

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
August 22, 2018
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 4:05 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; Conference with Real Property Negotiators; Student Readmissions; Public Employee Discipline/Dismissal/Release; Public Employee Employment/Appointment.

The regular meeting of the Board of Trustees reconvened to open session and was called to order by President, Martha McNicholas at 7:05 p.m.

ROLL CALL:

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

Absent: Trustee Reardon

The Pledge of Allegiance was led by Student Advisor, Mona Amirseyedian.

**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

President McNicholas made the following comments prior to adopting the agenda.

**Adoption of the
Board Agenda**

Staff made corrections to Exhibit 18 - *Agreement For Consultant Services For The Breakthrough Coach*. The revised exhibit for Agenda Item 18 can be located in the back of the room.

Staff made corrections to Exhibit 21 – Resignations, Retirements, Employment – Classified Employees. Under Number 301 Pep Squad, Cheer Capistrano Valley, \$30,000 was listed twice. The correction reflects, Pep Squad, Cheer (Head) Capistrano Valley, \$30,000.

Trustee Jones requested that Item 27 be heard immediately following Consent Calendar and before Item 24.

It was moved by Trustee Jones, seconded by Trustee Holloway and motion carried by a 6-0-1 vote to adopt the Board agenda.

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

President McNicholas 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 Item 1 Significant Exposure to Litigation – One Case

No reportable action.

Item # 3A Significant Exposure to Litigation – Three Cases

Trustees voted 6-0-1 to approve staff recommendation on the following IDR Case

Numbers:

20180321

20180611

20180615

Item # 3A Significant Exposure to Litigation – One Case

No reportable action.

Agenda Item #3B – Conference with Legal Counsel – Existing Litigation

Item #3B – Significant Exposure to Litigation – Two Cases

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

OAH Case Number 2017120332

OAH Case Number 2018020322 & 2018070643

Agenda Item #3C – Conference with Labor Negotiators

No reportable action.

Agenda Item #3D – Conference with Real Property Negotiators

Trustees gave direction to staff.

Agenda Item #3E – Student Readmissions

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

2017-014

2017-021

2018-003

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

Case Number One: Trustees voted 6-0-1 to approve staff recommendation.

Case Number Two: Trustees gave direction to staff.

Agenda Item #3G – Public Employee Employment/Appointment

Trustees voted 6-0-1 to appoint Tim Brooks, Associate Superintendent, Human Resource Services.

Superintendent Vital reported on all the activities taking place throughout the District to prepare for the opening of school.

**Board and
Superintendent
Comments**

Trustee Hanacek welcomed the student advisor.

Trustee McNicholas thanked staff for organizing the road show to visit our teachers, staff and schools.

Trustee Pritchard spoke regarding an event he attended with the Sheriff's Department and conveyed their praise for Mike Beekman, Executive Director Student Safety.

The following speakers addressed the Board:

**Oral
Communications**

- *Michelle Ploessel-Campbell spoke regarding various topics and PTA*
- *Jessica Geyer spoke regarding CHYA*
- *Michelle McNutt spoke regarding CHYA*

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 Martha McNicholas asked Trustees for items they wished to pull from the Consent Calendar.

It was moved by Trustee Holloway, seconded by Trustee Jones and the motion carried by a 6-0-1 Roll Call vote to approve the following Consent Calendar with the exception of Item 13.

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

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 First Extension of Request for Proposals No. 3-1617, Learning Management Systems with School Loop.

Approval of the ratification of the Server Lease Agreement 11663 with IDEAL Computer Services, Inc. for the purpose of leasing and maintaining an HP3000 server.

Approval of the ratification of the Support Agreement including Server Maintenance Contract 11703 and Softline Software Contract 11704 with IDEAL Computer Services, Inc. for the purpose of maintaining the District's original HP3000 server.

**Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 1
Independent
Contractor,
Professional
Services, Field
Service, and
Master Contract
Agreements
Agenda Item 2
First Extension of
Request for
Proposals No. 3-
1617, Learning
Management
System – School
Loop
Agenda Item 3
Server Lease
Agreement –
Ideal Computer
Services, Inc.
Agenda Item 4
Support
Agreement –
Ideal Computer
South, Inc.
Agenda Item 5**

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Approval of Agreement for the Operations of Before and After School and Summer Enrichment, Activities, and Camps Program with South Orange County Community College District.

First Extension of Bid No. 1617-08, Two-Way Radio Push to Talk, Ancillary Equipment, Related Support and Maintenance Services – Mobile Communications Repair

Approval of Resolution No. 1819-11, Approval of Application Submission California Energy Commission School Bus Replacement Grant Program GFO-17-607.

Agenda Item 6 Resolution No. 1819-11, Approval of Application Submission California Energy Commission School Bus Replacement Grant Program GFO-17-607

Approval to utilize the Regional Cooperative Agreement Contract Number RCA-017-18010016 for the purchase of bottled water and related supplies from DS Services of America, Inc. dba Sparkletts, as needed, under the same terms and conditions of the public agency's contract.

Agenda Item 7 Regional Cooperative Agreement Contract Number Rca-017-18010016 between County of Orange/County Procurement Office and Ds Services of America, Incorporated DBA Sparkletts for Bottled Water

Approval of Agreement for Participation with the Art Masters Legacy Program 2018-2019 at Marian Bergeson, Oak Grove, Canyon Vista, Don Juan Avila, Oso Grande, Marblehead, Carl Hankey, Truman Benedict Elementary Schools and Carl Hankey Middle School. Art Masters Legacy provides services that include art assemblies and hands-on studio art activities for students.

Agenda Item 8 Agreement for Participation with the Art Masters Legacy Program 2018-2019

Approval of Agreement for Participation with Inside the Outdoors Field Program Public Schools 2018-2019.

Agenda Item 9 Agreement for Participation with Inside the Outdoors Field Program Public Schools 2018 – 2019 Agreement Number F11029

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Approval of Agreement for Participation with Inside the Outdoors School Program Public Schools 2018-2019 Agreement Number S11046.	Agenda Item 10 Agreement for Participation with Inside the Outdoors School Program Public Schools 2018 – 2019 Agreement Number S11046
Approval of the start and dismissal times for the 2018-2019 school year.	Agenda Item 11 Proposed School Start and Dismissal Times for the 2018-2019 School Year
Item pulled from Consent Calendar addressed later in the meeting.	Agenda Item 12 Agenda Item 13
Approval of the Memorandum of Understanding (MOU) with Anaheim Union High School District (AUHSD) to provide special education programs and services for eligible District adult students (18 and older) who reside in group homes in AUHSD from August 8, 2018 through June 30, 2019.	Memorandum of Understanding with Anaheim Union High School District
Approval of the Memorandum of Understanding with the Orange County Superintendent of Schools will allow Orange County Department of Education (OCDE) to provide special education programs and services for eligible District students from July 1, 2018 through June 30, 2019.	Agenda Item 14 Memorandum of Understanding with the Orange County Superintendent of Schools
Approval of a Personnel Reimbursement Agreement with Laguna Beach Unified School District (LBUSD) to provide five days of instruction by a qualified Orientation and Mobility Specialist to LBUSD during the 2018-2019 school year.	Agenda Item 15 Personnel Reimbursement Agreement with Laguna Beach Unified School District
Approval of a Personnel Reimbursement Agreement with Saddleback Valley Unified School District (SVUSD) to provide 40 days of instruction by a qualified Orientation and Mobility Specialist to SVUSD during the 2018-2019 school year.	Agenda Item 16 Personnel Reimbursement Agreement with Saddleback Valley Unified School District
Approval of The Breakthrough Coach agreement for a two-day management development program.	Agenda Item 17 Agreement for Consultant Services for The Breakthrough Coach
	Agenda Item 18

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Approval of payment to District master teachers who supported a California State University, Fullerton (CSUF) student teacher during the 2017 fall semester.

California State University, Fullerton Fall 2017 Master Teacher Payments Agenda Item 19

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) Fourth Quarter Report. Education Code § 1240 requires OCDE to report visits and reviews of District schools conducted by OCDE, if any. Furthermore, the law requires the report be provided to the Board of Trustees at a regularly scheduled public meeting each quarter.

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

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

Resignations/Retirements/Employment - Classified Employees Agenda Item 21

Resignations/Retirements/Employment - Certificated Employees

Resignations/Retirements/Employment - Certificated Employees Agenda Item 22

Approval of the July 25, 2018 Regular Board Meeting minutes.

School Board Minutes Agenda Item 23

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

Designation of Title I Schools 2018-2019 Agenda Item 27

The following speakers addressed the Board:

- *Jennifer Katayama, Carl Hankey PTA President spoke regarding Hankey as a Title I School*
- *Yunuen Ramirez spoke regarding Hankey as a Title I School*
- *Ailey Katayama, Carl Hankey Student spoke regarding Hankey as a Title I School*

It was moved by Trustee Hanacek and seconded by Trustee Holloway and motion carried by a 6-0-1 vote to approve the Designation of Title I Schools 2018-2019.

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

Board President McNicholas recognized Kirsten Vital, Superintendent, to present this item and answer any questions Trustees may have regarding this item.

Presentation Regarding Student and Organizational

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

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	Accomplishments during 2017-2018 School Year Agenda Item 24 Compressed Natural Gas Fueling Station Performance Update Agenda Item 25 Demonstration of OpenGov Website Agenda Item 26
Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.	
This was an information item only and no Trustee action was necessary.	
Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.	
This was an information item only and no Trustee action was necessary.	
President McNicholas recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.	First Reading – Board Policy 5111, Admission Agenda Item 28
Board gave direction to bring back this item for a second reading on consent calendar at the September 12, 2018 Board meeting.	
President McNicholas recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.	First Reading – Board Policy 5111.1, District Residency Agenda Item 29
Board gave direction to bring back this item for a second reading on consent calendar at the September 12, 2018 Board meeting.	
President McNicholas recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.	First Reading – Board Policy 5130, Student Records Agenda Item 30
Board gave direction to bring back this item for a second reading on consent calendar at the September 12, 2018 Board meeting.	
President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item.	First Reading – Board Policy 3580, District Records Agenda Item 31
Board gave direction to bring back this item for a second reading on consent calendar at the September 12, 2018 Board meeting.	
President McNicholas recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.	Second Reading – Board Policy 5183, Sexual Harassment Agenda Item 32
It was moved by Trustee Holloway and seconded by Trustee Jones to approve Board Policy 5183, Sexual Harassment. The motion carried 6-0-1.	
AYES: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, and Pritchard	
NOES: None	
ABSENT: Trustee Reardon	

Trustee Reardon was in attendance at 8:56 p.m.

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Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

**Resolution No. 1819-01, Request for Waiver – Exemption from Universal Meal Service
Agenda Item 33**

It was moved by Trustee Holloway and seconded by Trustee Bullockus to approve Resolution No. 1819-01, Request for Waiver – Exemption from Universal Meal Service. The motion carried 6-0-0-1.

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

Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

**Resolution No. 1819-03, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega), Authorizing the Levy of Special Taxes in Community Facilities District No. 90-2 of the Capistrano Unified School District (Talega) for Fiscal Year 2018-2019
Agenda Item 34**

It was moved by Trustee Reardon and seconded by Trustee Holloway to approve Resolution No. 1819-03 authorizes the levy of Special Tax in Community Facilities District (CFD) No. 90-2 (Talega) for Fiscal Year 2018-2019. The motion carried 7-0.

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

Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

Resolution No. 1819-04, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body for Improvement Area No. 2002-1 of Community

It was moved by Trustee Reardon and seconded by Trustee Holloway to approve Resolution No. 1819-04 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 90-2 Improvement Area No. 2002-1 (Talega) for Fiscal Year 2018-2019. The motion carried 7-0.

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

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**Facilities District
No. 90-2 IA of the
Capistrano
Unified School
District (Talega),
Authorizing the
Levy of Special
Taxes in
Community
Facilities District
No. 90-2 IA of The
Capistrano
Unified School
District (Talega)
For Fiscal Year
2018-2019
Agenda Item 35
Resolution No.
1819-05,
Resolution of
Board of Trustees
of the Capistrano
Unified School
District, Acting as
the Legislative
Body of
Community
Facilities District
No. 92-1 of the
Capistrano
Unified School
District (Las
Flores),
Authorizing the
Levy of Special
Taxes in
Community
Facilities District
No. 92-1 of the
Capistrano
Unified School
District (Las
Flores) for Fiscal
Year 2018-2019
Agenda Item 36
Resolution No.
1819-06,
Resolution of
Board Of Trustees
of the Capistrano
Unified School
District, Acting as**

Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

It was moved by Trustee Hanacek and seconded by Trustee Reardon to approve Resolution No. 1819-05 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 92-1 (Las Flores) for Fiscal Year 2018-2019. The motion carried 7-0.

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

Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

It was moved by Trustee Jones and seconded by Trustee Holloway to approve Resolution No. 1819-06 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-1A (Pacifica San Juan) for Fiscal Year 2018-2019. The motion carried 7-0.

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

**the Legislative
Body of
Community
Facilities District
No. 98-1A of the
Capistrano
Unified School
District (Pacifica
San Juan),
Authorizing the
Levy of Special
Taxes in
Community
Facilities District
No. 98-1A of the
Capistrano
Unified School
District (Pacifica
San Juan) for
Fiscal Year 2018-
2019
Agenda Item 37
Resolution No.
1819-07,
Resolution of
Board of Trustees
of the Capistrano
Unified School
District, Acting as
the Legislative
Body of
Community
Facilities District
No. 98-1B of the
Capistrano
Unified School
District (Pacifica
San Juan),
Authorizing the
Levy of Special
Taxes in
Community
Facilities District
No. 98-1B of the
Capistrano
Unified School
District (Pacifica
San Juan) for
Fiscal Year 2018-
2019
Agenda Item 38**

Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

It was moved by Trustee Jones and seconded by Trustee Hanacek to approve Resolution No. 1819-07 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-1B (Pacifica San Juan) for Fiscal Year 2018-2019. The motion carried 7-0.

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

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Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

It was moved by Trustee Holloway and seconded by Trustee Reardon to approve Resolution No. 1819-08, authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 98-2 (Ladera) for Fiscal Year 2018-2019. The motion carried 7-0.

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

Resolution No. 1819-08, Resolution of the Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera), Authorizing the Levy of Special Taxes in Community Facilities District No. 98-2 of the Capistrano Unified School District (Ladera) for Fiscal Year 2018-2019 Agenda Item 39

Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

It was moved by Trustee Jones and seconded by Trustee Reardon to approve Resolution No. 1819-09 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 2004-1 (Rancho Madrina) for Fiscal Year 2018-2019. The motion carried 7-0.

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

Resolution No. 1819-09, Resolution of Board of Trustees of the Capistrano Unified School District, Acting as the Legislative Body of Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho Madrina), Authorizing the Levy of Special Taxes in Community Facilities District No. 2004-1 of the Capistrano Unified School District (Rancho

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Board President McNicholas recognized Clark Hampton, Deputy Superintendent, to present this item and answer any questions Trustees may have regarding this item.

It was moved by Trustee Holloway and seconded by Trustee Reardon to approve Resolution No. 1819-10 authorizes the levy of Special Taxes in Community Facilities District (CFD) No. 2005-1 (Whispering Hills) for Fiscal Year 2018-2019. The motion carried 7-0.

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

**Madrina) for
Fiscal Year 2018-
2019
Agenda Item 40
Resolution No.
1819-10,
Resolution of
Board of Trustees
of the Capistrano
Unified School
District, Acting as
the Legislative
Body of
Community
Facilities District
No. 2005-1 of the
Capistrano
Unified School
District
District
(Whispering
Hills), Authorizing
the Levy of
Special Taxes in
Community
Facilities District
No. 2005-1 of the
Capistrano
Unified School
District
District
(Whispering Hills)
for Fiscal Year
2018-2019
Agenda Item 41**

ITEMS PULLED FROM CONSENT CALENDAR

Approval of retroactive grade weighting will enable over 800 current District students who took accelerated versions of World History, Biology and Chemistry during the 2015-2016 school year to receive an honors weighted grade bump for work they completed after the District approved honors weighting for such courses prior to the 2015-2016 school year.

It was moved by Trustee McNicholas and seconded by Trustee Bullockus to approve Retroactive Grade Weighting for Accelerated Versions of World History, Biology and Chemistry. The motion carried 7-0.

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

**Retroactive Grade
Weighting for
Accelerated
Versions of World
History, Biology
and Chemistry
Agenda Item 13**

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

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

President McNicholas announced the meeting adjourned at 9:12 p.m.



Board Clerk


Secretary, Board of Trustees

Minutes submitted by Colleen Hayes, Manager II, Superintendent's Office