



**February 22, 2023 Regular Board Meeting - REVISED**

**02/22/2023 - 07:00 PM**

33122 Valle Rd, San Juan Capistrano, CA 92675

BOARD OF TRUSTEES BOARD ROOM

Closed Session 5:30 p.m. | Open Session 7:00 p.m.

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## **MEETING MINUTES**

### **CLOSED SESSION AT 5:30 P.M.**

#### **Attendees**

##### **Voting Members**

Krista Castellanos, President

Michael Parham, Vice President

Amy Hanacek, Clerk

Judy Bullockus, Trustee

Lisa Davis, Trustee

Gila Jones, Trustee

Gary Pritchard, Trustee

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### **1. CALL TO ORDER**

President Castellanos called the meeting to order at 5:32 p.m.

#### **ROLL CALL**

Present: Trustees Bullockus, Castellanos, Davis, Hanacek, Jones, Parham, and Pritchard

Absent: None

### **2. CLOSED SESSION COMMENTS**

The Board recessed to closed session to discuss: Conference with Legal Counsel – Anticipated Litigation; Conference with Legal Counsel – Existing Litigation; Conference with Labor Negotiators; Student Expulsions; Public Employee Employment/Appointment; Public Employee Discipline/Dismissal/Release.

### **3. CLOSED SESSION (as authorized by law)**

#### **A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

On agenda items A-1 - A-5, Trustees voted 7-0 to approve staff recommendation on the following cases:

ADR Case No. 20220812M

ADR Case No. 20221213

ADR Case No. 20221214

ADR Case No. 20230111

ADR Case No. 20230117

On agenda item A-6, Trustees gave direction to staff.

On agenda item A-7, Trustees voted 7-0 to approve staff recommendation on:

Resolution No. 2223-10c

**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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

OAH Case No. 2022090306

**C. CONFERENCE WITH LABOR NEGOTIATORS**

On agenda item C-1, Trustees gave direction to staff.

**D. STUDENT EXPULSIONS**

On agenda items D-1 - D-4, Trustees voted 7-0 to approve staff recommendation on the following cases:

Case No. 2023-024

Case No. 2023-025

Case No. 2023-027

Case No. 2023-028

**E. PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

On agenda item E-1, Trustees gave direction to staff.

**F. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

On agenda items F-2, F-4, and F-5, Trustees voted 7-0 to approve staff recommendation on the following cases:

Resolution No. 2223-12c

Resolution No. 2223-14c

Resolution No. 2223-15c

**4. OPEN SESSION AT 7:00 P.M.**

**5. CALL TO ORDER - ROLL CALL**

The regular meeting of the Board of Trustees was called to order by President Castellanos at 7:14 p.m.

**ROLL CALL**

Present: Trustees Bullockus, Castellanos, Davis, Hanacek, Jones, Parham, and Pritchard

Absent: None

**6. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chris Carter, Principal, San Clemente High School.

**7. ADOPTION OF THE AGENDA**

Motion made by: Lisa Davis

Motion seconded by: Amy Hanacek

Voting:

Krista Castellanos - Yes  
Michael Parham - Yes  
Amy Hanacek - Yes  
Judy Bullockus - Yes  
Lisa Davis - Yes  
Gila Jones - Yes  
Gary Pritchard - Yes

Motion carried 7-0 by a roll call vote to adopt the Regular Board agenda.

Student Board Member Zhao cast a preferential vote of aye to adopt the agenda.

## **8. REPORT ON CLOSED SESSION ACTION**

President Castellanos asked Colleen Hayes, Manager II - Board Operations/Superintendent's Office to read the report out of closed session.

## **9. SPECIAL RECOGNITIONS**

President Castellanos asked Jimmy Knodel, Coordinator, Communications, Public Engagement & Marketing, to recognize tonight's Extra Miler and Associated Student Body.

### **Extra Miler**

A special recognition certificate was presented to Paraeducator III, Erin Tomlasoff (Bathgate Elementary), who assisted a choking student at lunch with the Heimlich Maneuver, dislodging a candy that was stuck in his airway.

### **Associated Student Body**

San Clemente High School  
Chris Carter, *Principal*  
Matthew Reid, *Activities Director*  
Mason Ord, *Associated Student Body President*

Jimmy Knodel introduced the artwork from District middle school students that was displayed in the Board room. Middle school art teachers curated select works from Aliso Viejo Middle School, Bernice Ayer Middle School, Don Juan Avila Middle School, Ladera Ranch Middle School, and Fred Newhart Middle School.

## **10. BOARD COMMENTS**

## **11. STUDENT BOARD MEMBER COMMENTS**

Student Board Member, Alex Zhao, reported on various school activities, Instagram, and sports at all the schools.

## **12. ORAL COMMUNICATIONS (Non-Agenda Items)**

The following speakers addressed the Board:

- *Enrique Gonzalez, student, spoke regarding the restroom facilities at Aliso Niguel High School*
- *Gene spoke regarding Cultural Proficiency, events at SJHHS, Library books, and Healthy Kids Survey*
- *Kellie Cross spoke regarding the postponement of the Math Plan implementation*
- *Amy Reyes spoke regarding the postponement of the Math Plan implementation*

- Heather Puhek spoke regarding library books, active inclusivity and sexual content
- Amber Smith spoke regarding library books
- Michele Ploessel-Campbell spoke regarding the outreach for PTA volunteers for 2023-2024 school year, Sacramento Safari, PTA activities, and the Niguel Hills Open House

### 13. PUBLIC HEARING

#### A. PUBLIC HEARING NOTICE

##### 1. PUBLIC HEARING: OXFORD PREPARATORY ACADEMY - SOUTH ORANGE COUNTY CHARTER SCHOOL MATERIAL REVISION, INCLUDING ADMISSION PREFERENCES

At 8:00 p.m. President Castellanos opened the Public Hearing on Oxford Preparatory Academy - South Orange County Charter School Material Revision, Including Admission Preferences.

President Castellanos closed the Public Hearing at 8:00 p.m.

### 14. 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 staff recommend approval of all Consent Calendar items.

President Castellanos asked Trustees for items they wished to pull from the Consent Calendar. Trustee Hanacek pulled agenda items 14.A.7 and 14.B.6. Trustee Jones pulled agenda item 14.B.2 and Trustee Parham pulled agenda item 14.C.10.

The following speaker addressed the Board:

- Michele Ploessel-Campbell spoke regarding agenda items 14.A.1 and 14.C.5.

Motion made by: Michael Parham

Motion seconded by: Judy Bullockus

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 7-0 by a roll call vote to approve the Consent Calendar, with the exception of agenda items 14.A.7, 14.B.2, 14.B.6, and 14.C.10, being pulled by Trustees.

Student Board Member Zhao cast a preferential vote of aye to approve the Consent Calendar.

#### A. BUSINESS AND SUPPORT SERVICES

##### 1. DONATION OF FUNDS AND EQUIPMENT

**2. PURCHASE ORDERS, COMMERCIAL WARRANTS AND PREVIOUSLY BOARD-APPROVED BIDS AND CONTRACTS**

**3. INDEPENDENT CONTRACTOR, PROFESSIONAL SERVICES, FIELD SERVICE, AND MASTER CONTRACT AGREEMENTS**

**4. AMENDMENT ONE TO MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF ORANGE SOCIAL SERVICES AGENCY FOR THE PROVISION OF FREE SCHOOL MEALS DIRECT CERTIFICATION PROGRAM**

**5. AWARD BID NO. 2223-13, REFRIGERATION AND ICE-MAKING UNITS MAINTENANCE AND REPAIRS - REFRIGERATION CONTROL COMPANY, INCORPORATED**

**6. STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NO. 4-22-12-1015, 1GOVERNMENT PROCUREMENT ALLIANCE BASE CONTRACT NO. 23-07P-03, PURCHASE, WARRANTY, DESIGN, DEMOLITION, SITE PREPARATION, INSTALLATION, MAINTENANCE, AND REPAIR OF PLAYGROUND SOLUTIONS - DAVE BANG ASSOCIATES, INCORPORATED OF CALIFORNIA**

**7. RESOLUTION NO. 2223-40, APPROVING THE USE OF PUPIL GRANT ELIGIBILITY FOR THE FRED NEWHART MIDDLE SCHOOL STEAM PROJECT**

President Castellanos recognized Clark Hampton, Interim Superintendent, Business and Support Services, to present the item.

Trustee Davis left the dais at 11:03 p.m.

Motion made by: Amy Hanacek

Motion seconded by: Michael Parham

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Not Present

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 6-0-1 by a roll call vote to approve Resolution No. 2223-40, Approving the Use of Pupil Grant Eligibility for the Fred Newhart Middle School Steam Project.

Trustee Davis rejoined the meeting at 11:07 p.m.

**8. RESOLUTION NO. 2223-42, APPROVING GRANT APPLICATIONS AND AGREEMENTS FOR CALIFORNIA SCHOOLS HEALTHY AIR, PLUMBING, AND EFFICIENCY PROGRAM PROJECTS AT SEVEN VARIOUS SCHOOL SITES**

**9. RESOLUTION NO. 2223-43, APPROVING GRANT APPLICATIONS AND AGREEMENTS FOR CALIFORNIA SCHOOLS HEALTHY AIR, PLUMBING, AND EFFICIENCY PROGRAM PROJECTS AT 35 VARIOUS SCHOOL SITES**

**B. CURRICULUM AND INSTRUCTION**

**1. ADDENDUM TO THE AGREEMENT FOR ADDITIONAL SCHOOLS PARTICIPATING IN THE INSIDE THE OUTDOORS SCHOOL PROGRAM, AGREEMENT NUMBER 15001, ADDENDUM NO. 11, NO. 12, NO. 13, AND NO. 14**

**2. ENGLISH LEARNER ANNUAL EVALUATION**

**3. COLLEGE AND CAREER ACCESS PATHWAYS, A DUAL ENROLLMENT PARTNERSHIP AGREEMENT, APPENDIX – SPRING 2023**

President Castellanos recognized Gregory Merwin, Associate Superintendent, Education and Support Services, to present the item.

Motion made by: Gila Jones

Motion seconded by: Michael Parham

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 7-0 to approve College and Career Access Pathways, a Dual Enrollment Partnership Agreement, Appendix - Spring 2023.

**4. INSTITUTE FOR MULTI-SENSORY EDUCATION CONTRACT AGREEMENT**

**5. TRAINING SERVICES CONTRACT WITH KNOWLEDGE SAVES LIVES INCORPORATED**

**6. SECOND READING - BOARD POLICY 5121.1, GRADES/EVALUATION OF STUDENT ACHIEVEMENT**

President Castellanos recognized Gregory Merwin, Associate Superintendent, Education and Support Services, to present the item.

Trustee Jones left the dais at 11:09 p.m.

Trustee Jones rejoined the meeting at 11:10 p.m.

Motion made by: Amy Hanacek

Motion seconded by: Gary Pritchard

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 7-0 to approve Board Policy 5121.1, *Grades/Evaluation of Student Achievement*.

## **C. HUMAN RESOURCE SERVICES**

- 1. AFFILIATION AGREEMENT WITH CHAPMAN UNIVERSITY**
- 2. YMCA SERVICE AGREEMENT**
- 3. BIENNIAL AUTHORIZATION OF COACHES TO PROVIDE SECOND SEMESTER PHYSICAL EDUCATION CREDIT**
- 4. CONSIDER AND APPROVE REVISED JOB DESCRIPTION - LEAD TRADES WORKER INTO THE FOLLOWING FIVE JOB DESCRIPTIONS: LEAD HVAC TECHNICIAN, LEAD ELECTRICIAN, LEAD PLUMBER, LEAD CARPENTER, AND LEAD PAINTER**
- 5. SECOND QUARTER REPORT - WILLIAMS SETTLEMENT LEGISLATION UNIFORM COMPLAINT**
- 6. REVISED CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION SALARY SCHEDULE - JOB CLASSIFICATION LIST**
- 7. SUBSTITUTE RATES FOR CERTIFICATED SUBSTITUTES IN A PARAEDUCATOR POSITION**
- 8. STUDENT TEACHING/CLINICAL PRACTICE PARTNERSHIP AGREEMENT WITH POINT LOMA NAZARENE UNIVERSITY**
- 9. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES**
- 10. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES**

President Castellanos recognized Bob Presby, Associate Superintendent, Human Resource Services, to present the item.

Motion made by: Michael Parham

Motion seconded by: Amy Hanacek

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 7-0 to approve Resignations/Retirements/Employment - Classified Employees.

## **D. GENERAL FUNCTIONS**

- 1. SCHOOL BOARD MINUTES - JANUARY 18, 2023**
- 2. SCHOOL BOARD MINUTES - FEBRUARY 1, 2023**
- 3. EDUCATION SUPPORT SERVICES GROUP CONSULTANT AGREEMENT**

## 15. DISCUSSION ACTION ITEMS

### A. DISCUSSION/INFORMATION ITEMS

#### 1. OXFORD PREPARATORY ACADEMY - SOUTH ORANGE COUNTY CHARTER SCHOOL ADMISSION PREFERENCES

President Castellanos recognized Gregory Merwin, Associate Superintendent, Education and Support Services, to present the item.

Motion made by: Judy Bullockus

Motion seconded by: Lisa Davis

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 7-0 to approve Oxford Preparatory Academy - South Orange County Charter School Admission Preferences, as amended.

The preferences were amended to read:

1. Children of OPA staff\* (not to exceed 10 percent of total enrollment)
2. Siblings of students admitted to or attending the Charter School
3. Siblings of students admitted to or attending OPA - Middle School who previously attended SOC
4. Children residing within the former Barcelona Hills Elementary School Attendance Boundary
5. Children enrolled in Oxford Preparatory Academy-SOC - Virtual learning
6. Children residing within the District
7. All other applicants

Student Board Member Zhao cast a preferential vote of aye to approve Oxford Preparatory Academy - South Orange County Charter School Admission Preferences, as amended.

#### 2. RESOLUTION NO. 2223-41, RESOLUTION OF THE BOARD OF TRUSTEES TO APPROVE MATERIAL REVISION TO CHARTER OF OXFORD PREPARATORY ACADEMY - SOUTH ORANGE COUNTY CHARTER SCHOOL

President Castellanos recognized Gregory Merwin, Associate Superintendent, Education and Support Services, to present the item.

Dr. Merwin requested Colleen Hayes, Manager II, Board Operations/Superintendent's Office, to set the timer when he began his presentation. Dr. Merwin spoke for 1:14 minutes.

President Castellanos introduced Dr. Amy Kernan, Executive Director, Oxford Preparatory Academy.

Colleen Hayes, Manager II, Board Operations/Superintendent's Office, set the timer to allow the speaker the same time allotted as the District. The timer was set for 1:14 minutes.

Motion made by: Gila Jones



Motion seconded by: Lisa Davis

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 7-0 to approve Oxford Preparatory Academy - South Orange County Charter School Admission Preferences, with the amended Admission Preferences in agenda item 15.A.1.

Student Board Member Zhao cast a preferential vote of aye to approve Oxford Preparatory Academy - South Orange County Charter School Admission Preferences, with the amended Admission Preferences in agenda item 15.A.1.

### **3. CULTURAL PROFICIENCY BI-ANNUAL REPORT**

President Castellanos recognized Gregory Merwin, Associate Superintendent, Education and Support Services, to present the item.

The following speaker addressed the Board:

- *Michele Ploessel-Campbell spoke regarding agenda item 15.A.3, Cultural Proficiency Bi-Annual Report*

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

### **4. MID-YEAR UPDATE 2022-2023 DISTRICT GOALS**

President Castellanos recognized Clark Hampton, Interim Superintendent, Business and Support Services, to present the item.

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

### **5. 2023 BALLOT FOR CALIFORNIA SCHOOL BOARDS ASSOCIATION DELEGATE ASSEMBLY REGION 15**

President Castellanos recognized Trustee Judy Bullockus, Trustee Area 7, and Trustee Michael Parham, Trustee Area 2, to present the item.

The seven candidates recommended by Trustees Bullockus and Parham to serve a two-year term on the CSBA Delegate Assembly are listed below:

Michelle Barto (Newport-Mesa USD)  
Leandra Blades (Placentia-Yorba Linda USD)  
Bonnie Castrey (Huntington Beach Union HSD)  
Carrie Flanders (Anaheim ESD)  
Deana Miller (Brea Olinda USD)  
Kelly Osborne (Laguna Beach USD)  
Suzie Swartz (Saddleback Valley USD)

The Board voted individually on each recommended candidate.

Candidate	Ayes	Noes
Michelle Barto (Newport-Mesa USD)	7	0
Leandra Blades (Placentia-Yorba Linda USD)	5	2
Bonnie Castrey (Huntington Beach Union HSD)	7	0
Carrie Flanders (Anaheim ESD)	6	1
Deana Miller (Brea Olinda USD)	5	2
Kelly Osborne (Laguna Beach USD)	7	0
Suzie Swartz (Saddleback Valley USD)	7	0

The item was moved by Trustee Bullockus and seconded by Trustee Parham. The motion carried to cast the Board's vote for the seven recommended candidates on the 2023 Ballot for the CSBA Delegate Assembly, Region 15.

Student Board Member Zhao cast a preferential vote of aye for the seven recommended candidates on the 2023 Ballot for the CSBA Delegate Assembly, Region 15.

Student Board Member Zhao left the meeting at 10:15 p.m.

## 6. TRUSTEE REQUEST TO REVISE THE SCHOOL OF CHOICE WINDOW

President Castellanos recognized Lisa Davis, Trustee Area 3, to present the item.

The following speakers addressed the Board:

- *Amy Reyes spoke regarding agenda item 15.A.6, Trustee Request to Revise the School of Choice Window*
- *Kellie Cross spoke regarding agenda item 15.A.6, Trustee Request to Revise the School of Choice Window*

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

President Castellanos requested a consensus of the Board for staff to provide the Board with Administrative Placement language regarding Advanced Math Placement by March 1, 2023, for those students who meet the criteria. In addition, staff will post this language to the Mathematics website, include it in the Math FAQ, and send out communication to Principals.

The Board came to a consensus and gave direction to staff to present the Board with the Administrative Placement language regarding Advanced Math Placement, and complete the tasks by March 1, 2023.

Interim Superintendent Clark Hampton asked for clarification to utilize California School Boards Association's (CSBA) legal services.

The Board came to a consensus and gave direction to utilize CSBA 's legal services where applicable.

### **Motion to Extend the Meeting Past the Hour**

It was moved by Trustee Davis and seconded by Trustee Bullockus to extend the Board meeting to 11:30 p.m.

Ayes: Trustees Bullockus, Castellanos, Davis, Hanacek, Jones, Parham, and Pritchard

Noes: None

The motion carried 7-0 to extend the meeting to 11:30 p.m.

Trustee Jones requested the Board include Orange County Department of Education's (OCDE) free legal services in addition to CSBA's legal services, where applicable.

The Board came to a consensus and gave direction to utilize OCDE's free legal services in addition to CSBA's, where applicable.

#### 16. ADJOURNMENT

Motion made by: Michael Parham

Motion seconded by: Amy Hanacek

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

Motion carried 7-0 to adjourn the meeting.

President Castellanos announced the Board meeting adjourned at 11:20 p.m.



Amy Hanacek, Clerk of the Board



Clark Hampton, Interim Superintendent