions
Agenda Item 47**

It was moved by Trustee Reardon and seconded by Trustee Holloway to adopt Resolution No. 1718-48, Accepting Credits from Non-Accredited Institutions. The motion carried by a 7-0 Roll Call vote.

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

Student Advisor Eunice vote Aye.

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

**Resolution No.
1718-49, Granting
Seniors a District
Diploma
Agenda Item 48**

It was moved by Trustee Reardon and seconded by Trustee Holloway to adopt Resolution No. 1718-49, Granting Seniors a District Diploma. The motion carried by a 7-0 Roll Call vote.

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

Student Advisor Eunice vote Aye.

Board President, Martha McNicholas introduced Gordon Amerson, Associate Superintendent, Human Resource Services to present the item.

**First Reading -
Board Policy
1312.3, Uniform
Complaint
Procedures
Agenda Item 49**

It was moved by Trustee Hanacek seconded by Trustee Holloway to waive the second reading of Board Policy 1312.3 and adopt Board Policy 1312.3 The motion carried. 7-0.

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

Student Advisor Eunice voted Aye to approve this item.

Board President, Martha McNicholas introduced Gordon Amerson, Associate Superintendent, Human Resource Services to present the item.

**First Reading -
Board Policy
1312.4, Williams
Uniform
Complaint
Procedures
Agenda Item 50**

It was moved by Trustee Reardon seconded by Trustee Holloway to waive the second reading of Board Policy 1312.4 and adopt Board Policy 1312.4 The motion carried. 7-0.

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

Student Advisor Eunice voted Aye to approve this item.

ITEMS PULLED FROM CONSENT CALENDAR

It was moved by Trustee Holloway and seconded by Trustee Bullockus to approve Consent Calendar Item 15. The motion carried 7-0.

**Contract for
Summer Food
Service Program –
Orange County
Public Libraries
Agenda Item 15**

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

Student Advisor Eunice voted Aye to approve this item.

It was moved by Trustee Jones and seconded by Trustee Reardon to approve Consent Calendar Item 20. The motion carried 7-0.

**Memorandum of
Understanding
With California
Association for
Bilingual
Education for
2018-2019
Agenda Item 20**

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

Student Advisor Eunice voted Aye to approve this item.

It was moved by Trustee Jones and seconded by Trustee Reardon to approve Consent Calendar Item 20. The motion carried 7-0.

**Broadening the
Course of Study –
New Career
Technical
Education Course,
Chemistry and
Environmental**

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

Student Advisor Eunice voted Aye to table this item.

**Engineering
Agenda Item 21
Minutes Special
Board Meeting
March 14, 2018
Agenda Item 23**

Trustee Prichard noted that he would abstain from this item. It was moved by Trustee Pritchard and seconded by Trustee Reardon to approve the March 14, 2018 Special Board Meeting minutes. The motion carried 6-0-1.

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

Student Advisor Eunice voted Aye on this item.

Trustee Prichard noted that he would abstain from this item and Trustee Jones noted some minor corrections. It was moved by Trustee Pritchard and seconded by Trustee Reardon to approve the March 14, 2018 Regular Board Meeting minutes as amended. The motion carried 6-0-1-0.

**Minutes Regular
Board Meeting
March 14, 2018
Agenda Item 24**

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

Student Advisor Eunice voted Aye on this item.

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

Adjournment

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

President McNicholas announced the meeting adjourned at 10:39 p.m.



Board Clerk


Secretary, Board of Trustees

Minutes submitted by Colleen Hayes, Manager II, Superintendent's Office