President Jones called the meeting to order at 4:01 p.m.

Call to Order/ Adjourn to Closed Session Closed Session Comments

The following speakers addressed the Board:

- James Bevington, spoke regarding student expulsions
- Whitney Harrington, spoke regarding student expulsions

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

The Board reconvened to Open Session to discuss Expulsion No. 2019-068 at 4:09 p.m. The following speakers addressed the Board:

• Mr. Pereira, spoke regarding Expulsion No. 2019-068

The Board recessed to closed session at 4:39 p.m.

The regular meeting of the Board of Trustees was called to order by President Gila Jones at 7:03 p.m.

#### **ROLL CALL:**

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

Reardon.

Absent: None

The Pledge of Allegiance was led by Julie Boucher, Opportunities for Learning.

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 McNicholas seconded by Trustee Reardon and motion carried by a 7-0 roll call vote to adopt the Regular Board agenda with the exception of Item #43 being pulled from the 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 - One Case No reportable action.

Initiation of Litigation – One Case No reportable action.

Significant Exposure to Litigation – Four Cases

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

ADR Case Number 20190425

ADR Case Number 20190426

ADR Case Number 20190430

ADR Case Number 20190508

### Significant Exposure to Litigation – One Case

The following statement was read as the report out.

"In Closed Session tonight, the Board considered the ratification of a Settlement and Workout Agreement with REC Solar Commercial Corporation regarding: Purchase Order #L68A0458; Vendor #V68157069; and Bid/Requisition #L6805535. This was negotiated by Clark Hampton, Deputy Superintendent, Business and Support Services for the District under delegate authority previously given to him by the Board. In Closed Session, the Board ratified the settlement and Workout Agreement by Unanimous Vote."

# $Agenda\ Item\ \#3B-Conference\ with\ Legal\ Counsel-Existing\ Litigation$

Significant Exposure to Litigation – One Case

Trustees voted 7-0 to approve the staff recommendation on the following case: Federal Case Number 8:18-cv-01896-JVS-DFM

## Agenda Item #3C - Student Expulsions

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

Case # 2019-053

Case # 2019-062

Case # 2019-065

Case # 2019-066

Case # 2019-067

Case # 2019-007

Case # 2019-070

Case # 2019-074

Trustees voted 7-0 to approve a suspended expulsion to San Clemente High School on the following case:

Case # 2019-068

### Agenda Item #3D - Conference with Labor Negotiators

No reportable action.

### Agenda Item #3E - Liability Claim

Significant Exposure to Litigation - One Case

Trustees voted 7-0 to approve staff recommendation on:

Rejection of Government Claim Nos. 1805765/1805766/1805767

## Agenda Item #3F - Public Employee Employment/Appointment

Trustees voted 7-0 to approve staff recommendation to appoint Dr. Brad Baker to the position of Principal, Dana Hills High School.

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

Trustees voted 7-0 to approve staff recommendation.

**Agenda Item #3H – Public Employee and Evaluation of Performance** No reportable action.

Perfect Attendance Grade K through Grade 12:

Patrick Hangan was recognized for perfect attendance.

Special Recognitions

**Extra Milers** 

Opportunities for Learning Charter 2019 Graduates

Tonight we are recognizing Opportunities for Learning Charter graduates who live within the District boundary.

Capistrano Connections Academy Charter 2019 Graduates

Tonight we are recognizing Capistrano Connections Academy Charter graduates who live within the District boundary.

Superintendent Vital reported on the various activities at our sites in the past weeks. Trustee Hanacek congratulated Dr. Brad Baker, Principal-Dana Hills High School. Trustee Jones congratulated Dr. Brad Baker, Principal-Dana Hills High School. Trustee McNicholas congratulated Dr. Brad Baker, Principal-Dana Hills High School.

Board and Superintendent Comments

The following speakers addressed the Board:

Oral Communications

Public Hearing:

- Fernanda Villalba, teacher, SJHHS spoke regarding transportation
- David Fernandez, student, SJHHS spoke regarding transportation
- Martha Aquilar, spoke regarding transportation
- Denise Alvarado, OPA-SOC Principal

At 7:35 p.m., President Jones opened the Public Hearing on 2019-2020 Special Education Local Plan Area Annual Service Plan and Annual Budget.

President Jones closed the public hearing at 7:36 p.m.

At 7:37 p.m., President Jones opened the Public Hearing on Public Hearing: Grade K-5 Science Instructional Materials; Grade 6-8 Science Instructional Materials; Grade 10-12 Advanced Placement Statistics Instructional Materials; Grade 12 International Baccalaureate Global Politics Instructional Materials.

The following speakers addressed the Board:

 Michele Ploessel-Campbell, parent, spoke regarding Instructional Materials

President Jones closed the public hearing at 7:38 p.m.

2019-2020 Special **Education Local** Plan Area Annual Service Plan and **Annual Budget** Plan Agenda Item 1 Public Hearing: **Grade K-5 Science** Instructional Materials; Grade 6-8 Science Instructional Materials; Grade 10-12 Advanced Placement **Statistics** Instructional Materials; Grade 12 International

**Baccalaureate** 

> Global Politics Instructional Materials Agenda Item 2

At 7:38 p.m., President Jones opened the Public Hearing on California School Employees Association's Initial Proposal for Negotiations and Capistrano Unified School District's Initial Proposal to California School Employees Association for 2019-2020 Negotiations.

President Jones closed the public hearing at 7:38 p.m.

**Public Hearing:** California School **Employees** Association's **Initial Proposal** for Negotiations and Capistrano **Unified School** District's Initial Proposal to California School **Employees** Association for 2019-2020 **Negotiations** Agenda Item 3 **Consent Calendar** 

### **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. Item 43 was pulled by staff.

It was moved by Trustee Reardon, seconded by Trustee Holloway, motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar with the exception of items 43 pulled by staff.

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).

and Equipment
Agenda Item 4
Purchase Orders,
Commercial
Warrants and
Previously BoardApproved Bids
and Contracts
Agenda Item 5
Independent

Contractor, Professional

**Donation of Funds** 

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

EDUCATION CENTER – BOARD ROOM

Services, Field Service, and Master Contract Agreements Agenda Item 6

Approval of Award of Bid No. 1819-12, Fresh Produce (Fruit and Vegetables) Products and Services Category 1 to Better Life Organics DBA Charlie's Produce.

Award Bid No.
1819-12, Fresh
Produce (Fruits
and Vegetables)
Products and
Services, Category
1 – Better Life
Organics DBA
Charlie's Produce
Agenda Item 7
Award Bid No.
1819-20,

Approval of Award of Bid No. 1819-20, Capistrano Valley High School Turf Replacement, Capistrano Valley High School Softball Scoreboard, and San Clemente High School Softball Scoreboard to Ohno Construction Company.

1819-20, Capistrano Valley High School Turf Replacement, Capistrano Valley High School Softball Scoreboard, and San Clemente High School

High School
Softball
Scoreboard –
Ohno
Construction
Company
Agenda Item 8

Approval of Second Extension of Bid No. 1617-19, Milk and Dairy Products with Hollandia, Incorporated.

Second Extension of Bid No. 1617-19, Milk and Dairy Products – Hollandia Dairy, Incorporated Agenda Item 9

Approval of Second Extension of Bid No. 1718-08, Outsource Transportation Service with American Logistics Company, LLC.

Second Extension of Bid No. 1718-08, Outsource Transportation Service – American

Logistics Company, LLC Agenda Item 10 Second Extension

Approval of Second Extension of Bid No. 1718-10, Fresh Bread and Bakery Products with Galasso's Bakery

of Bid No. 1718-10, Fresh Bread and Bakery Products –

> Galasso's Bakery Agenda Item 11

Approval of the renewal of the Limited Use License 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 with Rancho Santa Margarita Landscape and Recreation Corporation for the Use of Arroyo Vista Park

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

Agenda Item 12 Limited Use

License with Rancho Santa Margarita

Landscape and Recreation Corporation for

Use of Tijeras Creek Park

Agenda Item 13

2019-2020

**Internet Access** Agreement

Number 47945 – **Orange County** Superintendent of

Schools

Agenda Item 14

2019-2020

Network Support

Services Agreement

Number 47944 -**Orange County** 

Superintendent of Schools Agenda

Item 15

State of California Multiple Award

**Schedule Contract** No. 4-18-00-0085b.

**General Services** Administration Schedule No.

121715-Mcd, Purchase,

Warranty, and Installation of

Floor Covering Products and **Related Products** 

Approval of 2019-2020 Internet Access Agreement Number 47945 with Orange County Superintendent of Schools (OCDE) to provide Internet access services to the District.

Approval of 2019-2020 Network Support Services Agreement Number 47944 with Orange County Superintendent of Schools (OCDE) to provide network support services to the District from July 1, 2019 through June 30, 2020.

Approval to utilize the State of California Multiple Award Schedule Contract No. 4-18-00-0085B, General Service Administration Schedule No. 121715-MCD and any subsequent revisions, amendments, and extensions awarded to Mohawk Commercial, Incorporated, for the purchase, warranty, and installation of floor covering products and related products, as needed by the District.

**EDUCATION CENTER - BOARD ROOM** 

- Mohawk Commercial. Incorporated Agenda Item 16

State of California

Approval to utilize the State of California Multiple Award Schedule Contract No. 4-19-78-0089B, General Services Administration Schedule No. GS-07F-5560P and any subsequent revisions, amendments, and extensions awarded to KYA Services, LLC, for the purchase, warranty, and installation of sports flooring surfaces and related services, as needed by the District.

Multiple Award Schedule Contract No. 4-19-78-0089B, General Services Administration Schedule No. GS-07F-5560P. Purchase, Warranty, and Installation of **Sports Flooring** Surfaces and **Related Products** - KYA Services, LLC

Approval of the Master Services Agreement with PlanITROI for information technology services to dispose of chromebooks reaching end-of-life dates.

**Master Services** Agreement -**PlaniTROI** 

Agenda Item 18

Agenda Item 17

Approval of Resolution No. 1819-46, Education Protection Act. On November 6, 2012, voters approved Proposition 30.

Resolution No. 1819-46, Education **Protection Act** 

Agenda Item 19

Approval of Request for Allowance of Instructional Time Credit Due to Emergency Conditions.

Request for Allowance of **Instructional Time** Credit Due to **Emergency Conditions** Agenda Item 20

Approval of Request for Allowance of Attendance Due to Emergency Conditions. On March 29, 2019, Niguel Hills Middle School suffered a 33.13 percent material decrease in attendance.

Request for Allowance of Attendance Due to

**Emergency Conditions** Agenda Item 21

Approval of Charter Facilities Agreement with Oxford Preparatory Academy (OPA) to enter into an in-lieu arrangement where OPA will occupy the Barcelona Hills Elementary School campus.

**Charter Facilities** Agreement for 2019-2024 -Oxford **Preparatory** Academy Agenda Item 22

Approval of Amendment No. 3 to Employment Agreement between the Board of Recommendation Trustees of the District and Kirsten M. Vital, Superintendent.

to Approve

**EDUCATION CENTER – BOARD ROOM** 

Amendment No. 3 to Employment Agreement Between the Board of Trustees of the Capistrano Unified School District and Kirsten M. Vital, Superintendent, August 26, 2014 – June 30, 2023 Agenda Item 23

Approval of Amendment No. 2 to Amended Contract for Employment Agreement between the District and the Deputy Superintendent, Business and Support Services.

Recommendation to Approve

Amendment No. 2 to Amended Contract for Employment of Deputy

Deputy Superintendent, Business and Support Services,

July 1, 2016 – June 30, 2023 Agenda Item 24

Approval of the Joint Powers Agreement with the Orange County Sheriff's Department.

Joint Powers
Agreement with
the Orange
County Sheriff's
Department
Agenda Item 25

Approval of the agreement to continue offering online classes with Apex Learning Incorporated will enable District students to continue taking courses using the District's currently adopted curriculum for Academic Intervention classes and Summer School classes.

Digital Curriculum Solutions with Apex Learning Incorporated Agenda Item 26

Approval of clarification of prior College and Career Advantage (CCA) course Clarification of approvals.

Clarification of Prior College and Career Advantage (CCA) course Clarification of approvals.

Prior College and Career Advantage Course Approvals Agenda Item 27 June 30, 2019

Approval of the June 30, 2019 Data Collections of the Consolidated Application and Reporting System.

Data Collections of the Consolidated Application and Reporting System Agenda Item 28

Approval of the 2019-2020 Every Student Succeeds Act Local Control Accountability Plan Federal Addendum.

2019-2020 Every Student Succeeds Act Local Control

EDUCATION CENTER – BOARD ROOM

Accountability Plan Federal Addendum Agenda Item 29

Addendum to the

Approval of Addendum to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Number S11046-18.

Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement

18

Approval of the 2019-2020 Local Control Accountability Plan (LCAP) and Annual Update.

Agenda Item 30 2019-2020 Local

Number S11046-

Control

Accountability Plan and Annual Update Agenda Item 31

Approval of the Native American Parent and Student Committee 2019-2020. The District has been awarded an Indian Education Formula Grant, and the 2019-2020 year will be year three of the four-year grant.

Native American Parent and Student

Committee 2019-

2020

Approval of Material Revisions to Charter of Opportunities for Learning (OFL) – San Juan Capistrano Charter School

Agenda Item 32 Material Revisions

to Charter of
Opportunities for
Learning – San
Juan Capistrano
Charter School
Agenda Item 33

Approval of Memorandum of Understanding (MOU) with Oxford Preparatory Academy (OPA).

Memorandum of Understanding with Oxford Preparatory Academy Agenda Item 34

Approval of the School Plans for Student Achievement (SPSA) and Budgets for the 2019-2020 school year.

School Plans for

Student

Achievement and Budgets for 2019-

2020

Approval of the Special Education Local Plan Area Annual Service Plan and Annual Budget Plan. Each Special Education Local Plan Area is required to submit an Annual Service Plan and Annual Budget Plan.

Agenda Item 35 Special Education Local Plan Area Annual Service Plan and Annual Budget Plan Agenda Item 36

#### **CAPISTRANO UNIFIED SCHOOL DISTRICT**

**BOARD OF TRUSTEES** 

MINUTES OF REGULAR MEETING

June 12, 2019

**EDUCATION CENTER - BOARD ROOM** 

Approval of the Educational Affiliation Agreement with California State University, Educational Long Beach, effective from the date of full execution and expiring June 30, 2022.

Affiliation

Agreement with California State University, Long

**Beach** 

Approval of the Student Affiliation and Placement Agreement with Eastern Washington University, effective on the date of the last signature on the agreement and continuing through June 30, 2022.

Agenda Item 37 **Student Affiliation** and Placement

Agreement with Eastern

Washington University Agenda Item 38

Approval of the Student Teaching Agreement with California State University, Fullerton, effective July 1, 2019 and expiring June 30, 2025.

**Student Teaching** Agreement with California State

University, **Fullerton** Agenda Item 39

Approval of the School Counselor Practicum/Fieldwork Agreement with Concordia University, Irvine, effective July 1, 2019 and expiring June 30, 2022.

**School Counselor** Practicum/

**Fieldwork** Agreement with

Concordia University, Irvine

Approval of the Intern Teaching Agreement with California State University, San Marcos, effective July 1, 2019 and expiring June 30, 2024.

Agenda Item 40 **Intern Teaching** Agreement with California State

University, San Marcos

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

Agenda Item 41 **Orange County** Department of

**Education Third** Ouarter Report -

Williams Settlement Legislation

Agenda Item 42

Declaration of **Need for Fully** 

**Oualified Educators** 

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

Item was pulled by staff.

Agenda Item 43 Resignations/ Retirements/ **Employment** -Certificated **Employees** Agenda Item 44

CAPISTRANO UNIFIED SCHOOL DISTRICT

**BOARD OF TRUSTEES** 

MINUTES OF REGULAR MEETING

June 12, 2019

**EDUCATION CENTER – BOARD ROOM** 

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

Resignations/ Retirements/

> **Employment** -Classified **Employees**

Agenda Item 45

Approval of the May 22, 2019 Regular Board Meeting minutes.

School Board Minutes

Item was pulled from agenda by staff.

Agenda Item 46 Presentation on

the San Clemente

High School **Architectural** Approach for Master Plan and Renderings Agenda Item 47

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

Presentation on the Southern

**School Facilities Improvement** 

**District Proposed Facilities Projects**, Tax Levy Amount,

**Boundaries** and

**Timeline** 

Agenda Item 48

The following speakers addressed the Board:

Michele Ploessel-Campbell, parent, spoke regarding the SFID

It was moved by Trustee Reardon and seconded by Trustee Jones to approve the Southern SFID excluding the city of San Juan Capistrano, proposed projects, tax levy amount, boundaries, and timeline for the proposed regional bond measure March 2020. The motion carried 7-0.

> AYES: Trustees Bullockus, Hanacek, Holloway, Jones,

NOES: None ABSENT: None

McNicholas, Pritchard and Reardon

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

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

Update on the Western School **Facilities** Improvement **District Facilities** 

Presentation

Needs

Agenda Item 49

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

Continuing

Financial Stewardship of Community

**Facilities Districts:** 

Refinancing **Opportunity for** CFD 98-2 (Ladera)

Agenda Item 50

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

CAPISTRANO UNIFIED SCHOOL DISTRICT

**BOARD OF TRUSTEES** 

MINUTES OF REGULAR MEETING

June 12, 2019

**EDUCATION CENTER - BOARD ROOM** 

President Jones recognized Tim Brooks, Associate Superintendent, Human Resource Board Action to Services, to present this item.

Adopt District's **Initial Proposal to** 

It was moved by Trustee Pritchard and seconded by Trustee Reardon to adopt the District's initial proposal to CSEA. The motion carried 7-0.

McNicholas, Pritchard and Reardon

California School **Employees** 

AYES: Trustees Bullockus, Hanacek, Holloway, Jones,

Association for 2019-2020 **Negotiations** Agenda Item 51

NOES: None ABSENT: None

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

Instructional Materials Recommended for

It was moved by Trustee Reardon and seconded by Trustee McNicholas to approve the adoption of *The Practice of Statistics* ©2019 Bedford, Freeman, and Worth, grade 10-12. The motion carried 7-0.

Adoption: Advanced **Placement** Statistics, Grade

Trustees Bullockus, Hanacek, Holloway, Jones, AYES:

10-12

McNicholas, Pritchard and Reardon

Agenda Item 52

NOES: None ABSENT: None

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

Instructional Materials Recommended for

It was moved by Trustee McNicholas and seconded by Trustee Holloway to approve the adoption of FOSS Next Generation Elementary ©2016 Delta Education, grade K-5. The motion carried 7-0.

Adoption: **Elementary** Science, Grade K-5

AYES:

Trustees Bullockus, Hanacek, Holloway, Jones,

McNicholas, Pritchard and Reardon

NOES: None ABSENT: None Agenda Item 53

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

Materials

It was moved by Trustee Hanacek and seconded by Trustee Holloway to approve the adoption of the supplemental title, No et Moi, Editions Jean-Claude Lattes ©2007 for the International Baccalaureate program French Standard Level, grade 11-12. The motion carried 7-0.

Recommended for Adoption:

Secondary World Language, Grade 11-12

Agenda Item 54

AYES:

Trustees Bullockus, Hanacek, Holloway, Jones,

McNicholas, Pritchard and Reardon

NOES: None ABSENT: None

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

Materials Recommended for

It was moved by Trustee Holloway and seconded by Trustee McNicholas to approve the adoption of Global Politics, 2ND edition, Palgrave Foundations ©2014, for the

Adoption: **Secondary History** 

**EDUCATION CENTER – BOARD ROOM** 

International Baccalaureate program, IB Global Politics, grade 12. The motion Social Science, carried 7-0.

Grade 12 Agenda Item 55

**AYES:** 

Trustees Bullockus, Hanacek, Holloway, Jones,

McNicholas, Pritchard and Reardon

None NOES: ABSENT: None

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

Materials Recommended for

It was moved by Trustee Reardon and seconded by Trustee Holloway to approve the adoption of the following science program for grade 6-8: STEMscopes California Next Generation Science Standards ©2018 Accelerate Learning. The motion carried 7-0.

Adoption: Secondary Science, Grade 6-8 Agenda Item 56

AYES:

Trustees Bullockus, Hanacek, Holloway, Jones,

McNicholas, Pritchard and Reardon

NOES:

None

ABSENT: None

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

2019-2020 Budget Adoption Agenda Item 57

It was moved by Trustee Pritchard and seconded by Trustee Bullockus to adopt the 2019-2020 Budget. The motion carried 7-0.

AYES:

Trustees Bullockus, Hanacek, Holloway, Jones,

McNicholas, Pritchard and Reardon

NOES:

None ABSENT: None

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

AYES:

Trustees Bullockus, Hanacek, Holloway, Jones,

McNicholas, Pritchard and Reardon

NOES:

None

ABSENT: None

President Jones announced the meeting adjourned at 9:07 p.m.

Secretary, Board of Trustees