



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

October 15, 2012
District Office Community Room

CLOSED SESSION

President Linda Vanderveen called the meeting to order at 3:07 p.m. to receive public comment on the closed session agenda items. Andy Patapow was not in attendance due to illness and his absence was excused by the President.

George Leitner, Mary Leitner, Robin Kaufman, Sally Grigoriev, and Mike Lutz voiced their support of the Avenida Venusto District property, also known as the water tower site, being utilized as a public park and recreation area for the community. Debi Renken and Lori Moody submitted comparable written statements but chose not to verbally address the Board.

The public comments concluded at 3:21 pm, and Board members convened to closed session in the Board conference room. The closed session was adjourned at 6:00 p.m., and Board members reconvened in the Community 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 Linda Vanderveen.

A-2 Report Out of Closed Session

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION (Subdivision (b)(1) of Section 54956.9) (Two cases)

CLOSED SESSION: PUBLIC EMPLOYEE DISCIPLINE / DISMISSAL / RELEASE / RESIGNATION

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – SIGNIFICANT EXPOSURE TO LITIGATION (Subdivision (b)(1) of Section 54956.9)
Case No. TC-13-08 Tort Claim Denial

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

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9) (11 cases)

CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code Section 54956.8)

Property: APN# 274-840-06-00

Agency negotiator: John P. Collins, Sandi Burgoyne

Negotiating party: City of San Diego

Under negotiation: Instruction to negotiator regarding both price and terms of payment

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

In re Municipal Derivatives Litigation

(Case No. MDL 1950, Master Docket No. 08-02516 (U.S.D.C. – S.D.N.Y.))

In Closed Session, the Board took action to approve a compromise settlement for TC-12-22 for \$9000 and to authorize the Superintendent to sign the appropriate agreement.

On a motion of Mr. Gutschow and second by Mr. Davis, and in accordance with California Education Code Sections 35146, 60850, 60851 and PUSD Board Policy 3.6, the Board reviewed four 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 four waiver requests.

There was no other reportable action taken in closed session.

A-3 Salute to Flag

Mt. Carmel High School senior Matt Sauer led the salute to the flag.

A-4 Members in Attendance

Four Board members were in attendance. Mr. Patapow's absence was excused due to illness.

A-5 Welcome to Public

Mr. Gutschow 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 Mr. Davis, seconded by Mr. Gutschow, that the minutes of the September 10, 2012, Regular Board Meeting be approved as presented. *Motion carried unanimously, 4-0.*

A-7 Approval of Consent Calendar

100 – LEARNING SUPPORT SERVICES

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

104 Acceptance of Gifts

200 – PERSONNEL SUPPORT SERVICES

203 (a) Approval of Certificated Personnel Report No. 03-2013

(b) Approval of Classified Personnel Report No. 30-2013

300 – BUSINESS SUPPORT SERVICES

301 Approval/Ratification of Contractual Services Report No. 03-2013

302 Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions

303 Acceptance of Project as Complete and Authorization to File a Notice of Completion for the Deer Canyon Elementary School and Abraxas High School Relocatable Buildings

- 304 Authorization to Replace and Augment the District’s Compressed Natural Gas Fueling Station by Entering into a Contract with RY Rodriguez, Inc., Petroleum Equipment Maintenance as a Sole Source Provider without Soliciting Competitive Bids
- 305 Award a Contract for Bid No. 2013-02B Installation of Video Lab Equipment to KR Wolfe, Inc.
- 306 Award Contracts for Bid No. 2013-03B Video Lab Equipment to B&H Photo Video, CSG Visual Communication, Inc., Filmtools, Troxell Communications, Inc., and Videotape Products, Inc., and Reject and Relieve Specific Line Items from Various Bids
- 307 Authorization to Execute the Agreement for Student Transportation Support Services Between San Diego County School Districts and Poway Unified School District
- 308 Ratification of Third Amendment to the Sublicense Agreement Between the City of Poway and the Poway Unified School District Regarding SDG&E’s Substation Property Located at the Corner of Twin Peaks Road and Budwin Lane

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

- 401 Authorization to Execute the Seventh Amendment to the Construction Services, Sublease, and Site Lease Agreements with Echo Pacific Construction, Inc., for the Modernization of Rancho Bernardo High School

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

Revised agenda item E-203(a) was distributed to the Board and Cabinet prior to the beginning of the meeting. It was moved by Mrs. Ranftle, seconded by Mr. Gutschow, that the items on the consent calendar be approved as presented. *Motion carried unanimously, 4-0.*

B. REPORTS / PRESENTATIONS / EARLY AGENDA ITEMS

B-1 Student Board Representative Reports

Student Board representatives Sophie Heston from Del Norte High School, Kenny Pyle from Mt. Carmel High School, JuJu Bae from Rancho Bernardo High School, and Diego Martinez from Westview High School reported on events and activities at their respective schools. The Student Board representatives from Abraxas and Poway High Schools were not present.

B-2 (a) Superintendent’s Briefing

The following updates on current issues and events were presented:

- The Poway Professional Assistance Program (PPAP) received prominent mention as an exemplary educational practice by State Superintendent Tom Torlakson’s Task Force on Educator Excellence, “Greatness by Design – Supporting Outstanding Teaching to Sustain Golden State,” published in September. In addition, it was featured in an article about the teacher review process in the San Diego Union Tribune newspaper. PPAP was also recognized by Stanford Professor Linda Darling-Hammond during the September 19th PBS NewsHour report, where she said it was an example of districts assisting new teachers and having effective teacher evaluation programs. Dr. Collins introduced the PPAP Governance Board and team members who were attending the meeting.
- An excerpt of the video clip of the San Diego County Teachers of the Year “Salute to Teachers” event was shown. Anthony Bayro and Martin Reisert were selected as two of the County Teachers of the Year representing San Diego County for State and National Teacher of the Year awards.

Anthony Bayro and Martin Reisert shared their appreciation for the support of teachers, and their enthusiasm of being able to make a difference in students' lives.

- Dr. Collins reported that the investigation being conducted by the forensic accounting firm reviewing the Proposition C, Series B bond issuance is continuing. When their investigation is complete, a report will be made at a public Board of Education meeting.

(b) Student Recognition

The 2013 National Merit Scholarship Semifinalists have been announced, along with the 2013 National Achievement Scholarship Program Semifinalists providing recognition for outstanding Black American high school students and the 2013 National Hispanic Scholars.

(c) Staff Recognition

Accomplishments and awards earned by staff members were recognized.

(d) District Recognition

School and District awards and honors received were recognized.

B-3 Board Member Reports

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

B-4 2012 Academic Performance Index (API) and Adequate Yearly Progress (AYP) Data

Dr. Collins, Dr. Robertson, and Ms. Sally Flournoy presented the 2012 Poway Unified School District Academic Performance Index and Adequate Yearly Progress results reported by the State. PUSD students have exhibited growth in the Academic Performance Index over the past three years.

As part of No Child Left Behind, districts and schools are required to meet four sets of targets, developed by each state, to meet Adequate Yearly Progress. Districts or schools that receive Title I funds and do not meet an AYP target in two consecutive years enter Program Improvement (PI). This is the first year of District Program Improvement, the first year of Midland Elementary Program Improvement, and the second year of Valley Elementary Program Improvement. As a result, all PUSD parents will be notified that the District is in year one of PI. Midland parents will be notified that their site has entered PI year one, and they have the choice to transfer their student(s) to another elementary school site. Thirty percent of Title I funds must now be used for school choice, supplemental education services such as afterschool tutoring, and Districtwide staff development.

C. PUBLIC COMMENTS

Scott Fisher stated his support of the work, work ethic, commitment to students, and integrity of the Board, Superintendent, and past Board members.

Susan Chin and Athalean Gee voiced their concern about student bullying, and would like to see more consequences for the bully.

Soroor Amanat shared some of her suggestions for improving education for students and their parents.

D. ACTION ITEMS

D-101 Readmission of Students on Expulsion

It was moved by Mrs. Ranfle, seconded by Mr. Gutschow, that the students represented by Case Numbers 2010-2011.57, 2010-2011.71, and 2011-2012.45 be readmitted to the Poway Unified School District. *Motion carried unanimously, 4-0.*

D-102 Approval of Resolution No. 13-2013 entitled “Character Counts! and Red Ribbon Week for Alcohol, Tobacco, and Other Drugs Prevention”

It was moved by Mrs. Ranftle, seconded by Mr. Davis, that Resolution No. 13-2013, proclaiming October 22-26, 2012, as Character Counts! and Red Ribbon Week for Alcohol, Tobacco, and Other Drugs Prevention, be approved. *Motion carried unanimously, 4-0.*

D-201 Approval of Resolution No. 21-2013 entitled “Resolution Regarding the Elimination or Reduction in Hours of the Classified Position as Contained Within Exhibit ‘A’; Corresponding Layoff of Classified Employee”

It was moved by Mr. Gutschow, seconded by Mr. Davis, that the Board approve Resolution No. 21-2013 as presented. *Motion carried unanimously, 4-0.*

D-202 Ratification of 2012-2015 Collective Bargaining Agreement with Service Employees International Union Local 221 (SEIU)

It was moved by Mr. Davis, seconded by Mr. Gutschow, that the Board of Education ratify the 2012-2015 Collective Bargaining Agreement with Service Employees International Union Local 221 (SEIU). *Motion carried unanimously, 4-0.*

D-501 Approval of Resolution No. 20-2013 entitled “Ordering Judicial Foreclosure Pursuant to the Mello-Roos Community Facilities Act of 1982 of Certain Properties for Which the Payment of Special Taxes are Delinquent, Approving and Ratifying Certain Actions of Special Counsel, and Ordering that the Tax Collector be Credited with Those Special Taxes”

It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that Resolution No. 20-2013, authorizing the Superintendent to proceed, on behalf of the Board, with foreclosure procedures, be approved. *Motion carried unanimously, 4-0.*

F. FIRST READING ITEMS

F-105 Proposed Adoption of High School Supplemental Textbooks for Advanced Placement Chinese – First Reading

This was presented as a first reading, to be presented for action on November 13, 2012.

F-106 Proposed Adoption of High School Basic Textbook for Advanced Placement Spanish Literature – First Reading

This was presented as a first reading, to be presented for action on November 13, 2012.

G. INFORMATION ITEMS

G-309 Enrollment Report No. 1/2012-2013

This report was presented as information only.

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 7:36 p.m.

Linda Vanderveen, President

Marc Davis, Clerk

John P. Collins, Secretary

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