

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
October 10, 2018
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 4:17 p.m.

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

The following speaker addressed the Board:

- *Dawn Urbanek spoke on Dana Hills High School and Tesoro High School*

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

The regular meeting of the Board of Trustees reconvened to open session and was called to order by President, Martha McNicholas at 7:06 p.m.

ROLL CALL:

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

Absent: Trustees Hanacek, and Holloway

The Pledge of Allegiance was led by Veronica Hoggatt.

**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 Jones, seconded by Trustee Bullockus and motion carried by a 5-0-2 vote to adopt the Board agenda.

**Adoption of the
Board Agenda**

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

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

Significant Exposure to Litigation – Five Cases

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

IDR Case Number 20180601
IDR Case Number 20180625
IDR Case Number 20180813
IDR Case Number 20180814
IDR Case Number 20180815

Item 3A Item 1 Significant Exposure to Litigation – One Case
Trustees gave direction to staff.

Item # 3A Significant Exposure to Litigation – One Case

Trustees gave direction to staff

Item # 3A 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 cases:

OAH Case Number 2018040679
OAH Case Number 2018060424
OAH Case Number 2018070937

Agenda Item #3C – Conference with Real Property Negotiators
Trustees gave direction to staff.

Agenda Item #3D – Student Readmissions

One Case
Trustees voted 4-0-3 to readmit case #2017-038.

Agenda Item #3E – Student Expulsions

Four Cases
Trustees voted 4-0-3 to approve staff recommendation on the following cases:

Case # 2019-001
Case # 2019-002
Case # 2019-003
Case # 2019-005

The *Services for English Learners Department*, for their work in supporting language learners and their families to ensure that all students may access and benefit from the many educational opportunities provided by the District. **Special Recognitions**

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

Trustee Pritchard spoke regarding the Mayors' meeting.

Trustee McNicholas spoke regarding the College Fair.

The following speakers addressed the Board:

- *Richard Savage spoke regarding California Connections Academy*
- *Julie Colombero spoke regarding Aliso Niguel High School Theater Company and the College Fair*
- *Mona Rieger spoke regarding the Tesoro High School PTSA's week of kindness and upcoming events*
- *Michelle Ploessel-Campbell spoke regarding how to register to vote and reminding all to joining PTA*

Oral Communications

The Board President opened the public hearing on the Public Hearing: Resolution No. 1819-17, Statement of Assurance for Instructional Materials Realignment Fund, Fiscal Year 2018-2019 at 7:25 p.m. There were no public comments. President McNicholas closed the public hearing at 7:26 p.m. **Public Hearing: Resolution No. 1819-17, Statement of Assurance for**

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**Instructional
Materials
Realignment Fund,
Fiscal Year 2018-
2019
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 Martha McNicholas asked Trustees for items they wished to pull from the Consent Calendar.

It was moved by Trustee Pritchard, seconded by Trustee Bullockus, motion carried by a 5-0-2 Roll Call vote to approve the following Consent Calendar with the exception of Item 15.

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

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 Change Order No. 1, Resolution. No. 1718-28 for the Energy Service Contract – REC Solar Project.

**Change Order No.
1, Resolution No.
1718-28, Enter
Into Energy
Service Contract –
Rec Solar Project
Agenda Item 5**

The following individual addressed the Board regarding this matter.

- Dawn Urbanek

Approval of the declaration of surplus items listed and described as surplus and the approval of the public and private disposition of the surplus items in accordance with

**Declaration of
Surplus Items**

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Education Code §§ 17545-17546 and Board Policy 3270, *Sale and Disposal of Books, Equipment, and Supplies.* **Agenda Item 6**

Approval of Auction Agreement with General Auction Company (GAC). Under the terms of the agreement, GAC would serve as the District's agent to conduct public auctions of surplus property approved by the Board.

The following individual addressed the Board regarding this matter.

- Dawn Urbanek

Approval of utilize the State of California Multiple Award Schedule Contract No. 3-18-70-2486H, General Services Administration Schedule No. GS-35F-0143R, and any subsequent revisions, amendments, and extensions awarded to ConvergeOne, Incorporated, for the purchase of network infrastructure products, as needed by the District.

The following individual addressed the Board regarding this matter.

- Dawn Urbanek

Approval of Second Extension of Bid No. 1617-02, Tree Trimming Maintenance Service with West Coast Arborists, Incorporated.

Approval of Third Extension of Bid No. 1516-08, Districtwide Roof Assessment and Preventative Roof Maintenance with Weatherproofing Technologies, Incorporated.

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-12, San Clemente High School Upper Campus Demolition.

**Auction Agreement – General Auction Company
Agenda Item 7**

**State of California Multiple Award Schedule Contract No. 3-18-70-2486H, General Services Administration Schedule No. GS-35F-0143R to Purchase Network Infrastructure Products – ConvergeOne, Incorporated
Agenda Item 8**
**Second Extension of Bid No. 1617-02, Tree Trimming Maintenance Service – West Coast Arborists, Incorporated
Agenda Item 9**
**Third Extension of Bid No. 1516-08, Districtwide Roof Assessment and Preventative Roof Maintenance –Weatherproofing Technologies, Incorporated
Agenda Item 10**
Final Acceptance and Filing of Notice of Completion for Bid No. 1718-12, San Clemente High School Upper Campus Demolition – Standard Industries, Inc.

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Agenda Item 11

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-18, Chaparral Elementary School Playground Modernization and Repaint.

Final Acceptance and Filing of Notice of Completion for Bid No. 1718-18, Chaparral Elementary School Playground Modernization and Repaint – Painting and Décor,

Incorporated Agenda Item 12

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-19, Aliso Viejo Middle School Modular Classrooms.

Final Acceptance and Filing of Notice of Completion for Bid No. 1718-19, Aliso Viejo Middle School Modular Classrooms – R. Jensen Company, Inc.

Agenda Item 13

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 1718-21, Dana Hills High School Structural Repairs.

Final Acceptance and Filing of Notice of Completion for Bid No. 1718-21, Dana Hills High School Structural Repairs – New Dimension General Construction

The following individual addressed the Board regarding this matter.

- *Dawn Urbanek*

Agenda Item 14

Approval of the proposed 2019 Extended School Year (ESY) program.

Extended School Year Proposal for 2019

Agenda Item 16

Approval of Agreement with Association for Supervision and Curriculum Development (ASCD) will provide a variety of resources including professional learning services.

Agreement with Association for Supervision and Curriculum Development for Services with Aida Allen to Provide Professional Development to

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Based upon the October 2017 Hanover Study, Gifted and Talented Education (GATE) Program Review, a GATE Task Force was formed in January 2018 consisting of parents, community members, teachers, and site and District level administrators representing both elementary and secondary levels.

Approval of agreement for services with Conserva to provide Spanish language instruction to students at Carl Hankey International Baccalaureate (IB) Academy.

Approval of Amendment to Discovery Education Agreement for Services for 2018-2019 and 2019-2020.

Approval of the Agreement for Use of Document Tracking Services School Year 2018-2019 to provide a web-based application that allows staff to streamline the completion of various school and District-level reports.

Approval of the Local Control Accountability Plan (LCAP) Parent Advisory Committee (PAC) members.

Approval of the ratification of the Memorandum of Understanding (MOU) with Western Youth Services, Incorporated (WSY). In the 2017-2018 school year, WSY provided students accessibility to mental health services through the Alternatives to Suspension program.

**Teachers at
Hidden Hills
Elementary
School for 2018-
2019
Agenda Item 17
Second Reading –
Board Policy 6172,
Gifted and
Talented
Education
Program
Agenda Item 18
Agreement for
Services with
Conserva to
Provide Spanish
Language
Instruction at
Carl Hankey K-5
International
Baccalaureate
Academy in 2018-
2019
Agenda Item 19
Amendment to
Discovery
Education
Agreement for
Services for 2018-
2019 and 2019-
2020
Agenda Item 20
Agreement for
Use of Document
Tracking Services
School Year 2018-
2019
Agenda Item 21
Local Control
Accountability
Plan Parent
Advisory
Committee for
2018-2019
Agenda Item 22
Memorandum of
Understanding
With Western
Youth Services,
Incorporated -
Mental Health
Services for**

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**Children and
Families**

Approval of Amendment to Student Teaching Agreement with University of California, Irvine.

**Agenda Item 23
Amendment to
Student Teaching
Agreement with
University of
California, Irvine**

Approval of the reclassification of High School Principal and Associate Superintendent, Student Support Services salaries retroactive to July 1, 2018.

**Agenda Item 24
Approval of High
School Principal
and Associate
Superintendent,
Student Support
Services Salary
Reclassification**

Approval of Board Policy 4313, *Management/Supervisory/Confidential Service Days*, revises this policy to reflect recent updates to job descriptions and impact on work calendars.

**Agenda Item 25
Second Reading -
Board Policy 4313,
Management/
Supervisory/
Confidential
Service Days**

Approval of a new job description for the position of Administrative Assistant, Legal Compliance.

**Agenda Item 26
Approval of Job
Description –
Administrative
Assistant, Legal
Compliance**

Approval of closing the Lead Counselor position and creating a Coordinator, Counseling and Student Support position due to increased oversight and responsibility.

**Agenda Item 27
Approval of Job
Description –
Coordinator,
Counseling and
Student Support**

Approval of the Human Resource Services (HRS) Efficiency Plan Restructure.

**Agenda Item 28
Efficiency Plan
Restructure for
the Human
Resource Services
Department**

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

**Agenda Item 29
Resignations/
Retirements/
Employment -
Classified
Employees**

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

**Agenda Item 30
Resignations/
Retirements/
Employment -
Certificated
Employees**

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Agenda Item 31

Approval of the September 12, 2018 Regular Board meeting minutes.

School Board

Minutes

Agenda Item 32

Approval of the September 26, 2018 Regular Board meeting minutes.

**School Board
Minutes**

Agenda Item 33

President McNicholas recognized Clark Hampton, Deputy Superintendent, Education Services, to present this item.

**New Vista School
Master Contract
2018-2019**

It was moved by Trustee Jones and seconded by Trustee Pritchard to approve the New Vista School Master Contract 2018-2019, motion carried 4-0-2-1.

Agenda Item 44

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

The reason for the recusal by Trustee Reardon is that he is the Founder of New Vista School (a non-profit organization), and serves as Vice-President of the New Vista School Board of Directors.

President McNicholas recognized Clark Hampton, Deputy Superintendent, Education Services, to present this item.

**Resolution No.
1819-18,**

Resolution

Regarding the

Capistrano

Unified School

District

Foundation for

Education

Agenda Item 43

The following individuals addressed the Board regarding this matter.

- *Bradley Wright*
- *Rick Varner*
- *Dawn Urbanek*

It was moved by Trustee Jones and seconded by Trustee Bullockus to adopt Resolution No. 1819-18, motion carried by a 5-0-2 Roll Call vote.

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

President McNicholas recognized Greg Merwin, Associate Superintendent, and Student Support Services, to present this item.

**Strategic Plan
Implementation
Guide**

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

Agenda Item 34

Agenda item 35 was pulled by staff.

**District
Technology Plan
2018-2021**

Agenda Item 35

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

**Resolution No.
1819-17,**

It was moved by Trustee Pritchard and seconded by Trustee Reardon to adopt

**Statement of
Assurance for**

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Resolution No. 1819-17, motion carried by a 5-0-2 Roll Call vote.

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

**Instructional
Materials
Realignment
Fund, Fiscal Year
2018-2019
Agenda Item 36**

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

**Smarter Balanced
Assessment
Results**

This was an information item only and no Trustee action was necessary. Agenda item 38 was pulled by staff.

**Agenda Item 37
Third Reading –
Board Policy**

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

**6145.3,
Publications
Agenda Item 38**

The following individual addressed the Board regarding this matter.

- Dawn Urbanek

**First Reading –
Board Policy 5022,
Student and
Family Privacy
Rights
Agenda Item 39**

Trustees gave direction to staff to bring back this policy for a second reading at the November 14 Board Meeting using the recommended edits provided by Trustees.

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

**First Reading –
Board Policy
5131.1, Use of
Individual Student
Record**

The following individual addressed the Board regarding this matter.

- Dawn Urbanek

**Information for
Academic
Achievement Data
Disaggregation
Agenda Item 40**

Trustees gave direction to staff to bring back this policy for a second reading at the November 14 Board Meeting.

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

**First Reading –
Board Policy 5132,
Release of
Directory
Information
Agenda Item 41**

The following individual addressed the Board regarding this matter.

- Dawn Urbanek

Trustees gave direction to staff to bring back this policy for a second reading at the November 14 Board Meeting.

President McNicholas recognized Kirsten Vital, Superintendent to present this item.

**First Reading –
Board**

The following individual addressed the Board regarding this matter.

- Dawn Urbanek

**Policy/Bylaw –
9100,
Organization
Agenda Item 42**

Trustees gave direction to staff to bring back this policy for a second reading at the November 14 Board Meeting.

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ITEMS PULLED FROM CONSENT CALENDAR

Approval of the Right of Entry Agreement for the purpose of granting a non-exclusive license to Mission Resource Conservation District to enter upon District property to control and/or remove the invasive non-native plant *Arundo donax* (giant reed).

**Right of Entry
Agreement –
Mission Resource
Conservation
District
Agenda Item 15**

Trustees gave direction to staff to bring back this agreement for further review at the November 14 Board Meeting.

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

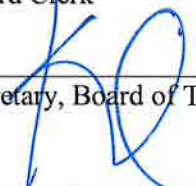
Adjournment

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

President McNicholas announced the meeting adjourned at 9:02 p.m.



Board Clerk



Secretary, Board of Trustees

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