

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES OF SPECIAL MEETING
SEPTEMBER 2, 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 4:04 p.m.

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

ROLL CALL:

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

The following speakers addressed the Board:

- *Lindsay McCraw spoke regarding distance learning and reopening*

The Board recessed to closed session to discuss: Public Health Emergency; Conference with Legal Counsel-Existing Litigation; Student Expulsion; Conference with Real Property Negotiators

**Closed Session
Comments**

The regular meeting of the Board of Trustees was called to order by President Reardon at 5:40 p.m.

ROLL CALL:

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

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 5-0-2 roll call vote to adopt the Special Board agenda.

**Adoption of the
Board Agenda**

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

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.

President Reardon recognized Gregory Merwin, Chief Academic Officer, Education and Support Services, to present the item.

**Approval of
Addendum #2
Reopening Plan**

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for 2020-2021
School Year
Agenda Item 1

The Following speakers addressed the Board:

- *Rebecca Heinsen spoke regarding SAC teacher environments in class and teachers live streaming in the class*
- *Jessica Geyer spoke regarding communication to parents regarding reopening*
- *Katie Wegner, teacher at SJHHS, spoke regarding reopening and the hybrid model*
- *Marian Wardaki spoke regarding safety of students and reopening*
- *Kristen Tunison spoke regarding more clarity needed on reopening*
- *Tina Falconer spoke regarding a change needed in online Physical Education curriculum*
- *Janelle Walsh spoke regarding YMCA food program*
- *Dana Collins spoke regarding social distancing and masks*
- *Kristi Stedman spoke regarding Physical Education classes*
- *Carson Cooper spoke regarding a separate area for those students who are immune to COVID-19*
- *Michele Ploessel-Campbell spoke regarding cohorts in the elementary level*
- *Glory Karl spoke regarding distance learning not working for students with ADHD, and in regards to special needs students*
- *Joy Schnapper spoke representing CUEA*
- *Margaret Dubel spoke regarding distance learning concern and reopening*
- *Barbara Skelly spoke regarding distance learning and a vaccine*
- *George Craven spoke regarding the reopening plan and minutes*
- *Christina Hellwig spoke regarding distance learning for first semester*
- *Ronda Walen spoke representing CSEA*
- *Noelle Nielsen spoke regarding multiple cohorts*
- *Stephanie Tarzia spoke regarding the reopening timeline and mixing of students in cohorts*
- *Dean McElroy, teacher at SJHHS, spoke regarding reopening at high schools*
- *Philip Schlesinger spoke regarding reopening at red level and safety with no vaccine, masks, ventilation, paraeducators, and transportation*
- *Lindsay Tanner spoke regarding phased reopening plan*

Trustee Jones requested the Board to amend Agenda Item 1, *Approval of Addendum #2 Reopening Plan for 2020-2021 School Year*, to include an application for an elementary school waiver.

President Reardon called for a motion to amend the item to include an elementary school waiver in Agenda Item 1, *Approval of Addendum #2 Reopening Plan for 2020-2021 School Year*.

It was moved by Trustee Jones and seconded by Trustee McNicholas to amend Agenda Item 1 to include an elementary school waiver. The motion carried 4-1-2 by a roll call vote.

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

Student Advisor Bhaskar voted aye to amend Agenda Item 1 to include an elementary school waiver.

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It was moved by Trustee McNicholas and seconded by Trustee Bullockus to ratify the Addendum #2 Reopening of Schools Plan for 2020-2021 School Year as amended with a simultaneous elementary waiver conferring with all stakeholders as described in the application to come back in person, as soon as practicable, investigating and using the small cohorts guidance, to bring students with certain IEP services back, communicating clearly with high school families the specifics of the hybrid vs. in-person models so they are able to choose a version online option as described this evening, to give families until September 11, 2020 to make a choice. The motion carried 5-0-2 by a roll call vote.

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

Student Advisor Bhaskar voted aye to ratify the Addendum #2 Reopening of Schools Plan for 2020-2021 School Year as amended.

The Board of Trustees recessed to Closed Session at 8:13 p.m.

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

The Board reconvened to Open Session at 8:58 p.m.

ROLL CALL:

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

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

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

Trustees voted 5-0-2, with Trustees Hanacek and Holloway absent, approval for its legal counsel to seek appellate review of the decision of the federal district court in the above-noted matter.

Agenda Item #3C– Student Expulsion

Trusted voted 5-0-2 to approve staff recommendation on:
Case No. 2020-044

Agenda Item #3D– Conference with Real Property Negotiators

Trustees gave direction to staff.

It was moved by Trustee McNicholas and seconded by Trustee Jones to adjourn the meeting, motion carried 5-0-2 by a roll call vote. **Adjournment**

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

President Reardon announced the meeting adjourned at 9:02 p.m.

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Board Clerk



Secretary, Board of Trustees

Minutes submitted by Susie Schmidt, Administrative Assistant, Board Operations