

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

Due to the nature of the COVID-19 pandemic and in accordance with Governor Newsom's Executive Order N-29-20, issued on March 17, 2020, the Board members will have the option to attend the meeting and take action on any item telephonically.

President Reardon called the meeting to order at 5:04 p.m.

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

ROLL CALL:

Present: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas, and Reardon
Absent: None

The Following speaker addressed the Board:

- *Dana Collins spoke regarding school reopening in the fall 2020*

The Board recessed to closed session to discuss: Public Health Emergency; Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Liability Claims; Conference with Real Property Negotiators; Student Readmissions; Conference with Labor Negotiators

**Closed Session
Comments**

The regular meeting of the Board of Trustees was called to order by President Reardon at 7:05 p.m.

ROLL CALL:

Present: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas, and Reardon
Absent: None

The Pledge of Allegiance was led by Jim Reardon, President, Board of Trustees.

**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 and seconded by Trustee Bullockus 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

President Reardon asked Susie Schmidt, Administrative Assistant, Board Operations to read the report out of closed session:

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

Agenda Item #3A– Public Health Emergency
Trustees gave direction to staff.

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

Significant Exposure to Litigation – Four Cases

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

- ADR Case Number 20190509
- ADR Case Number 20190719
- ADR Case Number 20191022
- ADR Case Number 20200527

On agenda item 3B-5 Trustees gave direction to staff.

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

Significant Exposure to Litigation – Three Cases

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

- OAH Case Number 2019110180
- OAH Case Number 2019110452
- OAH Case Number 2020030267

Agenda Item #3D – Liability Claims

Significant Exposure to Litigation – Two Cases

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

- Rejection of Government Claim Nos.: 1907165 and 2007052

Agenda Item #3E – Conference with Real Property Negotiators

Property: PA-3 K-8 School No. 2 an approximate 20-acre school site

Property: South Transportation and Groundskeeping Facility; 5.51 acre property

Trustees gave direction to staff.

Agenda Item #3F – Student Readmissions – Two Cases

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

- Case # 2018-050
- Case # 2019-055

Agenda Item #3G – Conference with Labor Negotiators

Trustees gave direction to staff.

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

The following speakers addressed the Board:

- *Tara Mathiesen spoke regarding Special Education and distance learning*
- *Michele Ploessel-Campbell spoke regarding CUCPTSA letter writing campaign*
- *Carrie Ibbetson spoke regarding dual immersion and cultural competency*

At 7:26 p.m. President Reardon opened the Public Hearing on 2020-2021 Special Education Local Plan Area Annual Service Plan and Annual Budget Plan.

The following speakers addressed the Board:

- *Trina Nguyen-Lee spoke regarding the budget for Special Education*
- *Erica Arreola spoke regarding reopening in fall 2020*

President Reardon closed the Public Hearing at 7:28 p.m.

**Board and
Superintendent
Comments
Oral
Communications**

**Public Hearing:
2020-2021 Special
Education Local
Plan Area Annual
Service Plan and
Annual Budget
Plan
Agenda Item 1**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

At 7:28 p.m. President Reardon opened the Public Hearing on 2020-2021 Proposed Budget Adoption. **Public Hearing:
2020-2021
Proposed Budget
Adoption
Agenda Item 2**

The following speakers addressed the Board:

- *Michele Ploessel-Campbell spoke regarding the proposed budget*

President Reardon closed the Public Hearing at 7:33 p.m.

At 7:30 p.m. President Reardon opened the Public Hearing on Capistrano Unified School District's Initial Proposal to California School Employees Association for 2020-2022 Negotiations. **Public Hearing:
Capistrano
Unified School
District's Initial
Proposal to
California School
Employees
Association for
2020-2022
Negotiations
Agenda Item 3**

President Reardon closed the Public Hearing at 7:31 p.m.

At 7:31 p.m. President Reardon opened the Public Hearing on Capistrano Unified School District's Initial Proposal to Capistrano Unified Education Association for 2020-2022 Negotiations. **Public Hearing:
Capistrano
Unified School
District's Initial
Proposal to
Capistrano
Unified Education
Association for
2020-2022
Negotiations
Agenda Item 4**

President Reardon closed the Public Hearing at 7:32 p.m.

At 7:32 p.m. President Reardon opened the Public Hearing on Capistrano Unified School District's Initial Proposal to General Truck Drivers, Office, Food and Warehouse Union, Teamsters Local 952 for 2020-2022 Negotiations. **Public Hearing:
Capistrano
Unified School
District's Initial
Proposal to
General Truck
Drivers, Office,
Food and
Warehouse Union,
Teamsters Local
952 for 2020-2022
Negotiations
Agenda Item 5**

President Reardon closed the Public Hearing at 7:32 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.

Consent Calendar

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

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

It was moved by Trustee Holloway and seconded by Trustee McNicholas motion carried by a 7-0 roll call vote to approve the following Consent Calendar with the exception of item #14 pulled by staff.

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 6
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 7
Independent
Contractor,
Professional
Services, Field
Service, and
Master Contract
Agreements**

Approval of Award of Bid No. 1920-08, CCA Portable Classroom Project to Astra Builders, Incorporated.

**Agenda Item 8
Award Bid No.
1920-08, CCA
Portable
Classroom Project
at Capistrano
Valley High
School - College
and Career
Advantage – Astra
Builders,
Incorporated**

Approval of First Extension of Bid No. 1819-13, Asphalt Paving, Sealcoating, and Concrete Repairs with Ben's Asphalt, Incorporated for categories 1 and 2.

**Agenda Item 9
First Extension of
Bid No. 1819-13,
Asphalt Paving,
Sealcoating, and
Concrete Repairs
– Ben's Asphalt,
Incorporated**

Approval of Fourth Extension of Bid No. 1516-24, Service to Collect, Recycle, and Dispose of Solid Waste Districtwide with CR&R, Incorporated.

**Agenda Item 10
Fourth Extension
of Bid No. 1516-**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

Approval to utilize the State of California Multiple Award Schedule (CMAS) Contract No. 4-19-51-0083A, General Services Administration Schedule No. GS-21F-0003U, and any subsequent revisions, amendments, and extensions awarded to Graybar Electric Company, Inc.

Approval of Resolution No. 1920-59, Education Protection Act.

Staff pulled this item.

Approval of Third Extension of Bid No. 1718-08, Outsource Transportation Service with American Logistics Company, LLC. Bid No. 1718-08 was awarded to the lowest responsive, responsible bidder on July 26, 2017 for the initial term of August 1, 2017 through June 30, 2018, with optional renewal terms.

24, Service to Collect, Recycle, and Dispose of Solid Waste Districtwide – CR&R, Incorporated Agenda Item 11 State of California Multiple Award Schedule Contract No. 4-19-51-0083A, General Services Administration Schedule No. GS-21F-0003U, Purchase and Warranty of Non-Information Technology Goods and Services – Graybar Electric Company, Inc. Agenda Item 12 Resolution No. 1920-59, Education Protection Act Agenda Item 13 Limited Use License Agreement with Rancho Santa Margarita Landscape and Recreation Corporation for Use of Tijeras Creek Park Agenda Item 14 Third Extension of Bid No. 1718-08, Outsource Transportation Service – American Logistics Company, LLC Agenda Item 15

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

Approval of Amendment No. 4 Extension of License Agreement with YMCA of Orange County (YMCA) at Crown Valley Elementary School dated June 23, 2016.	Amendment No. 4 Extension of License Agreement with YMCA of Orange County at Crown Valley Elementary School
Approval of the Memorandum of Understanding (MOU) and amendment with Big Brothers Big Sisters of Orange County 2020-2021.	Agenda Item 16 Memorandum of Understanding with Big Brothers Big Sisters of Orange County 2020-2021
Approval of COVID-19 Operations Written Report. Executive Order (EO) N-56-20 was released on April 22, 2020, establishing the requirement that districts adopt a COVID-19 Operations Written Report.	Agenda Item 17 Covid-19 Operations Written Report
Approval of the 2020-2021 Title III Every Student Succeeds Act Local Control Accountability Plan Federal Addendum.	Agenda Item 18 2020-2021 Title III Every Student Succeeds Act Local Control Accountability Plan Federal Addendum
Approval of the Native American Parent and Student Committee 2020-2021.	Agenda Item 19 Native American Parent and Student Committee 2020- 2021
Approval of Resolution No. 1920-60 will allow the District to receive \$67,600 from the California Department of Justice, Office of the Attorney General, Tobacco Grant Program, to provide vaping and e-cigarette prevention education through the National Council on Alcoholism and Drug Dependence – Orange County through June 30, 2023.	Agenda Item 20 Resolution No. 1920-60 to Accept Grant Funds from the California Department of Justice, Office of the Attorney General, Tobacco Grant Program
Approval of the School-Based Medi-Cal Administrative Activities (SMAA) Participation Agreement No. 50048 with the Orange County Superintendent of Schools to provide administrative services and required oversight related to Medi-Cal SMAA program reimbursement.	Agenda Item 21 School-Based Medi-Cal Administrative Activities Participation Agreement No. 50048 with the

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

Approval of Service Agreement with Paradigm Healthcare Services, LLC to provide Medi-Cal Local Educational Agency (LEA) and School-Bases Medi-Cal Administrative Activities (SMAA) billing services.

**Orange County
Superintendent of
Schools
Agenda Item 22
Paradigm
Healthcare
Service, LLC
Service**

Approval of the appointment of Julie Husoe, Diane Noss, and Michele Ploessel-Campbell to serve as a Community Advisory Committee (CAC) voting members for the 2020-2021 and 2021-2022 fiscal years.

**Agreement for
2020-2021
Agenda Item 23
Members of the
Special Education
Local Plan Area
Community
Advisory
Committee**

Approval of the Memorandum of Understanding (MOU) with Journey School regarding Special Education.

**Agenda Item 24
Memorandum of
Understanding
with Journey
School Regarding
Special Education
Agenda Item 25**

Acceptance of Williams Settlement Legislation Orange County Department of Education (OCDE) Third Quarter Report.

**Orange County
Department of
Education Third
Quarter Report –
Williams
Settlement
Legislation
Agenda Item 26**

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

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

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

**Resignations/
Retirements/
Employment -
Classified
Employees
Agenda Item 28**

Approval of the May 20, 2020 Special Board meeting minutes.

**School Board
Minutes
Agenda Item 29**

Approval of the May 27, 2020 Special Board meeting minutes.

**School Board
Minutes
Agenda Item 30**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

Approval of the June 10, 2020 Special Board meeting minutes.

**School Board
Minutes
Agenda Item 31
Board Meeting
Schedule 2019 –
2020 Revised
Agenda Item 32
Reopening of
Schools in Fall
2020
Agenda Item 33**

Approval of the 2019-2020 Board meeting schedule as revised.

President Reardon recognized Greg Merwin, Associate Superintendent, Student Support Services to present the item.

The following speakers addressed the Board:

- *Cindy Wright spoke regarding the reopening of schools in fall 2020*
- *Clay Sisman spoke regarding mask and cleaning*
- *Kristen Okura spoke regarding physical education*
- *Trina Nguyen-Lee spoke regarding special education kindergarten and masks*
- *Tiffany Iselin spoke regarding masks and face shields*
- *Michele Ploessel-Campbell spoke regarding Canvas and teaching platforms*
- *Robert Driessen spoke regarding reopening in fall 2020*
- *Ryan Kugler spoke requesting CUSD to rely on experts*
- *Erica Arreola spoke regarding schools reopening in the fall*
- *Stephanie Tarzia spoke regarding reopening schools and building best practices*
- *Joy Schnapper spoke on behalf of CUEA regarding teachers expectations and reopening in the fall 2020*
- *Sarah Beck spoke regarding schools reopening in fall 2020*

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

President Reardon recognized Tim Brooks, Associate Superintendent, Human Resource Services to present the item.

**Board Action to
Adopt District's
Initial Proposal to
California School
Employees
Association for
2020-2022
Negotiations
Agenda Item 34**

It was presented by Trustee Jones to consolidate and approve agenda items 34, 35 and 36 into one roll call vote. It was moved by Trustee Reardon and seconded by Trustee Jones. The motion carried 7-0 by a roll call vote.

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

It was moved by Trustee Hanacek and seconded by Trustee Bullockus to adopt the District's initial proposal to California School Employees Association for 2020-2022 Negotiations. The motion carried 7-0 by a roll call vote.

AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones,
McNicholas and Reardon (as part of the consolidated motion for items
34, 35 and 36)
NOES: None
ABSENT: None

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

President Reardon recognized Tim Brooks, Associate Superintendent, Human Resource Services to present the item.

**Board Action to Adopt District's Initial Proposal to Capistrano Unified Education Association for 2020-2022 Negotiations
Agenda Item 35**

It was moved by Trustee Hanacek and seconded by Trustee Bullockus to adopt the District's initial proposal to Capistrano Unified Education Association for 2020-2022 Negotiations. The motion carried 7-0 by a roll call vote.

- AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas and Reardon (as part of the consolidated motion for items 34, 35 and 36)
NOES: None
ABSENT: None

President Reardon recognized Tim Brooks, Associate Superintendent, Human Resource Services to present the item.

**Board Action to Adopt District's Initial Proposal to General Truck Drivers, Office, Food & Warehouse Union, Teamsters Local 952 for 2020-2022 Negotiations
Agenda Item 36**

It was moved by Trustee Hanacek and seconded by Trustee Bullockus to adopt the District's initial proposal to General Truck Drivers, Office, Food & Warehouse Union, Teamsters Local 952 for 2020-2022 Negotiations. The motion carried 7-0 by a roll call vote.

- AYES: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas and Reardon (as part of the consolidated motion for items 34, 35 and 36)
NOES: None
ABSENT: None

President Reardon recognized Gregory Merwin, Associate Superintendent, Student Support Services to present the item.

**2020-2021 Special Education Local Plan Area Annual Service Plan and Annual Budget Plan
Agenda Item 37**

It was moved by Trustee McNicholas and seconded by Trustee Bullockus to adopt the District's initial proposal to Teamsters. The motion carried 7-0 by a roll call vote.

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

President Reardon recognized Tim Brooks, Associate Superintendent, Human Resource Services to present the item.

**2020-2021 Budget Adoption
Agenda item 38**

It was moved by Trustee Bullockus and seconded by Trustee McNicholas to adopt the 2020-2021 Budget. The motion carried 7-0 by a roll call vote.

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

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JUNE 17, 2020
EDUCATION CENTER – BOARD ROOM

It was moved by Trustee McNicholas and seconded by Trustee Reardon to adjourn the **Adjournment** meeting, motion carried 7-0 by a roll call vote.

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

NOES: None

ABSENT: None

President Reardon announced the meeting adjourned at 10:16 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Susie Schmidt, Administrative Assistant, Board Operations