

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
May 22, 2019
EDUCATION CENTER – BOARD ROOM

President Jones called the meeting to order at 4:09 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; Conference with Labor Negotiators; Student Readmissions; Student Expulsions; Public Employee Discipline/Dismissal/Release; Conference with Real Property Negotiators; Liability Claims; and Public Employment and Evaluation of Performance.

The regular meeting of the Board of Trustees reconvened to open session and was called to order by President Gila Jones at 7:02 p.m.

ROLL CALL:

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

Absent: Trustees Bullockus, Pritchard, Reardon and Student Advisor Amirseyedian.

The Pledge of Allegiance was led by Darrin Jindra, Assistant Principal, San Juan Hills High School.

**Pledge of
Allegiance**

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

It was moved by Trustee Hanacek seconded by Trustee Holloway and motion carried by a 4-0-3 vote to adopt the Board agenda with Trustee Hanacek pulling Item 42 from the agenda.

**Adoption of the
Board Agenda**

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

President Jones asked Susie Schmidt, Administrative Assistant, Board Operations 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

Trustees voted 4-0-3 to approve the staff recommendation on the following cases:
ADR Case Number 20190412

Significant Exposure to Litigation – One Case
Trustees gave direction to staff.

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

Trustees voted 4-0-3 to approve the staff recommendation on the following case:
OAH Case Number 2019010835
OAH Case Number 2019030003

OAH Case Number 2019030092

Agenda Item #3C – Conference with Labor Negotiators

Trustee gave direction to staff.

Agenda Item #3D – Student Readmission

Trustees voted 4-0-3 to approve staff recommendation on:

Case # 2017-018

Agenda Item #3E – Student Expulsion

Trustees voted 4-0-3 to approve staff recommendations on:

Case # 2019-044

Case # 2019-056

Case # 2019-057

Case # 2019-059

Case # 2019-060

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

Trustees voted 4-0-3 with a Roll Call vote to release from administrative position:

Employee #: 32766

Employee #: 30673

Employee #: 30605

Employee #: 18967

Agenda Item #3G – Conference with Real Property Negotiators

Trustees gave direction to staff.

Agenda Item #3H – Liability Claims

Trustees voted 4-0-3 to approve staff recommendation to reject government claim:

Rejection of Government Claim: No. 1805806

Rejection of Government Claim: No. 1805808

Agenda Item #3I – Public Employee and Evaluation of Performance

No reportable action.

Associated Student Body

Serra High School

Meg Ervais, Principal

Kyana Ancheta, Associated Student Body Member

Abby Ortega, Associated Student Body Member

**Special
Recognitions**

Extra Milers

Johnny Hernandez, for his work to create a website to support Capistrano Unified School District military families.

Nina Glassen and Kim Jindra for their work to implement the Data Based Question (DBQ) process Districtwide. The DBQ's act as common assessments, allowing teachers to collaboratively evaluate instructional programs, which in turn improves our teaching and learning for students.

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Superintendent Vital reported on the various activities at our sites in the past weeks. **Board and Superintendent Comments**

Trustee Amy Hanacek spoke about events she has attended and thanked everyone for all of their work each and every day.

Trustee McNicholas spoke about past events she has attended over the past few weeks at various schools. She also commented on her conference at CSBA in Sacramento.

Trustee Holloway gave personal thanks to Johnny Hernandez for his handbook that aid our military families. She also commented on planting trees and shrubs at San Clemente High Schools with thirty Keller Williams Real Estate Agents.

Trustee Jones spoke about all the upcoming events at the end of the school year.

The following speakers addressed the Board:

- *Sharon Evans spoke regarding District elementary music support*
- *Misha Voss spoke regarding District elementary music support*
- *Jennifer Baker spoke regarding District elementary music support*
- *Mahfrin Santoke spoke regarding the VAPA coordinator*
- *Noelle Nielsen spoke regarding District elementary music support*
- *Kory Wentzel spoke regarding the VAPA coordinator*
- *Ana Bevilaqua spoke regarding Dana Hills High School*
- *Amy Liu spoke regarding Dana Hills High School Dance Team*
- *Mark Enmeier spoke regarding History text books*

Oral Communications

At 7:46 p.m., President Jones opened the Public Hearing on 2019-2020 Local Control Accountability Plan.

**Public Hearing:
2019-2020 Local Control
Accountability
Plan
Agenda Item 1
Public Hearing:
2019-2020
Proposed Budget
Adoption Agenda
Item 2**

President Jones closed the public hearing at 7:47 p.m.

At 7:47 p.m., President Jones opened the Public Hearing on 2019-2020 Proposed Budget Adoption Agenda.

President Jones closed the public hearing at 7:47 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.

The following speakers addressed the Board:

- *Mark Travis spoke regarding Classified layoffs*
- *Ronda Walen spoke regarding Classified layoffs*
- *Tyler Braun spoke regarding Classified layoffs*
- *Ben Dewees spoke regarding Classified layoffs*
- *Micheal Moyles spoke regarding Classified layoffs*

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

Trustee Hanacek requested to pull Item 21 from consent.

Trustee Holloway requested to pull Item 14 from consent.

It was moved by Trustee McNicholas, seconded by Trustee Holloway, motion carried by a 4-0-3 Roll Call vote to approve the following Consent Calendar with the exception of items 14 and 21.

AYES: Trustees Hanacek, Holloway, Jones, and McNicholas

NOES: None

ABSENT: Trustees Bullockus, Pritchard, Reardon and Student Advisor Amirseyedian

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 Award of Bid No. 1819-13, Asphalt Paving, Sealcoating, and Concrete Repairs to Ben's Asphalt Incorporated for Categories 1 and 2.

Approval of Award of Bid No. 1819-18, Ambuehl Elementary School Renovation to Woodcliff Corporation.

Approval of Change Order No. 7, Bid No. 1617-18 for the Esencia K-8 Project related to the deductive changes for de-scoping work from Straub's contract due to inefficiencies in performing their remaining punch list.

**Donation of Funds
and Equipment
Agenda Item 3
Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 4
Independent
Contractor,
Professional
Services, Field
Service, and
Master Contract
Agreements
Agenda Item 5
Award of Bid No.
1819-13, Asphalt
Paving,
Sealcoating, and
Concrete Repairs-
Ben's Asphalt
Incorporated
Agenda Item 6
Award Bid No.
1819-18, Ambuehl
Elementary
School Renovation
– Woodcliff
Corporation
Agenda Item 7
Change Order No.
7, Bid No. 1617-
18, Esencia K-8
Project**

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Agenda Item 8

Approval of First Extension of Bid No. 1819-01, Weed Abatement Services with E. Stewart and Associates, Incorporated.

First Extension of Bid No. 1819-01, Weed Abatement Services – E. Stewart and Associates, Incorporated

Agenda Item 9

Approval to utilize the County of Orange, OC Public Works, Contract No. MA-080-18011813, Locks and Locking Devices and any subsequent revisions, amendments, and extensions awarded to Anixter, Inc. dba Clark Security Products.

County of Orange, OC Public Works, Contract No. MA-080-18011813, Locks and Locking Devices – Anixter, Inc. DBA Clark Security Products

Agenda Item 10

Approval of the Ladera Ranch Maintenance Corporation (LARMAC) Limited Use License for the use of Chaparral Park by Chaparral Elementary School.

Ladera Ranch Maintenance Corporation Limited Use License for the Use of Chaparral Park by Chaparral Elementary School

Agenda Item 11

Approval of the Ladera Ranch Maintenance Corporation (LARMAC) Limited Use License for the use of Founders Park by Ladera Ranch Elementary School and Ladera Ranch Middle School.

Ladera Ranch Maintenance Corporation Limited Use License for the Use of Founders Park by Ladera Ranch School

Agenda Item 12

Approval of the Ladera Ranch Maintenance Corporation (LARMAC) Limited Use License for the use of Oso Grande Park by Oso Grande Elementary School.

Ladera Ranch Maintenance Corporation Limited Use License for the Use of Oso Grande Park by Oso Grande Elementary School

Agenda Item 13

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Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1617-18, Esencia K-8.

Final Acceptance and Filing of Notice of Completion for Bid No. 1617-18, Esencia K-8 – Straub Construction, Inc.

Approval of Broadening the Course of Study: New Secondary Course, Step Up To Success.

Agenda Item 15 Broadening the Course of Study – New Secondary Course, Step Up to Success Agenda Item 16

Approval of Agreement for Services with Curriculum Associates to provide software licenses for students in grades one through five, to support Districtwide Math diagnostic assessments for the 2019-2020 school year.

Agreement for Services with Curriculum Associates

Approval of Addendum to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Number S11046-18. District schools routinely participate in the Orange County Department of Education's outdoor science school/field trip programs and "Traveling Scientist" programs and assemblies.

Agenda Item 17 Addendum to the Agreement for an Additional School Participating in the Inside the Outdoors School Programs, Agreement Number S11046-18

Approval of Agreement No. 47886 for Quality Rating and Improvement System of Early Education Preschool Programs with the Orange County Superintendent of Schools and Early Quality Systems, LLC.

Agenda Item 18 Agreement No. 47886, Three-Party Agreement for Quality Rating Improvement System Implementation of Early Education Programs with the Orange County Superintendent of Schools and Early Quality Systems, LLC

Approval of the proposed 2019-2020 through 2022-2023 school calendars.

Agenda Item 19 Proposed School Calendars Through 2023

Approval of teachers who are credentialed in subjects other than Physical Education (PE) to provide PE credit to students in that respective sport.

Agenda Item 20 Authorization of Coaches to Provide Second

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Acceptance of Williams Settlement Legislation Uniform Complaint Third Quarter Report.

**Semester Physical
Education Credit
Agenda Item 22
Third Quarter
Report – Williams
Settlement
Legislation
Uniform
Complaint**

Approval of payments of honorarium to District Master Teachers who supported California State University, Fullerton (CSUF) Student Teachers during the Spring 2019 semester.

**Agenda Item 23
California State
University,
Fullerton Spring
2019 Master
Teacher
Honorarium**

Approval of payment to District Speech and Language Pathologists who were Clinical Instructors and supported Chapman University students during the Spring 2019 semester.

**Agenda Item 24
Chapman
University Speech
and Language
Clinical Instructor
Payment**

Approval of Interagency Agreement for Provision of Services with San Francisco State University, effective July 1, 2019 through June 30, 2022.

**Agenda Item 25
Interagency
Agreement with
San Francisco
State University
Agenda Item 26**

Approval of Internship Program Memorandum of Understanding with University of Redlands, effective July 1, 2019 through June 30, 2021.

**Internship
Program
Memorandum of
Understanding
With University of
Redlands**

Approval of the Educational Fieldwork Agreement with University of Redlands, effective July 1, 2019 and expiring June 30, 2021.

**Agenda Item 27
Educational
Fieldwork
Agreement with
University of
Redlands**

Approval of payments of honorarium to District Master Teachers who supported San Diego State University Student Teachers the Spring 2019 semester.

**Agenda Item 28
Spring 2019 San
Diego State
University Master
Teacher
Honorarium**

Approval of the Public Schools and Liberty University Student Teaching Agreement, effective August 1, 2019 and expiring July 31, 2020.

**Agenda Item 29
Public Schools
and Liberty
University Student
Teaching
Agreement
Agenda Item 30**

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

**Resignations/
Retirements/
Employment -
Certificated
Employees
Agenda Item 31**

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

**Resignations/
Retirements/
Employment -
Classified
Employees
Agenda Item 32**

Approval of the April 25, 2019 Regular Board Meeting minutes.

**School Board
Minutes
Agenda Item 33**

Approval of the May 8, 2019 Special Board Meeting minutes.

**School Board
Minutes
Agenda Item 34**

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

**School Board
Minutes
Agenda Item 35**

President Jones recognized Kevin Gordon, Capitol Advisors, LLC, to present this item.

**Capitol Advisors
Group, LLC
Presentation
Agenda Item 36**

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

Student Advisor Mona Amirseyedian joined the meeting. Trustee Hanacek recognized her with a certificate for serving as Student Advisor to the Board of Trustees for the 2018-2019 school year.

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

**Resolution No.
1819-45,
Resolution of the
Board of Trustees
to Approve the
Charter Renewal
Petition of Oxford
Preparatory
Academy Public
Charter School
Subject to Entry
into
Memorandum of
Understanding
Agenda Item 41**

The following speakers addressed the Board:

- *Jill Marks spoke on the OPA Charter renewal*
- *Joseph W. Haney, III spoke on the OPA Charter renewal*

It was moved by Trustee McNicholas and seconded by Trustee Holloway to approve Resolution No. 1819-45, Resolution of the Board of Trustees to Approve the Charter Renewal Petition of Oxford Preparatory Academy Public Charter School Subject to Entry into Memorandum of Understanding. The motion carried 4-0-3 with a Roll Call vote.

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

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

**Presentation on
the Western
School Facilities
Improvement
District Facilities
Needs and Polling**

The following speakers addressed the Board:

- *Michael Sall spoke regarding the Western School Facilities Improvement District and support of a bond*

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- *Megan Holland spoke regarding school facilities and support of a bond* **Agenda Item 37**
- *Michelle Ploessel-Campbell spoke regarding school facilities and support of a bond*
- *Liz Swensen spoke on Dana Hills High School facility needs and support of a bond*
- *Gail Benda spoke regarding the Western School Facilities Improvement District and support of a bond*

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

The Board recessed at 9:50 p.m.

The Board reconvened at 10:00 p.m.

Student Advisor Amirseyedian left the meeting at 10:00 p.m.

Approval of Resolution No. 1819-43, Reduction or Elimination of Certain Classified Services.

**Resolution No. 1819-43, Reduction or Elimination of Certain Classified Services
Agenda Item 21**

It was moved by Trustee Hanacek and seconded by Trustee McNicholas to approve Resolution No. 1819-43, Reduction or Elimination of Certain Classified Services. The motion carried 4-0-3 with a Roll Call vote.

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

Approval of the Final Acceptance and filing of the Notice of Completion for San Juan Hills High School Solar Project related to Resolution No. 1718-28, Enter into Energy Service Contract.

**Final Acceptance and Filing of Notice of Completion for San Juan Hills High School Solar Project Related to Resolution No. 1718-28 – Rec Solar Commercial Corporation
Agenda Item 14**

It was moved by Trustee Holloway and seconded by Trustee McNicholas to approve Final Acceptance and Filing of Notice of Completion for San Juan Hills High School Solar Project Related to Resolution No. 1718-28 – Rec Solar Commercial Corporation. The motion carried 4-0-3.

**2019-2020 Local Control Accountability Plan and Update
Agenda Item 38**

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

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

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

**Resolution No. 1819-42, Authorization of Temporary Interfund Transfers
Agenda Item 39**

It was moved by Trustee Holloway and seconded by Trustee Hanacek to approve Resolution No. 1819-42, Authorization of Temporary Interfund Transfers. The motion carried 4-0-3 with a Roll Call vote.

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

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President Jones recognized Clark Hampton, Deputy Superintendent, Business and Support Services, to present this item. **2019-2020
Proposed Budget
Adoption
Agenda Item 40**

This is an information item only and no Board action was necessary. **Trustee Request
Agenda Item 42**

This item was pulled by Trustee Hanacek during the adoption of the agenda. **Trustee Request
Agenda Item 42**

It was moved by Trustee Hanacek and seconded by Trustee Jones to adjourn the meeting, motion carried 4-0-3. **Adjournment**

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

President Jones announced the meeting adjourned at 10:22 p.m.



Board Clerk


Secretary, Board of Trustees

Minutes submitted by Susie Schmidt, Administrative Assistant, Board Operations