

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 21, 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 4:05 p.m.

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

ROLL CALL:

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

The Board recessed to closed session to discuss: Public Health Emergency; Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Student Expungement; Student Readmission; Conference with Labor Negotiators

**Closed Session
Comments**

The regular meeting of the Board of Trustees was called to order by President Reardon at 7:01 p.m.

ROLL CALL:

Present: Trustees Bullockus, Castellanos, Hanacek, Holloway, Jones, McNicholas, Reardon and Student Advisor Bhaskar
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 Jones 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 Bhaskar voted aye to adopt the agenda.

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 – Five Cases
Trustees voted 5-0-2 to approve the staff recommendation on the following cases:
ADR Case Number 20160817
ADR Case Number 20200805

ADR Case Number 20200806
ADR Case Number 20200903
ADR Case Number 20200904

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

Significant Exposure to Litigation – Two Cases

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

OAH Case Number 2020070107
OAH Case Number 2020070776

Agenda Item #3D – Student Expungement

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

Case # 2019-014

Agenda Item #3E – Student Readmission

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

Case # 2020-013

Agenda Item #3F – Conference with Labor Negotiators

Trustees gave direction to the Superintendent to implement a COVID-19 Positive Case Public Dashboard; and a rotational, voluntary COVID-19 testing plan for employees, and that more information will be shared during the November 18, 2020 Board Meeting.

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:

- *Olivia Fu spoke regarding CUSD Against Racism*
- *Solei Sarmiento spoke regarding CUSD Against Racism*
- *Stephanie Hu spoke regarding CUSD Against Racism*
- *Riya Khetarpal spoke regarding CUSD Against Racism*
- *Jasmine Eslami, student at DHHS, spoke regarding CUSD Against Racism*
- *Kristyn Brennan, parent, spoke denouncing hate and racism in the schools*
- *Ishani Solanki, student at THS, spoke regarding racism and BLM merchandise*
- *Maximo Arce, student at THS, spoke regarding staff dress code*
- *Ava Raymer, student at DHHS, spoke regarding CUSD Against Racism*
- *Joseph Chun spoke regarding the BLM movement*
- *Anise Salazar, student at ANHS, spoke regarding BLM merchandise*
- *Jared Bybee, parent, spoke regarding the banning of BLM and political posters*
- *Michele Ploessel-Campbell spoke regarding teachers needing additional tools for online students and microphones in the classes*
- *Henry Lutz spoke regarding racism in all the schools across the country*
- *Rachel Haralson, parent, spoke regarding recess, lunch and PE classes*
- *Maggie McDuffey spoke regarding banning BLM merchandise*

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.

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 21, 2020
EDUCATION CENTER – BOARD ROOM

President Reardon asked Trustees for items they wished to pull from the Consent Calendar. Trustee Holloway pulled item #3.

It was moved by Trustee Holloway and seconded by Trustee Jones, motion carried by a 7-0 roll call vote to approve the following Consent Calendar with the exception of item 3.

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

Student Advisor Bhaskar voted aye to approve the Consent Calendar.

Approval of donations of funds and equipment.

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

Approval of Change Order No. 3, Bid No. 1920-07 for the Tesoro High School Turf and Sand Volleyball Court Project related to Americans with Disabilities Act upgrades, District safety measures, and added measures for protection of new equipment.

Approval of Change Order No. 4, Bid No. 1920-04 for the Aliso Niguel High School STEM Building Project related to rerouting conflicting solar lines outside of the project area.

Approval of the ratification of Commercial Services Agreements with Cox Communications to provide increased network capacity at each high school site and across the network to the District from October 1, 2020 through September 30, 2023.

Approval of Cyber Security Services Agreement No. 50097 with Orange County Superintendent of Schools (OCDE) to provide cyber security services to the District from July 1, 2020 through June 30, 2021.

**Donation of Funds
and Equipment
Agenda Item 1
Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 2
Change Order No.
3, Bid No. 1920-
07, Tesoro High
School Turf and
Sand Volleyball
Court Project
Agenda Item 4
Change Order No.
4, Bid No. 1920-
04, Aliso Niguel
High School Stem
Building Project
Agenda Item 5
Commercial
Services
Agreements for
Increased
Network
Connectivity –
Cox
Communications
Agenda Item 6
Cyber Security
Services
Agreement No.
50097 – Orange
County
Superintendent of
Schools
Agenda Item 7**

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 21, 2020
EDUCATION CENTER – BOARD ROOM

Approval to delete Board Policy 7120, <i>Participation in Planning</i> and add the language to Board Policy 7100, <i>Determining Needs</i> .	Deletion of Board Policy 7120, Participation in Planning and Add Language to Board Policy 7100, Determining Needs
Approval to delete Board Policy 7140, <i>Relations with the Public</i> and add the language to Board Policy 7100, <i>Determining Needs</i> .	Agenda Item 8 Deletion of Board Policy 7140, Relations with the Public and Add Language to Board Policy 7100, Determining Needs
Approval of the Master Services Agreement 2020 with PlanITROI for information technology services to dispose of chromebooks reaching end-of-life dates.	Agenda Item 9 Master Services Agreement 2020 – PlanITROI
Approval of Ellevation Subscription Agreement, November 1, 2020 through October 31, 2022, for annual subscription fees and online training.	Agenda Item 10 Ellevation Subscription Agreement November 1, 2020- October 31, 2022
Approval of the Local Control Accountability Plan (LCAP) Parent Advisory Committee (PAC) members.	Agenda Item 11 Local Control Accountability Plan Parent Advisory Committee for 2020-2021
Approval of the ratification of the temporary emergency substitute daily rate of pay increase.	Agenda Item 12 Emergency Substitute Daily Rate of Pay Increase
Approval of teachers who are credentialed in subjects other than Physical Education (PE) to provide PE credit to students in that respective sport.	Agenda Item 13 Annual Authorization of Coaches to Provide First Semester Physical Education Credit
Approval of change in title and job description for Executive Director, Career Technical Education to Executive Director, College and Career Readiness.	Agenda Item 14 Change in Title and Job Description for Executive Director, Career Technical Education

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 21, 2020
EDUCATION CENTER – BOARD ROOM
Agenda Item 15

Approval of Master Services Agreement with Strategic Kids to provide supervision and education support services to students engaged in the extended learning program and students during non-instructional minutes.

**Master Services Agreement – Strategic Kids
Agenda Item 16**

Approval of the School of Education Affiliation Agreement with Biola University, effective October 22, 2020 and expiring June 30, 2025.

School of Education Affiliation

**Agreement with Biola University
Agenda Item 17**

Approval of Master Services Agreement with the YMCA to provide supervision and education support services to students engaged in the extended learning program and students during non-instructional minutes.

**Master Services Agreement – YMCA
Agenda Item 18**

Approval of the Student Teaching Agreement with Hope International University of Fullerton, effective October 22, 2020 and expiring June 30, 2023.

**Student Teaching Agreement with Hope International University of Fullerton
Agenda Item 19**

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

**Resignations/Retirements/ Employment - Certificated Employees
Agenda Item 20**

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

**Resignations/Retirements/ Employment - Classified Employees
Agenda Item 21**

Approval of the 2020-2021 District Goals.

**2020-2021 District Goals
Agenda Item 22**

Approval of the September 23, 2020 Regular Board Meeting Minutes.

**School Board Minutes
Agenda Item 23**

President Reardon recognized Susan Holliday, Chief Administrative Officer, Education and Support Services to present the item.

First Reading – Board Policy 5118, Interdistrict

It was moved by Trustee Jones and seconded by Trustee Bullockus to waive the second reading on Board Policy 5118, *Interdistrict Attendance Agreement*. The motion carried 7-0 by a roll call vote.

**Attendance Agreements
Agenda Item 24**

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

NOES: None

ABSENT: None

Student Advisor Bhaskar voted aye to waive the second reading on Board Policy 5118,

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 21, 2020
EDUCATION CENTER – BOARD ROOM

Interdistrict Attendance Agreement.

It was moved by Trustee McNicholas and seconded by Trustee Holloway to approve Board Policy 5118, *Interdistrict Attendance Agreement*. The motion carried 7-0 by a roll call vote.

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

Student Advisor Bhaskar voted aye to approve Board Policy 5118, *Interdistrict Attendance Agreement*.

President Reardon recognized Susan Holliday, Chief Administrative Officer, Education and Support Services to present the item.

**First Reading –
Board Policy 7100,
Determining
Needs
Agenda Item 25**

The following speaker addressed the Board:

- *Michele Ploessel-Campbell spoke regarding her concerns for specialized programs being moved around*

Trustees gave direction to staff to bring back this policy for a second reading.

President Reardon recognized Susan Holliday, Chief Administrative Officer, Education and Support Services to present the item.

**First Reading –
Board Policy 7110,
Facilities Master
Plan
Agenda Item 26**

The following speaker addressed the Board:

- *Michele Ploessel-Campbell spoke regarding her concerns for population numbers*

Trustees gave direction to staff to bring back this policy for a second reading.

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

**Declaration of
Need for Fully
Qualified
Educators
Agenda Item 27**

It was moved by Trustee McNicholas and seconded by Trustee Bullockus to approve the Declaration of Need for Fully Qualified Educators. The motion carried 7-0 by a roll call vote.

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

Student Advisor Bhaskar voted aye to approve the Declaration of Need for Fully Qualified Educators.

President Reardon recognized Susan Holliday, Chief Administrative Officer, Education and Support Services to present the item.

**Request for
Waiver of School
Facilities Fees –
Saddleback Valley
Unified School
District
Agenda Item 28**

The following speakers addressed the Board:

- *Elizabeth Figarsky, Supervisor, Community Services for SVUSD, spoke letting the Board know that she was available for any questions they may have regarding the facilities fees*

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 21, 2020
EDUCATION CENTER – BOARD ROOM

- *Kurt Walker, District Supervisor, Community Services/Athletics/Facility for SVUSD, spoke letting the Board know that he was available for any questions they may have regarding the facilities fees*

It was moved by Trustee Bullockus and seconded by Trustee Hanacek to approve to waive school facilities fees for SVUSD's use of District schools for the Kids Factory program. The motion carried 7-0 by a roll call vote.

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

Student Advisor Bhaskar voted aye to approve to waive school facilities fees for SVUSD's use of District schools for the Kids Factory program

Student Advisor Bhaskar left the meeting at 9:21 p.m.

President Reardon recognized Clark Hampton, Deputy Superintendent, Business and Support Services, to present the item.

**Independent Contractor, Professional Services, Field Service, and Master Contract Agreements
Agenda Item 3**

It was moved by Trustee Holloway and seconded by Trustee Bullockus to approve Independent Contractor, Professional Services, Field Service, and Master Contract Agreements. 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 McNicholas and seconded by Trustee Hanacek to adjourn the meeting, motion carried 7-0 by a roll call vote.

Adjournment


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

President Reardon announced the meeting adjourned at 9:24 p.m.

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
OCTOBER 21, 2020
EDUCATION CENTER – BOARD ROOM



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Susie Schmidt, Administrative Assistant, Board Operations