

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
February 27, 2019  
EDUCATION CENTER – BOARD ROOM

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

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

The Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Liability Claim; Student Expulsions; Public Employee Discipline/Dismissal/Release; and Conference with Labor Negotiators.

The regular meeting of the Board of Trustees reconvened to open session and was called to order by President Gila Jones at 7:07 p.m.

**ROLL CALL:**

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

Absent: None

The Pledge of Allegiance was led by Rebecca Pianta and Andrew Fredriksz.

**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](http://www.capousd.org)**

It was moved by Trustee Holloway, 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: None

President Jones asked Colleen Hayes, Manager II - Board Operations/ Superintendent's Office to read the report out of closed session:

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

**Agenda Item #3A– Conference with Legal Counsel – Anticipated Litigation**  
Significant Exposure to Litigation – Two Cases

Trustees voted 6-0-1 to approve the staff recommendation on the following cases:

ADR Case Number 20181109

ADR Case Number 20181218

**Agenda Item #3B – Conference with Legal Counsel – Existing Litigation**  
Significant Exposure to Litigation – Six Cases

Trustees voted 7-0 to approve the staff recommendation on the following cases:

OAH Case Number 2017090988

OAH Case Number 2018070645

OAH Case Number 2018090864

OAH Case Number 2018100166

OAH Case Number 2018110301

OAH Case Number 2018110726

**Agenda Item #3C – Liability Claim**

Significant Exposure to Litigation

Trustees voted to approve staff recommendation to reject government claim No. 1805637.

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

Three Cases

Trustees voted 7-0 to approve staff recommendation on:

Case # 2019-037

Case # 2019-038

Case # 2019-039

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

Trustees gave direction to staff.

**Agenda Item #3F – Conference with Labor Negotiators**

Trustees gave direction to staff.

**Associated Student Body**

San Clemente High School

Chris Carter, *Principal*

Matthew Reid, *Activities Director*

Owen Africa, *Associated Student Body President*

**Special  
Recognitions**

**Extra Miler**

Rebecca Pianta, Coordinator of Counseling and Student Support, for her work to support and advocate for the School Counseling profession, and her leadership in the implementation of a comprehensive school counseling program. Rebecca is an award recipient of the 2019 Orange County K-12 School Counselor Advocacy Award.

Andrew Fredriksz, School Counselor, for his work to support the needs of our students through a comprehensive school counseling program. Andrew is an award recipient of the 2019 Orange County K-12 Middle/Intermediate School Counselor Award.

Superintendent Vital reported on the various activities at our sites in the past weeks.

**Board and  
Superintendent  
Comments**

Trustee McNicholas thanked all counselors for their work in the District. She thanked the staff of Marco Forster Middle School for the wonderful celebration of the 50<sup>th</sup> Anniversary.

The following speakers addressed the Board:

**Oral  
Communications**

- *Jill Marks, Executive Director Oxford Preparatory Academy presented renewal petition for Charter*
- *Amy Kernan, Chancellor Oxford Preparatory Academy spoke on behalf of OPA*
- *Kristen Okura, teacher at Don Juan Avila Middle School spoke regarding Physical Education*
- *Michele Ploessel-Campbell spoke regarding PTA and Sacramento Safari*
- *Melissa Huffaker, teacher at Aliso Niguel High School spoke regarding Physical Education class size*

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
February 27, 2019  
EDUCATION CENTER – BOARD ROOM

- *Alyssa Nopuri, made an introduction as liaison from Congressman Harley Rouda's office*

At 7:38 p.m., President Jones opened the Public Hearing on Instructional Materials Recommended For Adoption: Middle School Sexual Health Lessons, Grade 7-8.

**Public Hearing:  
Instructional  
Materials  
Recommended for  
Adoption: Middle  
School Sexual  
Health Lessons,  
Grade 7-8  
Agenda Item 1**

The following speakers addressed the Board:

- *Kaden Stephen San Clemente High School Student*
- *Ty Fotheringham San Clemente High School Student*
- *Abraham Dent San Clemente High School Student*
- *Davis Blake Vista del Mar Middle School Student*
- *Betty Chu Resident of Villa Park*
- *Dr. Amy Wickstrom Mission Viejo Parent*
- *Marcie Deter Oak Grove Elementary/Aliso Viejo Middle School Parent*
- *Ainsley Smith BAMS Middle School Student*
- *Megan Holland Bergeson Elementary School Parent*
- *Marc Ang Unincorporated Area of Orange County*
- *Jane Putnam Shorecliffs Middle School Student*
- *Hyrum Gallart Capo Valley High School Student*
- *Layla Jessop Vista del Mar Middle School Student*
- *Michele Ploessel-Campbell George White Elementary School Parent*
- *Deborah Stapley San Juan Hills High School Parent*
- *Skip Hellewell Grandparent*
- *Dr. Noah Rodriguez Oso Grande Elementary School Parent*
- *Yumi Hirata Tustin Resident*
- *Marilynn Mulligan Fischer Laguna Woods Resident*
- *Stephanie Sorenson Dana Hills High School Parent*
- *Brian Meshkin Oso Grande Elementary, Ladera Ranch Middle School, San Juan Hills High School Parent*
- *April Gallart Capistrano Valley High School Parent*
- *Jamie Luby Teacher Las Flores Middle School*
- *Michelle McNutt Chaparral Elementary School Parent*
- *Ruth Dawson, attorney with ACLU, Los Angeles Resident*
- *Jessica Geyer Ladera Ranch Middle School Parent*
- *Paula Stephan Niguel Hills Middle, Aliso Niguel High School Parent*
- *Terry Stephan, Niguel Hills Middle, Aliso Niguel High School Parent*
- *Sabrina Capistrano Unified School District Parent*
- *Mary Capistrano Unified School District Parent*
- *Karen Walsh Chaparral Elementary, Ladera Ranch Middle School Parent*
- *Donna Snow Las Flores School Grandparent*
- *Julie Colombero Aliso Niguel High School Parent*
- *Melyssa Chen Oak Grove Elementary, Aliso Viejo Middle School Parent*
- *Paris Touski Malcom Elementary, Aliso Viejo Middle School Parent*

President Jones closed the public hearing at 9:12 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.

President Gila Jones asked Trustees for items they wished to pull from the Consent Calendar.

Trustee Reardon requested to pull Item 13 from consent.

It was moved by Trustee McNicholas, seconded by Trustee Holloway, motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar with the exception of item 13.

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

Approval of donations of funds and equipment.

Approval of 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 the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Winter-Spring 2019.

Approval of Award of Bid No. 1819-06, Parking Lot Sweeping Services to Lopez Works, Incorporated.

**Donation of Funds  
and Equipment  
Agenda Item 2  
Purchase Orders,  
Commercial  
Warrants and  
Previously Board-  
Approved Bids  
and Contracts  
Agenda Item 3  
Independent  
Contractor,  
Professional  
Services, Field  
Service, and  
Master Contract  
Agreements  
Agenda Item 4  
Aliso Viejo  
Community  
Association  
Limited Use and  
Maintenance  
Agreement for  
Winter-Spring  
2019  
Agenda Item 5  
Award Bid No.  
1819-06, Parking  
Lot Sweeping  
Services – Lopez  
Works,**

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
February 27, 2019  
EDUCATION CENTER – BOARD ROOM

Approval of Award of Bid No. 1819-10, Co-Curricular Bus Service Category 1 to JFK Transportation Company Incorporated, Category 2 to Zum Services, Incorporated, and create a bench of qualified vendors to include Certified Transportation Services, Incorporated for various co-curricular transportation services as needed by the District when District buses are unavailable to provide such services.

Approval of Change Order No. 6, Bid No. 1617-18 for the Esencia K-8 Project related to various improvements, SDG&E electrical changes, required changes to the project drawings and code requirements of the Orange County Health Department.

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1617-20, Tesoro High School Building D.

Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract No. 4-18-00-0118A, California Department of General Services Base Schedule No. Association of Educational Purchasing Agencies IFB-017-F, and any subsequent revisions, amendments, and extensions awarded to Weatherproofing Technologies, Incorporated, for the purchase, warranty, and installation of roofing and related services for the purpose of routine repair and maintenance of roofing systems, as needed by the District.

Approval to utilize the County of Orange, OC Public Works, Contract No. MA-080-18010280, Miscellaneous Building Supplies and Material, Maintenance and Repair of Structural, Mechanical, Electrical, Plumbing and Finishes of County Buildings and any subsequent revisions, amendments, and extensions awarded to Ganahl Lumber Company.

**Incorporated  
Agenda Item 6  
Award Bid No.  
1819-10, Co-  
Curricular Bus  
Service – Multiple  
Vendors  
Agenda Item 7  
Change Order No.  
6, Bid No. 1617-  
18, Esencia K-8  
Project  
Agenda Item 8  
Final Acceptance  
and Filing of  
Notice of  
Completion for  
Bid No. 1617-20,  
Tesoro High  
School Building D  
– Paul C. Miller  
Construction Co.,  
Inc.  
Agenda Item 9  
State of California  
Multiple Award  
Schedule Contract  
No. 4-18-00-  
0118A, California  
Department of  
General Services  
Base Schedule No.  
Association of  
Educational  
Purchasing  
Agencies IFB-017-  
F, Purchase,  
Warranty, and  
Installation of  
Roofing and  
Related Services -  
Weatherproofing  
Technologies,  
Incorporated  
Agenda Item 10  
County of Orange,  
OC Public Works,  
Contract No. MA-  
080-18010280,  
Miscellaneous  
Building Supplies  
and Material,  
Maintenance and**

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
February 27, 2019  
EDUCATION CENTER – BOARD ROOM

Approval to utilize Los Angeles Unified School District, Contract No. 4400006668, Swimming Pool Chemicals and Supplies and any subsequent revisions, amendments, and extensions awarded to Waterline Technologies, Inc.

Approval of Resolution No. 1819-33, Addendum to Approved 2011 Initial Study/Mitigated Negative Declaration for the Compressed Natural Gas Dispenser at the Aliso Viejo Transportation Center.

Approval of Esencia School – County District School Codes.

Approval of the California Career Technical Education Incentive Grant (CTEIG) Program Memorandum of Understanding (MOU) with College and Career Advantage (CCA).

Approval of the amendments to the Academic Event Contracts with Irvine Ranch Outdoor Education Center to include camp nurse services.

**Repair of  
Structural,  
Mechanical,  
Electrical,  
Plumbing and  
Finishes of County  
Buildings –  
Ganahl Lumber  
Company  
Agenda Item 11  
Los Angeles  
Unified School  
District, Contract  
No. 4400006668,  
Swimming Pool  
Chemicals and  
Supplies –  
Waterline  
Technologies, Inc.  
Agenda Item 12  
Resolution No.  
1819-33,  
Addendum to  
Approved 2011  
Initial  
Study/Mitigated  
Negative  
Declaration for  
the Compressed  
Natural Gas  
Dispenser at the  
Aliso Viejo  
Transportation  
Center  
Agenda Item 14  
Esencia School -  
County District  
School Codes  
Agenda Item 15  
California Career  
Technical  
Education  
Incentive Grant  
Program  
Memorandum of  
Understanding  
with College and  
Career Advantage  
Agenda Item 16  
Amendment to  
Academic Event  
Contracts – Irvine  
Ranch Outdoor**

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
February 27, 2019  
EDUCATION CENTER – BOARD ROOM

Approval of the K12 Strong Workforce Grant Program Memorandum of Understanding (MOU) with College and Career Advantage (CCA).

Education Center  
Agenda Item 17  
K12 Strong  
Workforce Grant  
Program  
Memorandum of  
Understanding  
with College and  
Career Advantage  
Agenda Item 18

Approval of the College and Career Access Pathways agreement with South Orange County Community College District.

College and  
Career Access  
Pathways  
Partnership  
Agreement with  
South Orange  
County  
Community  
College District,  
2018-2019

Approval of the Low-Performing Students Block Grant Plan.

Agenda Item 19  
Low-Performing  
Students Block  
Grant Plan

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

Agenda Item 20  
Orange County  
Department of  
Education Second  
Quarter Report –  
Williams  
Settlement  
Legislation

Approval of Student Teaching Agreement with Whittier College, effective February 28, 2019 and expiring June 30, 2022.

Agenda Item 21  
Student Teaching  
Agreement with  
Whittier College

Approval of payment of honorarium to District Master Teachers who supported a California State University, Fullerton (CSUF) Student Teacher during the Fall 2018 semester.

Agenda Item 22  
California State  
University,  
Fullerton Fall  
2018 Master  
Teacher  
Honorarium

Approval of Resolution No. 1819-35. Non-Reelection of Temporary Certificated Employees

Agenda Item 23  
Resolution No.  
1819-35, Non-  
Reelection of  
Temporary  
Certificated  
Employees

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

Agenda Item 24  
Resignations/  
Retirements/

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
February 27, 2019  
EDUCATION CENTER – BOARD ROOM

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

Approval of the February 13, 2019 Special Board Meeting minutes.

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

It was moved by Trustee Holloway and seconded by Trustee McNicholas to approve the Instructional Materials Recommended for Adoption: Middle School Sexual Health Lessons, Grade 7-8 including the addendum presented with the addition of the topic of the harm of pornography. The motion carried 6-1.

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

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

Trustees gave direction to staff to bring back Board Policy 5121.1, *Grades/Evaluation of Student Achievement*, for a second reading.

It was moved by Trustee Hanacek and seconded by Trustee McNicholas to extend the meeting to 11:15 p.m. The motion carried 7-0.

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

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

Trustees gave direction to staff to bring back *Board Policy 5131.2, Bullying*, for a third reading.

Trustees gave direction to staff to table the item and bring back at the next meeting.

**Employment -  
Certificated  
Employees  
Agenda Item 25  
Resignations/  
Retirements/  
Employment –  
Classified  
Employees  
Agenda Item 26  
School Board  
Minutes  
Agenda Item 27  
Instructional  
Materials  
Recommended for  
Adoption: Middle  
School Sexual  
Health Lessons,  
Grade 7-8  
Agenda Item 28**

**First Reading –  
Board Policy  
5121.1, Grades/  
Evaluation of  
Student  
Achievement  
Agenda Item 29  
Motion to Extend  
the Meeting**

**Second Reading -  
Board Policy  
5131.2, Bullying  
Agenda Item 30**

**Presentation –  
District Electives  
Program  
Agenda Item 31**



CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
February 27, 2019  
EDUCATION CENTER – BOARD ROOM

It was moved by Trustee Reardon and seconded by Trustee McNicholas to approve the Award of Request for Proposals (RFP) No. 1-1819, Inspector of Record to multiple vendors, motion carried 7-0.

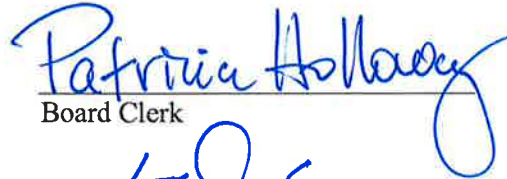
**Award of Request  
for Proposals No.  
1-1819, Inspector  
of Record –  
Multiple Vendors  
Agenda Item 13**

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

It was moved by Trustee McNicholas and seconded by Trustee Hanacek to adjourn the meeting, motion carried 7-0. **Adjournment**

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

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

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

*Minutes submitted by Colleen Hayes, Manager II, Board Operations/Superintendent's Office*

CAPISTRANO UNIFIED SCHOOL DISTRICT  
San Juan Capistrano, California

February 27, 2019

TO: Board of Trustees

FROM: Susan Holliday, Associate Superintendent, Education Services  
Joshua Hill, Assistant Superintendent, Curriculum and Instruction, Secondary

SUBJECT: **ADDENDUM - INSTRUCTIONAL MATERIALS RECOMMENDED FOR  
ADOPTION: MIDDLE SCHOOL SEXUAL HEALTH LESSONS, GRADES 7-8**

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Twelve comprehensive sexual health lessons were developed by District staff to provide instruction in middle school classrooms required by the California Healthy Youth Act. The content of these lessons was mostly incorporated from published curricula that were previously reviewed by the Adolescent Sexual Health Workgroup. The materials and activities that were selected were reviewed by an administrative panel made up of District and site administrators, a curriculum specialist, a health teacher, a District nurse, and a representative from the Orange County Department of Education. The lessons were deemed to be compliant with the requirements of the law by this review panel. Feedback regarding the lessons was solicited from the District Sexual Health Task Force and from parents and community members through input meetings held around the District during the month of December 2018.

Following discussion, it is recommended the Board of Trustees approve the Instructional Materials Recommended for Adoption: Middle School Sexual Health Lessons, Grades 7-8 with the following addendum.

The addendum identifies modifications that will be made in the following areas to strengthen and augment the lessons, as well as changes to some lesson sequencing based on continued review by District staff. It will also clarify Opt-Out language and define the process the District will use to notify parents of their rights.

**As required by law, Districts must share information about opting out from this instruction with families. Information for opting out of the lessons was shared as part of the Annual Notifications that were acknowledged by all families at the beginning of this school year. An additional letter explaining a parent's right to opt-out of all or part of the instruction will be mailed home in the spring with a form that parents can use to opt their students out of the instruction. Presentations will be held at each middle school prior to the instruction to allow**

**parents to review the lessons and ask any questions they have about the lessons and the plans for delivery. This practice will be continued annually and will be tracked to ensure all parents are aware of their rights.**

Few changes have been made to the Sexual Health Lessons submitted to the Instructional Materials Review Committee on December 14, 2018. Those that have been made have been grammatical corrections including misspelled words, sentence structure that was confusing, or word changes that provided greater clarity. No substantive changes have been made.

Additional areas that will be strengthened and augmented include the following:

Lesson 1:

- Clearer instruction to teachers to encourage communication with parents and guardians
- Increased communication with parents and guardians by teachers regarding the topics covered in class and ways for parents and guardians to talk with their students about sexual health including a space for parent reflection

Lesson 2:

- Additional content on the importance of friendships and healthy relationships
- Additional content on communication skills

Lesson 4:

- Removal of the acronym SOGIE which was related to an activity that was previously removed from the lesson

Lesson 5:

- Update material shared from Middle School Discipline Handbook

Lesson 8:

- Additional content on recommendations for prenatal care.

Lesson 9:

- Additional content on “The Shot” including how it works
- Additional content including the success rate for usage of IUDs

Lesson 10:

- Additional content on the impact of HIV/AIDS on the human body
- Additional content on the increased risk of STI transmission with multiple partners

Lesson 11:

- Move to the end of the unit after the current Lesson 12

- Additional content on ways to have healthy, committed relationships based on mutual respect and affection

Lesson 12:

- Move in front of current Lesson 11
- Additional content on legal age of consent in California being 18 years old
- Additional content on negotiation and refusal skills

Professional health teachers will work with District staff to provide additional resources and content for the areas that need to be augmented. This work will be completed over the next 30 days. Opportunities for families to view the lessons and ask questions will be made available at each middle school site beginning as early as March. Instruction on the new lessons would not begin until May.