

CAPISTRANO UNIFIED SCHOOL DISTRICT  
BOARD OF TRUSTEES  
MINUTES OF REGULAR MEETING  
MARCH 2, 2022  
EDUCATION CENTER – BOARD ROOM

President McNicholas called the meeting to order at 5:37 p.m.

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

**ROLL CALL:**

Present: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones, and  
McNicholas  
Absent: None

The Board recessed to closed session to discuss: Public Health Emergency; Conference  
with Labor Negotiators; Public Employee Discipline/Dismissal/Release

**Closed Session  
Comments**

The regular meeting of the Board of Trustees was called to order by President McNicholas  
at 7:11 p.m.

**ROLL CALL:**

Present: Trustees Braunstein, Bullockus, Castellanos, Davis, Hanacek, Jones,  
McNicholas and Student Adviser Padhya  
Absent: None

The Pledge of Allegiance was led by Rich Montgomery, Assistant Superintendent, Human  
Resource Services, Grades 6-12, K-8, Alternative Education.

**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](http://www.capousd.org)**

**Permanent Record**

Trustee Jones requested agenda items 8 and 9 be presented prior to agenda item 4. By a  
consensus of the Board all Trustees were in favor of hearing agenda items 8 and 9 before  
item 4.

**Adoption of the  
Board Agenda**

It was moved by Trustee Davis and seconded by Trustee Castellanos and motion carried  
by a 7-0 roll call vote to adopt the Regular Board agenda as amended.

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

Student Adviser Padhya cast a preferential vote of aye to adopt the agenda.

President McNicholas 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**  
No reportable action.

**Agenda Item #3B – Conference with Labor Negotiators**  
Trustees gave direction to staff.

**Agenda Item #3C – Public Employee Discipline/Dismissal/Release**  
Agenda Item C-1 was pulled by staff.

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Agenda Item C-2 was pulled by staff.

On Agenda Item C-3, Trustees voted 7-0 to approve staff recommendation and notify the following certificated administrative employee, identified by Employee No. 2122-3, they will be released and reassigned pursuant to Education Code § 44951, effective at the end of the 2021-2022 school year, and directed the Superintendent or designee to send out the appropriate legal notice.

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

**Board and  
Superintendent  
Comments  
Student Board  
Member Report  
Oral  
Communications**

Student Adviser to the Board, Kanei Padhya, had no report.

President McNicholas requested a consensus of the Board to modify the individual time allowed for each speaker to two minutes. All Trustees were in favor of reducing the speaker time to two minutes per individual.

The following speakers addressed the Board:

- *Joseph spoke regarding valedictorian robes at graduation*
- *Letissa Celindro spoke regarding District boundaries*
- *Michele Ploessel-Campbell spoke regarding Women's History month and PTA outreach*
- *Jessica Geyer spoke regarding one million letters to legislators and thanked the CUCPTSA legislation advocacy team*
- *Veronica Gutierrez spoke regarding bullying*
- *Meredith Nakamura spoke regarding vaccines*
- *Heather Wulfemeyer spoke regarding vaccines*
- *Casey G. spoke regarding vaccines*
- *Michelle Castillo spoke regarding bullying*
- *Emily Guillen spoke regarding bullying*
- *Lupe Lopez spoke regarding bullying*
- *Jacelyn Moreno spoke regarding bullying*
- *Gena G. spoke regarding masks and vaccine mandates*
- *Ryan Heath spoke regarding general topics*

**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 McNicholas asked Trustees for items they wished to pull from the Consent Calendar. No items were pulled by Trustees.

It was moved by Trustee Hanacek and seconded by Trustee Jones, motion carried by a 7-0 roll call vote to approve the following Consent Calendar.

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

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Student Adviser Padhya cast a preferential vote of aye to approve the Consent Calendar.

Approval of the Tentative Agreement between the District and the Capistrano Unified Education Association (CUEA).

**Recommendation of Tentative Agreement with Capistrano Unified Education Association (CUEA), for July 1, 2019 – June 30, 2022**

Approval of the Tentative Agreement between the District and the California School Employees Association (CSEA).

**Agenda Item 1 Recommendation of Tentative Agreement with California School Employees Association, for July 1, 2021 – June 30, 2024**

Approval of revising the 2021-2022 employment agreement between the Capistrano Unified Management Association (CUMA) and the District.

**Agenda Item 2 Recommendation of Revised Employment Agreement with Capistrano Unified Management Association, July 1, 2021 – June 30, 2022**

President McNicholas recognized Sara Young, Attorney, AALRR, to make a statement regarding the legal aspects of the resolutions presented for Discussion Action.

**Agenda Item 3**

This item was pulled by Trustee Jones.

**Trustee Request, Resolution No. 2122-50, Directing the Capistrano Unified School District Superintendent to**

President McNicholas requested a consensus of the Board to allow registered speakers from agenda item 8 to speak during agenda item 9. It was moved by Trustee Davis and seconded by Trustee Bullockus to hear all registered speakers for agenda item 8 during agenda item 9. The motion carried 7-0 by a roll call vote.

**Exercise Local Responsibility in Enforcement of Classroom Mask Wearing**

**Agenda Item 8 Trustee Request to Hear All Speakers registered to Speak on Item 8**

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

President McNicholas requested a consensus of the Board to modify the individual time allowed for each speaker to two minutes. All Trustees were in favor of reducing the speaker time to two minutes per individual.

**Trustee Request  
Resolution No.  
2122-42,  
Resolution of the  
Capistrano  
Unified School  
District, Board of  
Trustees,  
Regarding Mask  
Mandates for  
Students  
Agenda Item 9**

President McNicholas recognized Trustee Davis to present the item.

The following student speakers addressed the Board regarding Agenda Item 8:

- *Mathew Goldbaum spoke regarding masks*
- *Graham Taylor spoke regarding masks*

The following student speakers addressed the Board regarding Agenda Item 9:

- *Brooke Smith spoke regarding masks*
- *Wyatt Gallagher spoke regarding masks*
- *Luca Harrison spoke regarding masks*
- *Josiah Bills spoke regarding masks*
- *Kellen Fogarty spoke regarding masks*
- *Lucy Sedgewick spoke regarding masks*
- *Christian Collings spoke regarding masks*
- *Kason Risch spoke regarding masks*
- *Brianna Jones spoke regarding masks*
- *Cashton Sand spoke regarding masks*
- *Aiden Holbrook spoke regarding masks*

The following online speakers addressed the Board regarding Agenda Item 8:

- *Katie Crocket spoke regarding masks*
- *Michele Ploessel-Campbell spoke regarding masks*
- *Natalie Nelson spoke regarding masks*

The following online speakers addressed the Board regarding Agenda Item 9:

- *Greg Young spoke regarding masks*

The following in-person speakers addressed the Board regarding Agenda Item 8:

- *Meredith Hayes spoke regarding masks*
- *Katie Vanderveen spoke regarding masks*
- *Laura Zook spoke regarding masks*
- *Lori M. spoke regarding masks*
- *Lori McClaskey spoke regarding masks*
- *Ashley Larsen spoke regarding masks*
- *Jennifer Loya spoke regarding masks*
- *Elena Iniguez spoke regarding masks*
- *Michelle Brooks spoke regarding masks*
- *Julie Little spoke regarding masks*
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The following in-person speakers addressed the Board regarding Agenda Item 9:

- *Heather Puhek spoke regarding masks*
- *Amber Smith spoke regarding masks*

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- *Katie Hoffman spoke regarding masks*
- *Eva Harrison spoke regarding masks*
- *K.C. Kranz spoke regarding masks*
- *Monika Matson spoke regarding masks*
- *Jeannine Peart spoke regarding masks*
- *Shanin Kurtz spoke regarding masks*
- *Anna Scaife spoke regarding masks*
- *Miranda Bills spoke regarding masks*
- *Dana Collins spoke regarding masks*
- *Gina Young spoke regarding masks*
- *Teresa Risch spoke regarding masks*
- *Chris Jones spoke regarding masks*
- *Christa Jones spoke regarding masks*
- *Jane Lee spoke regarding masks*
- *Janice Lee-Holbrook spoke regarding masks*
- *Carrie Hess spoke regarding masks*

It was moved by Trustee Bullockus and seconded by Trustee Davis to adopt Resolution No. 2122-42, Resolution of the Capistrano Unified School District, Board of Trustees, Regarding Mask Mandates for Students, as amended. The motion failed 3-4-0 by a roll call vote.

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

Student Adviser Padhya cast a preferential vote of nay to adopt Resolution No. 2122-42, Resolution of the Capistrano Unified School District, Board of Trustees, Regarding Mask Mandates for Students, as amended.

The Board recessed for a break at 10:05 p.m.

The Board reconvened to open session at 10:18 p.m.

President McNicholas recognized Rich Montgomery, Assistant Superintendent, Human Resource Services, Grades 6-12, K-8, Alternative Education, to present the item.

It was moved by Trustee Hanacek and seconded by Trustee Jones to adopt Resolution No. 2122-51, Preliminary Resolution Layoff of Classified Management Employees for Lack of Work and/or Lack of Funds. 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 Adviser Padhya cast a preferential vote of aye to adopt Resolution No. 2122-51, Preliminary Resolution Layoff of Classified Management Employees for Lack of Work and/or Lack of Funds.

President McNicholas recognized Judy Bullockus, Trustee Area 7, to present the item.

**The Board  
Recessed  
The Board  
Reconvened  
Resolution No.  
2122-51,  
Preliminary  
Resolution Layoff  
of Classified  
Management  
Employees for  
Lack of Work  
and/or Lack of  
Funds  
Agenda Item 4**

**2022 Ballot for  
California School**

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It was moved by Trustee Jones and seconded by Trustee Hanacek to cast the Board's vote for the seven recommended candidates on the 2022 Ballot for CSBA Delegate Assembly Region 15. The seven candidates are: Marilyn Anderson (Placentia-Yorba Linda USD), Lauren Brooks (Irvine USD), Carrie Buck (Placentia-Yorba Linda USD), Lynn Davis (Tustin USD), Candice (Candi) Kern (Cypress ESD), Barbara Schulman (Saddleback Valley USD), Michael Simons (Huntington Beach Union HSD).  
The motion carried 6-1 by a roll call vote.

**Boards  
Association  
Delegate Assembly  
Region 15  
Agenda Item 5**

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

Student Adviser Padhya cast a preferential vote of aye to cast the Board's vote for the seven recommended candidates on the 2022 Ballot for CSBA Delegate Assembly Region 15.

This item was pulled by Trustee Castellanos and will be brought back at a future Board meeting.

**Trustee Request  
to Consider  
Revising Board  
Policy 9323,  
Meeting Conduct  
Agenda Item 6  
Motion to Extend  
the Meeting**

It was moved by Trustee Davis and seconded by Trustee Jones to extend the Board meeting to 11:30 p.m. The motion carried 7-0 by a roll call vote.

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

President McNicholas recognized Trustee Jones, Trustee Area 6, to present the item.

The following speakers addressed the Board:

- *Katie Crockett spoke regarding the resolution*
- *Michele Ploessel-Campbell spoke regarding the resolution*
- *Dana spoke regarding masks and vaccine mandates*

It was moved by Trustee Jones and seconded by Trustee McNicholas to adopt Resolution No. 2122-43, Reaffirmation of CUSD Resolution No. 2122-20 and Request for CUSD Families to Receive Informational Messages about California Senate Bills 871 and 866, as amended. The motion carried 6-1 by a roll call vote.

**Trustee Request –  
Resolution No.  
2122-  
43, Reaffirmation  
of CUSD  
Resolution No.  
2122-20 and  
Request for CUSD  
Families to  
Receive  
Informational  
Messages About  
California Senate  
Bills 871 And 866  
Agenda Item 7**

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

Student Adviser Padhya cast a preferential vote of nay to adopt Resolution No. 2122-43, Reaffirmation of CUSD Resolution No. 2122-20 and Request for CUSD Families to Receive Informational Messages about California Senate Bills 871 and 866, as amended.

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It was moved by Trustee Hanacek and seconded by Trustee Castellanos 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 Adviser Padhya cast a preferential vote of aye to adjourn the meeting.

President McNicholas announced the meeting adjourned at 11:13 p.m.

  
\_\_\_\_\_  
Board Clerk  
Gila Jones, Trustee

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

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