



**POWAY UNIFIED SCHOOL DISTRICT  
MINUTES OF THE BOARD OF EDUCATION  
AT A REGULAR MEETING**

**October 19, 2009**  
Morning Creek Elementary School

**CLOSED SESSION**

President Andy Patapow called the meeting to order at 3:43 p.m. to receive public comment on the closed session agenda items. There were no public comments, and the Board convened to closed session in the staff lounge. The closed session was adjourned at 6:00 p.m., and Board members reconvened in the Morning Creek multipurpose room to begin their regular meeting and relay any reportable action taken during closed session.

**REGULAR MEETING**

**A. PRELIMINARY FUNCTIONS**

**A-1 Reconvene / Call to Order**

The regular meeting of the Board of Education was called to order at 6:09 p.m. by President Andy Patapow.

**A-2 Report Out of Closed Session**

**CLOSED SESSION: STUDENT DISCIPLINE**

Consideration and/or deliberation of student discipline matters  
Case No. 2009-2010.05

**CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS**

(Position(s): permanent classroom teacher)

**CLOSED SESSION: PUBLIC EMPLOYEES: Discipline / Dismissal / Release / Non-Reelection / Resignation**

**CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR**

Agent Negotiator: Bill Chiment  
PFT, CSEA, SEIU

**CLOSED SESSION: CAHSEE WAIVER FOR GRADUATION FOR STUDENTS WITH DISABILITIES - CONSIDERATION (EC 56101, 60851)**

On motion of Mrs. Vanderveen and second by Mr. Gutschow, and in accordance with California Education Code Sections 35146, 60850, 60851 and PUSD Board Policy 3.6, the Board reviewed 43 California High School Exit Exam waiver requests. These requests are for Special Education students who passed the California High School Exit Exam with modifications as specified in their Individual Education Plans. The Board approved by unanimous vote all 43 waiver requests.

In closed session the Board heard arguments, considered, and deliberated regarding a student expulsion which has been appealed. A formal vote will occur later in open session upon that matter.

There was no other reportable action taken in closed session.

**A-3 Salute to Flag**

Third grader Ethan Liu led the salute to the flag.

President Patapow called for a moment of silence in memory of Donald Gillaspay, a school bus driver.

**A-4 Members in Attendance**

All Board members were in attendance.

**A-5 Welcome to Public**

Mrs. Ranftle welcomed the public and offered instructions on the procedure for addressing the Board during the Public Comments segment of the meeting.

**A-6 Approval of Minutes**

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that the minutes of the September 14, 2009, Regular Board Meeting be approved as presented. *Motion carried unanimously, 5-0.*

**A-7 Approval of Agenda Sequence**

D-302 Review and Acceptance of the 2008-2009 Financial Audit

D-202 Approval of Resolution No. 19-2010 entitled “Adoption of Supplemental Early Retirement Plan for Poway Federation of Teachers-Represented Employees” and Review of Enabling Documents

G-601 Public Hearing Regarding Charter Petition from Global Tides

It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that agenda items D-302, D-202, and G-601 be considered prior to routine agenda items. *Motion carried unanimously, 5-0.*

**A-8 Approval of Consent Calendar**

**100 – LEARNING SUPPORT SERVICES**

106 Approval of Agreement for Nonpublic School/Nonpublic Agency Services

107 Approval/Ratification of Out-of-State Field Trips

108 Adoption of New High School Advanced Placement Courses

109 Acceptance of Gifts

**200 – PERSONNEL SUPPORT SERVICES**

203 Approval of Resolution No. 18-2010 entitled “Authorization to Teach Out of Major or Minor Fields”

204 Approval of Revised Certificated Position Description – Counselor

205 Approval of Variable Term Waiver Request – Ricky Jordan

206 (a) Approval of Certificated Personnel Report No. 04-2010

(b) Approval of Classified Personnel Report No. 04-2010

**300 – BUSINESS SUPPORT SERVICES**

303 Authorization to Award a Contract for Bid No 14B-2010 to Purchase Spring Athletic Apparel

304 Authorization to Award a Contract for Bid No 15B-2010 to Purchase Track and Field Athletic Equipment

305 Approval/Ratification of Contractual Services Report No. 03-2010

306 Ratification of Award of Bid No. 5B-2009 Purchase of Custodial Equipment

307 Ratification of Award of Bid No. 9B-2009 Purchase of Fitness Room Equipment

308 Ratification of Award of Bid No. 11B-2010 Purchase of Winter Athletic Apparel

309 Ratification of Award of Bid No. 12B-2010 Purchase of Athletic Equipment

310 Ratification of Award of Bid No. 13B-2010 Purchase of Musical Instruments

- 311 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders

#### **400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

- 401 Ratification of Change Orders to Contracts with C&C Glass, Inc., DFS Flooring, Inc., F.S.E., Inc., Grani Installation, Inc., K&Z Cabinet Co., Inc., Peltzer Plumbing, Inc., and Solpac, Inc., dba Soltek Pacific; Acceptance of Project as Complete; and Authorization to File Notices of Completion with C&C Glass, Inc., DFS Flooring, Inc., F.S.E., Inc., Grani Installation, Inc., K&Z Cabinet Co., Inc., Peltzer Plumbing, Inc., and Solpac, Inc., dba Soltek Pacific, for the Modernization of Black Mountain Middle School

#### **500 – COMMUNITY FACILITIES DISTRICT**

- 501 Approval of Resolution No. 21-2010 entitled “Intention to Designate an Improvement Area in Community Facilities District No. 2 and to Authorize the Levy of Special Taxes Within Such Improvement Area”
- 502 Approval of Resolution No. 22-2010 entitled “Declaring Necessity to Incur Bonded Indebtedness for a Proposed Improvement Area of Community Facilities District No. 2”

#### **600 – SUPERINTENDENT’S OFFICE**

Revised agenda item E-206(a) was distributed to the Board and Cabinet prior to the beginning of the meeting. Mrs. Ranftle asked that item E-311 be pulled for discussion. It was moved by Mr. Mangum, seconded by Mr. Gutschow, that, with the exception of item E-311, the items on the consent calendar be approved as presented. *Motion carried unanimously, 5-0.*

### **B. REPORTS / PRESENTATIONS / EARLY AGENDA ITEMS**

#### **B-1 Student Board Member Reports**

Student Board members Tess Moore from Mt. Carmel High School, Alex Harvey from Del Norte High School, Lucas Segil from Poway High School, Sana Marzouq from Rancho Bernardo High School, and Greg Christensen from Abraxas High School reported on events and activities at their respective schools. The Student Board member from Westview High School was not present.

#### **B-2 (a) Superintendent’s Briefing**

The following updates on current issues and events were presented:

- Dr. Phillips introduced John Sturla, Citizens’ Oversight Committee member, who was attending the Board meeting.
- Rosalie Mulé, California Integrated Waste Management Board member, presented a Certificate of Appreciation to PUSD teacher James Crooks, Board President Patapow, and Dr. Phillips for PUSD’s participation in a field test of their environment-based curriculum.

#### **(b) Student Recognition**

Student accomplishments and awards received were recognized.

#### **(c) Staff Recognition**

Accomplishments and awards earned by staff members were recognized.

#### **(d) District Recognition**

School awards and honors received were recognized.

#### **B-3 Board Member Reports**

Board members reported on their activities and events attended in the previous month.

**EARLY AGENDA ITEMS** – *As approved in agenda item A-7, these items were considered prior to routine agenda items.*

**D-302 Review and Acceptance of the 2008-2009 Financial Audit**

Revised agenda item D-302 was distributed to the Board and Cabinet prior to the beginning of the meeting. It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that the 2008-2009 financial audit for Poway Unified School District be accepted, and that the Deputy Superintendent be authorized to report the District's response to the audit findings and recommendations to the County Office of Education. *Motion carried unanimously, 5-0.*

**D-202 Approval of Resolution No. 19-2010 entitled “Adoption of Supplemental Early Retirement Plan for Poway Federation of Teachers-Represented Employees” and Review of Enabling Documents**

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that Resolution No. 19-2010 be approved and the Clerk of the Board be authorized to sign the Resolution for the Board. *Motion carried unanimously, 5-0.*

**G-601 Public Hearing Regarding Charter Petition from Global Tides**

President Patapow opened a public hearing at 6:45 p.m. to receive public comment. Marco Salazar, Charter School Development Systems, and Blaise Subbiondo, eTAP, petitioned on behalf of Global Tides to become the first statewide K-12 public education online charter school. Dr. Phillips stated the District response would be presented at the November 16 Board meeting.

**C. PUBLIC COMMENTS**

Kimberly Beatty shared her concern about the elimination of afterschool activity buses.

**D. ACTION ITEMS**

**D-101 Approval of Resolution No. 20-2010 entitled “Character Counts! and Red Ribbon Week for Alcohol, Tobacco, and Other Drugs Prevention”**

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that Resolution No. 20-2010, proclaiming October 19-23, 2009, as Character Counts! and Red Ribbon Week for Alcohol, Tobacco, and Other Drugs Prevention, be approved. *Motion carried unanimously, 5-0.*

**D-102 Approval of Updated 2009-2010 Special Education Community Advisory Committee Members**

It was moved by Mrs. Vanderveen, seconded by Mr. Gutschow, that the nominees be approved to serve on the 2009-2010 Special Education Community Advisory Committee. *Motion carried unanimously, 5-0.*

**D-103 Board Decision Regarding Appeal of the Administrative Hearing Panel’s Findings of Fact and Recommendations: Case No. 2009-2010.05**

In consideration of a review of the record, the Administrative Hearing Panel’s proposed findings of Fact and Recommendations, and all arguments regarding this appeal submitted in writing and as heard in Closed Session, Mrs. Vanderveen moved to affirm and adopt the Findings of Fact and Recommendations of the Administrative Hearing Panel in Case No. 2009-2010.05, resulting in the expulsion of that student based upon each violation and finding whether considered separately or cumulatively, and that notice of this decision be forwarded in accordance with law. Mr. Mangum seconded the motion.

## **Roll Call Vote Required**

Vote:    Ayes:               Gutschow, Mangum, Patapow, Ranftle, Vanderveen  
          Noes:               None  
          Absent:           None  
          Abstain:          None  
          **Motion Passed   5-0**

### **D-104 Ratification of Student Discipline**

It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that, based upon the Board's review of the Findings of Fact and Recommendations submitted by administrative hearing panel, the action of the recommendations presented regarding Case Numbers 2009-2010.01, 2009-2010.02, and 2009-2010.04 be ratified. ***Motion carried unanimously, 5-0.***

### **D-105 Ratification of Stipulated Agreement for Student Expulsion**

It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that the Board of Education approve and ratify the stipulated agreement for expulsion in Case Number 2009-2010.09. ***Motion carried unanimously, 5-0.***

### **D-201 Approval of Resolution No. 17-2010 entitled “Resolution Regarding the Elimination or Reduction in Hours and Changes to the Elimination or Reduction in Hours of the Classified Positions as Contained within Exhibit “A”; Corresponding Layoff and Layoff Rescission of Classified Employees”**

It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that the Board approve Resolution No. 17-2010 as presented. ***Motion carried unanimously, 5-0.***

*As approved in agenda item A-7, D-202 was considered prior to routine agenda items.*

### **D-301 Public Hearing and Approval of Resolution No. 16-2010 entitled “Adoption of a Mitigated Negative Declaration (MND) for Proposed Meadowbrook Middle School Athletic Field Renovation”**

President Patapow opened a public hearing at 7:17 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that Resolution No. 16-2010 be approved, adopting the Mitigated Negative Declaration (MND) for proposed Meadowbrook Middle School athletic field renovation. ***Motion carried unanimously, 5-0.***

*As approved in agenda item A-7, D-302 was considered prior to routine agenda items.*

*Agenda item E-311 was pulled from the Consent Calendar for discussion and action.*

### **E-311 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders**

It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that the District revolving cash fund and purchase card transactions be approved; and that the District purchase orders be ratified. ***Motion carried unanimously, 5-0.***

## **F. FIRST READING ITEMS**

### **F-109 Proposed Adoption of High School Textbook – First Reading**

This was presented as a first reading, to be presented for action on November 16, 2009.

**G. INFORMATION ITEMS**

**G-313 Enrollment Report No. 1/2009-2010**

This report was presented as information only.

*As approved in agenda item A-7, G-601 was considered prior to routine agenda items.*

**H. NEW BUSINESS – BOARD MEMBERS**

There was no business discussed under this item.

**I. CORRESPONDENCE**

There was no correspondence presented.

**J. CLOSED SESSION**

There were no additional items discussed in Closed Session.

**K. ADJOURNMENT**

The meeting was adjourned at 7:24 p.m.

---

Andy Patapow, President

---

Penny Ranftle, Clerk

---

Donald Phillips, Secretary

mc