

CAPISTRANO UNIFIED SCHOOL DISTRICT
BOARD OF TRUSTEES
MINUTES – REGULAR MEETING
AUGUST 27, 2014
EDUCATION CENTER – BOARD ROOM

Trustee Hatton-Hodson called the meeting to order at 6:00 p.m. The Board recessed to closed session to confer with Legal Counsel regarding Existing Litigation and to discuss Public Employee Appointment/Employment.

Trustee Alpay was not present in closed session.

Closed session recessed at 6:10 p.m.

The regular meeting of the Board reconvened to open session and was called to order by Trustee Hatton-Hodson at 7:00 p.m. Trustee Hatton-Hodson announced Trustee Alpay would be teleconferencing the meeting and she would be facilitating the meeting.

The Pledge of Allegiance was led by CSEA President Ronda Walen.

Present: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon

A CD of 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

Permanent Record

It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to adopt the Board agenda.

Adoption of the Board Agenda

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Hatton-Hodson reported the following action taken during closed session:

President's Report From Closed Session Meeting

Agenda Item #3 A – Conference with Legal Counsel – Existing Litigation:

The Board voted by a 6-0 vote to decline the settlement proposal and await a final judgment from the Ninth Circuit Court.

AYES: Trustees Addonizio, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Alpay

Agenda Item #3 B – Public Employee Appointment/Employment:

The Board voted by a 6-0 vote to approve the appointment of Dr. Jennifer Heckert, Director III, Intervention Systems.

AYES: Trustees Addonizio, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: Trustee Alpay

Superintendent Kirsten Vital commented she has been in the District for three weeks and is enjoying her job, has been visiting the many professional development opportunities throughout the District, and is looking forward to the first day of school.

Board and Superintendent Comments

Trustee Hanacek stated she and Trustee Reardon were the District representatives on the South Coast ROP board and she is very excited about the courses and pathways ROP is offering.

Trustee Bryson shared she had recently visited her high school in Ohio and it brought back fond memories. It reminded her of the importance of creating positive high school memories.

Trustee Hatton-Hodson shared she was recently elected to the board of the Orange County School Boards Association and she was looking forward to interacting with other school boards. She also stated she and her daughter attended a safe driving program at Capistrano Valley High School, which she highly recommends for parents of driving-age children and she recently met with Assistant Superintendents Julie Hatchel and Michelle Le Patner and the Executive Director of the Rancho Mission Viejo Education Outreach program to discuss creating a partnership.

As specified in Board Bylaw 9323 for Oral Communications, each speaker was allowed three (3) minutes to speak.

Oral Communications

The following speakers addressed the Board:

- *Gail Benda asked Trustees to respond to her if they are interested in the League of Women Voters facilitating a Candidates' Forum.*

DISCUSSION/ACTION

Trustee Hatton-Hodson announced the Public Hearing open at 7:12 p.m. regarding the instructional materials recommended for adoption: high school career technical education – Culinary Arts. There being no speakers to address the Board, Trustee Hatton-Hodson declared the Public Hearing closed at 7:13 p.m.

**Public Hearing:
Instructional
Materials Adoption
Agenda Item 1**

Assistant Superintendent Michelle Le Patner stated before the Board is a request for the supplemental text, *Foundations of Restaurant Management*, for the Culinary Arts program at Aliso Niguel, Dana Hills, San Clemente, and Junipero Serra high schools. Dr. Le Patner stated this text would be paid through Carl Perkins funds for approximately 150 students.

**Instructional
Materials Adoption
Agenda Item 2**

It was moved by Trustee Bryson, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to approve the adoption of *Foundations of Restaurant Management and Culinary Arts, Level One* © 2011 National Restaurant Association/Pearson-Prentice Hall, for high school career technical education – Culinary Arts.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Hatton-Hodson announced the Public Hearing open at 7:14 p.m. regarding the instructional materials recommended for adoption: high school English Language Arts – language and composition AP grade 11, literature and composition AP grade 12, and expository reading and writing grade 12. There being no speakers to address the Board, Trustee Hatton-Hodson declared the Public Hearing closed at 7:15 p.m.

**Public Hearing:
Instructional
Materials Adoption
Agenda Item 3**

Assistant Superintendent Michelle Le Patner explained this item is for five titles and is the result of a collaboration of department chairs and English Language Arts teachers working with their departments for a Districtwide, consistent, selection of supplementary texts. Dr. Le Patner stated the cost of the texts is between \$18.33 and \$19.95 each and would be site funded.

**Instructional
Materials Adoption
Agenda Item 4**

It was moved by Trustee Bryson, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve dividing the question, adopting the following supplemental titles for high school English Language Arts: *AP English: Preparing for the Language and Composition Exam* © 2001, 2006, D & S Marketing – for Language and Composition AP, grade 11; *The Things They Carried* by Tim O’Brien © 2009, Houghton Mifflin – for Language and Composition AP, grade 11; *They Say, I Say* by Gerald Graff and Cindy Birkenstein © 2014, W. W. Norton – for Expository Reading and Writing, grade 12; *AP English: Preparing for the Literature and Composition Exam* © 2001, D & S Marketing – for Literature and Composition AP, grade 12; and reconsider *Fast Food Nation* by Eric Schlosser © 2001, Houghton Mifflin – for Language and Composition as a separate item.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Following discussion, it was moved by Trustee Hanacek, seconded by Trustee Addonizio, and motion carried by a 6-1 vote to approve the adoption of the *Fast Food Nation* by Eric Schlosser © 2001, Houghton Mifflin – for Language and Composition AP, grade 11.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: Trustee Bryson
ABSENT: None
ABSTAIN: None

Vice President Hatton-Hodson announced the Public Hearing open at 7:32 p.m. regarding the instructional materials recommended for adoption: middle school Language Arts – English, grades 6, 7, and 8 and Spanish Two-Way Immersion, grades 7 and 8. There being no speakers to address the Board, Trustee Hatton-Hodson declared the Public Hearing closed at 7:33 p.m.

**Public Hearing:
Instructional
Materials Adoption
Agenda Item 5**

Assistant Superintendent Michelle Le Patner explained these eight books are the first set of supplementary materials for grades 6-8 in alignment with developing the consistent practice of Districtwide supplementary reading materials by grade level. Dr. Le Patner stated two titles are for the Two-Way Immersion Spanish program at Marco Forster and Bernice Ayer middle schools. These materials would be paid for with site funds.

**Instructional
Materials Adoption
Budget Plan
Agenda Item 6**

It was moved by Trustee Hanacek, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve the adoption of the following supplemental titles for middle school Language Arts: *Love That Dog* by Sharon Creech © 2001, Scholastic – English, grade 6; *Out of My Mind* by Sharon Draper © 2010, Simon & Schuster – English, grade 6; *Wonder* by R. J. Palacio © 2012, Knopf – English, grade 6; *Gathering Blue* by Lois Lowry © 2000, Random House – English, grades 6 and 7; *Flipped* by Wendelin Van Draanen © 2001, Knopf – English, grades 7 and 8; *Freak the Mighty* by Rodman Philbrick © 1993, Scholastic – English, grades 7 and 8; *Martian Chronicles* by Ray Bradbury © 1979, Bantam – English, grades 7 and 8; *Let the Circle Be Unbroken* by Mildred Taylor © 1981, Puffin – English, grade 8; *The Outsiders* by S. E. Hinton © 1967, Viking – English, grade 8; *Senderos Fronterizos* by Francisco Jimenez © 2002, Houghton Mifflin – Spanish TWI, grade 7; *Mas Alla de Mi* by Francisco Jimenez © 2009, Houghton Mifflin – Spanish TWI, grade 8.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Hatton-Hodson announced the Public Hearing open at 7:39 p.m. regarding the instructional materials recommended for adoption: middle school and high school – English Language Development. There being no speakers to address the Board, Trustee Hatton-Hodson declared the Public Hearing closed at 7:40 p.m.

**Public Hearing:
Instructional
Materials Adoption
Agenda Item 7**

Assistant Superintendent Michelle Le Patner stated as part of the work the District is doing to improve instruction and support for our English Learner (EL) students, teachers collaborated and developed a placement structure for middle school and high school EL students. These texts will also be used in the English Language Development (ELD) courses in grades 6-12. Dr. Le Patner stated these materials would be paid for with Title III funds.

**Instructional
Materials Adoption
Agenda Item 8**

It was moved by Trustee Bryson, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve the adoption of the following: *Inside: Fundamentals, Level A, B, and C*, grades 6-8, and, *Edge: Fundamentals, Level A, B, and C*, grades 9-12, © 2014 National Geographic Learning/Cengage, for middle school and high school English Language Development.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Hatton-Hodson announced the Public Hearing open at 7:41 p.m. regarding the instructional materials recommended for adoption: K-12 special education – Daily Living Skills. There being no speakers to address the Board, Trustee Hatton-Hodson declared the Public Hearing closed at 7:42 p.m.

**Public Hearing:
Instructional
Materials Adoption
Agenda Item 9**

Assistant Superintendent Michelle Le Patner stated this is a web-based K-12 curriculum for moderate/severe students in STEPs, structured autism students, and students in the Adult Transition Program. The curriculum focuses on functional academics and daily living skills. Dr. Le Patner stated this title would be paid for with Common Core instructional materials funds and is estimated to cost \$21,600 for the 2014-2015 school year.

**Instructional
Materials Adoption
Agenda Item 10**

Following discussion, it was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to approve the adoption of *Unique Learning System* © 1997-2013 N2Y, for K-12 special education – Daily Living Skills.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Hatton-Hodson announced the Public Hearing open at 7:50 p.m. regarding the instructional materials recommended for adoption: high school world language – Chinese IV, V, AP, grade 12 and high school German IV, V, AP, grades 11 and 12. There being no speakers to address the Board, Trustee Hatton-Hodson declared the Public Hearing closed at 7:51 p.m.

**Public Hearing:
Instructional
Materials Adoption
Agenda Item 11**

Assistant Superintendent Michelle Le Patner stated these textbooks continue the sequence for Chinese and German courses. Dr. Le Patner stated the estimated cost to purchase a class set of 35 books would be \$1,350 paid with site funds.

**Instructional
Materials Adoption
Agenda Item 12**

It was moved by Trustee Bryson, seconded by Trustee Hanacek, and motion carried by a 7-0 vote to approve the adoption of the following basic and supplemental titles for high school world language: *Chinese Made Easy 4* © 2003, Joint Publishing – for Chinese IV and V, grade 12; *Chinese Made Easy 5* © 2004, Joint Publishing – for Chinese V, AP, grade 12; *AP Chinese Language and Culture* © 2013, Nan Hai Publishing – for Chinese V, AP; *China: Great Country in the East, Volumes I – IV* © 2002, Beijing University – for Chinese IV and V, grade 12; *Das Mysteriose Konzert* by Hans Konig © 1984, EMC Publishing – for German IV and V, AP, grades 11 and 12.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger stated after the Board approved the classified layoff in April, three elementary schools have determined site funds will no longer support existing positions for the upcoming school year. Mrs. Brentlinger explained, three positions in one service area have been identified for elimination but two of the three positions are vacant. Since several other schools are adding positions, it doesn't appear there will be an impact to any employees by approving this item.

**Classified Layoff
Non-Management
Agenda Item 13**

It was moved by Trustee Pritchard, seconded by Trustee Reardon, and motion carried by a 7-0 vote to approve Resolution No. 1415-16, Classified Layoff Non-Management Employees, in the designated classifications.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Assistant Superintendent Jodee Brentlinger stated following the approval of the revision to Board Policy 9270, staff looked at two additional policies, which are being presented for first reading. Changes to Board Policy 4135, 4235, 4335, <i>Soliciting and Selling</i> , are to provide clarity and specificity for all District employees relative to these items. The policy will be brought back to the September 10, 2014, meeting for a second reading.	Board Policy Revisions Agenda Item 14
Assistant Superintendent Jodee Brentlinger stated revisions to Board Policy 4137, <i>Tutoring</i> , support Board Policy 9270. Originally this policy was only for certificated employees but has been revised to cover all employees. The policy will be brought back to the September 10, 2014, meeting for a second reading.	Board Policy Revisions Agenda Item 15
Trustee Hatton-Hodson asked Trustees for items they wished to pull from the Consent Calendar. Items 21, 28, and 41 were pulled.	Items Pulled from the Consent Calendar
CONSENT CALENDAR	
It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to approve the following Consent Calendar items:	
Minutes of the August 13, 2014, special Board meeting.	Minutes Agenda Item 16
Resolution No. 1415-14, Acceptance of the 2014-2015 Assistance League Contract for Operation School Bell; Kids on the Block; Hands on Literacy; and Links To Learning.	Assistance League Contract Agenda Item 17
Readmission of a student from expulsion: Case #2014-009.	Expulsion Readmissions Agenda Item 18
Payment to District master teachers who supported student teachers during the 2013-2014 school year.	Master Teacher Payments Agenda Item 19
Memorandum of Understanding for the 2014-2015 Migrant Education Program, Region 9.	MOU – Migrant Education Agenda Item 20
Purchase orders, warrants, and previously Board-approved bids and contracts as listed.	Purchase Orders/Warrants Agenda Item 22
Donations of funds and equipment.	Donations Agenda Item 23
Ratification of District standardized Independent Contractor, Master Contract, and Professional Services Agreements.	Professional Services Agreements Agenda Item 24
Ratification of special education Settlement Agreement Case #2015050139 and Informal Dispute Resolution Case #071014.	Settlement Agreement Agenda Item 25
Ratification of special education Settlement Agreement Case #2014061057, Informal Dispute Resolution Case #067214, and Informal Dispute Resolution Case #070914.	Settlement Agreement Agenda Item 26

Ratification of Income Agreement No. 40778 with the Orange County Superintendent of Schools to provide the services of Jane Vogel for functional vision assessments and consultation for District students.	Income Agreement Agenda Item 27
Amendment No. 2 to the Use of Facilities Agreement for 2014 with Oxford Preparatory Academy, South Orange County at the Barcelona Campus.	Use of Facilities Agreement Amendment Agenda Item 29
Amendment to Agreement Bid No. 1314-20 for fence repairs and maintenance with Harris Steel Fence Company, Incorporated.	Bid Agreement Amendment Agenda Item 30
Amendment to Agreement Bid No. 1112-11 for concrete maintenance and repair with Above All Names Construction Services, Incorporated.	Bid Agreement Amendment Agenda Item 31
Agreement for Participation, Inside the Outdoors School Program, No. 70029 with the Orange County Superintendent of Schools to provide the Traveling Scientist programs to various schools, as requested by the District.	Participation Agreement Agenda Item 32
Agreement for Participation, Inside the Outdoors Field Program, No. 70003 with the Orange County Superintendent of Schools to provide field trips for various schools, as requested by the District.	Participation Agreement Agenda Item 33
Continuous public notice related to the disposal of District-owned surplus property.	Surplus Property Disposal Agenda Item 34
Advertise Request for Proposal (RFP) No. 2-1415 for external investigation services.	Advertise for RFP– Investigation Services Agenda Item 35
Advertise Bid No. 1415-14 for the purchase and installation of mobile surveillance systems in District buses.	Advertise Bid – Surveillance Systems Agenda Item 36
Authorization to utilize the State of California Multiple Award Schedule Contract No. 1-14-23-10 A through G, Fleet Vehicles - Cars, awarded to Downtown Ford Sales; Elk Grove Auto Group; Hanford Toyota; Winner Chevrolet; Wondries Fleet Group; Livermore Ford; and Hanford Hyundai for the purchase of fleet vehicles, as needed by the District.	Multiple Award Schedule Contract Agenda Item 37
Authorization to utilize the State of California Multiple Award Schedule Contract No. 1-14-23-20 A through G, Fleet Vehicles – Trucks, awarded to Downtown Ford Sales; Elk Grove Auto Group; Hanford Toyota; Winner Chevrolet; Wondries Fleet Group; Riverview International; and Swift Superstore for the purchase of fleet vehicles, as needed by the District.	Multiple Award Schedule Contract Agenda Item 38
Authorization to utilize the State of California Multiple Award Schedule Contract No. 1-14-23-23 A through G, Fleet Vehicles – Vans & SUVs, awarded to Downtown Ford Sales; Elk Grove Auto Group; Hanford Toyota; Winner Chevrolet; Wondries Fleet Group; Livermore Ford; and Swift Superstore for the purchase of fleet vehicles, as needed by the District.	Multiple Award Schedule Contract Agenda Item 39

Resignations, retirements, and employment of classified personnel.

**Resignations/
Retirements/
Employment
(Classified
Personnel)
Agenda Item 40**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Reardon stated this item pertains to the preschool program that is funded by grant money and is struggling to break even. He requested the Board approve the item but direct staff to bring forward a recommendation about the continuation, in the next fiscal year, of offering preschool services, which compete with the District's fully funded Transitional Kindergarten program and other sources of preschool services in the community.

**Acceptance
Agreement
Agenda Item 21**

Following discussion, it was moved by Trustee Reardon, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to approve Resolution No. 1415-15, Acceptance of Agreement FCI-SD2-04 with Children and Families Commission of Orange County.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Trustee Addonizio stated she pulled this item so she could vote no.

**Consultant
Agreement
Amendment
Agenda Item 28**

It was moved by Trustee Pritchard, seconded by Trustee Bryson, and motion carried by a 5-2 vote to approve the amendment to Consultant Agreement No. C1011052 for general legal services with Atkinson, Andelson, Loya, Ruud & Romo, as needed by the District.

ROLL CALL: AYES: Trustees Alpay, Bryson, Hanacek, Hatton-Hodson, and Pritchard
NOES: Trustees Addonizio and Reardon
ABSENT: None
ABSTAIN: None

Trustee Addonizio asked why Vicki Soderberg was not listed on the activity list now that she is no longer the president of the Capistrano Unified Education Association (CUEA) and is returning to the classroom. Assistant Superintendent Jodee Brentlinger responded Mrs. Soderberg is not listed on the activity list because she wasn't on leave while serving as president of the CUEA per the collective bargaining agreement.

**Resignations/
Retirements/
Employment
(Certificated
Personnel)
Agenda Item 41**

It was moved by Trustee Addonizio, seconded by Trustee Bryson, and motion carried by a 7-0 vote to approve the resignations, retirements, and employment of certificated personnel.

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None


It was moved by Trustee Bryson, seconded by Trustee Addonizio, and motion carried by a 7-0 vote to adjourn the meeting. **Adjournment**

ROLL CALL: AYES: Trustees Addonizio, Alpay, Bryson, Hanacek, Hatton-Hodson, Pritchard, and Reardon
NOES: None
ABSENT: None
ABSTAIN: None

Vice President Hatton-Hodson announced the meeting adjourned at 8:18 p.m.



Board Clerk



Secretary, Board of Trustees

Minutes submitted by Jane Boos, Manager, Board Office Operations