

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
July 26, 2017
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 5:05 p.m.

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

The following speakers addressed the Board:

- Bob Picazo spoke regarding Bill Mocnik.
- Stephanie Sanchez spoke regarding Bill Mocnik.
- Jaime Runyan spoke regarding Bill Mocnik

President McNicholas announced that staff pulled Student Readmission Case Number 2017-017.

At 5:18p.m., the Board recessed to closed session to discuss Conference with Legal Counsel - Anticipated Litigation; Student Readmissions; Public Employee Discipline/Dismissal/Release; Public Employee Employment/Appointment; 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 7:36 p.m.

ROLL CALL:

Present: Trustees Bullockus, Hanacek, Holloway, Jones and McNicholas

Absent: Trustees Pritchard and Reardon

The Pledge of Allegiance was led by Ross Chun, City of Aliso Viejo, Council Member.

**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 McNicholas announced staff amended Agenda Item #4 to reflect a correction on the Contract Summary to show the total contact sum for the new agreements as \$4,327,379 not \$3,910,107. This change did not affect the individual contracts considered by the Board.

**Adoption of the
Board Agenda**

It was moved by Trustee Holloway, seconded by Trustee Bullockus and motion carried by a 5-0-2 vote to adopt the Board agenda.

AYES: Trustees Bullockus, Hanacek, Holloway, Jones and McNicholas

NOES: None

ABSENT: Pritchard and Reardon

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

The Board met in closed session to discuss anticipated litigation relative to the Los Patrones Parkway construction. As a result, of that discussion, the Board expressed concerns over potential for health impacts on our students at Tesoro High School and future Esencia K-8. While our review suggests these impacts have been considered, out of an abundance of caution, the Board has directed staff to contact TCA and the County of Orange directly to request written assurances to the District that their projects adequately mitigate any air pollution and noise impacts on our schools and provide us with written evidence of specific roadway alignments under construction, including distances for existing and planned campuses for both Los Patrones Parkway Project and Oso Bridge Project.

Agenda Item #3B – Student Readmissions

Trustees voted 6-0-1 to approve Student Readmission Case Number 2017-004.

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

No Reportable Action.

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

Trustees voted 6-0-1 to approve the appointment of Sharla Pitzen to the position of Principal, Elementary School, at Reilly Elementary School effective July 27, 2017.

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

Trustees voted 6-0-1 to approve the appointment of Dr. Joshua Porter to the position of Principal, High School, at Dana Hills High School effective July 27, 2017.

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

Trustees voted 6-0-1 to approve the appointment of John Misustin to Principal, High School, at Capistrano Valley High School effective July 27, 2017

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

During Closed Session, the Board provided direction to staff to initiate a new recruitment process for the Tesoro High School Principal position.

Agenda Item #3E – Conference with Real Property Negotiators

Trustees gave direction to staff.

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

Trustees gave direction to staff.

Trustee Reardon was present during Closed Session.

Superintendent Vital reported on various activities of the past two weeks. She congratulated Sharla Pitzen as Principal of Reilly Elementary, Joshua Porter as Principal of Dana Hills High School and welcomed back John Misustin as Principal of Capistrano Valley High School. She shared that staff will continue their work and engagement at Tesoro High School and Don Juan Avila Middle school, where the District will be opening up recruitments for principal positions.

**Board and
Superintendent
Comments**

Superintendent Vital ended her comments by appreciating the cities of Mission Viejo and Aliso Viejo for their work with the District in determining the best way to invest the remaining money from CFD 87-1. Superintendent Vital will share plans for the funds at the next Board Meeting.

The following speakers addressed the Board:

- Stan Wasbin spoke regarding the national school lunch program.
- Dawn Urbanek spoke regarding 241/Tesoro

**Oral
Communications**

The Board will conduct a public hearing on Secondary Bi-literacy Language Arts/English Language Development (ELD) program (Program 3: Basic Bi-literacy Language Arts/ELD) for grade 6 Spanish Two-way Immersion.

**Public Hearing:
Secondary Bi-
Literacy Language
Arts/English
Language
Development,
Grade 6 Spanish
Two-Way
Immersion
Agenda Item 1**

President McNicholas announced the public hearing open at 7:56 p.m.

With no public speakers, President McNicholas announced the public hearing closed at 7:56 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**

President McNicholas asked Trustees for items they wished to pull from the Consent Calendar. Trustee Hanacek requested to pull item 18. Trustee Bullockus requested to pull items 2, 7, 9, 10, 16 through 18, 20 and 22. Citizen, Dawn Urbanek, requested to speak on agenda items 2, 3, 4, 5, 7, 8, 18, 19 and 25.

It was moved by Trustee Hanacek, seconded by Trustee Jones, and motion carried by a 5-0-2 Roll Call vote to approve the following Consent Calendar with the exception of pulled items and items with public speaker comments.

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

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
The following speaker addressed the Board: <ul style="list-style-type: none">• Dawn Urbanek spoke regarding purchase orders/warrants	
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 speakers addressed the Board: <ul style="list-style-type: none">• Danielle Serio spoke regarding budget training for admin and teachers regarding LGBTQ+.• Dawn Urbanek spoke regarding contracts.	
Approval of Award Bid No. 1718-08, Outsource Transportation Services to American Logistics Company, LLC.	Award Bid No. 1718-08, Outsource Transportation Services – American Logistics Company, LLC. Agenda Item 5
Approval of Award of Bid No. 1718-10, Fresh Bread and Bakery Products to Galasso's Bakery.	Award Bid No. 1718-10, Fresh Bread And Bakery Products - Galasso's Bakery Agenda Item 6
Approval of the State of California Multiple Award Schedule (CMAS) Contract No. 4-13-72-0039C, General Services Administration Schedule No. GS-03F-077AA, for the purchase, warranty and installation of floor covering and related products awarded to Mohawk Commercial, Inc., as needed.	California Multiple Award Schedule Contract No. 4-13- 72-0039c Awarded To Mohawk Commercial, Incorporated For The Purchase, Warranty And Installation Of Floor Covering And Related Products Agenda Item 8
The following speaker addressed the Board: <ul style="list-style-type: none">• Dawn Urbanek spoke regarding Mohawk Commercial Flooring.	
Approval of Service Contract with Home Campus, Inc. to provide District student athletes and school administrators the ability to communicate with California Interscholastic Federation.	Service Contract- Home Campus, Inc.

AYES: Trustees Bullockus, Hanacek, Holloway, Jones and McNicholas **Agenda Item 11**
NOES: None
ABSENT: Pritchard and Reardon

Approval of the Agreement for Use of Emerald Cove Outdoor Science Institute Facilities, Supplies, Equipment, and Services Public School Districts School Year 2017-2018 to provide a program and classes in outdoor science and environmental education.

**Agreement For Use
Of Emerald Cove
Outdoor Science
Institute Facilities,
Supplies,
Equipment, And
Services Public
School Districts
School Year 2017-
2018
Agenda Item 12**

Approval of Amendment No. 2 to Income Agreement No. 43045 with Orange County Superintendent of Schools to provide the services of Hope Therapies for speech and language pathologist services such as assessments and consultations for students.

**Amendment No. 2
To Income
Agreement No.
43045-Orange
County
Superintendent Of
Schools
Agenda Item 13**

Approval of the Memorandum of Understanding with the Orange County Superintendent of Schools will allow Orange County Department of Education (OCDE) to provide special education programs and services for eligible District students from July 1, 2017 through June 30, 2018.

**Memorandum Of
Understanding
With The Orange
County
Superintendent Of
Schools
Agenda Item 14**

Approval of the Memorandum of Understanding with Laguna Beach Unified School District (LBUSD) for the purpose of implementing special education services and programs to students referred by their Individual Education Program team.

**Memorandum Of
Understanding
With Laguna
Beach Unified
School District
Agenda Item 15**

Approval of Field Experience and Student Teaching Agreement with Northwest Missouri State University, effective July 26, 2017 and expiring January 1, 2020.

**Field Experience
and Student
Teaching
Agreement with
Northwest
Missouri State
University
Agenda Item 17**

Approval of Master Services Agreement with CDL Enterprises to provide document imaging, scanning, indexing, Project Management, and publishing files to Dynafire.

**Master Services Agreement With CDL Enterprises
Agenda Item 19**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding CDL Enterprises.

Approval of proposed revisions to Second Reading – Board Policy 4313, Management/Supervisory/Confidential Service Days.

**Second Reading - Board Policy 4313, Management/Supervisory/Confidential Service Days
Agenda Item 21**

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

**Resignations/Retirements/Employment – Certificated Employees
Agenda Item 23**

This it was pulled by staff for revision.

Approval of the June 7, 2017 Regular Board Meeting minutes.

**School Board Minutes
Agenda Item 24**

Approval of proposed revisions to Board Bylaw 9320, *Meetings*.

**Second Reading – Board Bylaw 9320, Meetings
Agenda Item 25**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Board Bylaw 9320.

ITEMS PULLED FROM CONSENT CALENDAR

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding fundraising.

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

Following discussion, it was moved by Trustee Bullock, seconded by Trustee Holloway and motion carried by a 5-0-2 vote to approve Agenda Item 2.

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

Approval of Agreement for Consultant Services with The Breakthrough Coach to provide a two-day management development program for school administrators and their administrative support professionals.

**Agreement For Consultant Services - The Breakthrough Coach
Agenda Item 7**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding the Breakthrough Coach.

Following discussion, it was moved by Trustee Bullockus, seconded by Trustee Holloway and motion carried by a 5-0-2 vote to approve Agenda Item 7.

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

Approval of the renewal of the Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Arroyo Vista Park. Arroyo Vista K-8 School is located adjacent to Arroyo Vista Park in the City of Rancho Santa Margarita.

Limited Use License Agreement With Rancho Santa Margarita Landscape And Recreation Corporation For The Use Of Arroyo Vista Park Agenda Item 9

Following discussion, it was moved by Trustee Bullockus, seconded by Trustee Holloway and motion carried by a 5-0-2 vote to approve Agenda Item 9.

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

Approval of the renewal of the Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation (SAMLARC) for student use of Tijeras Creek Park.

Limited Use License Agreement With Rancho Santa Margarita Landscape And Recreation Corporation For Use Of Tijeras Creek Park Agenda Item 10

Following discussion, it was moved by Trustee Bullockus, seconded by Trustee Holloway and motion carried by a 5-0-2 vote to approve Agenda Item 10.

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

Approval of the California (SUMS) Initiative: Scaling Up Multi-Tiered System of Support (SUMS) Statewide Grant Local Education Agency Agreement with the Orange County Superintendent of Schools provides a process for the District to assess strengths, coordinate supports to the Local Control Accountability Plan, and align Multi-tiered System of Support (MTSS) efforts with the eight state priorities.

California Sums Initiative: Scaling Up Multi-Tiered System Of Support (Sums) Statewide Grant Local Education Agency Agreement - Orange County Superintendent Of Schools Agenda Item 16

Following discussion, it was moved by Trustee Bullockus, seconded by Trustee Holloway and motion carried by a 5-0-2 vote to approve Agenda Item 16.

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

Approval of License Agreement with Franklin Covey Client Sales, Inc. to allow identified management employees access to the Franklin Covey Solutions maintained on Franklin Covey's All Access Pass platform to provide the ability to conduct in-house Professional Learning.

License Agreement - Franklin Covey All Access Pass Agenda Item 18

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Franklin Covey.

Following discussion, it was moved by Trustee Hanacek, seconded by Trustee Bullockus and motion carried by a 5-0-2 vote to approve Agenda Item 18.

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

Approval of Purchase Agreement with Solution Tree, Inc. Solution Tree, Inc. agrees to provide a speaker, Cassandra Erkens, to disseminate information to the District on the topic of *PLC at Work* on November 29, 2017 to November 30, 2017, and March 14, 2018 to March 15, 2018.

**Purchase
Agreement -
Solution Tree, Inc.
Agenda Item 20**

Following discussion, it was moved by Trustee Bullockus, seconded by Trustee Holloway and motion carried by a 5-0-2 vote to approve Agenda Item 20.

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

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

**Resignations/
Retirements/
Employment –
Classified
Employees
Agenda Item 22**

Following discussion, it was moved by Trustee Bullockus, seconded by Trustee Holloway and motion carried by a 5-0-2 vote to approve Agenda Item 22.

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

DISCUSSION/ACTION ITEMS

The Board will receive an information presentation from ARC Alternatives, the District's independent energy advisor, on the findings of a solar feasibility study.

**Solar Feasibility
Study
Agenda Item 26**

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

Staff is looking for guidance on how we can adeptly hear public speakers on Closed Session Items; Oral Communications, non-Agenda Items; Oral Communications, Discussion/Action Items; and Oral Communications, Consent Items.

**First Reading –
Board Policy 9323,
Meeting Conduct
Agenda Item 27**

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Meeting Conduct.

Following discussion, this item was moved to the August 23, 2017 Board Meeting.

The Board is asked to consider adoption of Resolution No. 1718-01, Resolution of the Board of Trustees of the Capistrano Unified School District Authorizing the Release of a Request for Proposals for the Potential Assignment of Rights to Acquire Real Property known as the Pacifica San Juan Site.

Resolution No. 1718-01, Resolution Of The Board Of Trustees Of The Capistrano Unified School District Authorizing The Release Of A Request For Proposals For The Potential Assignment Of Rights To Acquire Real Property Known As The Pacifica San Juan Site Agenda Item 28

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Pacifica San Juan.

Following discussion, it was moved by Trustee Hanacek, seconded by Trustee Holloway and motion carried by a 5-0-2 Roll Call vote to adopt Resolution No. 1718-01.

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

The Board is asked to consider adoption of Resolution No. 1718-02, Resolution of the Board of Trustees of the Capistrano Unified School District Reconfirming Acceptance of the Advisory Committee Recommendation; Ratifying Declaration of Surplus Property; Authorizing Offer of District Property for Sale to Public Entities; and Authorizing Public Sale of Property.

Resolution No. 1718-02, Resolution Of The Board Of Trustees Of The Capistrano Unified School District Reconfirming Acceptance Of The Advisory Committee Recommendation; Ratifying Declaration Of Surplus Property; Authorizing Offer Of District Property For Sale To Public Entities; And Authorizing Public Sale Of Property Agenda Item 29

The following speaker addressed the Board:

- Dawn Urbanek spoke regarding Purchase/Resolution of land sale.

Following discussion, it was moved by Trustee Hanacek, seconded by Trustee Jones and motion carried by a 5-0-2 Roll Call vote to adopt Resolution No. 1718-02.

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

A teacher committee has recommended the adoption of the following Secondary Bi-literacy Language Arts/English Language Development (ELD) program (Program 3: Basic Bi-literacy Language Arts/ELD) for grade 6 Spanish Two-way Immersion: *Lectura Maravillas* ©2017 McGraw-Hill School Education.

Instructional Materials Recommended For Adoption: Secondary Bi-literacy Language Arts/English

Following discussion, it was moved by Trustee Holloway, seconded by Trustee Hanacek and motion carried by a 5-0-2 vote to approve Agenda Item 30.

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

Language Development, Grade 6 Spanish Two-Way Immersion Agenda Item 30

The proposed revision to Board Policy 5173, *Suicide Prevention*, updates and aligns the policy to reflect the September 26, 2016, Governor approved, Assembly Bill (AB) 2246 Pupil Suicide Prevention policies.

First Reading – Board Policy 5173, Suicide Prevention Agenda Item 31

Following discussion, this item moved to a second reading.

It was moved by Trustee Hanacek, seconded by Trustee Jones and motioned carried by a 5-0-2 vote to adjourn the meeting. **Adjournment**

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

President McNicholas announced the meeting adjourned at 10:31 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Nicole Berkman, Executive Secretary, Board Operations