



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

May 31, 2016
District Office Community Room

CLOSED SESSION

President Michelle O'Connor-Ratcliff called the meeting to order at 2:30 p.m. to receive public comment on the closed session agenda items. There were no public comments, and Board members convened to closed session in the Board conference room. The closed session was adjourned at 5:57 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 6:08 p.m. by President O'Connor-Ratcliff.

A-2 Report Out of Closed Session

CLOSED SESSION: STUDENT DISCIPLINE

Hearing and deliberation on student expulsion matter: Case 2015-2016.2

CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR

Agent Negotiator: Tracy Hogarth

PFT, PSEA, SEIU

Legal Counsel: Jerry Conradi

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Subdivision (a) of Section 54956.9); Case No. 37-2014-00040376-CU-PO-CTL

Legal Counsel: Daniel Shinoff

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION

(Subdivision (a) of Section 54956.9) 2 cases

Case No. TC-15-17 and Case No. TC-16-22

CLOSED SESSION: LABOR NEGOTIATIONS

Unrepresented Employee

Pursuant to Government Code Section 54957.6

Acting Superintendent

CLOSED SESSION: PERSONNEL MATTER

Complaint Against Employee(s)

Pursuant to Government Code Section 54957

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (d)(2) of Government Code
Section 54956.9: one case.
Legal Counsel: Maribel Medina

Clerk Andy Patapow reported that in the matter of Conference with Labor Negotiator, agent Negotiator: Tracy Hogarth, PFT, PSEA, SEIU. Legal Counsel: Jerry Conradi, on a motion by Mr. Patapow and a second by Mrs. Beatty, the Board voted to approve the recommendations of the negotiating team. This afternoon, in closed session, the Board of Education voted to approve a settlement agreement between the District and Poway School Employees Association. This settlement agreement resolves all claims by PSEA regarding the District's reductions in hours of vacant bargaining unit positions. The settlement agreement provides for the payment of \$66,236.93 in back pay to PSEA bargaining unit members and a District contribution of \$31,505.00 to the PSEA Professional Learning budget. **Ayes: O'Connor-Ratcliff, Zane, Patapow, and Beatty. Abstain: Sellers. Motion Passed: 4-0.**

On a motion by Mr. Zane and a second by Mrs. Beatty, and by a roll call vote, the Board voted unanimously to approve the Compromise Settlement of Case #37-2014-00040376-CU-PO-CTL and authorized the Acting Superintendent to execute the necessary Agreements.

On a motion by Mr. Sellers and a second by Mrs. Beatty, and by a roll call vote, the Board voted unanimously to approve the Compromise Settlement of Claim #TC-15-17 and authorized the Acting Superintendent to execute the necessary Agreements.

On a motion by Mr. Zane and a second by Mr. Patapow, and by a roll call vote, the Board voted unanimously to approve the Compromise Settlement of Claim #TC-16-22 and authorize the Acting Superintendent to execute the necessary Agreements.

There was no other reportable action taken in closed session.

A-3 Salute to Flag

President O'Connor-Ratcliff led the salute to the flag. She then asked for a moment of Silence in honor and memory of Design39 Campus student, Benjamin Kiwon Lee, who passed away in March.

A-4 Members in Attendance

All Board members were in attendance.

A-5 Welcome to Public

Student Board Member, Mr. Neel Pujar, 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. Beatty, seconded by Mr. Zane, that the minutes of the April 5, 2016, Regular Board Meeting be approved as presented/amended. It was moved by Mr. Zane, seconded by Mr. Patapow, that the minutes of the April 24, 2016, Special Board Meeting and the minutes of the May 18, 2016, Special Board Meeting be approved as presented. **Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. All motions carried unanimously, 5-0.**

A-7 Approval of Agenda Sequence

Staff recommended that agenda items D-601 F-107, F-321, H-1, and H-2 be heard prior to other agenda items. In addition, staff recommended that agenda item F-211 be pulled for further review; and move D-602 to G-4 for the appointment of Mr. Sellers' representative to the BRAC

committee as an information item for the Board. It was moved by Mr. Zane and seconded by Mrs. Beatty that the agenda sequence be amended as suggested. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.***

A-8 Approval of Consent Calendar

100 – LEARNING SUPPORT SERVICES

- 103 Approval of Carl D. Perkins Career Technical Education Grant Application for 2016-17
- 104 Approval to Submit Waivers to Increase Special Education Resource Specialist Caseloads
- 105 Approval of California Interscholastic Federation Leagues (CIF) Representatives for 2016-2017 School Year
- 106 Approval/Ratification of Out-Of-State Field Trip

200 – PERSONNEL SUPPORT SERVICES

- 202 Proposed Revisions to Board Policy Section 4.106 – Complaints Concerning School District Personnel – Second Reading
- 203 Report on Annual Training for Mandated Reporters
- 204 Ratification of Offer of Student Accident Insurance for 2016-2017 School Year
- 205 Approval of Student Teaching Agreement with University of Wisconsin – Green Bay
- 206 Approval of Resolution No. 46-2016 Entitled “Resolution Regarding the Elimination or Reduction in Hours of the Classified Positions as contained within Exhibit `A`; Corresponding Layoff of Classified Employees”
- 207 Approval of Salary Reallocation – Food and Nutrition Delivery Driver, Food and Nutrition Warehouse Specialist, Warehouse Worker, Storekeeper
- 208 Approval of Salary Reallocation – Occupational Therapist and Physical Therapist
- 209 Approval of Salary Allocation For a New Classification – Financial Analyst
- 210(a) Approval of Certificated Personnel Report No. 10-2016
- 210(b) Approval of Classified Personnel Report No. 10-2016

300 – BUSINESS SUPPORT SERVICES

- 304 Approval/Ratification of Contractual Services Report No. 10-2016
- 305 Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions
- 306 Authorization to Award a Contract for Bid No. 2016-03B Pool Chemicals
- 307 Award a Contract for Bid No. 2016-09B Flooring for Six School Sites to Prospectra Contract Flooring
- 308 Authorization to Award a Contract for Bid No. 2016-11B Provide and Install Projectors at Multiple Sites
- 309 Award a Contract for Bid No. 2015-13B Tennis Court Repair and Resurface at Poway High and Rancho Bernardo High Schools to Ferandell Tennis Courts, Inc.
- 310 Award Contracts for Bid 2016-02B Paper and Plastic Products to all American Plastic and Packaging and P&R Paper Supply Co.
- 311 Award Contracts for Bid 2016-06B Theatre Seating at Rancho Bernardo High School to Herk Edwards, Inc.
- 312 Award Contracts for Bid No. 2016-07B Lighting Retrofit at Painted Rock, Tierra Bonita, and Rolling Hills Elementary Schools to Energy Retrofit Co. and Retro-Tek Energy Services, Inc.
- 313 Approval of Resolution No. 48-2016 Entitled “Authorization to Purchase Goods and Services for the 2016-2017 School Year through the California Multiple Award Schedule (CMAS) Contract”
- 314 Ratify Award of a Contract for Bid No. 2015-15B Financing for Local Area Network (LAN) and Rethink Program Computer Equipment to Santander Bank, NA
- 315 Approval of 2016-2017 Marine Science Floating Laboratory Field Trip Agreement

- 316 Approval of 2016-2017 Outdoor Education Program Agreement
- 317 Approval of 2016-2017 Science Outreach Program
- 318 Approval of Resolution No. 45-2016 Entitled "Authorization to Increase the District's Revolving Cash Fund"
- 319 Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- 320 Approval of the Williams Settlement Quarterly Report for March 2016

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT'S OFFICE

Revised Certificated Personnel Report for agenda item E-210(a) and a revised Classified Personnel Report for agenda item E-210(b) were distributed to the Board and Cabinet prior to the beginning of the meeting. A Speaker Slip was submitted to address Consent Item E-104. Mr. Sellers asked that item E-318 be pulled for discussion, Mrs. Beatty asked that item E-305 be pulled for discussion, and Mr. Zane asked that item E-206 be pulled for discussion.

NOTE: At a Special Board Meeting on June 8, 2016, it was moved by Mr. Zane and seconded by Mr. Patapow, to ratify the Remainder of the Consent Calendar of the May 31, 2016, Board Meeting. With the exception of items E-104, E-206, E-305, and E-318, the items on the consent calendar be approved as presented, effective May 31, 2016. Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.

B. REPORTS / PRESENTATIONS / EARLY AGENDA ITEMS

B-1 Student Board Representative Reports

Student Board representatives Brendan Edwards from Abraxas High School, Reagan Cloutier from Del Norte High School, Kevin Benavente from Mt. Carmel High School, Simon Shapiro from Poway High School, Jalen Rasoul from Rancho Bernardo High School, and Ella Smith from Westview High School, reported on events and activities at their respective schools.

B-2 (a) Superintendent's Briefing

Dr. Robertson gave a brief update on current issues and events, including:

- Congratulations to Adobe Bluffs Elementary School, Los Peñasquitos Elementary School, and Willow Grove Elementary School, as recipients of the 2016 California Gold Ribbon School award.
- Dr. Robertson spoke about the accidental release of information during the Public Records Act process and stated that the District will adopt a new policy regarding access to District records as soon as possible.
- Dr. Robertson thanked our first responders, staff at Oak Valley Middle School, Stone Ranch Elementary, Westview High School, Turtleback Elementary, Design39 Campus, Del Sur Elementary, Del Norte High School, and our transportation department, for their smooth and calm process during the 4S Ranch brush fire evacuations.

(b) Student Recognition

Dr. Robertson presented awards to the selected outstanding AVID students at each of the six middle schools: Samantha Taubman from Bernardo Heights; Maria Gannon from Black Mountain; Trevor Mathis from Meadowbrook; Claire Buckley from Mesa Verde; Nikki Azimi from Oak Valley; and Lucas Ginsberg from Twin Peaks.

(c) Staff Recognition

Accomplishments and awards earned by staff members were recognized.

(d) School 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.

President O'Connor-Ratcliff presented Student Board Member, Neel Pujar with a gift to thank him for his service to the Board of Education and the Superintendent's Student Advisory Committee this year.

C. PUBLIC COMMENTS

Jeff Riley spoke regarding the FERPA breach.

Steve Dow spoke about his concerns regarding the FERPA breach.

Jeannine Ugalde and Kailey Lyche spoke about the Rancho Bernardo Poetry Showcase.

Richard Mason spoke about Rancho Bernardo High School Friends of the Library.

Keith Wilson suggested management changes.

Dora Ramos spoke about Dyslexia and requested more parent education for English Language Learners.

Michelle Perry spoke about Dyslexia and PTA's Resolution A.

Stacey Cavaglieri spoke about Dyslexia and raising awareness.

Diego Lazaro spoke about being thankful for his audio books and Melissa Lazaro spoke about technology resources for assistive technology.

Chris Garnier spoke about complaints against District management.

Kim Garnier spoke regarding the FERPA breach.

Shirley Black spoke regarding the Rancho Bernardo High School Friends of the Library, and requested more funds for a library assistant.

Courtney Klepsch and Bobby Ronsee spoke regarding funding for sports fields renovation.

Laura DiPrima spoke about an Intradistrict Transfer request for her son.

EARLY AGENDA ITEMS

D-601 Appointment of Student Board Member to Serve During the 2016-2017 School Year

On a motion by Mr. Zane and a second by Mr. Patapow, the Board voted to accept the interview committee's recommendation to appoint Ms. Ella Smith as the Student Board Member for the 2016-2017 school year. Student Board Member Pujar exercised his preferential vote in favor of

Ms. Smith. **Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.**

F-107 Public Hearing of PUSD Local Control and Accountability Plan (LCAP) for 2016-2017 – First Reading

This was presented as a first read, to be presented for action on June 22, 2016. President O'Connor-Ratcliff opened a public hearing at 8:47 p.m. to hear public comments; there were no comments.

F-321 Public Hearing of 2016-2017 Proposed Budget – First Reading

This was presented as a first read, to be presented for action on June 22, 2016. President O'Connor-Ratcliff opened a public hearing at 9:07 p.m. to hear public comments; there were no comments.

H-1 Budget Review Advisory Committee (BRAC) – End of Year Report

This report was presented by Chairperson John Riley, and Vice Chairperson Gary Hamels.

H-2 Education Technology Advisory Committee (ETAC) – End of Year Report

This report was presented by Jing Xu, Alternate Chair, Gabriela Dow, Secretary, and Brian Senese, Committee Member.

D. ACTION ITEMS

As approved in item A-7, agenda item D-601, E-104, E-206 and E-305 to be heard prior to other agenda items, and move agenda item D-602 to G-4.

D-101 Ratification of Student Discipline

Based upon the Board's deliberation of the appeal hearing held in closed session at the May 31, 2016, Board Meeting regarding Case No. 2015-2016.02, the Board held a roll call vote to accept the recommendation of the hearing panel. **Ayes: O'Connor-Ratcliff, Zane, Patapow, and Beatty. Noes: Sellers.**

NOTE: *At a Special Board Meeting on June 8, 2016, it was moved by Mr. Zane, and seconded by Mrs. Beatty, to Ratify the Student Discipline Roll Call Vote taken at the May 31, 2016, Board Meeting.*

D-102 Approval of Interdistrict Attendance Agreements

On a motion by Mr. Zane and second by Mrs. Beatty, the Board approved the Interdistrict Attendance Agreements. **Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.**

E-104 Approval to Submit Waivers to Increase Special Education Resource Specialist Caseloads

Following discussion, on a motion by Mr. Zane and second by Mr. Patapow, the Board approved submission of waivers to increase Special Education Resource Specialist caseloads. **Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.**

Public comments: Jeff Riley asked for more information regarding caseload waivers.

D-201 Approval of Resolution No. 47-2016 Entitled "The Waiver of Sabbatical Bond Requirement"

Following discussion, on a motion by Mr. Zane and second by Mrs. Beatty, the Board approved

Resolution No. 47-2016. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.***

E-206 Approval of Resolution No. 46-2016 Entitled "Resolution Regarding the Elimination or Reduction in Hours of the Classified Positions as contained within Exhibit 'A'; Corresponding Layoff of Classified Employees"

Following discussion, a motion was made by Mr. Zane and second by Mrs. O'Connor-Ratcliff, to pass Exhibit 'A' items 1, 8, and 9 of Resolution No. 46-2016. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion to pass items 1, 8, and 9 on Exhibit 'A' carried unanimously, 5-0.*** On a motion by Mr. Zane and second by Mrs. O'Connor-Ratcliff, the Board voted to table until the June 22, 2016, Board Meeting Exhibit 'A' items 2, 3, 4, 5, 6, and 7 of Resolution No. 46-2016. ***Ayes: O'Connor-Ratcliff, Zane, Beatty, and Sellers. Noes: Patapow. Motion carried 4-1***

Public comments: Lynnette Turner spoke as a concerned employee against personnel cuts.

D-301 Approval of Monthly Budget Revisions

On a motion by Mrs. Beatty and a second by Mr. Zane, the Board voted to approve the monthly budget revisions for the months of March, April, and part of May, Fiscal Year 2015-2016. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.***

D-302 Approval of Resolution No. 43-2016 Entitled "Authorization to Make Temporary Transfers of Special or Restricted Monies between District funds for Fiscal Year 2016-2017"

On a motion by Mrs. Beatty and a second by Mr. Patapow, the Board voted to approve Resolution No. 43-2016. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.***

D-303 Approval of Resolution No. 44-2016 Entitled "Authorization for Governing Board of Poway Unified School District to Request Temporary Transfer of Funds from the County Treasurer"

On a motion by Mrs. Beatty and a second by Mr. Zane, the Board voted to approve Resolution No. 44-2016 with the June Board Meeting date changed to June 22, 2016. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.***

E-305 Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions

Following discussion, it was motioned by Mrs. Beatty and seconded by Mrs. O'Connor-Ratcliff, to approve the Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.***

E-318 Approval of Resolution No. 45-2016 Entitled "Authorization to Increase the District's Revolving Cash Fund"

On a motion by Mr. Sellers and a second by Mrs. Beatty, the Board voted to table Resolution No. 45-2016 until the June 22, 2016, Board Meeting. ***Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.***

D-501 Approval of Resolution No. 49-2016 Entitled "Authorizing And Providing For The Issuance Of Special Tax Refunding Bonds Of The Poway Unified School District Community Facilities District Nos. 4, 8B, 9, 10 And 12, Approving the Form of Separate Bond Indentures and/or Supplemental Indentures, Special Tax Refunding Bonds

Purchase Contract, Bond Purchase Agreement, Preliminary Official Statement, and Other Documents and Authorizing Certain Actions in Connection with the Issuance of Such Bonds"

A presentation was provided by Planning Director, Sandi Burgoyne, and Adam Bauer of Fieldman, Rolapp & Associates. Following discussion, it was motioned by Mr. Zane and seconded by Mrs. O'Connor-Ratcliff, to approve Resolution No. 49-2016 with amendments for the refunding of PFA Bonds and Approval of Consultants. **Ayes: O'Connor-Ratcliff, Zane, and Patapow. Noes: Beatty, and Sellers. Motion carried, 3-2.**

D-603 Approval to Reschedule the June 21, 2016 Regularly Scheduled Board Meeting to June 22, 2016

On a motion by Mr. Zane and a second by Mr. Patapow, the Board voted to approve rescheduling the June 21, 2016, Board Meeting to June 22, 2016. **Ayes: O'Connor-Ratcliff, Zane, Patapow, Beatty, and Sellers. Motion carried unanimously, 5-0.**

F. FIRST READING ITEMS

F-108 Proposed Adoption of Reproductive Health Instructional Materials – First Reading

This was presented as a first reading, to be presented for action on June 22, 2016.

F-109 Proposed Adoption of Supplemental Special Education Materials – First Reading

This was presented as a first reading, to be presented for action on June 22, 2016.

F-322 Public Hearing of 2016-2017 Balances in Excess of Minimum Reserve Requirements – First Reading

This was presented as a first reading, to be presented for action on June 22, 2016.

As approved in item A-7, agenda item F-211 was pulled by Dr. Robertson for further review.

G. INFORMATION ITEMS

G-323 Enrollment Report Nos. 8 and 9/ 2015-2016

This report was presented as information only.

G-324 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Poway Unified School District

This item was presented as information only.

G-502 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 through 16

This item was presented as information only.

D-602 Board Member Appointment to the Budget Review Advisory Committee (BRAC)

Mr. Sellers appointed Cathy Hou to fill the vacancy on the BRAC Committee.

As approved in item A-7, agenda item D-602 was moved to G-4.

H. NEW BUSINESS – BOARD MEMBERS

H-3 Discussion of Graduation Promotion/Graduation Protocols

Mrs. Beatty asked for a new Board policy, and Mr. Sellers asked for a policy review of the Graduation/Promotion Protocols.

Mrs. O'Connor-Ratcliff spoke about the certified therapy dog program.

Mrs. Beatty spoke on the following topics:

- Would like a copy of the Tech Report regarding technology protocols on data security
- Would like to revisit the two Board Meetings a month recommendation, as the Closed Session Meetings feel rushed
- Reviewing policies to put items on the docket

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 11:34 p.m.

As approved in Agenda Item A-7, the meeting of the Board of Education was adjourned at 11:34 p.m. in order to convene the meeting of the Poway Unified School District Public Financing Authority.

L. PUSD PUBLIC FINANCING AUTHORITY

The meeting of the Poway Unified School District Public Financing Authority was called to order at 11:34 p.m. by President O'Connor-Ratcliff.


L-1 Approval Of Resolution No. 50-2016 Entitled "Authorizing And Providing For The Issuance Of Special Tax Revenue Refunding Bonds Series 2016A, Approving The Form Of An Indenture Of Trust, The Form Of An Escrow Deposit And Trust Agreement, Bond Purchase Agreement, Special Tax Refunding Bonds Purchase Contract, Funding Allocation Agreement, Preliminary Official Statement, And Other Documents, And Authorizing Certain Actions In Connection With The Issuance Of Such Special Tax Revenue Refunding Bonds"

Following discussion, it was motioned by Mr. Zane and seconded by Mrs. Tholandi, to approve Resolution No. 50-2016 with amendments. **Ayes: O'Connor-Ratcliff, Zane, Patapow, Robertson, and Tholandi. Motion carried unanimously, 5-0.**

The meeting of the PUSD Public Financing Authority was adjourned at 11:40 p.m.


Michelle O'Connor-Ratcliff, President


Andy Patapow, Clerk


Mel Robertson, Acting Secretary