



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

**March 7, 2017**  
District Office Community Room

**CLOSED SESSION**

Board President O'Connor-Ratcliff called the meeting to order at 4:04 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 5:40 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 6:04 p.m. by Board President O'Connor-Ratcliff.

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

**1. CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR**

Agent Negotiator: Sandra Huezo  
PFT, PSEA Unit I and Unit II

**2. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**

Pursuant to Government Code Section 54956.9(d)(2) (One Potential Case)  
Legal Counsel: Mark Bresee

**3. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Approval of Settlement Agreement between the District and PSEA regarding Case No. LA-CE-6104E  
Pursuant to Government Code Section 54957 and 54956.39

**4. CLOSED SESSION: PUBLIC EMPLOYEES DISCIPLINES/DISMISSALS/ RELEASES/  
REASSIGNMENTS/TRANSFERS/NON-RENEWALS/RESIGNATIONS**

Pursuant to Government Code Section 54957

**5. CLOSED SESSION: PUBLIC EMPLOYEES PERFORMANCE EVALUATIONS**

Title: Classroom Teachers (2)

**6. CLOSED SESSION: PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE/  
COMPLAINT**

Pursuant to Government Code Section 54957; (1 Case)  
Unrepresented Employees: Management

**7. CLOSED SESSION: PUBLIC EMPLOYEE EMPLOYMENT/APPOINTMENT**

Pursuant to Government Code Section 54957 and 54957.1

Title: Superintendent

**8. CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code Section 54956.8; Parcel Number 678-070-25-00; 312-293-11-00, 306-250-27-00, and 306-250-32-00

Legal Counsel: Best Best & Krieger, Tyree K. Dorward

**9. CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code Section 54956.9(a); Case No. 37-2016-00026157-CU-OE-CTL

Legal Counsel: Dennis Walsh

Clerk Patel reported that in the matter of Item No. 7 Public Employee Employment/Appointment, Superintendent, on a motion by Mr. Zane and a second by Board President O'Connor-Ratcliff, the Board of Education voted to appoint Dr. Marian Kim-Phelps as Superintendent for Poway Unified School District. *Ayes: O'Connor-Ratcliff, Zane, and Patel. Noes: Beatty and Sellers. Motion passed: 3-2.*

There was no other reportable action taken in closed session.

**A-3 Salute to Flag**

Board President O'Connor-Ratcliff led the salute to the flag.

**A-4 Members in Attendance**

All Board members were in attendance, including Student Board Member Ella Smith.

**A-5 Welcome to Public**

Mr. Sellers 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**

On a motion by Mrs. Beatty, and a second by Mr. Sellers, the minutes of the February 14, 2017, Regular Board Meeting were approved as amended by moving A-7, D208, and D-209 into open session after the closed session items. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Dr. Patel, the minutes of the February 28, 2017, Special Board Meeting were approved as presented. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

**A-7 Approval of Agenda Sequence**

Following discussion, Mr. Zane recommended that agenda item D-201 be heard prior to other agenda items. On a motion by Mr. Zane, and a second by Dr. Patel, the agenda sequence was amended as suggested. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

**A-8 Approval of Consent Calendar**

**100 – LEARNING SUPPORT SERVICES**

102 Adoption of New High School Courses

103 Adoption of High School Supplemental Text

104 Approval of Resolution No. 75-2017 PUSD Robotics Day

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

106 Acceptance of Gifts

**200 – PERSONNEL SUPPORT SERVICES**

203 Approval of Resolution No. 79-2017 Entitled “Resolution Regarding Non-Reelection and Release of Temporary Certificated Employees”

204 Approval of Internship Agreement (Educational Specialist) with Point Loma Nazarene University

205 Approval of Internship Agreement (Educational Specialist) with Cal State University San Marcos

**300 – BUSINESS SUPPORT SERVICES**

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

**500 – COMMUNITY FACILITIES DISTRICT**

**600 – SUPERINTENDENT’S OFFICE**

Mrs. Beatty asked that item E-102 be pulled for discussion, and Board President O’Connor-Ratcliff asked that item E-104 be pulled on behalf of a member of the public for discussion. On a motion by Mr. Zane, and a second by Mrs. Beatty, with the exception of items E-102 and E-104, the items on the consent calendar were approved as presented. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

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

**B-1 Student Board Representative Reports**

Student Board representatives Elizabeth Kerrigan from Abraxas High School, Nicole Labrador from Del Norte High School, Grace Hard from Mt. Carmel High School, Trevor George from Poway High School, Jalen Rasoul from Rancho Bernardo High School, and Nathan Xia from Westview High School, reported on events and activities at their respective schools.

**B-2 (a) Superintendent’s Briefing**

The following updates on current issues and events were presented:

- Dr. Mel Robertson shared highlights from the student and staff recognitions.
- Executive Director of Learning Support Services Eric Lehew, gave a presentation on the California Assessment of Student Performance and Progress, or CAASPP, and the new “Dashboard” measurements the state will be releasing soon.
- Dr. Robertson spoke about participation in the LCAP forums over the past month; and current budget challenges during the budget workshop held for the Board of Education.

**(b) Student Recognition**

Accomplishments and awards earned by students were recognized

**(c) Staff Recognition**

Accomplishments and awards earned by staff members were recognized.

**B-3 Board Member Reports**

Board members reported on their activities and events attended since the previous meeting.

**B-4 2017 CSBA Delegate Assembly Election**

Mr. Sellers put forth six names as representatives to the 2017 CSBA Delegate Assembly:

Stephen Cochran (Del Mar Unified School District)  
Beth Hergesheimer (San Dieguito Unified School District)  
Tamara Otero (Cajon Valley Unified School District)  
Dawn Perfect (Ramona Unified School District)  
Louis M. Smith (Coronado Unified School District)  
Cipriano Vargas (Vista Unified School District)

On a motion by Mr. Sellers, and a second by Dr. Patel, the Board of Education voted for those named as representatives to the 2017 CSBA Delegate Assembly. ***Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.***

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

**D-201 Approval of the Employment Agreement Between Poway Unified School District and the Superintendent**

Following discussion, on a motion by Mr. Zane, and a second by Dr. Patel, the Board of Education approved the employment agreement between Poway Unified School District and the Superintendent. ***Ayes: O'Connor-Ratcliff, Zane, and Patel. Noes: Beatty and Sellers. Motion carried, 3-2.***

Public Comments, the following members of the public spoke in favor of Dr. Marian Kim-Phelps' contract:

Richard Nash  
Jen Roberson  
Scott Himmelstein  
Candy Smiley, representing Poway Federation of Teachers.  
Mary Andrews  
Joe Erpelding  
Kimie Lochtefeld  
Armando Farias

The following members of the public did not speak, but supported Dr. Marian Kim-Phelps' contract:

Karen O.  
Didi Ferrer  
Eddie Park  
James Jimenez  
Bill Vance  
Robert Holzman  
Shelley Smith  
Brad Bourda  
Sandi Failla  
Linda Hippe  
Cyndi Paik  
Nicole Jacobson  
Jennifer Burks  
Kathy Vance

*Following a short recess, the regular Board of Education Meeting was called back in session at 7:55 p.m. by Board President O'Connor-Ratcliff.*

## C. PUBLIC COMMENTS

Lynnette Turner spoke on behalf of the PSEA, regarding working together through the coming budget cuts.

Doug Crooks spoke about classified positions that have not been restored since the last cuts.

Courtney Martin spoke about looking for budget cut solutions.

Ian Williamson spoke regarding Westview Theater repairs.

Maria Taylor spoke regarding Westview Theater repairs.

Sophia Cobarrubia spoke in favor of repairs to the Westview Theater.

Evan Williamson spoke in favor of repairs to the Westview Theater classroom.

Gerry Carlson spoke regarding the budget cuts and the Transportation Department.

Janet Lettang spoke about Board priorities and budget cuts.

Kim Rizzo requested that the World Language Textbooks be updated.

Jessica Xu spoke regarding National Save Your Vision Month.

Sharlene O'Keefe spoke regarding Poway on Stage.

## D. ACTION ITEMS

### **D-101 Ratification of Stipulated Agreements for Student Expulsion**

On a motion by Mrs. Beatty, and a second by Mr. Zane, the Board of Education approved and ratified student discipline Case No. 2016-2017.14. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

*As approved in item A-8, agenda item E-102 and E-204 were pulled from the Consent Calendar for discussion and action.*

### **E-102 Adoption of High School Supplemental Text**

Following discussion, on a motion by Mrs. Beatty, and a second by Mr. Zane, the Board of Education approved the adoption of the High School Supplemental Text. Preferential vote Aye by Student Board member Ella Smith. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

### **E-104 Approval of Resolution No. 75-2017 PUSD Robotics Day**

Following discussion, on a motion by Board President O'Connor-Ratcliff, and a second by Mrs. Beatty, the Board of Education approved Resolution No. 75-2017. Preferential vote Aye by Student Board member Ella Smith. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

Public Comments: Cathleen Pieroni spoke about the Robotics Competition's Civic Engagement Award.

*As approved in item A-7, agenda item D-201 was heard prior to routine agenda items.*

**D-202 Ratification of Employment Agreement for the Acting Superintendent**

Following discussion, on a motion by Mr. Zane, and a second by Mrs. Beatty, the Board of Education approved the employment agreement for the Acting Superintendent. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

**D-301 Approval and Certification of Second Interim Financial Report and Approval of Resolution No. 78-2017 Entitled “Authorization to Revise the 2016-2017 Budget as Reflected in the Second Interim Financial Report”**

Following a presentation by Director of Finance Joy Ramino, on a motion by Mrs. Beatty, and a second by Mr. Zane, the Board of Education approved the Certification of Second Interim Financial Report and approval of Resolution No. 78-2017. Preferential vote Aye by Student Board member Ella Smith. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

**F. FIRST READING ITEMS**

**G. INFORMATION ITEMS**

**H. NEW BUSINESS – BOARD MEMBERS**

**H-1 Board Self Evaluation Goals – Board President Michelle O’Connor-Ratcliff**

The Board of Education discussed their self-evaluation goals.

**H-2 CSBA Safe Haven Resolution – Board Member Kimberley Beatty**

The Board of Education discussed the CSBA Safe Haven Resolution, and directed staff to bring it forward as an action item for the next Board meeting.

Public Comment: Terry Norwood spoke in favor of a Safe Haven Resolution.

**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 9:38 p.m.

  
Michelle O’Connor-Ratcliff, President

  
Dr. Darshana Patel, Clerk

  
Mel Robertson, Acting Secretary

am