

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

President Jones called the meeting to order at 4:02 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; Student Expulsions; Public Employee Discipline/Dismissal/Release; and Conference with Labor Negotiators.

The regular meeting of the Board of Trustees reconvened to open session and was called to order by President Gila Jones at 7:17 p.m.

**ROLL CALL:**

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

Absent: Trustee Pritchard

The Pledge of Allegiance was led by Eve Fine.

**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](http://www.capousd.org)**

It was moved by Trustee McNicholas, 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, McNicholas, and Reardon

NOES: None

ABSENT: Trustee Pritchard

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

ADR Case Number 20190212

ADR Case Number 20190301

ADR Case Number 20190304

Trustees voted 5-0-1-1 to approve the staff recommendation on the following case number ADR Case Number 20190320, Trustee Pritchard was absent and Trustee Reardon recused himself.

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

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

OAH Case Number 2018120830

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

OAH Case Number 2019020057  
Trustees voted 5-0-1-1 to approve the staff recommendation on the following case number OAH Case Number 2018110162, Trustee Pritchard was absent and Trustee Reardon recused himself.

**Agenda Item #3C – Student Expulsions**

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

- Case # 2019-043
- Case # 2019-047
- Case # 2019-048
- Case # 2019-049
- Case # 2019-050
- Case # 2019-051
- Case # 2019-054

Trustees took no action on:

- Case # 2019-053

**Agenda Item #3D – Public Employee Discipline/Dismissal/Release**

Trustees voted 6-0-1 to approve staff recommendation on item D-1.

Trustees voted 6-0-1 to approve staff recommendation on item D-2.

**Agenda Item #3E – Conference With Labor Negotiators**

Trustees gave direction to staff.

**Associated Student Body**

Aliso Niguel High School  
Deni Christensen, *Principal*  
Ann Zendner, *Activities Director*  
Audrey McKeon, *Associated Student Body President*

**Special  
Recognitions**

**Extra Miler**

Aliso Niguel High School Marching Band for earning their third consecutive Gold Medal at the Southern California School Band and Orchestra Association's Field Band Championships, under the direction of Band Director David Weinberg, Drum Majors Brennan Liu and Justin Ryoo, and Color Guard Captains Megan Long, Nadia Origenes and Lani Suyama.

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

**Board and  
Superintendent  
Comments**

Trustee Hanacek spoke  
Trustee McNicholas spoke  
Trustee Bullockus spoke  
Trustee Holloway spoke

The following speakers addressed the Board:

**Oral  
Communications**

- Dawn Urbanek spoke regarding unfair practice of UC admission system for California Residence
- Phil Theodorou spoke regarding VAPA coordinator position
- Courtney Fielder spoke regarding VAPA coordinator position

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

- *Michele Ploessel-Campbell spoke on various topics and CUCPTSA*
- *Danielle Wilson spoke regarding the VAPA coordinator position*
- *Kimberly Haddock spoke regarding the VAPA coordinator position*

At 7:56 p.m., President Jones opened the Public Hearing on receiving the Capistrano Unified Education Association's (CUEA) and Capistrano Unified School District's initial proposals for negotiations for the 2019-2020 school year.

The following speakers addressed the Board:

- *Greg Young spoke on behalf of CUEA*

President Jones closed the public hearing at 8:01 p.m.

At 8:01 p.m., President Jones opened the Public Hearing on Oxford Preparatory Academy Charter School Admissions Preferences.

The following speakers addressed the Board:

- *Jill Marks spoke on behalf of Oxford Preparatory Academy Charter School*
- *Amy Kernan spoke on behalf of Oxford Preparatory Academy Charter School*

President Jones closed the public hearing at 8:24 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.

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

It was moved by Trustee Reardon, seconded by Trustee McNicholas, motion carried by a 6-0-1 Roll Call vote to approve the following Consent Calendar with the exception of items pulled, items 16, 17, 21, 24, 27, 31.

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

NOES: None

ABSENT: Trustee Pritchard

Approval of donations of funds and equipment.

**Public Hearing:  
Capistrano Unified  
Education  
Association's Initial  
Proposal for  
Negotiations and  
Capistrano Unified  
School District's  
Initial Proposal to  
Capistrano Unified  
Education  
Association for  
2019-2020  
Negotiations  
Agenda Item 1**  
**Public Hearing:  
Oxford  
Preparatory  
Academy Charter  
School Admissions  
Preferences  
Agenda Item 2**

**Donation of Funds  
and Equipment  
Agenda Item 3**

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

Approval of purchase orders (Attachment 1) and commercial warrants (Attachment 2).	<b>Purchase Orders, Commercial Warrants and Previously Board-Approved Bids and Contracts</b>
Approval of the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements	<b>Agenda Item 4 Independent Contractor, Professional Services, Field Service, and Master Contract Agreements</b>
Approval of Award of Bid No. 1819-14, Dana Hills High School Kitchen Modernization to Hamel Contracting, Incorporated.	<b>Agenda Item 5 Award Bid No. 1819-14, Dana Hills High School Kitchen Modernization – Hamel Contracting, Incorporated</b>
Approval of Award of Bid No. 1819-17, Palisades Elementary School Modernization Project to Keystone Builders, Incorporated.	<b>Agenda Item 6 Award Bid No. 1819-17, Palisades Elementary School Modernization Project – Keystone Builders, Incorporated</b>
Approval of Change Order No. 2, Resolution. No. 1718-28 for the Energy Service Contract related to the District’s request to help expedite the construction for the Districtwide solar installation projects at four sites:	<b>Agenda Item 7 Change Order No. 2, Resolution No. 1718-28, Energy Service Contract – Rec Solar Project</b>
Approval of the filing of a Notice of Exemption for the Ambuehl Elementary School Modernization in compliance with California Environmental Quality Act (CEQA) Guidelines § 15302.	<b>Agenda Item 8 Filing a Notice of Exemption for the Ambuehl Elementary School Modernization Project</b>
Approval of the filing of a Notice of Exemption for the Palisades Elementary School Heating, Ventilation, and Air Conditioning (HVAC) for Main Buildings, Retaining Wall Repair and New Portable in compliance with California Environmental Quality Act (CEQA) Guidelines § 15302.	<b>Agenda Item 9 Filing a Notice of Exemption for the Palisades Elementary School Heating,</b>

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract Nos. 4-18-23-0049A, 4-18-23-0049B, 4-18-51-0061A, 4-18-51-0061C, 4-18-56-0071A, 4-18-56-0071B, 4-18-84-0063A, and 4-18-84-0063B, General Services Administration Schedule Nos. GS-30F-0018U, GS-30F-0008S, GS-06F-0049S, GS-06F-0035M, GS-07F-0009Y, GS-07F-5666R, GS-07F-9515S, and GS-07F-0377V and any subsequent revisions, amendments, and extensions awarded to various vendors and authorized resellers, for the purchase of non-information technology goods and services, as needed by the District.

Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract No. 4-14-65-0028A, General Services Agreement Schedule No. V797D-40135, Non-Information Technology Goods and any subsequent revisions, amendments, and extensions awarded to Zoll Medical Corporation for the purchase of defibrillators, accessories, and replacement parts, as needed by the District.

Approval of Agreement to Refer Students to Alternative Community and Correctional Educational Schools and Services for June, July and August 2019.

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

**Ventilation, and  
Air Conditioning  
for Main  
Buildings,  
Retaining Wall  
Repair and New  
Portable Project  
Agenda Item 10  
State of California  
Multiple Award  
Schedule Contract  
Nos. 4-18-23-  
0049A, 4-18-23-  
0049B, 4-18-51-  
0061A, 4-18-51-  
0061C, 4-18-56-  
0071A, 4-18-56-  
0071B, 4-18-84-  
0063A, and 4-18-  
84-0063B, Non-  
Information  
Technology Goods  
and Services –  
Various Vendors  
Agenda Item 11  
State Of  
California  
Contract No. 4-14-  
65-0028A, Non-  
Information  
Technology Goods  
– Zoll Medical  
Corporation:  
Agenda Item 12  
Agreement to  
Refer Students to  
Orange County  
Superintendent of  
Schools for  
Alternative  
Community and  
Correctional  
Educational  
Schools and  
Services for June,  
July and August  
2019  
Agenda Item 13  
Agreement with  
Association for  
Supervision and  
Curriculum  
Development to**

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

Approval of the proposed new Board Policy 5145.13, *Immigration Enforcement*, will align the District to recent changes in law.

Approval of Broadening the Course of Study: New Secondary Course, International Baccalaureate (IB) Film Studies Higher Level Honors.

Approval of Broadening the Course of Study: New Secondary Course, International Baccalaureate (IB) Global Politics Higher Level Honors.

Approval of Broadening the Course of Study: New Career Technical Education Course, Intro to Business.

Approval of Addendum to the Agreement for an Additional School Participating in Inside the Outdoors Field Programs, Agreement Number F11029-7.

**Provide  
Professional  
Development to  
Teachers at  
Hidden Hills  
Elementary  
School for 2019-  
2020  
Agenda Item 14  
Second Reading –  
Board Policy  
5145.13,  
Immigration  
Enforcement  
Agenda Item 15  
Broadening the  
Course of Study –  
New Secondary  
Course,  
International  
Baccalaureate  
Film Studies  
Higher Level  
Honors  
Agenda Item 18  
Broadening the  
Course of Study –  
New Secondary  
Course,  
International  
Baccalaureate  
Global Politics  
Higher Level  
Honors  
Agenda Item 19  
Broadening the  
Course of Study –  
New Career  
Technical  
Education Course,  
Intro to Business  
Agenda Item 20  
Addendum to the  
Agreement for an  
Additional School  
Participating in  
Inside the  
Outdoors Field  
Programs,  
Agreement  
Number F11029-7  
Agenda Item 22**

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

Approval of Addendums to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Numbers S11046-15 and S11046-16.

**Addendums to the Agreement for Additional Schools Participating in the Inside the Outdoors School Program, Agreement Numbers S11046-15 And S11046-16  
Agenda Item 23**

Approval of Agreement with Opportunities for Learning to offer summer school programs to District students, from July 1, 2019 to July 26, 2019.

**Agreement With Opportunities for Learning to Offer Summer School Programs to District Students  
Agenda Item 25**

Approval of the Ratification of Agreement for Participation with the YMCA of Orange County Laguna Niguel, to Provide a Physical Education (P.E.) Noontime Sports Program for Students at Del Obispo Elementary School.

**Agreement for Participation with the YMCA of Orange County Laguna Niguel, to Provide a Physical Education Noontime Sports Program for Students at Del Obispo Elementary School 2018-2019  
Agenda Item 26**

Approval of Resolution No. 1819-40, *Approval for Licensing Canyon Vista Elementary School as a Preschool Child Care Center.*

**Resolution No: 1819-40, Approval for Licensing Canyon Vista Elementary School as a Preschool Child Care Center  
Agenda Item 28**

Approval of payment of honorarium to a District Master Teacher who supported a California State University, Fullerton (CSUF) Student Teacher during the Fall 2018 semester.

**California State University, Fullerton Fall 2018 Master Teacher Honorarium Group 2  
Agenda Item 29**

Approval of teachers who are credentialed in subjects other than Physical Education (PE) to provide PE credit to students in that respective sport. Districts may assign a teacher with a credential in a subject area other than PE to coach a competitive sport and award PE credit to students

**Authorization of Coaches to Provide Second Semester Physical**

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

Approval of Resolution No. 1819-41, *Reduction or Elimination of Certain Classified Services* for the 2019-2020 school year.

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

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

Approval of the March 27, 2019 Special Board Meeting minutes.

Approval of the March 29, 2019 Special Board Meeting minutes.

Approval of Memorandum of Understanding (MOU) with Community Roots Academy (CRA).

It was moved by Trustee Holloway, seconded by Trustee McNicholas, motion carried by a 6-0-1

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

Approval of the admissions preferences identified in Oxford Preparatory Academy Charter School's (OPA) Charter Petition Renewal in the following priority order 1) Children of OPA staff\* residing within the District (combined with 4, this will not exceed 10 percent of total enrollment); 2) Siblings of students admitted to or attending the Charter School residing within the District; 3) Children residing within the District; 4) Children of OPA staff\* residing outside of the District (combined with 1, this will not exceed 10 percent of total enrollment); 5) Siblings of students admitted to or attending the Charter School residing outside of the District; and 6) All other applicants.

It was moved by Trustee Holloway, seconded by Trustee Bullockus, motion carried by a 6-0-1 to approve with the addition of a preference of the students who reside in the former Barcelona Elementary boundary, listed between preferences 2 and 3.

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

**Education Credit  
Agenda Item 30  
Resolution No.  
1819-41,  
Reduction or  
Elimination of  
Certain Classified  
Services  
Agenda Item 32  
Resignations/  
Retirements/  
Employment -  
Certificated  
Employees  
Agenda Item 33  
Resignations/  
Retirements/  
Employment –  
Classified  
Employees  
Agenda Item 34  
School Board  
Minutes  
Agenda Item 35  
School Board  
Minutes  
Agenda Item 36  
Memorandum of  
Understanding  
With Community  
Roots Academy  
Agenda item 21**

**Oxford  
Preparatory  
Charter School  
Admissions  
Preferences  
Agenda Item 24**



CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

NOES: None  
ABSENT: Trustee Pritchard

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

**Second Reading -  
Board Policy 5153,  
Questioning  
Agenda Item 37**

It was moved by Trustee McNicholas and seconded by Trustee Bullockus to approve Board Policy 5153, *Questioning of Students by Law Enforcement*. Also, add the word suspected. The motion carried 6-0-1.

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

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

**Resolution No.  
1819-39, Funding  
for Children with  
Disabilities  
Agenda Item 38**

- *Michele Ploessel-Campbell spoke on behalf of Resolution No. 1819-39, Funding for Children with Disabilities.*

It was moved by Trustee Reardon and seconded by Trustee McNicholas to adopt Resolution No. 1819-39, Funding for Children with Disabilities. The motion carried 6-0-1 with a Roll Call vote.

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

President Jones recognized Tim Brooks, Associate Superintendent, Human Resource Services, to present this item.

**Board Action to  
Adopt District's  
Initial Proposal to  
Capistrano  
Unified Education  
Association for  
2019-2020  
Negotiations  
Agenda Item 39**

It was moved by Trustee Reardon and seconded by Trustee Holloway to approve the District's initial proposal to CUEA. The motion carried 6-0-1.

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

Approval of Broadening the Course of Study: New Career Technical Education Course, Exploration of Child and Adolescent Literature.

**Broadening the  
Course of Study –  
New Career  
Technical  
Education Course,  
Exploration of  
Child and  
Adolescent  
Literature  
Agenda Item 16**

It was moved by Trustee Holloway, seconded by Trustee Bullockus, motion carried by a 6-0-1 vote to approve.

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

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

Approval of Broadening the Course of Study: New Career Technical Education Course, Forensic Psychology.

**Broadening the Course of Study – New Career Technical Education Course, Forensic Psychology  
Agenda Item 17**

It was moved by Trustee Holloway, seconded by Trustee Bullockus, motion carried by a 6-0-1 to approve.

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

Approval of the ratification 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 27**

Trustee Reardon recused himself from this item.

It was moved by Trustee McNicholas, seconded by Trustee Bullockus, motion carried by a 5-0-1-1 to approve.

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

Approval of License Agreement with Soka University of America to rent Soka Performing Arts Center for the 2019 Teacher of the Year event.

**License Agreement – Soka University of America  
Agenda Item 31**

It was moved by Trustee Reardon, seconded by Trustee McNicholas, motion carried by a 6-0-1 to approve.

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


It was moved by Trustee Reardon and seconded by Trustee McNicholas to adjourn the meeting, motion carried 6-0-1.


**Adjournment**

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

President Jones announced the meeting adjourned at 8:57 p.m.

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
April 25, 2019  
EDUCATION CENTER – BOARD ROOM

  
Board Clerk

  
Secretary, Board of Trustees

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