

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
January 24, 2019
EDUCATION CENTER – BOARD ROOM

President Jones called the meeting to order at 4:34 p.m.

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

The following speaker addressed the Board:

The Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Student Readmissions and Student Expulsions.

The Board heard Student Expulsion Case 2019-029 in Open Session.

The Board recessed to closed session to discuss Student Expulsion Case 2019-029.

The regular meeting of the Board of Trustees reconvened to open session and was called to order by President Gila Jones at 7:10 p.m.

ROLL CALL:

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

Absent: None

The Pledge of Allegiance was led by Joy Schnapper, CUEA President.

**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 vote to adopt the Board agenda.

**Adoption of the
Board Agenda**

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

NOES: None

ABSENT: None

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

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

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

Trustees voted 5-0-1-1 to approve the staff recommendation on the following cases:

ADR Case Number 20180524

ADR Case Number 20181031

Trustee Reardon recused himself.

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

ADR Case Number 20181114

ADR Case Number 20181116

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

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

- OAH Case Number 2018090139
- OAH Case Number 2018100676

Trustees voted 5-0-1-1 to approve the staff recommendation on the following case:

- OAH Case Number 2018110162
- Federal Case 8:17-1460-JLS-KES

Trustee Reardon recused himself.

Item #3B– One Case

Capistrano Unified School District v. County of Orange (OCSC #: 30-2017-00963064-CU-TT-CXC)

No reportable action.

Agenda Item #3C – Student Readmissions

One Case

Trustees voted 7-0 to approve staff recommendation on:

- Case # 2018-002

Agenda Item #3D – Student Expulsions

Sixteen Cases

Trustees voted 7-0 to approve staff recommendation on:

- Case # 2019-013
- Case # 2019-014
- Case # 2019-022
- Case # 2019-023
- Case # 2019-024
- Case # 2019-025
- Case # 2019-026
- Case # 2019-027
- Case # 2019-028
- Case # 2019-030
- Case # 2019-031
- Case # 2019-032
- Case # 2019-033
- Case # 2019-034
- Case # 2019-035

Trustees voted 7-0 to approve staff recommendation on:

- Case # 2019-029

Associated Student Body

Dana Hills High School

Josh Porter, *Principal*

Ken Nedler, *Activities Director*

Gianna Marietti, *Associated Student Body President*

**Special
Recognitions**

Extra Miler

Micah Ohlen, Athletic Trainer, for his significant role in San Juan Hills High School earning the National Athletic Trainers' Association (NATA) Safe Sports School Award.

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Orange County Business Council will present a certificate commemorating Capistrano Unified School District and Rancho Mission Viejo's nomination in Orange County Business Council's Eighth Annual Turning Red Tape into Red Carpet Awards.

President Jones presented Trustee McNicholas a plaque for her services as president of the Board for the 2018 calendar year.

**Board and
Superintendent
Comments**

Trustee McNicholas spoke regarding her pride in the work of the District.

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

Trustee Bullockus spoke regarding the work at Hankey K-8 and the newly awarded tennis equipment grant. She also shared the City of Mission Viejo is offering an after school program at Hankey four days a week for the Hankey students. She commended the work of the principal, Dana Aguilera in partnership with the City of Mission Viejo.

The following speakers addressed the Board:

**Oral
Communications**

- *Tram Vo-Kumamoto spoke representing Saddleback College in the CCA Partnership*
- *Jeremy Cavallaro spoke regarding Community Roots Academy*
- *Eve Fein spoke regarding Community Roots Academy*
- *Kristen Okura spoke regarding Physical Education*
- *Cindy Vallone spoke regarding GATE/Accelerated Program*
- *Dawn Urbanek spoke regarding Quit Claim Deed*

At 7:57 p.m., President Jones opened the Public Hearing on the College and Career Access Pathways agreement with South Orange County Community College District (SOCCCD). Tram Vo-Kumamoto spoke during Oral Communications in regards to the partnership with Saddleback College. There were no other public comments. President Jones closed the public hearing at 7:59 p.m.

**Public Hearing
College and
Career Access
Pathways
Partnership
Agreement 2019
with South
Orange County
Community
College District
Agenda Item 1**

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.

It was moved by Trustee McNicholas, seconded by Trustee Bullockus, motion carried by a 7-0 Roll Call vote to approve the following Consent Calendar with the addition of the Board of Trustee Committee Assignments for 2019 to Exhibit 29 Board Meeting Minutes.

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

Approval of donations of funds and equipment.

**Donation of Funds
and Equipment
Agenda Item 2**

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

**Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 3**

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 4**

Approval of Amendment No. 2 to Lease Agreement with SchoolsFirst Federal Credit Union, formerly Orange County Teachers Federal Credit Union, a non-profit financial institution.

**Second
Amendment to
Lease Agreement
– SchoolsFirst
Federal Credit
Union Agenda
Item 5**

Approval of the ratification of the Aliso Viejo Community Association Limited Use and Maintenance Agreement (LUMA) for Fall 2018.

**Aliso Viejo
Community
Association
Limited Use and
Maintenance
Agreement for
Fall 2018
Agenda Item 6**

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

**Aliso Viejo
Community
Association
Limited Use and
Maintenance
Agreement for
Winter/Spring
2019
Agenda Item 7**

Approval of Award of Bid No. 1819-07, Paper and Plastic Products for Food and Nutrition Services to P & R Paper Supply Company, Incorporated.

**Award of Bid No.
1819-07, Paper
and Plastic
Products for Food
and Nutrition
Services – P & R**

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Approval of the contract for participation in the Summer Food Service Program maintained by Food and Nutrition Services and Orange County Public Libraries, in partnership with San Juan Capistrano Library.

Approval of First Extension of Bid No. 1718-22, Child Safety Alert Systems Product and Installation awarded to A-Z Bus Sales, Incorporated.

Approval of Second Extension of Bid No. 1617-07, Electrical, Fire Protection and Low Voltage Systems Services with Gilbert & Stearns, Incorporated.

Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract Nos. 3-15-84-0042A, 3-15-84-0042C, 3-15-84-0042D, 3-16-70-2382B, 3-18-70-3176C, 3-18-84-0042E, and 4-17-84-042E, General Services Administration Schedule Nos. GS-07F-0298J, GS-07F-0200W, GS-07F-206CA, GS-35F-183DA, GS-35F-0499N, 47QSWA18D0022, and GS-07F-0326T, and any subsequent revisions, amendments, and extensions awarded to various vendors and authorized resellers, for the purchase of information and non-information technology goods and services, as needed by the District.

**Paper Supply
Company,
Incorporated
Agenda Item 8
Contract for
Summer Food
Service Program –
Orange County
Public Libraries
Agenda Item 9
First Extension of
Bid No. 1718-22,
Child Safety Alert
Systems Product
and Installation –
A-Z Bus Sales,
Incorporated
Agenda Item 10
Second Extension
of Bid No. 1617-
07, Electrical, Fire
Protection and
Low Voltage
Systems Services –
Gilbert & Stearns,
Incorporated
Agenda Item 11
State of California
Multiple Award
Schedule Contract
Nos. 3-15-84-
0042A, 3-15-84-
0042C, 3-15-84-
0042D, 3-16-70-
2382B, 3-18-70-
3176C, 3-18-84-
0042E, and 4-17-
84-042E, General
Services
Administration
Schedule Nos. GS-
07F-0298J, GS-
07F-0200W, GS-
07F-206CA, GS-
35F-183DA, GS-
35F-0499N,
47QSWA18D0022,
and GS-07F-
0326T ,
Information and
Non-Information
Technology Goods
and Services –**

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Approval of Resolution No. 1819-31, Authorization to Renew a Community Service Program (SP) Certification through the Department of Resources Recycling and Recovery (CalRecycle).

The District's property and liability claims are insured by the Alliance of Schools for Cooperative Insurance Program (ASCIP).

Approval of Memorandum of Understanding (MOU) with California Connections Academy Southern California (CalCA Socal).

Approval of Addendum No. 01 to Statement of Work under the Agreement for Use of Emerald Cove Outdoor Science Institute, Facilities, Supplies, Equipment, and Services Public School Districts School Year 2018-2019.

Approval of Income Agreement No. 47604 with Orange County Department of Education (OCDE) for California Healthy Kids Survey (CHKS) Infographic.

Various Vendors

Agenda Item 12

Resolution No.

1819-31,

Authorization to

Renew a

Community

Service Program

Certification

Through the

Department of

Resources

Recycling and

Recovery

Agenda Item 13

Resolution No.

1819-30,

Authorizing an

Increase to the

Property and

Liability

Revolving Cash

Account

Agenda Item 14

Memorandum of

Understanding

with California

Connections

Academy

Southern

California

Agenda Item 15

Addendum No. 01

to Statement of

Work Under the

Agreement for

Use of Emerald

Cove Outdoor

Science Institute,

Facilities,

Supplies,

Equipment, and

Services, Public

School Districts,

School Year 2018-

2019

Agenda Item 16

Income

Agreement No.

47604 with

Orange County

Department of

Education for

CAPISTRANO UNIFIED SCHOOL DISTRICT
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Approval of Addendum to the Agreement for Participation with Inside the Outdoors School Programs for 2018-2019 Agreement Numbers S11046-7, S11046-8, S11046-9 and S11046-10.

Approval of the Agreement with Kid Healthy/One OC from January 7, 2019 through May 30, 2019 for Marblehead Elementary School.

Approval of Agreement for Participation with the YMCA of Orange County Laguna Niguel, to provide Physical Education (P.E.) Programs for Students at Castille Elementary School for the remainder of the 2018-2019 school year.

Approval of Annual Report – Employment of Relatives 2018-2019 School Year.

Approval of College of Education Tuition Discount Program MOU with Hope International University, effective January 25, 2019 and expiring June 30, 2021.

Approval of Internship Contract Agreement with Brandman University, effective January 2, 2019 and continuing until January 1, 2021.

California Healthy Kids Survey Infographics
Agenda Item 17
Addendum to the Agreement for Participation with Inside the Outdoors School Programs for 2018-2019 Agreement Numbers S11046-7, S11046-8, S11046-9 and S11046-10
Agenda Item 18
Agreement with Kid Healthy/One OC
Agenda Item 19
Agreement for Participation with the YMCA of Orange County Laguna Niguel to Provide a Physical Education Program for Students at Castille Elementary School for the Remainder of the 2018-2019 School Year
Agenda Item 20
Annual Report – Employment of Relatives
Agenda Item 21
College of Education Tuition Discount Program MOU with Hope International University
Agenda Item 22
Internship Contract Agreement with Brandman University
Agenda Item 23

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Acceptance of Williams Settlement Legislation Uniform Complaint Second Quarter Report.	Second Quarter Report – Williams Settlement Legislation Uniform Complaint
Approval of Student Teaching Agreement with San Diego State University, effective January 1, 2019 and expiring June 30, 2023	Agenda Item 24 Student Teaching Agreement with San Diego State University
Approval of the activity list for employment, separation and additional assignments of certificated employees.	Agenda Item 25 Resignations/ Retirements/ Employment - Certificated Employees
Approval of the activity list for employment, separation and additional assignments of classified employees.	Agenda Item 26 Resignations/ Retirements/ Employment – Classified Employees
Approval of the Board meeting dates 2019-2020.	Agenda Item 27 Board Meeting Dates 2019 – 2020
Approval of the December 12, 2018 Regular Board meeting minutes.	Agenda Item 28 School Board Minutes
President Jones recognized Clark Hampton, Deputy Superintendent, Business and Support to present this item.	Agenda Item 29 Presentation and Receipt of the District and Community Facilities Districts Annual Financial Reports for the Fiscal Year Ending June 30, 2018
It was moved by Trustee Pritchard and seconded by Trustee McNicholas to approve the Receipt of the District and Community Facilities Districts Annual Financial Reports for the Fiscal Year Ending June 30, 2018. The motion carried 7-0.	Agenda Item 30
AYES: Trustees Bullockus, Hanacek, Holloway, Jones, McNicholas, Pritchard, and Reardon	
NOES: None	
ABSENT: None	
President Jones recognized Clark Hampton, Deputy Superintendent, Business and Support to present this item.	Agenda Item 31 Presentation on School Impacts from State Route 241 Toll Road Extension Alternatives
<i>The following people addressed the Board:</i> <ul style="list-style-type: none">• Kathy Ward spoke regarding the Toll Road.• Mark McGuire spoke regarding the Toll Road. This was an information item only and no Trustee action was necessary.	
President Jones recognized Clark Hampton, Deputy Superintendent, Business and Support to present this item.	Governor’s January Budget Proposal for

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

Fiscal Year 2019-2020

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

**Agenda Item 32
First Reading –
Board Policy 3553,
Free and Reduced
Price Meals
Agenda Item 33**

It was moved by Trustee Reardon and seconded by Trustee Hanacek to waive the First Reading and approve Board Policy 3553, *Free and Reduced Price Meals*. The motion carried 7-0.

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

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

**First Reading –
Board Policy
5111.5, Language
Immersion and
International
Baccalaureate
Admissions
Agenda Item 34**

It was moved by Trustee Hanacek and seconded by Trustee McNicholas to waive the First Reading and approve Board Policy 5111.5, *Language Immersion and International Baccalaureate Admissions*. The motion carried 7-0.

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

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

**First Reading –
Board Policy 5030,
Student Wellness
Agenda Item 35**

It was moved by Trustee McNicholas and seconded by Trustee Hanacek to waive the First Reading and approve Board Policy 5030, *Student Wellness*. The motion carried 7-0.

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

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

**First Reading –
Board Policy 5141,
Conduct
Agenda Item 36**

It was moved by Trustee Holloway and seconded by Trustee Hanacek to waive the First Reading and approve Board Policy 5141, *Conduct*. The motion carried 7-0.

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

President Jones recognized Susan Holliday, Associate Superintendent, Education Services, to present this item.
Trustees gave direction to staff to bring this policy back for a Second Reading February 27, 2019.

**First Reading -
Board Policy
5131.2, Bullying
Agenda Item 37**

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

**Second Reading –
Board Policy 3515,
School Safety and
Security
Agenda Item 38**

It was moved by Trustee McNicholas and seconded by Trustee Holloway to approve Board Policy 3515, *School Safety and Security*. The motion carried 7-0.

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

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

**Right of Entry
Agreement –
Mission Resource
Conservation
District
Agenda Item 39**

The following speaker addressed the Board.

- Michelle Schumacher spoke against spraying near Ambuehl Elementary.

It was moved by Trustee McNicholas and seconded by Trustee Reardon to approve the Right of Entry Agreement – Mission Resource Conservation District, with stipulations. The motion carried 4-2-1.

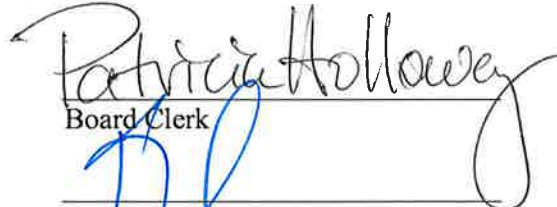
AYES: Trustees, Jones, McNicholas, Pritchard, and Reardon
NOES: Trustee Bullockus and Holloway
ABSTAIN: Trustee Hanacek
ABSENT: None

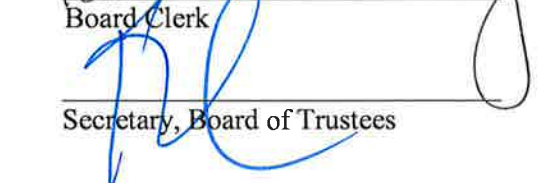
It was moved by Trustee Reardon and seconded by Trustee McNicholas to adjourn the meeting, motion carried 7-0.

Adjournment

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

President Jones announced the meeting adjourned at 10:55 p.m.



Board Clerk


Secretary, Board of Trustees

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