



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

**June 24, 2013**  
District Office Community Room

**CLOSED SESSION**

President Marc Davis called the meeting to order at 3:00 p.m. to receive public comment on the closed session agenda items. There were no public comments, and all Board members convened to closed session in the Board conference room. The closed session was adjourned at 6:13 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 6:19 p.m. by President Marc Davis.

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

**CLOSED SESSION: STUDENT DISCIPLINE**

Consideration and/or deliberation of student discipline matters

Case Number 2012-2013.29

Case Number 2012-2013.32

**Closed Session: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL COUNSEL – PENDING LITIGATION:** Significant exposure to litigation pursuant to subdivision (a) of Government Code Section 54956.9  
(Case No. 37-2011-00098735-CU-PO-CTL)

**CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR**

Agent Negotiator: Bill Chiment

PFT, PSEA, SEIU

Clerk Ranftle reported that on a motion by Mr. Gutschow, second by Mr. Patapow, the Board approved a compromise settlement in Case No. 37-2011-00098735-CU-PO-CTL and authorized the Associate Superintendent to sign the appropriate agreement.

**A-3 Salute to Flag**

President Davis led the salute to the flag.

**A-4 Members in Attendance**

All Board members were in attendance. Anna Page, current Student Board Member was absent. Samantha Geier, the 2013-2014 Student Board Member, was in the audience.

**A-5 Welcome to Public**

Mr. Patapow 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. Gutschow, seconded by Mr. Patapow, that the minutes of the May 20, 2013, Regular Board Meeting and May 22, May 29, and June 18, 2013, Special Board Meetings be approved as presented. *Motion carried unanimously, 5-0.*

**A-7 Approval of Agenda Sequence**

D-301 Public Hearing and Adoption of 2013-2014 Proposed Budget and Approval of Related Criteria and Standards

D-401 Authorization to Execute First Amendment to the Final Guaranteed Maximum Price for the Construction of School No. 39

It was moved by Mrs. Ranftle, seconded by Mr. Patapow, that agenda items D-301 and D-401 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 California Interscholastic Federation Leagues (CIF) Representatives for the 2013-2014 School Year

107 Approval of 2013-2014 Application for Funding Consolidated Categorical Aid Programs (CCAP), Spring Release

108 Approval of Out-of-State Field Trip

109 Acceptance of Gifts

**200 – PERSONNEL SUPPORT SERVICES**

202 Approval of Revised Board Policy Section 5.28 – Bullying, Hate Harassment, and Hate Behavior

203 Approval of On-Loan Personnel Agreement with the San Diego County Office of Education – Charmaine Lawson

204 Settlement of Poway School Employees Association Grievance

205 (a) Approval of Certificated Personnel Report No. 11-2013

(b) Approval of Classified Personnel Report No. 11-2013

**300 – BUSINESS SUPPORT SERVICES**

303 Approval/Ratification of Contractual Services Report No. 10-2013

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

305 Approval of Resolution No. 108-2013 entitled “Authorization to Execute Documents for Lease Financing for the Computer Replacement Program and Copier Replacement”

306 Approval of Resolution No. 105-2013 entitled “Authorization to Purchase Microsoft Products and Software Services for the 2013-2014 School Year through the Wasco Union Elementary School District Bid No. 059-12M.1”

307 Approval of Resolution No. 104-2013 entitled “Authorization to Purchase Maintenance Services and Supplies for District-owned Sharp Copier Equipment for the 2013-2014 School Year through the Chula Vista Elementary School District Bid No. 11/12-4 Copier Maintenance”

308 Approval of Resolution No. 68-2013 entitled “Authorization to Purchase Goods and Services for the 2013-2014 School Year through the California Multiple Award Schedule (CMAS) Contract”

- 309 Approval of Resolution No. 69-2013 entitled "Authorization to Purchase Technology Products for the 2013-2014 School Year through the Fast Open Contracts Utilization Services (FOCUS) Contract"
- 310 Award a Contract for Bid No. 2013-08B Asphalt Paving Various Sites
- 311 Authorization to Award a Contract for Bid No. 2013-23B Installation and Migration Services for District Email System
- 312 Authorization to Sell and/or Dispose of Obsolete and Surplus Items for the 2013-2014 School Year
- 313 Authorize Use of a Competitive Negotiation Process to Obtain Proposals for the Purchase of Technology, Telecommunications, Related Equipment, Software, and Services for the 2013-2014 School Year
- 314 Authorization to Award a Contract for Bid No. 2013-13B Door Lock Hardware System for Garden Road Elementary School, Mesa Verde Middle School, and Westview High School
- 315 Authorization to Award a Contract for Bid No. 2013-17B Food and Nutrition Paper Products
- 316 Ratification of Award of Contracts for RFP No. 2013-17P Central Storage Food and Groceries to A&R Wholesale Distributors, Inc., Leabo Foods Distribution, Inc., Newport Farms, Inc., Shamrock Foods Company, Sysco Corporation, and U.S. Foods
- 317 Ratification of Award of a Contract for RFP No. 2013-18P Direct Delivery Food and Groceries to A&R Wholesale Distributors, Inc.
- 318 Acceptance of Project as Complete and Authorization to File a Notice of Completion for Installation of Video Lab Equipment
- 319 Acceptance of Project as Complete and Authorization to File a Notice of Completion for Replacement of the District's Compressed Natural Gas Fueling Station

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

**500 – COMMUNITY FACILITIES DISTRICT**

- 502 Approval of Resolution Nos. 70-2013 through 103-2013 entitled "Establishment of Annual Special Taxes for Community Facilities District Nos. 1, 2, 2 IA-1, 3, 4, 5, 6, 6 IA-A, 6 IA-B, 6 IA-C, 7, 8 IA-B, 9, 10, 10 IA-A, 10 IA-B, 10 IA-C, 10 IA-D, 10 IA-E, 10 IA-F, 10 IA-F Supplemental, 11 Zone 1, 11 Zone 2, 11 Zone 3, 11 IA-A, 11 IA-B, 11 IA-C, 12, 13, 14, 14 IA-A, 15, 15 IA-A, and 15 IA-B"

**600 – SUPERINTENDENT'S OFFICE**

Revised agenda item E-205(a) was distributed to the Board and Cabinet prior to the beginning of the meeting. Mrs. Ranftle declared her intent to vote "no" on agenda item E-205(a). Mr. Gutschow stated his intent to abstain on agenda item E-303. Mrs. Beatty asked that items E-202, E-204, E-314, and E-502 be pulled for discussion. Mr. Davis requested item E-305 be pulled for discussion. It was moved by Mr. Patapow, seconded by Mrs. Beatty, that, with the exception of items E-202, E-204, E-305, E-314, and E-502, the items on the consent calendar be approved as presented. *Motion carried unanimously, 5-0. Agenda item E-205(a) approved, 4-1. Agenda item E-303 approved, 4-0; Member Gutschow abstained.*

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

**B-1 Student Board Representative Reports**

Due to summer vacation, the Student Board representatives were not in attendance.

**B-2 (a) Superintendent's Briefing**

The following updates on current issues and events were presented:

- Dr. Collins highlighted various achievements and honors listed in subsequent agenda items.

**(b) Student Recognition**

Student accomplishments and awards received were recognized.

**(c) Staff Recognition**

Accomplishments and awards earned by staff members were recognized.

**(d) School Recognition**

School and District awards and honors received were recognized.

**(e) District Recognition**

School and District awards and honors received were recognized.

**(f) Student Awards for Academic Achievement – Scholarships 2012-2013**

Graduating seniors self-reported that they were offered \$61.7 million in military, academic, and athletic scholarships and accepted \$20.2 million.

**B-3 Board Member Reports**

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

**B-4 School No. 39 Financing Update**

Benjamin Dolinka of the Dolinka Group and Warren Diven of Best Best & Krieger reported on the alternative funding mechanisms to be used for funding the construction of School No. 39.

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

**D-301 Public Hearing and Adoption of 2013-2014 Proposed Budget and Approval of Related Criteria and Standards**

President Davis opened a public hearing at 7:31 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that the 2013-2014 Proposed Budget and Related Criteria and Standards be approved. *Motion carried unanimously, 5-0.*

**D-401 Authorization to Execute the First Amendment to the Final Guaranteed Maximum Price for the Construction of School No. 39**

Tom Moore recommended the District ask the contractor and subcontractors to waive their general overhead and supervision costs on the DSA-related change items.

It was moved by Mr. Gutschow, seconded by Mr. Patapow, that the Superintendent, or his designee, be authorized to sign the First Amendment to the Construction Services Agreement; and authorization to approve the increase of \$1.5 million to the Final Guaranteed Maximum Price (GMP) for the construction of School No. 39. *Motion carried, 4-1.*

**C. PUBLIC COMMENTS**

Aaron Barish shared his concern about diverse religious beliefs not being considered when sites are scheduling various student activities and events.

Teresa Backer would like to have a fee-based Spanish afterschool program established at Turtleback Elementary School. Ms. Backer expressed concern that she was unable to send flyers home to parents, and was referred to Dr. Robertson.

Jennifer Duncan, Mike Smith, Tanya Bauman, Darin Beeghley, and Kwam Ewusie voiced their concerns about their students being unable to attend kindergarten Willow Grove Elementary School while transitional kindergarten classes are being placed at the site.

Cindy Nicholas-Smith and Steve Sarviel shared their concern about the implementation of California common core standards, along with the federal and state influence over our students.

Aaron Barish requested that any professional photographer who could produce a file of a student's senior picture meeting the criteria for the school yearbook be allowed to do so rather than using the sole company approved by the District for yearbook pictures.

At 9:00 p.m., President Davis announced a brief recess; and the meeting was reconvened at 9:09 p.m.

#### **D. ACTION ITEMS**

##### **D-101 Board Decision Regarding Appeal of the Administrative Hearing Panel's Findings of Fact and Recommendations: Case Number 2012-2013.29**

It was moved by Mr. Gutschow, seconded by Mr. Patapow, that, based upon the Board's review of the Findings of Fact and Recommendations of the Administrative Hearing Panel and consideration of the arguments regarding the appeal heard in closed session, the Board approve and adopt the Findings of Fact and Recommendations of that panel in Case Number 2012-2013.29.

##### **Roll Call Vote Required**

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

##### **D-102 Board Decision Regarding Appeal of the Administrative Hearing Panel's Findings of Fact and Recommendations: Case Number 2012-2013.32**

It was moved by Mr. Patapow, seconded by Mrs. Beatty, that, based upon the Board's review of the Findings of Fact and Recommendations of the Administrative Hearing Panel and consideration of the arguments regarding the appeal heard in closed session, the Board approve and adopt the Findings of Fact and Recommendations of that panel in Case Number 2012-2013.32.

##### **Roll Call Vote Required**

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

##### **D-103 Ratification of Stipulated Agreements for Student Expulsions**

It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that the Board of Education approve and ratify the stipulated agreements for expulsion in Case Nos. 2012-2013.50, 2012-2013.51, 2012-2013.52, 2012-2013.53, 2012-2013.54, 2012-2013.55, 2012-2013.56, and 2012-2013.57. *Motion carried unanimously, 5-0.*

**D-104 Readmission of Students on Expulsion**

It was moved by Mrs. Ranftle, seconded by Mrs. Beatty, that the students represented by Case Nos. 2011-2012.49, 2011-2012.61, 2012-2013.09, 2012-2013.16, 2012-2013.17, 2012-2013.23 and 2012-2013.27 be readmitted to the Poway Unified School District. *Motion carried unanimously, 5-0.*

**D-105 Public Hearing and Approval of the 2013-2014 Annual Service Plan and Annual Budget Plan for the Special Education Local Plan Area (SELPA)**

President Davis opened a public hearing at 9:14 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Gutschow, seconded by Mr. Patapow, that the Annual Service Plan and Annual Budget Plan be approved. *Motion carried unanimously, 5-0.*

**D-201 Approval of Contract Settlement with Poway Federation of Teachers (PFT)**

Candy Smiley, PFT President, expressed her appreciation of the working relationship between the District and PFT; especially Bill Chiment, who is retiring this summer.

It was moved by Mr. Patapow, seconded by Mrs. Beatty, that the contract settlement with Poway Federation of Teachers (PFT) be approved. *Motion carried unanimously, 5-0.*

*Agenda items E-202, E-204, and E-305 were pulled from the Consent Calendar for discussion and action.*

**E-202 Approval of Revised Board Policy Section 5.28 – Bullying, Hate Harassment, and Hate Behavior**

It was moved by Mrs. Beatty, seconded by Mrs. Ranftle, that with a minor edit, revisions to Board Policy Section 5.28 be approved. *Motion carried unanimously, 5-0.*

**E-204 Settlement of Poway School Employees Association Grievance**

It was moved by Mrs. Beatty, seconded by Mr. Gutschow, that the Board approve the settlement agreement between the Poway Unified School District and Poway School Employees Association. *Motion carried unanimously, 5-0.*

*Agenda item E-305 was discussed out of sequence.*

**E-305 Approval of Resolution No. 108-2013 entitled “Authorization to Execute Documents for Lease Financing for the Computer Replacement Program and Copier Replacement”**

It was moved by Mr. Davis, seconded by Mr. Gutschow, that Resolution No. 108-2013, authorizing execution of documents for lease financing for the computer replacement program and copier replacement, be approved. *Motion carried unanimously, 5-0.*

*As approved in agenda item A-7, D-301 was considered prior to routine agenda items.*

**D-302 Approval of Resolution No. 107-2013 entitled “Authorization to Identify the Amount of Budget Reductions Needed in 2014-2015 and 2015-2016 and to Require that a List of Budget Reductions for 2014-2015 be Included in the 2013-2014 First Interim Report”**

Revised agenda item D-302 was distributed to the Board and Cabinet prior to the beginning of the meeting. It was moved by Mrs. Beatty, seconded by Mrs. Ranftle, that Resolution No. 107-2013, requesting authorization to identify the amount of budget reductions needed in 2014-2015 and 2015-2016 and requiring that a list of budget reductions for 2014-2015 be included in the 2013-2014 first interim report, be approved. *Motion carried unanimously, 5-0.*

*Agenda item E-314-was pulled from the Consent Calendar for discussion and action.*

**E-314 Authorization to Award a Contract for Bid No. 2013-13B Door Lock Hardware System for Garden Road Elementary School, Mesa Verde Middle School, and Westview High School**

It was moved by Mr. Gutschow, seconded by Mrs. Ranftle, that the Superintendent, or his designee, be authorized to sign a contract for Bid No. 2013-13B for a door lock system for Garden Road Elementary School, Mesa Verde Middle School, and Westview High School. *Motion carried, 4-1.*

*As approved in agenda item A-7, D-401 was considered prior to routine agenda items.*

**D-501 Approval of Resolution No. 106-2013 entitled “Authorizing the Execution of a Site Lease, Sublease, and Construction Services Agreement for the Adobe Bluffs Elementary School Modernization Project”**

Although not addressing the Board, Lisa Erickson submitted a statement to the Board in support of the Adobe Bluffs modernization project.

It was moved by Mrs. Ranftle, seconded by Mr. Patapow, that Resolution No. 106-2013 be approved, and that the Superintendent, or his designee, be authorized to finalize and execute lease-leaseback construction agreements for the proposed modernization project at Adobe Bluffs Elementary School. *Motion carried unanimously, 5-0.*

*Agenda item E-502-was pulled from the Consent Calendar for discussion and action.*

**E-502 Approval of Resolution Nos. 70-2013 through 103-2013 entitled "Establishment of Annual Special Taxes for Community Facilities District Nos. 1, 2, 2 IA-1, 3, 4, 5, 6, 6 IA-A, 6 IA-B, 6 IA-C, 7, 8 IA-B, 9, 10, 10 IA-A, 10 IA-B, 10 IA-C, 10 IA-D, 10 IA-E, 10 IA-F, 10 IA-F Supplemental, 11 Zone 1, 11 Zone 2, 11 Zone 3, 11 IA-A, 11 IA-B, 11 IA-C, 12, 13, 14, 14 IA-A, 15, 15 IA-A, and 15 IA-B"**

It was moved by Mrs. Beatty, seconded by Mrs. Ranftle, that Resolution No. 106-2013 be approved, and that the Superintendent, or his designee, be authorized to finalize and execute lease-leaseback construction agreements for the proposed modernization project at Adobe Bluffs Elementary School. *Motion carried unanimously, 5-0.*

**D-601 Naming of New PK-8 School**

Sonya Wrisley, principal of the new PK-8 school, shared a presentation communicating the school name selection process and recommending “Design 39 Campus” as the official name of the school.

It was moved by Mrs. Ranftle, seconded by Mr. Patapow, that the Board approve “Design 39 Campus” as the name of the new PK-8 school. *Motion carried unanimously, 4-1.*

**F. FIRST READING ITEMS**

**F-110 Proposed Revision of Board Policy Section 5.2 – Intradistrict Attendance/Transfers/ Intradistrict Attendance Permits and Board Policy Section 5.3 – Interdistrict Attendance Permits – First Reading**

This was presented as a first reading, to be presented for action on August 19, 2013.

**F-602 Proposed New Board Policy Section 6.37 – Facility Financing Programs – First Reading**

This was presented as a first reading, to be presented for action on August 19, 2013.

**G. INFORMATION ITEMS**

**G-320 Introducing “Apply and Pay On-line” for the 2013-2014 School Bus Pass**

This was presented as information only.

**G-321 Enrollment Report Nos. 9/2012-2013 and 10/2012-2013**

These reports were presented as information only.

**H. NEW BUSINESS – BOARD MEMBERS**

There was no business discussed under this item.

**I. CORRESPONDENCE**

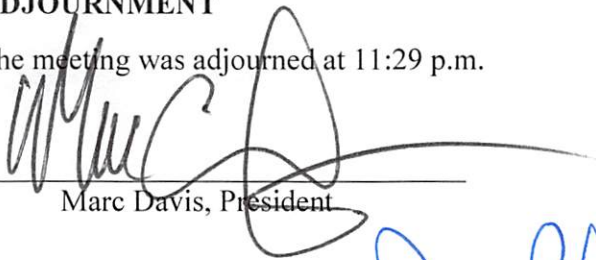
There was no correspondence presented.

**J. CLOSED SESSION**

There were no additional items discussed in Closed Session.

**K. ADJOURNMENT**

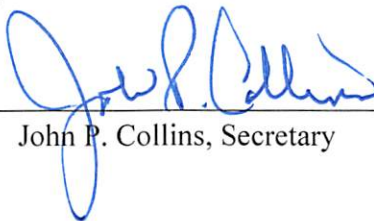
The meeting was adjourned at 11:29 p.m.



Marc Davis, President



Penny Ranftle, Clerk



John P. Collins, Secretary

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