

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF REGULAR MEETING
JANUARY 20, 2021
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 Bullockus called the meeting to order at 4:03 p.m.

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

ROLL CALL:

Present: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and
McNicholas

Absent: None

The Following speakers addressed the Board:

- *Kristen Okura spoke regarding credit/no credit for physical education*
- *Melissa Huffaker spoke regarding credit/no credit for physical education at the middle school level*

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

**Closed Session
Comments**

The regular meeting of the Board of Trustees was called to order by President Bullockus at 7:18 p.m.

ROLL CALL:

Present: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and
Student Advisor Bhaskar

Absent: Trustee McNicholas

The Pledge of Allegiance was led by Anchal Bhaskar, Student Advisor to the Board.

**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 Davis and seconded by Trustee Braunstein and motion carried by a 6-0-1 roll call vote to adopt the Regular Board agenda.

**Adoption of the
Board Agenda**

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones,
and McNicholas

NOES: None

ABSENT: None

Student Advisor Bhaskar voted aye to adopt the agenda.

President Bullockus 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– Public Health Emergency and Agenda Item #3F – Conference
with Labor Negotiators**

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Under Closed Session items Public Health Emergency and Conference with Labor Negotiators, Trustees voted 7-0 to direct the Superintendent to open school as normal if we are able to do so, as determined by the criteria established by the California Department of Public Health;

If that is not possible, then create a Reopening 2.0 Plan that addresses the following Board approved priorities, for the 2021 – 2022 school year.

- Provide to the greatest extent possible a “normal experience” for middle school and high school students by restoring and “bringing back” PE and elective courses that were previously cut for the 2020-21 school year, and by reinstating the Graduation Board Policy Requirement of 220 credits; and include sports, performing arts, clubs and extracurricular activities.
 - Provide daily live instruction for middle school and high school students where all students benefit from live instruction during both their in-person and virtual learning days; and support for 6th grade students who would benefit from additional support by providing an option to be on campus four full days per week;
- Provide elementary students who need additional intensive support and intervention, and who have experienced learning loss by providing academic intervention;
- Create a 100% online learning program option TK-12 through Cal Prep/Capo Virtual by providing daily live instruction and a traditional bell schedule for those students who choose to be online.

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

Significant Exposure to Litigation – Seven Cases

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

ADR Case Number 20190425
ADR Case Number 20201015
ADR Case Number 20201022
ADR Case Number 20201023
ADR Case Number 20201102
ADR Case Number 20201120
ADR Case Number 20201130

Significant Exposure to Litigation – One Case

On agenda item B-8 Trustees voted 7-0 to approve staff recommendation

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

Significant Exposure to Litigation – Two Cases

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

OAH Case Number 2020070958
OAH Case Number 2020100716

Agenda Item #3D – Student Readmissions – Two Cases

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

Case # 2020-005
Case # 2020-020

Agenda Item #3E – Student Expulsion – One Case

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

Case # 2021-001

Extra Miler

Canyon Vista Elementary School and Don Juan Avila Middle School for the video they produced to raise anti-bullying awareness and spread kindness. The video was submitted as part of the *To Know Better* competition sponsored by the Orange County Human Relations Commission, which aims to “stop hateful vibes and wrongful bias” that happened during the COVID-19 pandemic. Read the full story and watch the video on CUSDInsider.org.

**Special
Recognitions**

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:

- *Rocky Brown, teacher at NHMS, thanked the Board for bringing back MS physical education and the new curriculum, and credit vs. no credit grades*
- *Seth Teigen, CEO at Mission Hospital Mission Viejo, spoke regarding COVID activity in the community*
- *Tala Siksek spoke on behalf of the Cultural Proficiency Task Force at THS and COVID-19*
- *Michele Ploessel-Campbell thanked the Board and staff and encouraged parents to join their PTA and PTSA's*
- *Erik Siberman, teacher at AVMS, spoke regarding more transparent COVID reporting notifications*
- *Jessica Geyer thanked principals, teachers, staff and Board. Health class as graduation requirement and the Governor's proposed budget*
- *Ester Mafouta March spoke on behalf of CUSD Against Racism and supporting their petition*

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

The following speakers addressed the Board:

- *Jasmine Eslami spoke regarding students struggling with distance learning and mental challenges*
- *Michele Ploessel-Campbell spoke regarding special education*

President Bullockus asked Trustees for items they wished to pull from the Consent Calendar. No items were pulled.

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

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AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek,
Jones, and McNicholas
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 the District standardized Independent Contractor, Professional Services, Field Service and Master Contract agreements.

Approval of Award of Bid No. 2021-03, Plumbing Services to Verne's Plumbing, Incorporated.

Approval of Change Order No. 5, Bid No. 1920-05 for the Newhart Middle School STEAM Building Project related to structural steel changes to the superstructure frame of the building and the elevator.

Approval of the Final Acceptance and filing of the Notice of Completion for Bid No. 2021-07 for the Bridges Community Day High School Restroom Portable Project.

Approval of Fourth Extension of Bid No. 1617-07, Electrical, Fire Protection, and Low Voltage Systems Services with Gilbert and Stearns, Incorporated.

**Donation of Funds
and Equipment
Agenda Item 1
Purchase Orders,
Commercial
Warrants and
Previously Board-
Approved Bids
and Contracts
Agenda Item 2
Independent
Contractor,
Professional
Services, Field
Service, and
Master Contract
Agreements
Agenda Item 3
Award Bid No.
2021-03, Plumbing
Services – Verne's
Plumbing,
Incorporated
Agenda Item 4
Change Order No.
5, Bid No. 1920-
05, Newhart
Middle School
Steam Building
Project
Agenda Item 5
Final Acceptance
and Filing of
Notice of
Completion for
Bid No. 2021-07
for Bridges
Community Day
High School
Restroom
Portable Project
Agenda Item 6
Fourth Extension
of Bid No. 1617-
07, Electrical, Fire**

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Approval of the Lease Agreement with College and Career Advantage (CCA) for use of CCA buildings and other real property.

Approval to procure eligible E-Rate items (Category 2) utilizing Requests for Proposals (RFP) process.

Approval of Resolution No. 2021-29, Authorization to Renew a Community Service Program (SP) Certification through the Department of Resources Recycling and Recovery (CalRecycle).

Approval of Resolution No. 2021-30, Application Submission SCAQMD PA 2021-02 Lower Emission Bus Funding Grant Program.

Approval of Second Extension of Bid No. 1819-07, Paper and Plastic for Food and Nutrition Services with P&R Paper Supply Company.

**Protection, and
Low Voltage
Systems Services –
Gilbert and
Stearns,
Incorporated
Agenda Item 7
Lease Agreement
for Use of College
and Career
Advantage
Buildings and
Other Real
Property – College
and Career
Advantage
Agenda Item 8
Procure Eligible
E-Rate Items
Utilizing Requests
for Proposals
Process
Agenda Item 9
Resolution No.
2021-29,
Authorization to
Renew a
Community
Service Program
Certification
Through the
Department of
Resources
Recycling and
Recovery
Agenda Item 10
Resolution No.
2021-30,
Application
Submission
SCAQMD PA
2021-02 Lower
Emission Bus
Funding Grant
Program
Agenda Item 11
Second Extension
of Bid No. 1819-
07, Paper and
Plastic Products
for Food and
Nutrition Services**

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Approval of Temporary Board Policy T6146.1, *High School Graduation Requirements*.

Approval of the ratification of the Memorandum of Understanding with San Diego Office of Education, January 1, 2021 through June 30, 2021.

Approval of the ratification of Agreement No. 50951 with the Orange County Superintendent of Schools, December 1, 2020 through June 30, 2021, to provide a stipend for certificated staff who work with students at Ladera Ranch Middle School (LRMS) as part of their Friday Night Live program.

Approval of the proposed 2021 Extended School Year (ESY) program.

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 December 16, 2020 Regular Board meeting minutes.

Approval of the January 6, 2021 Special Board meeting minutes.

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

The following speaker addressed the Board:

– P&R Paper
Supply Company
Agenda Item 12
Temporary Board
Policy T6146.1,
High School
Graduation
Requirements
Agenda Item 13
Memorandum of
Understanding
with San Diego
County Office of
Education for the
2020-2021
Migrant
Education
Program
Agenda Item 14
Agreement No.
50951 with the
Orange County
Superintendent of
Schools
Agenda Item 15
Extended School
Year Proposal for
2021
Agenda Item 16
Resignations/
Retirements/
Employment -
Certificated
Employees
Agenda Item 17
Resignations/
Retirements/
Employment -
Classified
Employees
Agenda Item 18
School Board
Minutes
Agenda Item 19
School Board
Minutes
Agenda Item 20
California Healthy
Kids Survey
Alcohol and Other
Drug Module for
Las Flores Middle

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- *Michele Ploessel-Campbell spoke regarding drug and alcohol abuse programs and the need for AOD Modules*

**School and Tesoro
High School
Agenda Item 21**

It was moved by Trustee Hanacek and seconded by Trustee Braunstein to approve the administration of the California Healthy Kids Survey Alcohol and Other Drug Module at Las Flores Middle School and Tesoro High School. The motion carried 6-1 by a roll call vote.

AYES: Trustees Braunstein, Bullockus, Castellanos, Hanacek, Jones, and
McNicholas
NOES: Trustee Davis
ABSENT: None

Student Advisor Bhaskar voted aye to approve the administration of the California Healthy Kids Survey Alcohol and Other Drug Module at Las Flores Middle School and Tesoro High School.

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

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

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

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

President Bullockus recognized Amy Hanacek, Board of Trustees, to present the item.

The following speakers addressed the Board:

- *Michele Ploessel-Campbell thanked Rocky Brown, physical education teacher at NHMS, for his hard work, also glad to see the Board bringing this agenda item back for further review*
- *Stephanie Tarzia spoke regarding PE grades and evaluation needing to be reconsidered and thanked Doug Wade, physical education teacher at AVMS for his videos*

It was moved by Trustee McNicholas and seconded by Trustee Davis to Reevaluate Agenda Item 42, Temporary Board Policy T5121.1, *Grades/Evaluation of Student Achievement*, from the December 16, 2020 Board Meeting and bring it back for discussion action at the February 17, 2021 Regular Board meeting. The motion carried 7-0 by a roll call vote.

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones,
and McNicholas
NOES: None
ABSENT: None

**Financing Results
for the Pacifica
San Juan
Community
Facilities District
Agenda Item 22
Governor's
January Budget
Proposal for
Fiscal Year 2021-
2022
Agenda Item 23
Trustee Request
to Reevaluate
Agenda Item 42,
Temporary Board
Policy T5121.1,
Grades/
Evaluation of
Student
Achievement from
the December 16,
2020 Regular
Board Meeting
Agenda Item 24**

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Student Advisor Bhaskar voted aye to Reevaluate Agenda Item 42, Temporary Board Policy T5121.1, *Grades/Evaluation of Student Achievement*, from the December 16, 2020

Board Meeting and bring it back for discussion action at the February 17, 2021 Regular Board meeting.

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

**First Reading –
Board Policy 7511,
Naming of
Facilities
Agenda Item 25**

It was moved by Trustee Braunstein and seconded by Trustee Jones to waive the second reading of Board Policy 7511, *Naming of Facilities*. The motion carried 7-0 by a roll call vote.

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones,
and McNicholas
NOES: None
ABSENT: None

It was moved by Trustee McNicholas and seconded by Trustee Davis to approve the first reading of Board Policy 7511, *Naming of Facilities*. The motion carried 7-0 by a roll call vote.

AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones,
and McNicholas
NOES: None
ABSENT: None

Student Advisor Bhaskar voted aye to approve the first reading of Board Policy 7511, *Naming of Facilities*.

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

Adjournment


AYES: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones,
and McNicholas
NOES: None
ABSENT: None

Student Advisor Bhaskar voted aye to adjourn the meeting.

President Bullockus announced the meeting adjourned at 9:13 p.m.



Board Clerk
Gila Jones, Trustee



Secretary, Board of Trustees
Kirsten M. Vital Brulte, Superintendent