



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

1. CALL TO ORDER

President Castellanos called the meeting to order at 5:40 p.m.

ROLL CALL

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

Absent: Trustee Jones

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 Readmissions; Public Employment and Evaluation of Performance.

3. CLOSED SESSION (as authorized by law)

A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

On agenda items A-1 and A-2, Trustees voted 6-0-1, with Trustee Jones absent, to approve staff recommendation on the following ADR cases:

ADR Case No. 20221104M

ADR Case No. 20230726

Motion made by: Judy Bullockus

Motion seconded by: Amy Hanacek

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes
Gila Jones - Absent
Gary Pritchard - Yes

Trustees Jones arrived to Closed Session at 5:45 p.m.

On agenda item A-3, Trustees voted 7-0 to direct staff to retain and direct legal counsel to initiate or intervene in a legal action, (social media litigation). The action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the District's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize the District's ability to conclude existing settlement negotiations to its advantage.

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

On agenda item A-4, Trustees voted 6-1 to uphold the level 3 findings, as amended to include program clarity for parents, with Trustee Davis voting no.

Motion made by: Judy Bullockus
Motion seconded by: Amy Hanacek
Voting:
Krista Castellanos - Yes
Michael Parham - Yes
Amy Hanacek - Yes
Judy Bullockus - Yes
Lisa Davis - No
Gila Jones - Yes
Gary Pritchard - Yes

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

On agenda items B-1 and B-2, Trustees voted 7-0 to approve staff recommendation on the following cases:

OAH Case No. 2023040418
OAH Case No. 2023040835M

Motion made by: Amy Hanacek
Motion seconded by: Judy Bullockus
Voting:
Unanimously Approved

C. CONFERENCE WITH LABOR NEGOTIATORS

No reportable action.

D. STUDENT READMISSIONS

Trustees voted 6-0-1, with Trustee Jones absent, to approve staff recommendation on the following cases:

Case # 2023-007

Case # 2023-010

Motion made by: Amy Hanacek

Motion seconded by: Judy Bullockus

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Not Present

Gary Pritchard - Yes

E. PUBLIC EMPLOYMENT AND EVALUATION OF PERFORMANCE

Trustee voted 7-0 to table this item to the October 18, 2023, regular Board meeting.

Motion made by: Lisa Davis

Motion seconded by: Amy Hanacek

Voting:

Unanimously Approved

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 7:09 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 Mina Carson, First Vice Chairperson, Community Advisory Committee.

7. ADOPTION OF THE AGENDA

Motion made by: Lisa Davis

Motion seconded by: Michael Parham

Voting:

Unanimously Approved

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

Student Board Member Pearce 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. SUPERINTENDENT AND BOARD COMMENTS

Superintendent Brown reported on the District's partnership with College and Career Advantage (CCA) and the grand openings of 2 CCA centers in the past two months at Marco Forster Middle School and Niguel Hills Middle School. The Superintendent also attended the American Legion Auxiliary Girls State Recognition event and met 6 senior students who spent the summer in Sacramento at the Girls State event. He also attended the eSports Lounge Grand Opening at Tesoro High School.

10. STUDENT BOARD MEMBER COMMENTS

Student Board Member Pearce reported on sports, dances and other school events. He recommended students interested in applying to college attend the upcoming College Fair on October 2, 2023, at Capistrano Valley High School.

11. ORAL COMMUNICATIONS (Non-Agenda Items)

President Castellanos requested a consensus of the Board to extend the time allotted to 80 minutes and modify the individual time allowed for each speaker to one minute.

Motion made by: Lisa Davis

Motion seconded by: Gary Pritchard

Voting:

Krista Castellanos - Yes

Michael Parham - No

Amy Hanacek - Yes

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - Yes

The motion carried 6-1 by a roll call vote to extend the time allotted to 80 minutes and modify the individual time allowed for each speaker to one minute.

The following speakers addressed the Board:

- o *Xander Cloud, student, spoke regarding a parental notification letter*
- o *Sara Ajster spoke regarding a parental notification letter*
- o *Anne Haghett spoke regarding transgender kids in the schools*
- o *Colette Foster spoke regarding parental rights*
- o *Michelle Brooks spoke regarding a parental notification policy*
- o *Heather Puhek spoke regarding a parental notification policy*
- o *Damaris Zorio spoke regarding a parental notification policy*
- o *Katie Crockett spoke regarding parental rights and value of Esencia*
- o *Jamie Hanson spoke in support of teachers, a Spanish book fair, and no book bans*
- o *Lynne spoke regarding a parental notification policy, and AB 1078*
- o *Kristen Freska spoke regarding a parental notification policy*
- o *Barbara Borkowski spoke regarding diversity and inclusion*
- o *Tammy T. spoke regarding parental rights*
- o *Amber Smith spoke regarding a parental notification policy*
- o *Cheryl F. spoke regarding parental rights*
- o *Jenny Golden spoke regarding regarding parental rights*

- *Michell M. spoke regarding a parental notification policy*
- *Linda Verraster spoke in support of the Board and a factual, well-rounded education*
- *Amy Courtney spoke regarding a parental notification letter*
- *Whitney Zolna spoke regarding a parental notification letter*
- *Dave Huxtable spoke in support of teachers , students freedom, parent notification letter*
- *Jamie Fink spoke in support of CAPOUSD mission*
- *Nancy Rohr spoke regarding outside influences and students rights*
- *Amy Baxter spoke on behalf of Trudy Podobas, regarding Marblehead Elementary teachers*
- *Angela Jones spoke regarding seniors yearbook photographs, inclusion and a no-cost option*
- *Emily Lipincott spoke regarding parental policy rights*
- *Kane Durham spoke regarding parental policy rights*
- *Egda Page spoke regarding a safe environment for all*
- *Carol Tuch spoke in support of teachers, staff and administrators*
- *Carolyn Adamich spoke regarding parental policy rights*
- *Gene spoke regarding a parental notification policy*
- *Lisa Fenning spoke regarding a parental notification policy regarding student gender identity and orientation*
- *Judy Jones spoke in support of teachers, administrators, and staff*
- *Celeste Cariker, student, spoke regarding a trans parental notification policy, and students' privacy*
- *Yvonne Ybarra spoke regarding gratitude for the Board, and students freedom*
- *Stephanie Camacho-Van Dyke spoke regarding LGTBQ student support*
- *Sue Boardman spoke regarding a parental notification letter and students freedom*
- *Erin Bright spoke regarding inclusive environments, and cultural proficiency*
- *Patricia Henry spoke regarding parental rights, inappropriate books, flags*
- *Jillian Kinjerski spoke regarding a P.E. waiver for ice hockey players, and recognized the Capistrano Coyotes team*
- *Candace Boren spoke regarding parental rights, and support of educators*
- *Michelle Dehn spoke regarding parental rights*
- *Wayne Mai spoke regarding a parental notification policy*
- *Eileen McDaugh spoke regarding general education, and book banning*
- *Louise Herbert spoke regarding support of public education*
- *Barbara Casserly spoke regarding language to support all students*
- *Priscilla Huang spoke regarding a parental notification policy, safe space for students*
- *Sandra Cupp spoke regarding library book selections, and music, fine arts, and STEM education*
- *Mia La Londe spoke regarding protection of students rights*
- *Rick Butera spoke regarding censorship, and a parental notification policy*
- *Andrea Hassard spoke regarding teacher-student relations*
- *Martin Oblea spoke in support of school teachers and administrators*
- *Jennifer Kennedy spoke regarding a parental notification policy*
- *Shan spoke regarding a parental notification policy*
- *Tammy spoke regarding a parental notification policy*
- *Linda spoke regarding a parental notification policy*
- *Diane spoke regarding a parental notification policy*
- *Linda P. spoke regarding a parental notification policy*
- *Pam spoke regarding parental rights*
- *Kira Davis spoke regarding parental notification and safety*
- *Florita spoke regarding a parents bill of rights*
- *Eva Harrison spoke regarding a parental notification policy*
- *Natalie Roberts spoke regarding a parental notification policy*
- *Mina Gendi spoke regarding a parental notification policy and gender education*
- *Kelsey Kappauf spoke regarding safe spaces*
- *Daniel S. spoke regarding parental rights*

- *Lindzy Butterfield spoke regarding parental rights*
- *Amanda Michael spoke regarding a parental notification policy, restrooms, and crossing guard safety*
- *Suzanna Bortz spoke regarding transgender rights and parent notification*
- *Breanne Boyle spoke regarding transgender rights*
- *Linda Hackwith spoke regarding support of teachers*
- *Judith Reising spoke regarding a parental notification policy*
- *Bradley Zieminski spoke regarding a parental notification policy*
- *Leslie Zieminski spoke regarding a parental notification policy*
- *Ezra Green spoke regarding a transgender policy*

12. PUBLIC HEARING

A. PUBLIC HEARING NOTICE

1. PUBLIC HEARING: RESOLUTION NO. 2324-14, DETERMINING STEPS TO ENSURE AVAILABILITY OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS, FISCAL YEAR 2023-2024

At 9:00 p.m. President Castellanos opened the Public Hearing on Resolution No. 2324-14, Determining Steps to Ensure Availability of Textbooks and Instructional Materials, Fiscal Year 2023-2024.

President Castellanos closed the Public Hearing at 9:00 p.m.

13. DISCUSSION ACTION ITEMS

A. DISCUSSION/INFORMATION ITEMS

1. SPECIAL EDUCATION COMMUNITY ADVISORY COMMITTEE ANNUAL REPORT

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

Gregory Merwin introduced Clint Collins, Assistant Superintendent, Special Education Services, who introduced Beth Davis - Chairperson, Rachel Sutherland - Vice Chairperson, and Mina Carson - First Vice Chairperson, of the Community Advisory Committee, to present the item.

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

2. BUSINESS AND SUPPORT SERVICES ACCOMPLISHMENTS 2022-2023

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

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

3. FIRST READING BOARD BYLAW 9323, MEETING CONDUCT

President Castellanos recognized Dr. Christopher Brown, Superintendent, to present the item.

Motion made by: Lisa Davis

Motion seconded by: Amy Hanacek

Voting:

Unanimously Approved

The motion carried 7-0 to table this item and bring it back to a future Board meeting.

Student Board Member Pearce cast a preferential vote of aye to table this item and bring it back to a future Board meeting.

4. FIRST READING BOARD POLICY 4119.21, 4219.21, PROFESSIONAL STANDARDS

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

Motion made by: Lisa Davis

Motion seconded by: Judy Bullockus

Voting:

Krista Castellanos - Yes

Michael Parham - Yes

Amy Hanacek - No

Judy Bullockus - Yes

Lisa Davis - Yes

Gila Jones - Yes

Gary Pritchard - No

The motion failed 5-2 to adopt Board Policy 4119.21, 4219.21, *Professional Standards*, on a first reading. The Board gave direction to staff to bring this item back as a second reading on Consent at a future Board meeting.

Student Board Member Pearce cast a preferential vote of aye to adopt Board Policy 4119.21, 4219.21, *Professional Standards*, on a first reading.

5. FIRST READING BOARD POLICY 4319.21, PROFESSIONAL ADMINISTRATIVE STANDARDS

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

Motion made by: Amy Hanacek

Motion seconded by: Michael Parham

Voting:

Unanimously Approved

The motion carried 7-0 to adopt Board Policy 4319.21, *Professional Administrative Standards*, on the first reading and waive the second reading.

Student Board Member Pearce cast a preferential vote of aye to adopt Board Policy 4319.21, *Professional Administrative Standards*, on the first reading and waive the second reading.

6. FIRST READING BOARD POLICY 4119.24, 4219.24, 4319.24, MAINTAINING APPROPRIATE ADULT-STUDENT INTERACTIONS

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

The following speaker addressed the Board:

- *Jessica Geyer spoke regarding Board Policy 4119.24, 4219.24, 4319.24, Maintaining Appropriate Adult-Student Interactions*

Motion made by: Judy Bullockus
Motion seconded by: Michael Parham
Voting:
Unanimously Approved

The motion carried 7-0 to amend the policy, and the Board further directed staff to bring back Board Policy 4119.24, 4219.24, 4319.24, *Maintaining Appropriate Adult-Student Interactions*, as a second reading on Consent at a future Board meeting.

Student Board Member Pearce cast a preferential vote of aye to amend the policy, and the Board further directed staff to bring back Board Policy 4119.24, 4219.24, 4319.24, *Maintaining Appropriate Adult-Student Interactions*, as a second reading on Consent at a future Board meeting.

7. FIRST READING BOARD POLICY 4305, TEACHING ASSISTANT PRINCIPALS

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

Motion made by: Amy Hanacek
Motion seconded by: Michael Parham
Voting:
Unanimously Approved

The motion carried 7-0 to adopt Board Policy 4305, *Teaching Assistant Principals*, on the first reading and waive the second reading.

Student Board Member Pearce cast a preferential vote of aye to adopt Board Policy 4305, *Teaching Assistant Principals*, on the first reading and waive the second reading.

8. FIRST READING BOARD POLICY 5141.4, CHILD ABUSE PREVENTION AND REPORTING

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

Motion made by: Amy Hanacek
Motion seconded by: Michael Parham
Voting:
Unanimously Approved

The motion carried 7-0 to adopt Board Policy 5141.4, *Child Abuse Prevention and Reporting*, on the first reading, waive the second reading, and delete Board Policy 5171.1, *Child Abuse Prevention*.

Student Board Member Pearce cast a preferential vote of aye to adopt Board Policy 5141.4, *Child Abuse Prevention and Reporting*, on the first reading, waive the second reading, and delete Board Policy 5171.1, *Child Abuse Prevention*.

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 Superintendent and the staff recommend approval of all Consent Calendar items.

President Castellanos asked Trustees for items they wished to pull from the Consent Calendar. Trustee

Davis pulled agenda item 14.B.1: 2023-2024 Data Collections of the Consolidated Application and Reporting System.

The following speaker addressed the Board:

- *Samantha Tarr spoke on behalf of Jessica Geyer, regarding agenda item 14.A.1, Donations of Funds and Equipment*

Motion made by: Lisa Davis

Motion seconded by: Judy Bullockus

Voting:

Unanimously Approved

The motion carried 7-0 by a roll call vote to approve the Consent Calendar, with the exception of agenda item 14.B.1: 2023-2024 Data Collections of the Consolidated Application and Reporting System, pulled by Trustee Davis.

Student Board Member Pearce cast a preferential vote of aye to approve the Consent Calendar, with the exception of agenda item 14.B.1: 2023-2024 Data Collections of the Consolidated Application and Reporting System, pulled by Trustee Davis.

A. BUSINESS AND SUPPORT SERVICES

1. DONATION OF FUNDS AND EQUIPMENT

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

3. AGREEMENTS AND BIDS

B. CURRICULUM AND INSTRUCTION

1. 2023-2024 DATA COLLECTIONS OF THE CONSOLIDATED APPLICATION AND REPORTING SYSTEM

This item was pulled from the Consent Calendar by Trustee Davis.

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

Motion made by: Lisa Davis

Motion seconded by: Judy Bullockus

Voting:

Unanimously Approved

The motion carried 7-0 to approve 2023-2024 Data Collections of the Consolidated Application and Reporting System.

Student Board Member Pearce cast a preferential vote of aye to approve 2023-2024 Data Collections of the Consolidated Application and Reporting System.

2. AGREEMENT NO. 10003898 WITH THE ORANGE COUNTY SUPERINTENDENT OF SCHOOLS

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

4. RESOLUTION NO. 2324-14, DETERMINING STEPS TO ENSURE AVAILABILITY OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS FOR 2023-2024

C. HUMAN RESOURCE SERVICES

1. BIENNIAL AUTHORIZATION OF COACHES TO PROVIDE FIRST SEMESTER PHYSICAL EDUCATION CREDIT

2. MEMORANDUM OF UNDERSTANDING WITH CAPISTRANO UNIFIED EDUCATION ASSOCIATION TO MODIFY ARTICLE 14.1: INITIAL STEP AND COLUMN PLACEMENT FOR JUNIOR RESERVE OFFICER'S TRAINING CORPS INSTRUCTORS

3. MEMORANDUM OF UNDERSTANDING WITH CAPISTRANO UNIFIED EDUCATION ASSOCIATION TO MODIFY ARTICLE 14, WAGES - HOURLY SERVICE RATE FOR DISTRICT NURSES

4. ORANGE COUNTY DEPARTMENT OF EDUCATION FOURTH QUARTER REPORT – WILLIAMS SETTLEMENT LEGISLATION

5. CONSIDER AND APPROVE REVISED JOB DESCRIPTION – CHIEF TECHNOLOGY OFFICER

6. CONSIDER AND APPROVE NEW JOB DESCRIPTION – COORDINATOR II, COLLEGE AND CAREER GUIDANCE

7. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CERTIFICATED EMPLOYEES

8. RESIGNATIONS/RETIREMENTS/EMPLOYMENT - CLASSIFIED EMPLOYEES

D. GENERAL FUNCTIONS

1. SCHOOL BOARD MINUTES - AUGUST 9, 2023

2. SCHOOL BOARD MINUTES - AUGUST 16, 2023

15. ADJOURNMENT

Motion made by: Michael Parham

Motion seconded by: Amy Hanacek

Voting:

Unanimously Approved

Motion carried 7-0 to adjourn the meeting.

Student Board Member Pearce cast a preferential vote of aye to adjourn the meeting.

President Castellanos announced the Board meeting adjourned at 10:15 p.m.

A handwritten signature in blue ink, consisting of a large, stylized initial 'A' followed by a long, sweeping horizontal line.

Amy Hanacek, Clerk of the Board

A handwritten signature in blue ink, featuring a large, stylized initial 'C' followed by several loops and a long horizontal line.

Christopher Brown, Ed.D., Superintendent