

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
December 12, 2018
EDUCATION CENTER – BOARD ROOM

Vice President Jones called the meeting to order at 4:08 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; Conference with Real Property Negotiators; Student Readmissions; Student Expulsions; Public Employee Discipline/Dismissal/Release and Public Employment and Evaluation of Performance.

MUSICAL SHOWCASE

Capistrano Valley High School - Saxophone Trio

Daniel Le, Patrick Polcuch, and Mark Vilchez

Under the direction of Andreas Waldukat, *Director of Instrumental Music*

The regular meeting of the Board of Trustees reconvened to open session and was called to order by Vice President, Gila Jones at 7:08 p.m.

ROLL CALL:

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

Absent: Trustees McNicholas and Student Advisor Amirseyedian

The Pledge of Allegiance was led by San Juan Councilman, Derek Reeve.

**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 Reardon, seconded by Trustee Holloway and motion carried by a 6-0-1 vote to adopt the Board agenda.

**Adoption of the
Board Agenda**

AYES: Trustees Bullockus, Hanacek, Holloway, Jones, Pritchard,
and Reardon

NOES: None

ABSENT: Trustees McNicholas

Student Advisor Amirseyedian joined the meeting.

Vice 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

Item #3A Significant Exposure to Litigation – Three Cases
Trustees gave direction to staff.

Item #3A Significant Exposure to Litigation – Two Case
Trustees voted 5-0-2 to approve staff recommendation on IDR Case Numbers:
IDR Case Number 20181008
IDR Case Number 20181018

Item #3A Initiation of Litigation - One Case
Trustees gave direction to staff.

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

Staff pulled:
OAH Case Number 2017090988

Trustees voted 5-0-2 to approve the staff recommendation on OAH Case Numbers:
OAH Case Number 2018100084
OAH Case Number 2018110436

Agenda Item #3C – Liability Claim

One Case
Trustees voted 5-0-2 to approve the staff recommendation to reject Government
Claim No. 1805366

Agenda Item #3D – Conference with Real Property Negotiators

Property: Pacifica San Juan property.
Trustees gave direction to staff.

Property: South Transportation and Grounds Keeping Facility.
Trustees gave direction to staff.

Property: Paseo de Colinas property.
No Reportable action.

Agenda Item #3E – Student Readmissions

Five Cases
Trustees voted 6-0-1 to approve staff recommendation on:
Case # 2018-021
Case # 2018-023
Case # 2018-034
Case # 2018-039
Case # 2018-041

Agenda Item #3F – Student Expulsions

Five Cases
Trustees voted 6-0-1 to approve staff recommendation on:
Case # 2019-011
Case # 2019-015
Case # 2019-017
Case # 2019-019
Case # 2019-021

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

Trustees gave direction to staff.

Agenda Item #3H Public Employment and Evaluation of Performance

No reportable action.

REORGANIZATION OF THE BOARD

The Capistrano Unified School District Board of Trustees is conforming to Education Code requirements by holding its annual organizational meeting at the December 12, 2018, meeting.

**Reorganization of Board – Election of President
Agenda Item 1**

The current presiding Board member, Vice President Gila Jones will facilitate the election of the Board President.

Trustee Hanacek nominated Trustee Jones for the role of President of the Board. It was moved by Trustee Reardon and seconded by Trustee Holloway and the motion carried 6-0-1 to elect Trustee Gila Jones as Board President.

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

Trustee Holloway nominated Trustee Pritchard for the role of Vice President of the Board. It was moved by Trustee Reardon and seconded by Trustee Hanacek to elect Trustee Pritchard as Vice President of the Board of Trustees and the motion carried 6-0-1 to elect Trustee Pritchard as Vice President.

**Reorganization of Board – Election of Vice President
Agenda Item 2**

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

Trustee Jones nominated Trustee Holloway for the role of Clerk of the Board. It was moved by Trustee Reardon and seconded by Trustee Bullockus to elect Trustee Holloway as Clerk of the Board of Trustees and the motion carried 6-0-1 to elect Trustee Holloway as Clerk.

**Reorganization of Board – Election of Clerk
Agenda Item 3**

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

Associated Student Body

Tesoro High School
Ken Ezratty, *Principal*
Christina Migge, *Activities Director*
Erika Tran, *Associated Student Body President*

Special Recognitions

Extra Miler

The Pacific Life Foundation, for their charitable giving to support students and programs of the Capistrano Unified School District.

Winter Music Program

Students from Bernice Ayer Middle School Chamber Orchestra
Under the Direction of Don Schultz, *Middle School Music Teacher*

BREAK

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

**Board and
Superintendent
Comments**

Patricia Holloway spoke about the book *The Leadership Guide* that has been added to the curriculum at Dana Hills High School. She presented a copy, signed by Trustees, as a gift, to our Student Advisor Mona Amirseyedian.

Amy Hanacek spoke regarding the opportunity to attend many performances throughout our District by talented students at all of our schools.

The following speakers addressed the Board:

**Oral
Communications**

- *April Gallart spoke regarding fairness of instruction.*
- *Michele Ploessel-Campbell spoke regarding charity opportunities throughout our District.*
- *James Wale student at SJHHS spoke to introduce himself to be more involved in the work of the Board and as part of his classwork.*
- *Michele McNutt spoke regarding Sexual Health Curriculum*
- *Jessica Geyer spoke regarding California Healthy Youth Act*

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:

- *Michele Ploessel-Campbell spoke regarding California Healthy Kids Survey and RH Dana.*

President Jones asked Trustees for items they wished to pull from the Consent Calendar. No items were pulled by Trustees; Item #21 was pulled by staff.

It was moved by Trustee Holloway and seconded by Trustee Bullockus, motion carried by a 6-0-1 Roll Call vote to approve the Consent Calendar.

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

Approval of donations of funds and equipment.

**Donation of Funds
and Equipment
Agenda Item 4
Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 5**

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2).

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

Independent Contractor, Professional Services, Field Service, and Master Contract Agreements

Agenda Item 6

Approval to utilize the State of California Contract No. 1-18-23-23 A through H, Supplement 2, Fleet Vehicles, Vans and SUVs and any subsequent revisions, amendments, and extensions awarded to Downtown Ford Sales; Elk Grove Auto Group; Freeway Toyota; Winner Chevrolet; Wondries Fleet Group; US Fleet Source, Selma Nissan/Honda; and Leehan of Davis Inc. dba Chrysler Dodge Jeep Ram Kia for the purchase of fleet vehicles, as needed by the District.

State of California Contract No. 1-18-23-23, A Through H, Supplement 2, Fleet Vehicles, Vans and SUVs – Multiple Vendors

Agenda Item 7

Approval of the ratification of 2018-2019 Internet Access Agreement with Orange County Superintendent of Schools (OCDE) to provide Internet access services to the District.

2018-2019 Internet Access Agreement No. 45356 – Orange County

Superintendent of Schools

Agenda Item 8

Approval of the ratification of 2018-2019 Network Support Services Agreement with Orange County Superintendent of Schools (OCDE) to provide network support services to the District from July 1, 2018 through June 30, 2019.

2018-2019 Network Support Services Agreement

Number 45357 – Orange County Superintendent of Schools

Agenda Item 9

Approval to procure eligible E-Rate-items (Categories 1 and 2) utilizing Requests for Proposals (RFP) process.

Procure Eligible E-Rate Items Utilizing Requests for Proposals Process

Agenda Item 10

Approval of Resolution No. 1819-22 authorizing the Annual and Five-Year Reportable Fees Report for Fiscal Year 2017-2018, in compliance with Government Code § 66006 and § 66001.

Resolution No. 1819-22,

Approving the Annual and Five-Year Reportable Fees Report for Fiscal Year 2017-2018, in

Compliance with Government Code § 66006 and § 66001

Agenda Item 11

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Approval of the Agreement with County of Orange, Health Care Agency.	Agreement with County of Orange, Health Care Agency Agenda Item 12
Approval of the Agreement with Kid Healthy/One OC from December 1, 2018 through June 30, 2019 for Carl Hankey K-8 School.	Agreement with Kid Healthy/ One OC Agenda Item 13
Approval of the proposed revisions to Board Policy 5132 <i>Release of Directory Information</i> , brings language in alignment to recent changes in law.	Third Reading – Board Policy 5132 Release of Directory Information Agenda Item 14
Approval for services with Orange County Department of Education (OCDE) to provide Gifted and Talented Education (GATE) Certification Training for up to 60 District Elementary Teachers.	Agreement for Services with Orange County Department of Education to Provide Gifted and Talented Education Certification Training for Elementary Teachers in 2018- 2019 Agenda Item 15
Approval of R.H. Dana Elementary School implementing a Spanish Language Immersion program beginning in the 2019-2020 school year.	Recommendation to Approve R.H. Dana Elementary School as a Spanish Language Immersion Program Agenda Item 16
Approval of the appointment of Ann Carroll, Mina Carson, Shadi Pourkashaf, Jillian Stewart and Rachel Sutherland to serve as a Community Advisory Committee (CAC) voting member for the 2019 and 2020 calendar years.	Members of the Special Education Local Plan Area Community Advisory Committee Agenda Item 17
Approval of the Memorandum of Understanding (MOU) 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 18
Approval of the Memorandum of Understanding (MOU) with Santa Ana Unified School District (SAUSD) to provide special education Deaf and Hard of Hearing	Memorandum of Understanding with Santa Ana

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programs and services for District students referred by their Individualized Education Program (IEP) team.	Unified School District Agenda Item 19
Approval of Resolution No. 1819-27 and the Material Revision to Charter of Capistrano Connections Academy Charter School.	Resolution No. 1819-27, Resolution of the Board of Trustees to Approve Material Revision to Charter of Capistrano Connections Academy Charter School
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 First Semester Physical Education Credit
Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) First Quarter Report.	Agenda Item 22 Orange County Department of Education First Quarter Report – Williams Settlement Legislation
Approval of Supervised Fieldwork Agreement for Teacher Education with Brandman University, effective January 7, 2019 and expiring January 6, 2022.	Agenda Item 23 Supervised Fieldwork Agreement for Teacher Education with Brandman University
Approval of the activity list for employment, separation, and additional assignments of certificated employees	Agenda Item 24 Resignations/ Retirements/ Employment - Certificated Employees
Approval of the activity list for employment, separation, and additional assignments of classified employees.	Agenda Item 25 Resignations/ Retirements/ Employment - Classified Employees
Resolution No. 1819-28, Role of the Board: Powers and Responsibilities, reaffirms the role of the Board.	Agenda Item 26 Resolution No. 1819-28, Role of the Board: Powers and Responsibilities Agenda Item 27

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Approval of the November 14, 2018 Regular Board meeting minutes.

**School Board
Minutes
Agenda Item 28**

DISCUSSION/ACTION ITEMS

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

**Third Reading –
Board Policy
6145.3**

It was moved by Trustee Hanacek and seconded by Trustee Bullockus to approve Board Policy 6145.3 *Publications*. The motion carried 6-0-1.

**Publications
Agenda Item 29**

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

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

**California School
Dashboard Fall
2018**

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

Agenda Item 31

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

**Potential Regional
Bond Measure
Update and
Proposal to
Conduct Opinion
Research – True
North Research
Agenda Item 30**

The following speakers addressed the Board:

- *Michele Ploessel-Campbell spoke regarding polling.*

It was moved by Trustee Hanacek and seconded by Trustee Holloway to approve the Proposal to Conduct Opinion Research with True North Research. The motion carried 6-0-1 to approve staff recommendation.

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

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

**Dashboard
Development
Update
Agenda Item 32**

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

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

**Resolution No.
1819-24,
Preparation of
Seismic Screening
Assessment of
AB 300 Schools
Agenda Item 42**

It was moved by Trustee Hanacek and seconded by Trustee Reardon to adopt Resolution No. 1819-24, Preparation of Seismic Screening Assessment of AB 300 Schools. The motion carried 6-0-1.

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

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

Resolution No. 1819-26, Approving Agreement to Sell the Right to Purchase Real Property and Directing Staff to Assess Potential Uses of the Proceeds (Las Ramblas Property) Agenda Item 44

The following speakers addressed the Board:

- *George Ray spoke regarding the sale of Las Ramblas Property.*
- *Michele Ploessel-Campbell spoke regarding the Las Ramblas Property.*

It was moved by Trustee Hanacek and seconded by Trustee Reardon to adopt Resolution No. 1819-26, with revisions presented by Andreas Chiliatas as follows: Approval of Agreement to Sell the Right to Purchase Real Property and Directing Staff to Assess Potential Uses of the Proceeds (Las Ramblas Property); **Subject to Final Revisions Related to the Non-Refundability of Deposits and Buyer's Closing Conditions.** The motion carried 6-0-1.

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

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

Resolution No. 1819-25, Approving Agreements to Lease District Surplus Real Property and Directing Staff to Assess Potential Uses of the Lease Proceeds (South Bus Yard Property) Agenda Item 45

The following speakers addressed the Board:

- *Michele Ploessel-Campbell spoke regarding the Bus Yard Property.*
- *Robbie Roberson spoke regarding the Bus Yard Property.*

The following presentation notes are listed here in the minutes as a matter of record:

Toll Brothers Apartment living was selected as the most beneficial proposal for the project for the following reasons:

- Best financial offer: highest annual ground rent
- Best terms during the Entitlement Phase
- Met the objective of the Mission Statement
- Financial Strength of the Respondent

It was moved by Trustee Reardon and seconded by Trustee Bullockus to adopt Resolution No. 1819-25, Approving Agreements to Lease District Surplus Real Property and Directing Staff to Assess Potential Uses of the Lease Proceeds (South Bus Yard Property). The motion carried 6-0-1.

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

Every year at the organizational meeting in December, Trustee assignments are made to various committees and other groups in which there is an expectation of Board representation.

Selection of Trustee Participation on Various Committees Agenda Item 33

It was moved by Trustee Hanacek and seconded by Trustee Holloway to approve the Trustee Committee Assignments for 2019 as amended. The motion carried 6-0-1.

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

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

**Establishing High School Assignment for Esencia K-8 School
Agenda Item 34**

It was moved by Trustee Holloway and seconded by Trustee Pritchard to approve the high school assignment for Esencia K-8 School. The motion carried 6-0-1

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

Trustee Reardon moved and Trustee Holloway seconded to extend the meeting to 11:30 p.m. The motion carried 6-0-1.

Motion to Extend the Meeting

At 10:51 Trustee Hanacek left the meeting.

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

**Resolution No. 1819-23,
Resolution of the Board of Trustees to Approve the Charter Renewal Petition of California Connections Academy Southern California Subject to Entry into Memorandum of Understanding. The motion carried 5-0-2 with amendments to the recitals.
Agenda Item 36**

It was moved by Trustee Pritchard and seconded by Trustee Reardon to adopt Resolution 1819-23 Resolution of the Board of Trustees to Approve the Charter Petition of Capistrano Connections Academy/California Connections Academy Southern California Subject to Entry into Memorandum of Understanding. The motion carried 5-0-2 with amendments to the recitals.

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

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

**Establishment of the Educational Technology Joint Powers Authority
Agenda Item 43**

It was moved by Trustee Reardon and seconded by Trustee Holloway to establish the Educational Technology Joint Powers Authority. The motion carried 5-0-2.

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

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

Title IV, Part A Formula Grant

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It was moved by Trustee Holloway and seconded by Trustee Pritchard to approve the Title IV, Part A Formula Grant Plan. The motion carried 5-0-2.

**Plan
Agenda Item 40**

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

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

**Certification of
The 2018-2019
First Interim
Report
Agenda Item 41**

It was moved by Trustee Bullockus and seconded by Trustee Holloway to approve the Certification of the 2018-2019 First Interim Report. The motion carried 5-0-2.

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

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

**First Reading –
Board Policy 3515
School Safety and
Security Agenda
Item 39**

Trustees directed staff to bring this item back to the January 24, 2019 Board Meeting.

Trustees directed staff to bring this item back to the January 24, 2019 Board Meeting.

**Overview of Local
Control
Accountability
Plan in California
Agenda Item 35**

Trustees directed staff to bring this item back to the January 24, 2019 Board Meeting.

**First Reading –
Board Policy 5141
Conduct
Agenda Item 37**

Trustees directed staff to bring this item back to the January 24, 2019 Board Meeting.

**First Reading -
Board Policy
5131.2 Bullying
Agenda Item 38
Adjournment**

It was moved by Trustee Pritchard and seconded by Trustee Reardon to adjourn the meeting, motion carried 5-0-2.

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

President Jones announced the meeting adjourned at 11:29 p.m.



Board Clerk

Secretary, Board of Trustees

TRUSTEE COMMITTEE APPOINTMENTS 2019

1. **NOMINATING COMMITTEE OF THE ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION: 1 Trustee and 1 alternate**
Meets annually prior to the OCSBA dinner meeting in May.
2019 Assignment: Trustee Reardon (Alternate-Trustee McNicholas)
2. **OCSBA POLITICAL ACTION GROUP EFFORT (PAGE): 2 Trustees**
Meets prior to the OCSBA dinner meetings in October, January, March, and May.
2019 Assignment: Trustee McNicholas, and Trustee Jones
3. **INSTRUCTIONAL MATERIALS REVIEW COMMITTEE (IMRC): 2 Trustees**
Meets only if a committee member has a concern about proposed materials and requests a meeting.
2019 Assignment: Trustees Holloway, and Hanacek
4. **AD HOC COMMITTEES: 2 or 3 Trustees on each committee**
Meetings are scheduled through the Superintendent.
2019 Assignments as follows:
 - ◆ City of Aliso Viejo: Trustees Pritchard, and McNicholas
 - ◆ City of Dana Point: Trustees Hanacek, and McNicholas
 - ◆ City of Laguna Niguel: Trustees Jones, and McNicholas
 - ◆ City of Mission Viejo: Trustees Bullockus, and Jones
 - ◆ City of Rancho Santa Margarita: Trustees Reardon, and Bullockus (Alternate: Pritchard)
 - ◆ City of San Clemente: Trustees Holloway, and Hanacek
 - ◆ City of San Juan Capistrano: Trustees Jones, Reardon, and Hanacek
 - ◆ Ladera Ranch Civic Council: Trustees Bullockus, Holloway, and Reardon
5. **DISTRICT RESTRUCTURING COUNCIL (DRC): 1 Trustee**
Meets on an as needed basis.
2019 Assignment: Trustee Pritchard (Alternate-Trustee McNicholas)
6. **COLLEGE AND CAREER ADVANTAGE: 3 Trustees**
2019 Assignment: Trustees Holloway, Jones, and Reardon
(Alternates: Trustee McNicholas/Trustee Bullockus)
7. **CALIFORNIA SCHOOL BOARD ASSOCIATION DELEGATE (CSBA): 2 Trustees**
Meets bi-annually in May and November.
2019 Assignment: Trustees Holloway and McNicholas
8. **BOARD POLICY SUB-COMMITTEE: 2 Trustees**
Meets quarterly or as needed.
2019 Assignment: Trustees Jones and Reardon (Alternate: Trustee McNicholas)