

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
October 16, 2019
EDUCATION CENTER – BOARD ROOM

President Jones called the meeting to order at 5:02 p.m.

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

The Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Liability Claim; Student Readmissions; Student Expulsions; Conference with Labor Negotiators; Public Employee Discipline/Dismissal/Release; and Public Employment and Evaluation of Performance.

The regular meeting of the Board of Trustees was called to order by President Gila Jones at 7:07 p.m.

ROLL CALL:

Present: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas, and Reardon.

Absent: None

The Pledge of Allegiance was led by Rebecca Pianta, Coordinator of Counseling and Student Services.

**Pledge of
Allegiance**

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

Permanent Record

It was moved by Trustee Reardon seconded by Trustee McNicholas and motion carried by a 7-0 roll call vote to adopt the Regular Board agenda.

**Adoption of the
Board Agenda**

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

NOES: None

ABSENT: None

Student Advisor Koenigshofer voted aye to adopt the agenda.

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 – Five Cases

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

ADR Case Number 20190726

ADR Case Number 20190819

ADR Case Number 20190820

ADR Case Number 20190912

ADR Case Number 20190830

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

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Trustees voted 7-0 to approve staff recommendation on:

- OAH Case Number 2019050264
- OAH Case Number 2019060958
- OAH Case Number 2019070234

Agenda Item #3C – Liability Claims

Trustees voted 5-0-2 to approve staff recommendation on:

- Rejection of Government Claim No. 1906367

Agenda Item #3D – Student Readmissions – Two Cases

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

- Case # 2017-054
- Case # 2019-033

Agenda Item #3E – Student Expulsions – Two Cases

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

- Case # 2020-001
- Case # 2020-002

Agenda Item #3F – Conference with Labor Negotiators

Trustees gave direction to staff.

Agenda Item #3G – Public Employee Discipline/Dismissal/Release – One Case

Trustees voted 6-0-1 to approve staff recommendation.

Agenda Item #3H– Public Employment and Evaluation of Performance

No reportable action.

Student Advisor Koenigshofer spoke regarding support for the bonds in SFID #2 and SFID #3.

Student Advisor Koenigshofer left the meeting at 7:12 p.m.

Associated Student Body

Aliso Niguel High School
Deni Christensen, *Principal*
Meredith Ritner, *Activities Director*
Zohal Noorzayee, *Associated Student Body President*

**Special
Recognitions**

Extra Miler

Rebecca Pianta, Coordinator of Counseling and Student Services, is an award recipient of the 2019 California Association of School Counselors (CASC) Advocate of the Year Award.

Harold Ambuehl Elementary School, Hidden Hills Elementary School, Las Flores Middle School, and Capistrano Valley High School are being acknowledged for receiving national recognition in the 2018-2019 school year by the American School Counselor Association (ASCA) as Recognized ASCA Model Programs (RAMP).

President Jones presented Gary Pritchard, Ph.D. with a plaque for his ten years of service on the Board of Education with Capistrano Unified School District.

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

**Board and
Superintendent
Comments
Oral
Communications**

The following speakers addressed the Board:

- *Dr. Gennady Kolodenker spoke regarding health and safety at Viejo Elementary School*
- *Anna Brown spoke regarding invitation to Harvest Faire at Journey School*
- *Julie Colombero spoke regarding ANHS Theater Company's upcoming performances*
- *Michelle Ploessel Campbell spoke regarding Assembly Bill 48*
- *JT Williams, student at DHHS, spoke in favor of the bond*

At 7:39 p.m., President Jones opened the Public Hearing on Resolution No. 1920-28, To Consider The Conveyance Of An Easement To San Diego Gas & Electric Company For The Purposes Of Providing Necessary Electrical And Communication Facilities To Palisades Elementary School. There were no public comments. President Jones closed the public hearing at 7:39 p.m.

**Public Hearing:
Resolution No.
1920-28, to
Consider the
Conveyance of an
Easement to San
Diego Gas &
Electric Company
for the Purposes
of Providing
Necessary
Electrical and
Communication
Facilities to
Palisades
Elementary
School**

At 7:40 p.m., President Jones opened the Public Hearing on Teamsters Local 952 Initial Proposal For Negotiations And Capistrano Unified School District's Initial Proposal To Teamsters Local 952 For 2019-2020 Negotiations. There were no public comments. President Jones closed the public hearing at 7:40 p.m.

**Agenda Item 1
Public Hearing:
Teamsters Local
952 Initial Proposal
for Negotiations
and Capistrano
Unified School
District's Initial
Proposal to
Teamsters Local
952 For 2019-2020
Negotiations
Agenda Item 2
Consent Calendar**

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. No items were pulled by Trustees.
It was moved by Trustee Reardon, seconded by Trustee McNicholas, motion carried

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by a 7-0 Roll Call vote to approve the following Consent Calendar.

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

Approval of donations of funds and equipment.

**Donation of Funds
and Equipment**

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

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

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

**Agenda Item 4
Independent
Contractor,
Professional
Services, Field
Service, and
Master Contract
Agreements**

Approval of Change Order No. 3, Bid No. 1819-14 for the Dana Hills High School Kitchen Modernization Project related to Health Department requirements and additional Americans with Disabilities Act (ADA) adjustments required due to unforeseen site conditions.

**Agenda Item 5
Change Order No.
3, Bid No. 1819-
14, Dana Hills
High School
Kitchen
Modernization
Project**

Approval of Change Order No. 3, Bid No. 1819-17 for the Palisades Elementary School Modernization Project related to unforeseen site conditions, additional design changes, and added scope to the project.

**Agenda Item 6
Change Order No.
3, Bid No. 1819-
17, Palisades
Elementary
School
Modernization
Project**

Approval of First Amendment to Bid No. 1516-03, Plumbing Services with Pacific Plumbing Company of Santa Ana. Bid No. 1516-03 was awarded to the lowest responsive, responsible bidder on June 24, 2015 for the initial term of July 1, 2015 through June 30, 2016, with optional renewal terms.

**Agenda Item 7
First Amendment
to Bid No. 1516-
03, Plumbing
Services - Pacific
Plumbing
Company of Santa
Ana**

Approval to utilize the San Diego Unified School District Bid No. GD19-0545-03 for the purchase of classroom science, technology, engineering, art, and math (STEAM) supplies from School Specialty, Incorporated, under the same terms and conditions of the public agency's contract.

**Agenda Item 8
San Diego Unified
School District
Bid No. GD19-
0545-03,**

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Classroom
Science,
Technology,
Engineering, Art,
and Math
(STEAM)
Supplies – School
Specialty,
Incorporated
Agenda Item 9
Second Reading –
Board Policy 3554,
Other Food Sales
Agenda Item 10
Resolution No.
1920-28,
Resolution of the
Capistrano
Unified School
District to
Authorize
Conveyance of an
Easement to the
San Diego Gas &
Electric Company
for the Purposes
of Providing
Necessary
Electrical and
Communication
Facilities to
Palisades
Elementary
School
Agenda Item 11
Agreement with
Ellevation 2019-
2020
Agenda Item 12
Agreement for
Participation with
the Art Masters
Legacy Program
at Elementary
School Sites in
2019-2020
Agenda Item 13
Addendum to
Career Access
Pathways
Partnership
Agreement with
South Orange

Approval of revisions to Board Policy 3554, *Other Food Sales* made to address competitive food and beverage sales relating to fund raising by student, adult, and school organizations.

Approval of Resolution No. 1920-28 authorizes the conveyance of an easement to San Diego Gas & Electric Company (SDG&E) within Palisades Elementary School to provide necessary electrical and communication facilities.

Approval of Agreement with Ellevation July 1, 2019 through June 30, 2020 to support improved student outcomes and address compliance requirements by improving the standardization of the English learner reclassification and monitoring of reclassified fluent English proficient student processes.

Approval of Agreement for Participation with the Art Masters Legacy Program at Moulton and Marian Bergeson Elementary School sites in 2019-2020.

Approval of Addendum to College and Career Access Pathways (CCAP) Partnership Agreement with South Orange County Community College District (SOCCCD). Spanish 10, a Saddleback College course, is currently being offered at San Juan Hills High School (SJHHS).

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County
Community
College District,
2018-2019

Approval of the Agreement with CPR1 will enable the ongoing monitoring, testing, maintenance and replacement of Automated External Defibrillators that are purchased through CPR1 and located at school sites.

**Agenda Item 14
Agreement with
CPR1 for
Monitoring and
Maintenance of
Automated
External
Defibrillators**

Approval of Addendums Nos. 01 and 02 to Statement of Work under the Agreement for Use of Emerald Cove Outdoor Science (ECOS) Institute, Facilities, Supplies, Equipment, and Services Public School Districts School Year 2019-2020.

**Agenda Item 15
Addendum Nos.
01 and 02 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 2019-
2020**

Approval of the agreement with EUREKA to offer career interest and research resources to District students.

**Agenda Item 16
Agreement with
EUREKA**

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

**Agenda Item 17
Local Control
Accountability
Plan Parent
Advisory
Committee for
2019-2020**

Approval of renewal of the annual Memorandum of Understanding (MOU) with San Diego County Office of Education for the 2019-2020 Migrant Education Program, Region 9.

**Agenda Item 18
Memorandum of
Understanding
with San Diego
County Office of
Education for the
2019-2020
Migrant
Education
Program, Region
9**

Approval of Memorandum of Understanding (MOU) with Orange County Academy of Sciences and Arts, Inc.

**Agenda Item 19
Memorandum of
Understanding
with Orange**

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County Academy
of Sciences and
Arts, Inc.

Agenda Item 20

Approval of Agreement for services with Orange County Department of Education (OCDE) to provide Early Childhood Environment Rating Scale (ECERS) Activities Centers Training for Early Childhood Programs (ECP) staff.

**Agreement for
Services with
Orange County
Department of
Education to
Provide ECERS
Activities Centers
Training**

Agenda Item 21

Approval of Agreement for Participation with the YMCA of Orange County Laguna Niguel to provide Physical Education (PE) Programs for students at Truman Benedict Elementary School for the 2019-2020 school year.

**Agreement for
Participation with
the YMCA of
Orange County
Laguna Niguel to
Provide a Physical
Education
Program for
Students at
Truman Benedict
Elementary
School 2019-2020**

Agenda Item 22

Approval of the agreement with Anti-Defamation League and San Clemente High School to provide staff with training and coaching on cultural proficiency and strategies to promote positive personal and institutional practices around acceptance and understanding of diversity.

**Agreement with
Anti-Defamation
League and San
Clemente High
School to Offer
World of
Difference
Institute Training
Program**

Agenda Item 23

Approval of teachers who are credentialed in subjects other than Physical Education (PE) to provide PE credit to students in that respective sport.

**Authorization of
Coaches to
Provide First
Semester Physical
Education Credit**

Agenda Item 24

Approval of the Clinical Practice Agreement with California State University, San Marcos, effective July 1, 2019 and expiring June 30, 2024.

Agenda Item 25

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

**Resignations/
Retirements/
Employment -
Certificated
Employees**

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Agenda Item 26**

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

**Resignations/
Retirements/
Employment -
Classified
Employees
Agenda Item 27**

Approval of the School Counseling Unpaid Practicum and Internship Fieldwork Agreement with Chapman University, effective February 1, 2020 and continuing through July 1, 2025.

**School Counseling
Unpaid Practicum
and Internship
Fieldwork
Agreement with
Chapman
University**

Approval of Capistrano Unified School District's initial proposal to Teamsters Local 952 for 2019-2020 reopener negotiations.

**Agenda Item 28
Board Action to
Adopt District's
Initial Proposal to
Teamsters Local
952 For 2019-2020
Negotiations**

Approval of the October 2, 2019 Regular Board Meeting minutes.

**Agenda Item 29
School Board
Minutes
Agenda Item 30**

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

**Resolution No.
1920-29 of the
Board of Trustees
of the Capistrano
Unified School
District Ordering**

The following speakers addressed the Board:

- *Trudy Podobas spoke regarding the bond*

It was moved by Trustee Reardon and seconded by Trustee Bullockus to adopt Resolution No. 1920-29 of the Board of Trustees of the Capistrano Unified School District Ordering a School Bond Election on March 3, 2020 Within School Facilities Improvement District No. 2 of the Capistrano Unified School District and Authorizing Necessary Actions in Connection Therewith, with the proposed amendments as directed by the Board. Executed Resolutions submitted with minutes. The motion carried by a 7-0 roll call vote.

**a School Bond
Election on March
3, 2020 within
School Facilities
Improvement
District No. 2 of
the Capistrano
Unified School
District and
Authorizing
Necessary Actions
in Connection
Therewith
Agenda Item 31**

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

NOES: None

ABSENT: None

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

**Resolution No.
1920-30 of the
Board of Trustees
of the Capistrano
Unified School
District Ordering**

The following speakers addressed the Board:

- *Meghan Holland spoke in favor of the bond*
- *David Salahi spoke in favor of the bond*

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- *Amy Foell spoke in support of the school bond measures*
- *Julie Colombero read a letter from a student at ANHS in support of the bond*
- *Michele Ploessel Campbell spoke in favor of the bond*

**a School Bond Election on March 3, 2020 within School Facilities Improvement District No. 3 of the Capistrano Unified School District and Authorizing Necessary Actions in Connection Therewith
Agenda Item 32**

It was moved by Trustee Castellanos and seconded by Trustee Reardon to adopt Resolution No. 1920-30 of the Board of Trustees of the Capistrano Unified School District Ordering a School Bond Election on March 3, 2020 Within School Facilities Improvement District No. 3 of the Capistrano Unified School District and Authorizing Necessary Actions in Connection Therewith, with the proposed amendments as directed by the Board. Executed Resolutions submitted with minutes. The motion carried by a 7-0 roll call vote.

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

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

**Proposition 39 – The Clean Energy Jobs Act Phase I and II Savings Update
Agenda Item 33**

This is an information item only and no Board action is necessary.

Trustee Reardon left the meeting at 8:25p.m.

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

**State Accountability Local Indicators
Agenda Item 34**

It was moved by Trustee Holloway and seconded by Trustee McNicholas to approve the local indicator data to be uploaded to the California School Dashboard website by November 1, 2019 for the Fall 2019 release. The motion carried 6-0-1.

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

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

**Smarter Balanced Assessment Results
Agenda Item 35**

This is an information item only and no Board action is necessary.

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

**Instructional Materials Recommended for Adoption: Secondary English 6, Grade 6
Agenda Item 36**

It was moved by Trustee Holloway and seconded by Trustee Castellanos to approve the adoption of the secondary English 6 supplemental novel for grade 6: *The Boy Who Harnessed the Wind* ©2010 by William Kamkwamba, Puffin Books. The motion carried 6-0-1.

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

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

**Instructional
Materials
Recommended for
Adoption:
Secondary
Expository
Reading and
Writing, Grade 12
Agenda Item 37**

It was moved by Trustee Holloway and seconded by Trustee Castellanos to approve the adoption of the secondary Expository Reading and Writing supplemental novel for grade 12: *The Curious Incident of the Dog in the Night-Time* ©2004 by Mark Haddon, Vintage Contemporaries/Random House. The motion carried 6-0-1.

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

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

**Instructional
Materials
Recommended for
Adoption:
Associated
Student Body,
Grade 9-11
Agenda Item 38**

It was moved by Trustee McNicholas and seconded by Trustee Holloway to approve the adoption of *Good to Great*, ©2001 Collins Business/HarperCollins Publishing, for ASB, grade 9-11. The motion carried 5-1-1.

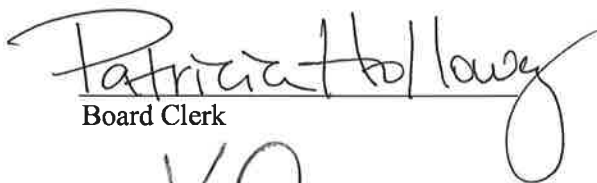
AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway,
Jones, and McNicholas
NOES: None
ABSENT: Reardon

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

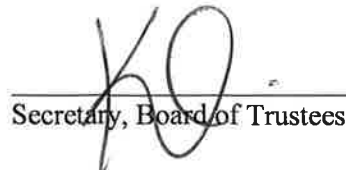
Adjournment

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

President Jones announced the meeting adjourned at 9:43 p.m.



Board Clerk



Secretary, Board of Trustees

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