



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

**March 10, 2015**  
District Office Community Room

**CLOSED SESSION**

President Kimberley Beatty called the meeting to order at 4:44 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 5:50 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 Call to Order**

The regular meeting of the Board of Education was called to order at 6:14 p.m. by President Kimberley Beatty.

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

Clerk Andy Patapow reported that on a motion by Mr. Patapow and a second by Michelle O'Connor-Ratcliff, and in accordance with California Education Codes 35146, 60850, 60851, and PUSD Board Policy 3.6, the Board reviewed 24 California High School Exit Exam waiver requests. These requests are for Special Education students who passed the CAHSEE with modifications as specified in their Individual Education Plans. The Board approved all 24 of the requests by a unanimous roll call vote. There was no other reportable action taken in closed session.

**A-3 Salute to Flag**

President Beatty led the salute to the flag. Mrs. Beatty called for a moment of silence in honor and memory of Sundance Elementary School student Hank Mata, who passed away in his home, and Bernardo Heights Middle School student Karina Fares, who passed away in an accident in Mexico.

**A-4 Members in Attendance**

All Board members were present. Associate Superintendent Tracy Hogarth was absent due to illness.

**A-5 Welcome to Public**

Mr. Zane welcomed the public and offered instructions on the procedure for addressing the Board during the Public Comments segment of the meeting. He explained the procedure now in place which limits public comments to 15 minutes on any one topic unless waived by the Board president.

**A-6 Approval of Minutes**

Mr. Zane motioned and Mr. Patapow seconded approval of the minutes with the following amendments: that the names of Board members in attendance at the Special Board meetings on February 5, February 10, February 23, and March 2 be added to the minutes as well as to all

future special board meetings; and that the name of the initiator in item D-605 at the February 10<sup>th</sup> meeting be changed from Mrs. Beatty to Mrs. O'Connor-Ratcliff. *Motion carried unanimously, 5-0.*

#### **A-7 Approval of Agenda Sequence**

It was moved by Mrs. O'Connor-Ratcliff and seconded by Mr. Zane that agenda items D-201 and D-501 be considered prior to routine agenda items. *Motion carried unanimously, 5-0.*

#### **A-8 Approval of Consent Calendar**

##### **100 – LEARNING SUPPORT SERVICES**

- 103 Approval of 2014-2015 Application for Funding Consolidated Categorical Aid Programs (CCAP), Winter Release
- 104 Adoption of New Career Technical Education Web Design Course
- 105 Approval of Out of State Field Trip
- 106 Acceptance of Gifts

##### **200 – PERSONNEL SUPPORT SERVICES**

- 202 (a) Approval of Certificated Personnel Report No. 08-2015
- (b) Approval of Classified Personnel Report No. 08-2015

##### **300 – BUSINESS SUPPORT SERVICES**

- 303 Approval/Ratification of Contractual Services Report No. 08-2015
- 304 Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions
- 305 Award a Contract for Bid No. 2014-01B Online Learning System to Edgenuity, Inc.
- 306 Award a Contract for Bid No. 2014-26B Mechanical Building Roof Repair at Black Mountain Middle School to Benold Construction Co., Inc.
- 307 Award a Contract for Bid No. 2014-27B Financing for the Purchase of Computer Equipment to U.S. Bancorp Government Leasing and Finance, Inc., Reject Non-Responsive Bids from California First National Bank and Dell Financial Services LLC, and Approval of Resolution No. 40-2015 Entitled "Authorization to Execute Documents for Lease/Purchase Financing for Computer Equipment"
- 308 Acceptance of Project as Complete and Authorization to File a Notice of Completion for Expanding the Video Security Surveillance System at Rancho Bernardo High School
- 309 Acceptance of Project as Complete and Authorization to File a Notice of Completion for Removal and Replacement of Wireless Access Points Districtwide
- 310 Authorization to Laser Level, Regrade, and Replace the Synthetic Turf at Del Norte High School, Meadowbrook Middle School, Valley Elementary School, and Willow Grove Elementary School by Entering into a Contract with FieldTurf as a Sole Source Provider Without Soliciting Competitive Bids
- 311 Approval of Resolution No. 39-2015 Entitled, Acknowledgement of School Bus Drivers' Day – April 28, 2015"
- 312 Approval of Resolution No. 38-2015 Entitled "Authorization to Terminate "Keenan Select" Poway Unified School District 401(a) Plan"
- 313 Terminate the Contract with Computer Automation Systems Subject to its Terms and Conditions; Authorize the Superintendent or Designee to Negotiate Settlement with Vendor and Enter into an Agreement for an Alternate Product and Services to Address the District's Individualized Education Program Software Needs

Mrs. O'Connor-Ratcliff requested that item E-313 be pulled for discussion. Mrs. Beatty requested that item E-304 be pulled for discussion. President Beatty did not ask for a motion or a second. The Board voted to approve the Consent Calendar. *Item was approved, 5-0.*

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

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

Student Board Representatives Emma Clyde from Del Norte High School, Nathan Dunford from Mt. Carmel High School, Ashley Fallon from Poway High School, Michael Menzer from Rancho Bernardo High School, and McKenna Clark from Westview High School reported on events and activities at their respective schools.

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

- Dr. Collins thanked the student board representatives for their attention to the recent increase in negative anonymous social media apps such as BurnBook and their efforts to fight this with positivity.
- Dr. Collins presented an update on the Student, Staff, and Community Plan. The first Community Forum took place last week and three more are scheduled over the next three weeks.
- Dr. Collins recognized Valley Elementary Principal Andy Johnsen who was named the 2015 ACSA Region 18's Elementary Principal of the Year; and Design39Campus Principal Sonya Wrisley who was named one of the "20 to watch" by the National School Boards Association's Technology Leadership Network.

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

Dr. Collins acknowledged six PUSD students who received a perfect score of 800 on one or more SAT subject area exams.

### **(c) School Recognition**

Dr. Collins reported on school accomplishments and achievements.

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

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

### **B-4 Initial Proposal from the Board of Education to Poway Federation of Teachers (PFT) 2014-2015 – First Reading**

This item was presented as a first reading to be brought forward at a public hearing following a reasonable amount of time to allow the public to be informed.

### **B-5 Initial Proposal from the Board of Education to Poway Federation of Teachers (PFT) 2015-2016 – First Reading**

Mr. Zane made a motion and Mr. Sellers made a second to lay this item on the table for reconsideration at either the April 20, 2015 regular Board meeting or at a special meeting prior to that date. *Motion carried unanimously, 5-0.*

### **B-6 Initial Proposal for Contract Negotiations from Poway Federation of Teachers (PFT) – 2014-2015**

PFT President Candy Smiley offered a brief historical perspective on the Interest Based Problem Solving (IBPS) process to provide context as to why the PFT is sunshining their proposal at this late date. She requested that a special board meeting be called so that PFT can begin negotiations for the 2014-2015 school year as soon as possible.

### **B-7 Initial Proposal for Contract Negotiations from Poway Federation of Teachers (PFT) – 2015-2016**

PFT President Candy Smiley reaffirmed the PFT's strong interest in continuing the existing IBPS process and the true-up procedure.

**B-8 Initial Proposal from the Board of Education to Poway School Employees Association (PSEA) 2014-2015 – First Reading**

Mrs. Beatty noted that this should be for the school year 2015-2016 and not 2014-2015 as written in the subject line. Mrs. O'Connor-Ratcliff made a motion and Mr. Zane made a second to lay this item on the table for reconsideration at either the April 20, 2015, regular Board meeting or at a special meeting prior to that date. *Motion carried unanimously, 5-0.*

**B-9 Initial Proposal for Contract Negotiations from Poway School Employees Association (PSEA) 2015-2016**

PSEA President Lynnette Turner stated that PSEA will be pushing for a more open and transparent negotiation process with the District regarding health benefits, vacation accrual, and restoration of classified staffing.

**C. PUBLIC COMMENTS**

Kim Garnier expressed disappointment in the legal action taken against her husband by the District and asked for a zero tolerance policy against hate and racial words.

Richard Mason, Shirley Black, and Linda Gannon spoke on behalf of the Rancho Bernardo High School Friends of the Library and requested the restoration of funds for library books and a library assistant position at RBHS.

Tom Moore stated that the Board should request new RFP's for bond counsel, bond advisors, financial advisors, and bond and board legal teams.

Steve Sarviel echoed Tom Moore's statements regarding no bid contracts and suggested that any new contracts should be preceded by an RFP and published in advance on the District website.

Nick Lombardo requested that the Board agenda be distributed earlier than the required three days in advance of the meeting, and that the meetings be streamlined.

Lynnette Turner representing the PSEA, spoke in support of the Rancho Bernardo High School Friends of the Library and their request for more books, librarians, and paid library support staff.

Steve Sarviel spoke in support of live streaming the Board meetings and of the public notifications on the PUSD website regarding measles. He stated that the Citizens for Quality Education would be speaking at a future Board meeting and encouraged Board members to attend a Common Core meeting.

Chris Garnier stated that there should be a zero tolerance policy for hate words in PUSD, spoke in support of Del Norte principal Greg Mizel for having meetings with black student leaders, and called for the resignation of Dr. Collins.

Alexis Perumal encouraged the Board to continue to seek out options for the restructuring of capital appreciation bonds and stated that there should be a tax burden sharing approach.

**D. ACTION ITEMS**

*Agenda items D-201 and D-501 were heard prior to the remainder of the agenda.*

**D-201 Interview and Recommendation of the Board Appointee to the Personnel Commission**

Following the Board's newly implemented process to appoint the District Appointee to the Personnel Commission, a committee comprised of Board members Patapow and Sellers, and Associate Superintendent Tracy Hogarth, narrowed sixteen applicants down to three final candidates to be interviewed by the Board at tonight's meeting. Candidates Richard Dukellis, Rosemarie Straight, and Margaret Wyatt separately provided a two minute statement and then were asked two identical questions by President Beatty. At the conclusion of the interviews, Board members voted by written ballot for their recommended appointee. Clerk Patapow read the votes: Mr. Zane and Mr. Patapow voted for Rosemarie Straight; Mr. Sellers, Mrs. O'Connor-Ratcliff, and Mrs. Beatty voted for Margaret Wyatt. Ms. Wyatt's name will be forwarded to the April 20, 2015, Board of Education meeting for a public hearing and appointment.

**D-501 Approval of Resolution No. 35-2015 Entitled "Authorizing and Providing for the Issuance of Special Tax Refunding Bonds of Poway Unified School District Community Facilities District No. 14 (Del Sur), Approving the Form of a Separate Bond Indenture for Each Series of Such Special Tax Refunding Bonds, the Form of a Separate Escrow Deposit and Trust Agreement for Each Series of Special Tax Bonds to be Refunded, Special Tax Refunding Bond Purchase Contract, Bond Purchase Agreement, Preliminary Official Statement, Continuing Disclosure Agreement, and Other Documents and Authorizing Certain Actions in Connection with the Issuance of Such Bonds"**

On a motion by Mr. Zane and a second by Mr. Patapow, the Board voted to approve Resolution No. 35-2015 as presented. *Motion carried, 4-1 with Mr. Sellers voting no.*

*The Regular Board of Education meeting was temporarily adjourned at 9:26 p.m. in order to convene the meeting of the Poway Unified School District Public Financing Authority.*

**L. PUSD PUBLIC FINANCING AUTHORITY**

**L-1 Approval of Resolution No. 36-2015 Entitled "Authorizing and Providing for the Issuance of Special Tax Revenue Refunding Bonds, Approving the Form of an Indenture of Trust, Bond Purchase Agreement, Special Tax Refunding Bonds Purchase Contract, Funding Allocation Agreement, Preliminary Official Statement, Continuing Disclosure Agreement, and Other Documents, and Authorizing Certain Actions in Connection with the Issuance of Such Revenue Bonds"**

On a motion by executive director John Collins, and a second by Malliga Tholandi, the PUSD Public Financing Authority voted to approve Resolution No. 36-2015. *Motion carried unanimously, 5-0.*

*The PUSD Public Financing Authority adjourned at 9:29 p.m. The regular Board of Education meeting was reconvened at 9:30 p.m.*

**D-101 Readmission of Students on Expulsion**

It was moved by Mr. Patapow and seconded by Mrs. O'Connor-Ratcliff that the Board approve the readmission of the students represented by case numbers 2012-2013.53 and 2013-2014.13. *Motion carried unanimously, 5-0.*

**D-102 Public Hearing and Approval of Renewal of General Education Equity of Time Waiver for Transitional Kindergarten Instructional Minutes Requirements**

President Beatty opened a public hearing at 9:31 p.m. to hear any public comments. Hearing none, the public hearing was closed. On a motion by Mrs. O'Connor-Ratcliff and a second by Mr. Patapow, the Board voted to approve the renewal of the general education equity of time waiver for transitional kindergarten instructional minutes requirements. *Motion carried unanimously, 5-0.*

**D-301 Approval and Certification of Second Interim Financial Report and Approval of Resolution No. 37-2015 Entitled "Authorization to Revise the 2014-2015 Budget as Reflected in the Second Interim Financial Report"**

On a motion by Mrs. O'Connor-Ratcliff, and a second by Mr. Sellers, the Board voted to approve and certify the second interim financial report and Resolution No. 37-2015 as presented. *Motion carried unanimously, 5-0.*

**D-302 Approval of Resolution No. 41-2015 Entitled, "Emergency Waiver – Public Project to Repair/Replace Fire Line Break at Monterey Ridge Elementary School"**

On a motion by Mr. Zane, and a second by Mr. Patapow, the Board voted to approve Resolution No. 41-2015 as presented. *Motion carried unanimously, 5-0.*

*Agenda items E-304 and E-313 were pulled from the consent calendar for discussion.*

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

Following discussion, on a motion by Mrs. Beatty and a second by Mrs. O'Connor-Ratcliff, the Board voted to approve the ratification of District purchase orders, revolving cash fund expenditures, and purchase card transactions. *Motion carried unanimously, 5-0.*

**E-313 Terminate the Contract with Computer Automation Systems Subject to its Terms and Conditions; Authorize the Superintendent or Designee to Negotiate Settlement with Vendor and Enter into an Agreement for an Alternate Product and Services to Address the District's Individualized Education Program Software Needs**

Following discussion, on a motion by Mrs. O'Connor-Ratcliff and a second by Mr. Patapow, the Board voted to approve the contract with Computer Automation Systems as presented. *Motion carried unanimously, 5-0.*

**D-601 Approval of Board Advisory Committee: Capital Appreciation Bonds (CAB) Solutions Advisory Committee (CSAC)**

On a motion by Mr. Zane and a second by Mr. Sellers, the Board voted to approve the formation of a Capital Appreciation Bonds Solution Advisory Committee as presented. *Motion carried unanimously, 5-0.*

**F. FIRST READING ITEMS**

**F-107 Proposed Adoption of Revised AP U.S. History Student Edition Textbook – First Reading**

This item was presented as a first reading to be brought for Board approval at the April 20, 2015, regular Board Meeting.

**F-108 Proposed Adoption of Middle School Supplemental Text – First Reading**

This item was presented as a first reading to be brought for Board approval at the April 20, 2015, regular Board Meeting.

**G. INFORMATION ITEMS**

**G-314 Enrollment Report No. 6/2014-2015**

This item was presented as information only.

**G-502 Annual Continuing Disclosure Reports**

This item was presented as information only.

**G-602 Proposed Changes to Administrative Procedure 1.15.1 – Board Advisory Committees**

PUSD Director of Communications, Jessica Wakefield, presented a demonstration of how community members can submit Board Advisory Committee applications on the District website. Dr. Collins suggested that the Board establish due dates for submission of applications in order to allow enough time for Board members to make their committee selections before the next Board meeting. The Board reached consensus that the ETAC committee deadline would be April 6<sup>th</sup> and the CAB committee deadline would be April 13<sup>th</sup> and that both would come forward to the April 20, 2015, Board meeting.

**H. NEW BUSINESS – BOARD MEMBERS**

Mrs. O'Connor-Ratcliff reintroduced the idea of shortening the length of regular Board meetings, either by holding two regular Board meetings per month or by having a time certain end to the one monthly meeting. After lengthy discussion, the Board consented to bring the issue back to the April 20 regular meeting as a discussion item, with the option to take action.

**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 10:58 p.m.

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Kimberley Beatty, President

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Andy Patapow, Clerk

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John P. Collins, Secretary

**L. PUSD PUBLIC FINANCING AUTHORITY**

**L-1 Approval of Resolution No. 36-2015 Entitled "Authorizing and Providing for the Issuance of Special Tax Revenue Refunding Bonds, Approving the Form of an Indenture of Trust, Bond Purchase Agreement, Special Tax Refunding Bonds Purchase Contract, Funding Allocation Agreement, Preliminary Official Statement, Continuing Disclosure Agreement, and Other Documents, and Authorizing Certain Actions in Connection with the Issuance of Such Revenue Bonds"**

*This agenda item was presented earlier, after agenda item D-501, during an adjournment of the regular PUSD Board of Education meeting.*