

POWAY UNIFIED SCHOOL DISTRICT

15250 AVENUE OF SCIENCE • SAN DIEGO, CALIFORNIA 92128-3406

TELEPHONE: (858) 521-2700 • FAX: (858) 485-1075

www.powayusd.com

OFFICE OF THE SUPERINTENDENT

BOARD OF EDUCATION
KIMBERLEY BEATTY
MICHELLE O'CONNOR-RATCLIFF
ANDREW PATAPOW
CHARLES SELLERS
T.J. ZANE

"...serving the communities of

Poway, Black Mountain Ranch, Carmel Mountain Ranch, Rancho Bernardo, Rancho Peñasquitos,
Sabre Springs, Sante Fe Valley, Torrey Highlands, and 4S Ranch"

POWAY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

SPECIAL BOARD STUDY SESSION

Written notice is hereby given that the following special meeting of the Governing Board of the Poway Unified School District will be held:

DATE: Monday, January 26, 2015

TIME: 9:00 a.m. – 12:00 p.m.

PLACE: District Office
Conference Room 204
15250 Avenue of Science • San Diego • CA

A. PUBLIC COMMENT

The Board will hear public comments on the agenda items only.

B. INFORMATION ITEM

B-1 Projected Long Term Enrollment Growth and Future Facilities Needs

C. FIRST READING ITEMS

C-1 Proposed Revisions to Board Policy 1.8 – Board Meetings – First Reading

C-2 Proposed New Board Policy 1.15 – Board Advisory Committees – First Reading

C-3 Administrative Procedure 1.15.1 – Board Advisory Committees – Review and Discussion

C-4 Proposed Revisions to Board Policy 4.300 – Merit System – First Reading

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the office of the District Superintendent at (858) 521.2700 [15250 Avenue of Science, San Diego]. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

C-5 Administrative Procedure 4.300.1 – Personnel Commission – Review and Discussion

The Board will recess to Closed Session to Consider the Following Item:

D. CLOSED SESSION ITEMS

Closed Session: Conference With Labor Negotiator
Agent Negotiator: Tracy Hogarth
PFT, PSEA, SEIU

E. REPORT OUT FROM CLOSED SESSION

F. ADJOURNMENT

The next regularly scheduled Board Meeting will take place on Tuesday, February 10, 2015 at 6:00 p.m. at the Poway Unified School District Office, 15250 Avenue of Science, San Diego.

In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the office of the District Superintendent at (858) 521.2700 [15250 Avenue of Science, San Diego]. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.

TO: BOARD OF EDUCATION

MEETING DATE: January 26, 2015

FROM: Malliga Tholandi
Staff Support: Sandi Burgoyne / Michael Tarantino

AGENDA ITEM: B-1

SUBJECT: PROJECTED LONG TERM ENROLLMENT GROWTH AND FUTURE FACILITIES NEEDS

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

Information and Presentation.

DISCUSSION/PROGRAM:

Included in this Study Session will be reports on:

- Long-Term Enrollment Projections
- Site Utilization
- Projections versus Capacity (Elementary)
- Options for Board Consideration

LEGAL REFERENCE: N/A

FISCAL IMPACT: N/A

MOVED BY: _____ **SECONDED BY:** _____

VOTE: BEATTY ____ O'CONNOR-RATCLIFF ____ PATAPOW ____ SELLERS ____ ZANE ____ **STUDENT PREFERENTIAL VOTE:** BARRETT ____

TO: BOARD OF EDUCATION

MEETING DATE: January 26, 2015

FROM: John P. Collins

AGENDA ITEM: C-1

Staff Support:

**SUBJECT: RECOMMENDED REVISIONS TO BOARD POLICY SECTION
1.8 - BOARD MEETINGS - FIRST READING**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote
Required

RECOMMENDATION:

First Reading.

DISCUSSION/PROGRAM:

The Board of Education is being presented with the First Reading of recommended revisions to Board Policy Section 1.8 – Board Meetings.

The revised Board Policy will be submitted for Board approval at their meeting on February 20, 2015.

LEGAL REFERENCE: As referenced in Board Policy

FISCAL IMPACT: N/A

MOVED BY: _____ **SECONDED BY:** _____

VOTE: BEATTY ___ O'CONNOR-RATCLIFF ___ PATAPOW ___ SELLERS ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** BARRETT ___

**POWAY UNIFIED SCHOOL DISTRICT
BOARD POLICY**

Originator: Superintendent

Issue No: 109

Date: ~~10/13/08~~ 10/13/08

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Reference: EC 35140, 35141, 35145;
GC 3549.1, 54950-54963;
42 USC 12132

ARTICLE: 1.0 GOVERNING BOARD

SECTION 1.8 BOARD MEETINGS

It is the legal responsibility and policy of the Board of Education that its business shall be conducted and all actions taken in public with the exception of legally-defined closed session issues. The public and District employees shall be invited and encouraged to attend Board meetings. It is the desire of the Board that its meetings be conducted in as informal a manner as possible, consistent with order and the efficient dispatch of school district business.

A Board meeting exists whenever a majority of Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board or District. Three or more members of the Board of Education shall constitute a quorum. At a meeting attended by only three members of the Board, a unanimous vote shall be required to adopt any action. Should there be fewer than three members of the Board present at any meeting, the members present have the sole power to receive petitions, adjourn to the next regular meeting, or adjourn to the time set for an adjourned regular meeting.

In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, meetings shall provide opportunities for questions and comments by members of the public and shall be conducted in accordance with law and Board-adopted bylaws. All meetings shall begin on time and shall be guided by an agenda prepared in accordance with the Ralph M. Brown Act (open meeting requirements) and other applicable laws. The Board president shall conduct Board meetings in accordance with Board bylaws and procedures that enable the Board to efficiently consider issues and carry out the will of the majority.

As a matter of policy, the Board may determine the order of business for the efficient operation of the meeting. Except as otherwise provided, Parliamentary Procedure At A Glance shall govern the proceedings of the Board.

Meeting notices and agendas shall specify that an individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent, or designee, in writing.

Annual Organizational Meeting: The annual organizational meeting of the Board of Education shall be consistent with state law.

Within fifteen (15) days prior to the organizational meeting, all members of the Board as of December 1 of that year, and the County Superintendent of Schools, shall be notified of the time, date, and place of said meeting.

The meeting shall be called to order by the previous year's president, or, if absent, by the previous year's vice president. Any member elected or re-elected to the Board at the last Board election shall be administered the oath of office by the superintendent, designee, or previous year's clerk, or, if absent, by such member as the past president may designate. The past president shall then conduct the election of a new president. The new president shall then conduct the election for

SECTION 1.8 BOARD MEETINGS

vice-president and clerk of the Board of Education. The president shall then make the necessary appointments of Board members to special groups or associations.

The Board so organized may then proceed to any business concerning which due notice has been given to each member of the Board.

Pursuant to the statutes of the State of California, a current roster of officers and members of the Board of Education shall be filed with the Secretary of State and other appropriate governmental agencies.

In its organizational meeting, the Board shall confirm the day, time, and place of meetings for the ensuing year. Such action shall be proper notice to all members of the Board of the regular meetings.

Regular Board Meetings: Regular Board meetings will be held once a month at a time and place prescribed by the Board. Meetings shall be held in a facility that is accessible to all persons, including disabled persons, without charge.

Adjourned Meetings: The Board of Education may adjourn any regular, adjourned regular, special, or adjourned special meetings to a time and place specified in the order or notice of adjournment. Less than a quorum may adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the clerk or secretary of the Board may declare the meeting adjourned to a stated time and place and written notice of the adjournment must be mailed or delivered to each member of the Board at least 24 hours in advance of the time to which the meeting has been adjourned.

A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special, or adjourned special meeting was held within 24 hours after the time of adjournment.

Special Meetings: Special meetings of the Board of Education may be called at any time by the president, ~~District Superintendent~~, or a majority of the members of the Board.

Special meetings of the Board of Education shall be open to the public and no business shall be considered at any special meeting of the Board other than the business for which the meeting was called. [Action items may be scheduled at a special meeting.](#)

All members of the Board and the District Superintendent shall be notified of each special meeting by written notice delivered at least 24 hours in advance of the meeting. Such notice shall be posted on the door of the regular meeting place and the meeting place of the special meeting, if different, at least 24 hours in advance of the meeting. The requirement for delivery of written notice to Board members may be waived by a Board member by filing a written waiver of notice with the clerk or secretary at or prior to the time the meeting convenes. Written notice to Board members need not be given to any member who is actually present at the time the meeting convenes.

The Superintendent, when authorized to do so, shall prepare and mail or deliver written notices of special meetings as provided by the statutes of the State of California, which notice shall specify time, date, and place of the meeting and the purpose for which it is called.

Study Sessions: [The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.](#)

SECTION 1.8 BOARD MEETINGS

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within District boundaries. No action item shall be included on the agenda for these meetings.

Discussion Meetings: The Board may also convene a discussion meeting. A discussion meeting is a planned time for the Board and Superintendent to talk with each other in an informal setting about governance issues or major issues facing the District.

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within District boundaries. No action item shall be included on the agenda for these meetings.

Emergency Meetings: In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. An emergency situation means an emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the Board or a dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist act that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board.

Except in the case of a dire emergency, the Board president, or designee, shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president, or designee, shall give such notice at or near the time he/she notifies the other members of the Board about the meeting. The minutes of the meeting, a list of persons the Board president, or designee, notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least ten (10) days in a public place as soon after the meeting as possible.

~~**Study Sessions:** The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.~~

~~Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within District boundaries. No action item shall be included on the agenda for these meetings.~~

Attendance at Events: Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific District business among themselves other than as part of the scheduled program: a conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members; an open, publicized meeting organized by a person or organization other than the District to address a topic of local community concern; an open and noticed meeting of another body of the District; an open and noticed meeting of a

SECTION 1.8 BOARD MEETINGS

legislative body of another local agency; a purely social or ceremonial occasion; or an open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers.

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act.

Closed Session: Closed sessions may be held during a **regular, adjourned regular, or a special meeting** to:

1. Consider the appointment, employment, discipline, dismissal, release, or evaluation of performance of a public employee. [Government Code Sections 54957 and 54954.5]
2. Hear complaints or charges brought against such employee, unless such employee requests a public hearing. The Board of Education may also exclude from any such public or private meeting during the examination of a witness, any or all witnesses in the matter being investigated. [Government Code 54957]
3. Meet with the District's designated negotiator(s) for the purpose of discussing the District's position and instructing its negotiator(s) regarding negotiations with represented and unrepresented employees. [Government Code Sections 54957.6 and 3549.1] Closed sessions held pursuant to this section shall not include final action on the proposed compensation of one or more unrepresented employees. [Government Code Section 54957.6(a)]
4. Confer with or receive advice from its attorneys regarding anticipated litigation of a public discussion which would prejudice the position of the District in the litigation. [Government Code Section 54956.9]
5. Discuss a claim for the payment of tort liability losses, public liability losses, or workers' compensation liability incurred by the District as a member of a joint powers agency. [Government Code Section 54956.95]
6. Consider the expulsion, suspension, or disciplinary action of any pupil within the District if a public hearing upon such question would lead to the release of information concerning school pupils which would be in violation of statutes of the State of California.
7. Grant authority to the District's negotiator regarding negotiations concerning the purchase, sale, exchange, or lease of real property.
8. Confer with the Attorney General, district attorney, sheriff, or chief of police, or their respective deputies, or a security consultant or security operations manager, on matters posing a threat to the security of public buildings, to the security of essential public services, including water, drinking water, wastewater treatment, natural gas service, and electric service, or to the public's right of access to public services or public facilities.
9. Review the contents of any student assessment instrument approved or adopted for the statewide testing system. Before any such meeting, the Board shall agree by resolution to accept any terms or conditions established by the State Board of Education for this review.
10. Consider any other matters permitted by the Education Code or Ralph M. Brown Act for discussion or action in closed session.

SECTION 1.8 BOARD MEETINGS

Prior to holding any closed session, the president, or presiding officer, shall announce, in open session, the item or items to be discussed in the closed session. The disclosure may take the form of a reference to the item(s) as listed on the public agenda. [Government Code Section 54957.7(a)]

Except for action to expel a pupil, action may be taken in closed session. After the closed session, the president, presiding officer, or clerk shall announce, in open session, orally or in writing, any action taken in closed session and the vote or abstention of every member present, in accordance with the requirements of the Ralph M. Brown Act. [Government Code Section 54957.1(a) and (b)]

- Action taken to appoint, employ, dismiss, accept the resignation of, or otherwise affect the employment status of a public employee in closed session. The report shall identify the title of the position. The report of a dismissal or non-renewal of an employment contract shall be deferred until the first public meeting following the exhaustion of administrative remedies, if any. [Government Code Section 54957.1(a)(5)]
- Approval of an agreement concluding labor negotiations with represented employees shall be reported after the agreement is final and has been accepted or ratified by the other party. The report shall identify the item approved and the other party or parties to the negotiation. [Government Code Section 54957.1(a)(6)]
- Approval of an agreement concluding real estate negotiations shall be reported after the agreement is final. If the Board's own approval renders the agreement final, that approval and the substance of the agreement shall be reported in open session. If final approval rests with the other party to the negotiations, the approval and substance of the agreement shall be disclosed upon inquiry by any person, as soon as the other party or its agent has informed the District of its approval. [Government Code Section 54957.1(a)(1)]
- Approval of a settlement of pending litigation shall be reported after the settlement is final. If the Board accepts a settlement offer signed by the opposing party, the presiding officer shall report its acceptance and identify the substance of the agreement in open session at that public meeting during which the closed session is held. If the final approval rests with some other party or court, then the District shall disclose, upon inquiry by any person, the approval and identify the substance of the agreement after the settlement becomes final. [Government Code Section 54957.1(a)(3)]
- Disposition reached as to claims involving tort liability losses, public liability losses, or workers' compensation liability shall be reported as soon as reached by identifying the name of the claimant, the name of the local agency claimed against, the substance of the claim, and any monetary amount approved for payment and agreed upon by the claimant. [Government Code Section 54957.1(a)(4)]

Public disclosures of closed session shall comply with requirements of California law. No disclosure shall be made of matters which are not subject to disclosure pursuant to the California Public Records Act or the Ralph M. Brown Act, nor which violate an individual's right to privacy. A Board member shall not disclose confidential information acquired during a closed session to a person not entitled to receive such information, unless a majority of the Board has authorized its disclosure. Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session.

No action for injury to a reputational, liberty, or other personal interest may be commenced by or on behalf of any employee or former employee with respect to whom a disclosure is made in an effort to comply with the requirements of public disclosure. [Government Code Section 54957.1(e)]

An employee who willfully releases confidential/privileged information about the District, students, or staff shall be subject to disciplinary action. No employee shall disclose confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

Preparation for Board Meetings: The Board of Education recognizes it to be the right and duty of each member to be as fully informed as possible concerning matters on which the Board must act. It is the policy of the Board that each member be provided, in advance of Board meetings, copies of such letters, schedules, reports, maps, bulletins, and the like as relate to the business to come before the Board.

Agenda: The secretary/Superintendent shall be responsible for the preparation of the agenda for Board meetings. Board member requests for items to be placed on the agenda may be addressed to the secretary/Superintendent or board president. All items placed on the agenda shall be processed through the Superintendent or the board president.

Controversial, complex, or complicated matters listed as agenda items should ordinarily be submitted for information. Board Policy changes shall be submitted for a first reading then for action at a subsequent meeting.

Board member items shall be placed for discussion and as new agenda items at the meeting under the appropriate section of the agenda for discussion only. The item may be presented with the request that it be considered at a succeeding meeting.

The Superintendent shall make recommendations on all agenda items where action is required. These recommendations and all information pertinent to the action to be taken should be furnished to the Board prior to the discussion and the vote.

The agenda for a regularly-scheduled Board meeting shall be posted on the door of the meeting place, or at a place where parents, stakeholders, and employees may view it at least 72 hours prior to the regular meeting.

A copy of the agenda shall be delivered to each member of the Board 72 hours prior to the meeting, if possible, with explanatory materials or reference to information materials for all items on which additional information is needed. Questions regarding this material may be resolved by calling the Superintendent prior to the meeting.

A reasonable number of copies of the agenda shall be available at regular meetings for the use of those in attendance.

Unless otherwise authorized by law, no action can be taken on any agenda item unless the item has been posted 72 hours in advance of a regular meeting, or 24 hours in advance of a special meeting. [Government Code Sections 54954.2 and 54956]

Voting: Voting shall be by voice upon the call of the president of the Board, except in those instances such as the election of officers to the Board when voting may, upon mutual agreement of the members, be conducted by ballot. The clerk shall poll each member and the secretary record the vote in the minutes. No voting by proxy shall be permitted. Three affirmative votes, a majority of the entire Board, shall be necessary for the adoption of any motion or resolution before the Board.

SECTION 1.8 BOARD MEETINGS

In accordance with opinions by County Counsel's office, the Board members recognize their obligation to vote on issues properly presented to the Board. In part, these opinions state:

"School district Governing Board members are elective public officers invested by statute with the exercise of judgment and discretion of a high order in the performance of their administrative duties and functions. This exercise of judgment and discretion cannot be delegated. Neither can they, with propriety, abdicate, or refuse to exercise this discretionary power, particularly in the matter of discussion and voting at Board meetings, by refusing or declining to vote, or by maintaining silence on controversial questions properly before the Board.

"They are elected to this important public office presumably because of the electorate's belief that they possess the requisite wisdom, judgment, and discretion to successfully discharge the duties thereof, and that they will, at all times, give the school district and its affairs the benefit of whatever abilities in this regard they may possess. In short, it is the duty of school Board members to vote at Board meetings; president, chairperson, or otherwise, and failure to do so is, in the eyes of the law, taken as a consent or acquiescence to the vote of the majority..."

When a Board member feels no recourse but to refrain from voting on a particular issue, the abstention vote will be recorded as such in the minutes. Abstentions shall be considered as being cast for the prevailing side.

The courts have clarified the philosophical rationale for casting abstention votes with the prevailing side by stating:

"...It is the duty of all members (referring to school Boards) present to vote, and if they fail to do their duty, they must be requested as assenting to whatever the majority of those who do vote may determine. Those who may wish to defeat a measure must vote against it, for inaction will not accomplish their purpose..."

Board members shall accept the decisions of the majority of the Board, even when such decisions are contrary to their personal opinions. Modification of such decision(s) may be sought by dissenting members only by reopening the matter with the Board.

The Board believes that when no conflict of interest requires abstention, its members have a duty to vote on issues before them. When a member abstains, his/her abstention shall not be counted for purposes of determining whether a majority of the membership of the Board has taken action.

Minutes: An accurate record of all proceedings of the Board of Education shall be kept in concise, typewritten form, in accordance with the best parliamentary practices. The minutes of Board of Education meetings shall be available for public inspection during the hours when the Administration Center is open.

A copy of the minutes of the meetings shall be included in the agenda materials supplied to the Board members for the following meeting or as soon as possible.

The minutes shall include: The type of meeting, the date and hour of the meeting, the place, the time at which the meeting was called to order, the names of Board members present or absent, the presence of the Superintendent, the correction and approval of previous minutes, if a special meeting, the stated purpose(s) for which such meeting was called as specified in the call or notice for such meeting, a full statement of each formal action of the Board naming the person offering the motion or resolution, the name of the person seconding, the vote of the motion and the vote of each Board member, a record of all communications and petitions presented to the Board

specifying their purpose and author, a record of the reports of the clerk, the members of the Board, the Superintendent and other staff members, a record of the canvass of ballots following any District election, a record of all gifts accepted by the Board for the District, the time of adjournment, the time and date to which the meeting may have been adjourned, and such other information as should appear in the official minutes of the Board.

In addition, all Board meetings shall be recorded on tape. The tape of each Board meeting shall be retained for a period of one year. The public shall be granted the privilege of hearing the tape after the minutes are written. The tapes shall be replayed at the Administration Center.

TO: BOARD OF EDUCATION

MEETING DATE: January 26, 2015

FROM: John P. Collins

AGENDA ITEM: C-2

Staff Support:

SUBJECT: PROPOSED NEW BOARD POLICY 1.15 - BOARD ADVISORY COMMITTEES - FIRST READING

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

First Reading.

DISCUSSION/PROGRAM:

The Board of Education is being presented with the First Reading of proposed new Board Policy Section 1.15 – Board Advisory Committees.

The proposed Board Policy will be submitted for Board approval at their meeting on February 20, 2015.

LEGAL REFERENCE: As referenced in Board Policy

FISCAL IMPACT: N/A

MOVED BY: _____ **SECONDED BY:** _____

VOTE: BEATTY ___ O'CONNOR-RATCLIFF ___ PATAPOW ___ SELLERS ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** BARRETT ___

**POWAY UNIFIED SCHOOL DISTRICT
BOARD POLICY**

Originator: Superintendent

Issue No: 1

Date: __/__/15

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Reference: EC 35147; GC 54953; GC 820.9

ARTICLE: 1.0 GOVERNING BOARD

SECTION 1.15 BOARD ADVISORY COMMITTEES

The Board of Education recognizes that advisory committees can provide a valuable method whereby citizens can better understand the attitudes and opinions which are held in the school-community environment. The Governing Board may establish a committee whenever it determines that such a committee would benefit the district by providing diverse viewpoints, specialized knowledge or expertise, or increased efficiency. Such committees may be subcommittees of the Board or committees that include members of the community, staff, or other stakeholder groups. The purpose of any such committees shall be clearly defined and aligned to the district's vision, mission, and goals.

Upon establishing a committee, the Board shall clearly define the committee's purpose, any timeline for completion of assigned responsibilities, any stakeholder groups or individuals to be represented on the committee, length of time that committee members are expected to serve, and expectations for reporting to the Board.

It is not the intention that Board advisory committees become policy-making bodies or that they manage or direct staff. Committees are advisory in nature only; that is, they inform, suggest, and recommend to the Board of Education.

Any committee not required by law that has fulfilled or completed its purpose/charge may be given a new or revised charge or it may be dissolved. The Board shall have the sole power to dissolve any of its advisory committees and shall reserve the right to exercise this power at any time during the life of any committees.

All meetings of committees shall be held as open meetings in compliance with the Ralph M. Brown Act, also known as the Open Meeting Act of the State of California.

As much as possible, committee membership shall reflect gender parity, be consistent with the racial/ethnic make-up of the District, and include parents/guardians of school-aged children, non-parent/guardian community members, and District employees, except in those cases where a committee is established to address the needs of a particular segment of the school population or community.

TO: BOARD OF EDUCATION

MEETING DATE: January 26, 2015

FROM: John P. Collins
Staff Support:

AGENDA ITEM: C-3

SUBJECT: ADMINISTRATIVE PROCEDURE 1.15.1 – BOARD ADVISORY COMMITTEES

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

Information.

DISCUSSION/PROGRAM:

Administrative Procedure 1.15.1 – Board Advisory Committees - is being presented to the Board for review and discussion.

LEGAL REFERENCE: As referenced in Board Policy

FISCAL IMPACT: N/A

MOVED BY: _____ **SECONDED BY:** _____

VOTE: BEATTY ___ O'CONNOR-RATCLIFF ___ PATAPOW ___ SELLERS ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** BARRETT ___

**POWAY UNIFIED SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURE**

Originator: Superintendent

Issue No: 1

Date: __/__/15

Page: 1 of

Reference: EC 35147; GC 54953; GC 815.2; GC 820.9

ARTICLE: 1.0 GOVERNING BOARD

1.15 BOARD ADVISORY COMMITTEES

SECTION 1.15.1 BOARD ADVISORY COMMITTEES

The Governing Board recognizes that Board advisory committees enable the Board to better understand the interests and concerns of the community.

Board advisory committees shall serve in an advisory capacity; they may make recommendations, but their actions shall not be binding on the Board or Superintendent.

The Superintendent or designee shall provide training and information, as necessary, to enable committee members to understand the goals of the committee and to fulfill their role as committee members.

The Board may dissolve any advisory committee not required by law when the committee has fulfilled its duties or at any time the Board deems it necessary.

Membership

As much as possible, committee membership shall reflect gender parity, be consistent with the racial/ethnic make-up of the District, and include parents/guardians of school-aged children, non-parent/guardian community members, and district employees.

Each Board member shall appoint one (1) member and the remainder of the membership shall be selected by the Board.

A Staff Liaison will be assigned by the Superintendent to each advisory committee and will serve as the district representative and as a communication link between the committee and the other district administrative staff. The Staff Liaison is not a member of the committee and may not vote.

Staff members may be appointed to advisory committees as deemed appropriate by the Board of Education. Staff may also be appointed to serve as expert advisors. An expert advisor is not a member of the committee and may not vote.

Membership recruitment and/or new appointments may be ongoing throughout the year as determined necessary by the Board of Education. Applications for appointment to Board advisory committees may be submitted at any time during the year.

Members shall be appointed for one (1) year and may be reappointed for additional terms.

The Superintendent is authorized to accept letters of resignation from individual committee members and shall report this information to the Board of Education.

SECTION 1.15 BOARD ADVISORY COMMITTEES

Members of advisory committees are not vicariously liable for injuries caused by the act or omission of the district or a committee and are not liable for injuries caused by an act or omission of a committee member acting within the scope of his/her role as a member of the committee. However, a member may be liable for injury caused by his/her own wrongful conduct. (Government Code 815.2, 820.9)

Within budget allocations, the Superintendent or designee may approve requests for committee travel and may reimburse committee members for expenses at the same rates and under the same conditions as those provided for district employees.

Committee Charge

When Board advisory committees are appointed, committee members shall receive written information including, but not limited to:

1. The committee members' names
2. The procedure to be used in the selection of the committee chairperson and other committee officers
3. The name(s) and contact information of staff member(s) assigned to support the work of the committee
4. The goals and specific charge(s) of the committee, including its topic(s) for study
5. The specific period of time that the committee is expected to serve
6. Legal requirements regarding meeting conduct and public notifications
7. Resources available to help the committee perform its tasks
8. Timelines for progress reports and/or final report
9. Relevant Board policies and administrative regulations

Duties and attendance

The committee shall meet a minimum of four times during the school year and shall establish and publish a meeting schedule.

Other work sessions may be scheduled as needed to accomplish specific tasks. All Committee meetings are open to the public as required by law.

The committee shall publish minutes from each meeting on the district website.

The committee shall issue a written report to the Board a minimum of once each year with findings and policy recommendations.

Any member who misses two (2) meetings in one calendar year shall be removed from the committee. The individual/group that originally appointed the affected member shall appoint a replacement member.

TO: BOARD OF EDUCATION

MEETING DATE: January 26, 2015

FROM: John P. Collins

AGENDA ITEM: C-4

Staff Support:

**SUBJECT: RECOMMENDED REVISIONS TO BOARD POLICY 4.300 –
MERIT SYSTEM – FIRST READING**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote
Required

RECOMMENDATION:

First Reading.

DISCUSSION/PROGRAM:

The Board of Education is being presented with the First Reading of revised Board Policy Section 4.300 – Merit System.

The proposed Board Policy will be submitted for Board approval at their meeting on February 20, 2015.

LEGAL REFERENCE: As referenced in Board Policy

FISCAL IMPACT: N/A

MOVED BY: _____ **SECONDED BY:** _____

VOTE: BEATTY ___ O'CONNOR-RATCLIFF ___ PATAPOW ___ SELLERS ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** BARRETT ___

**POWAY UNIFIED SCHOOL DISTRICT
BOARD POLICY**

Originator: Assoc. Superintendent, PSS

Issue No: 32

Date: ~~7/29/91~~ 7/29/15

Page: 1 of 1

ARTICLE: 4.0 PERSONNEL SUPPORT SERVICES

Reference: EC 45260, 45261; PC Rules

4.3 CLASSIFIED PERSONNEL

SECTION 4.300 PERSONNEL COMMISSION ~~MERIT SYSTEM~~

The Personnel Commission and the Board of Education will work cooperatively for the benefit of classified personnel.

The Commission shall, as provided by law, prescribe and amend such rules as may be necessary to ensure the efficiency of the service and the selection and retention of employees upon a basis of merit and fitness. The rules shall provide for the procedures to be followed by the Governing Board as they pertain to the classified service regarding application, examinations, eligibility, appointments, promotions, demotions, transfers, dismissals, resignations, layoffs, reemployment, vacations, leaves of absence, compensations within classification, job analyses and specifications, performance evaluations, public advertisement of examinations, and rejection of unfit applicants without competition.

~~The director of the Classified Personnel Commission shall notify the Board of Education of vacancies occurring among the commissioners of the Classified Personnel Commission by virtue of expiration of term of service or otherwise. Such notification shall include the name and address of the current commissioner, whether or not that commissioner will accept reappointment, the appointing authority, and the provision of applicable statutes of the State of California that must be followed in filling the vacancy.~~ (This paragraph was moved to Administrative Policy 4.300.1)

TO: BOARD OF EDUCATION

MEETING DATE: January 26, 2015

FROM: John P. Collins

AGENDA ITEM: C-5

Staff Support:

SUBJECT: ADMINISTRATIVE PROCEDURE 4.300.1 – PERSONNEL COMMISSION

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

Information.

DISCUSSION/PROGRAM:

Administrative Procedure 4.300.1 – Personnel Commission - is being presented to the Board for review and discussion.

LEGAL REFERENCE: As referenced in Board Policy

FISCAL IMPACT: N/A

MOVED BY: _____ **SECONDED BY:** _____

VOTE: BEATTY ___ O'CONNOR-RATCLIFF ___ PATAPOW ___ SELLERS ___ ZANE ___ **STUDENT PREFERENTIAL VOTE:** BARRETT ___

ARTICLE: 4.0 PERSONNEL SUPPORT SERVICES
4.300 CLASSIFIED PERSONNEL

SECTION 4.300.1 APPOINTMENT OF A PERSONNEL COMMISSION

The director of the Classified Personnel Commission shall notify the Board of Education of vacancies occurring among the commissioners of the Personnel Commission by virtue of expiration of term of service or otherwise. Such notification shall include the name and address of the current commissioner, whether or not the commissioner will accept reappointment, the appointing authority and the provision of applicable stature of the State of California that must be followed in filling the vacancy.

If the Board intends to reappoint its current appointee:

1. Reappoint its current appointee by publicly announcing the reappointment at a Board meeting, followed by a public hearing and appointment to be held after 30 and within 45 days.

If the Board desires to open the position to additional applicants or if a vacancy occurs:

2. Seek through public announcement names of individuals who are interested, eligible, and capable of serving on the Personnel Commission.
3. The candidates shall have the following qualifications:
 - A. Be a registered voter and resident within the territorial jurisdiction of the school district.
 - B. Be a known adherent to the principle of the Merit System. Known adherent to the principle of the Merit System means a person who by the nature of his/her prior public or private service has given evidence that he/she supports the concept of employment, continuance in employment, in-service promotional opportunities and other related matters on the basis of merit and fitness.

With respect to a candidate seeking reappointment, known adherent to the principle of the Merit System shall mean a Commissioner who has clearly demonstrated through meeting attendance and actions that he/she does, in fact, support the Merit System and its operation. (Education Code 45244)

The following characteristics are highly desirable:

- A. Demonstrated ability to work well with others.
- B. A reputation for ethical behavior.
- C. Willingness to work through defined channels of authority and responsibility.
- D. Knowledge of Public Personnel Administration, preferably demonstrated by related paid or voluntary experience.

SECTION 4.300.1 PERSONNEL COMMISSION

- E. Residence in the area long enough to have become familiar with the operations and background of the public agency.
4. The Personnel Commission office will assist the nominating body by posting the application online through the Commission's usual and customary recruitment sources, Edjoin.com and Governmentjobs.com (NeoGov) and through all district employee notification systems. The vacancy will also be posted on the front page of the District website and in the front lobby of the District office. An advertisement can also be placed in the local paper upon the request of the nominating body.
 5. Recruitment will be posted for the usual and customary timeline of Personnel Commission recruitments which is a minimum of 15 calendar days.
 6. Candidates shall submit an application to the Director of Classified Personnel electronically through the Personnel Commission web page.
 7. Applications will be screened by the Commission Director to determine if the applicants meet the required qualifications for this position. Candidates determined to meet the required qualifications of the position will be a registered voter and resident within the territorial jurisdiction of the school district, and will not be a member of the Board of any school district or county Board of Education, nor an employee of the school district.
 8. All applicants who meet the minimum qualifications, including the current incumbent, will be invited by the Commission Director to interview with the Board of Education in open session. At the conclusion of the interview process, the Board will vote to approve their recommendation for appointment to the Commission.

OR

An ad-hoc committee may be established by the Board President, comprised of two members of the Board and either the Superintendent or the Superintendent's designee. All applicants who meet the minimum qualifications, including the current incumbent, will be invited by the Commission Director to interview with the ad hoc committee. At the conclusion of the interview process, the committee will make a recommendation to the Board of their intended appointee. The name of the intended appointee will be forwarded to the Superintendent to prepare a "green sheet" to comply with Education Code 45246 (b)(1).

9. The Board of Education, in compliance with Education Code 45246 (d) shall provide the public, the District administration, employees, and employee organizations the opportunity to present their views on the intended appointment in open session at a Board meeting to be held after 30 and within 45 days of the announcement of its intended appointment.

Following the public hearing, the Board members may affirm their intended appointment, or may substitute a qualified appointee without further notification to the public.
10. Terms shall be for three years commencing at noon the first day of December, or immediately upon approval by the Board of Education for a vacant position.