



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

October 12, 2017
District Office Community Room

CLOSED SESSION

Board President O'Connor-Ratcliff called the meeting to order at 4:01 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 6:00 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

1.0 CALL TO ORDER – PUBLIC SESSION

2.0 CLOSED SESSION

- 2.1 Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters Pursuant to Education Code 48900(c)
- 2.2 Negotiations – PFT, PSEA Unit I and Unit II, Management/Confidential, and Real Property Pursuant to Government Codes 54957.6, and 54956.8
 - a. **Agent Negotiator: James Jimenez**
- 2.3 Public Employee Discipline/Dismissal/Release Pursuant to Government Codes 54954.5(e), and 54957
- 2.4 Public Employee Appointment/Employment Pursuant to Government Code 54957
 - a. **Payroll Director**
 - b. **Superintendent Goals and Evaluation**
- 2.5 Pending/Existing Litigation Pursuant to Government Codes 54956.9(a), and 4956.9(d)(1)
 - a. **Name of Case:** No. 37-2016-00026157-CU-OE-CTL
Legal Counsel: Dennis Walsh
 - b. Poway Unified School District v. John P. Collins, San Diego Superior Court, **Name of Case:** No. 37-2016-00023931-CU-MC-CTL
Legal Counsel: Maribel S. Medina
 - c. **Name of Case:** No. LA-CE-6189-E
Legal Counsel: Jerry Conradi
 - d. **Name of Cases:** Case No. OAH 2017070034; Case No. 2017031139; Case No. 2017050870; Case No. 2017070693; Case No. SA1; Case No. 2017050212; Case No. 2017071104

- 2.6 Conference with Legal Counsel Anticipated Litigation Pursuant to Government Code 54956.9
- a. **Name of Case:** No. TC-17-36
Legal Counsel: Dennis Walsh
 - b. **Name of Case:** No. TC-15-24
Legal Counsel: Daniel Shinoff
 - c. **Name of Case:** No. TC-17-46
 - d. **Name of Case:** No. TC-17-45
 - e. **One Potential Case**
Legal Counsel: Maribel S. Medina

3.0 **RECONVENE / CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Board President O'Connor-Ratcliff reconvened the meeting in Public Session at 6:09 p.m. and led the salute to the flag.

3.1 **Report Out of Closed Session**

2.4-A: Clerk Patel reported that in the matter of Public Employee Appointment/Employment, on a motion by Mrs. Beatty and a second by Mr. Sellers, the Board ratified the appointment of Laura Vaca, to the position of Payroll Director effective, October 9, 2017. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-A: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Sellers and a second by Mr. Zane, and by roll call vote, the Board voted unanimously to approve the Compromise Settlement of Case #37-2016-26157-CU-OE-CTL with the terms as follows: A waiver of costs; restore 2 days of paid Compelling Reasons leave to Plaintiff; Pay the Plaintiff's share of mediation costs; and consider a proposal to retain a third-party to review policies and procedures related to cyber bullying. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-D-1: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Zane and a second by Mrs. Beatty, the Board voted to approve the settlement for Case No. OAH 2017070034. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-D-2: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Zane and a second by Mrs. Beatty, the Board voted to approve the settlement for Case No. 2017031139. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-D-3: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Zane and a second by Mrs. Beatty, the Board voted to approve the settlement for Case No. 2017050870. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-D-4: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Zane and a second by Mrs. Beatty, the Board voted to approve the settlement for Case No. 2017070693. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-D-5: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Zane and a second by Mrs. Beatty, the Board voted to approve the settlement for Case No. SA1. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-D-6: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Zane and a second by Mrs. Beatty, the Board voted to approve the settlement for Case No. 2017050212. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.5-D-7: Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Mr. Zane and a second by Mrs. Beatty, the Board voted to approve the settlement for Case No. 2017071104. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.6-A: Clerk Patel reported that in the matter of Anticipated Litigation, on a motion by Mr. Zane and a second by Dr. Patel, and by a roll call vote, the Board voted unanimously to reject Claim #TC-17-36. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.6-B: Clerk Patel reported that in the matter of Anticipated Litigation, on a motion by Mr. Zane and a second by Mr. Sellers, and by a roll call vote, the Board voted unanimously to approve the Compromise Settlement of Claim #TC-15-24 in the amount of \$317,500 and authorize the Superintendent to execute the necessary agreements. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.6-D: Clerk Patel reported that in the matter of Anticipated Litigation, on a motion by Mrs. Beatty and a second by Mr. Sellers, the Board voted unanimously to Authorize Litigation for Claim #TC-17-45. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

There was no other reportable action taken in closed session.

3.2 Members in Attendance

All Board members were in attendance, including Student Board Member Shaina Mishra.

3.3 Welcome to Public

Mrs. Kimberley Beatty welcomed the public and offered instructions on the procedure for addressing the Board during the Public Comments segment of the meeting.

3.4 Approval of Agenda/Sequence

On a motion by Mr. Zane, and a second by Dr. Patel, the agenda/sequence was approved. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Jalen Rasoul from Rancho Bernardo High School, and Nathan Xia from Westview High School, reported on events and activities at their respective schools.

Student Board representative Trevor George from Poway High School was not present.

4.2 Public Comments

Individuals wishing to address the Board regarding an item on the agenda or items of specific concern, may do so at this time. Speakers are limited to (3) three minutes, (15) fifteen minutes per topic. Times may be shortened or extended at the direction of the Board. Speakers are requested to submit a speaker slip to the Clerk of the Board prior to the start of the meeting.

Public Comments:

- Kia Birdsong and Jennifer Thomas spoke regarding substitute teachers.
- Duane Bass spoke about College Bound and the importance of African American studies in our schools.

4.3 Public Hearing to Establish Trustee Areas and Elections By-Trustee Areas

A presentation was provided by Dr. Doug Johnson of National Demographics Corporation.

Board President O'Connor-Ratcliff opened a public hearing at 6:52 p.m. to hear any public comments on this issue.

Public Comments:

- Darleen Dunn spoke about having the five trustee boundaries align with the five high school boundaries to ensure a Board Member represents each high school area and student population. Also would like each Board Member to rotate being a liaison for another school boundary area.
- Debra Cooper spoke about continuity of service and choosing a map that best serves the District's population by looking at a map from each of the groups. Also likes the idea of matching the high school areas.
- Lisa Mersereau would like Board Members representing every school and to keep the Board Members that the voters selected; the map selected should not require voter selected Board Members to resign. The ultimate goal being the stability of our selected Board Members.
- Jill spoke about being concerned that mapping out the District will divide the Board. Would like to see overlapping in some way, to see Board Members unified and working together for the entire District.
- Amie spoke about how the mapping would affect current Board Members and reelection opportunities for current Board Members. She feels it would be a shame to lose a significant amount of our current elected Board Members.
- Kelly Logan and Kris Hizal feel the new District mapping should allow the option to retain current Board Members for the following reasons: We must maintain capacity on the PUSD school Board for stability, voters should have the opportunity to reelect a Board Member they support. The wishes of voters should be honored, two current Board Members terms are not up until the year 2020, if they are placed in the same district they would have to run against each other for reelection in 2018, which is two years earlier than their term was scheduled to end. And the 2016 decision made by voters should be valued.

Public comments were closed at 7:05 p.m., and was followed by a discussion and the selection of map 109 and map 112, to bring forward for consideration along with any newly submitted maps to the final public hearing during the November 9, 2017, regular Board Meeting.

4.4 Report on District Results from the Spring 2017 California Smarter Balanced Assessment Consortium (SBAC)

Information and a presentation was provided by Learning Support Services Associate Superintendent Mel Robertson; and Learning Support Services Executive Directors Todd Cassen and Doug Johnson.

Board President O'Connor-Ratcliff, called for a five-minute recess at 8:00 p.m.

5.0 CONSENT CALENDAR

5.1 Consent Calendar - Approval of Minutes

5.2 Consent Calendar - Business Support Services

- a. Award a Contract for Bid No. 2017-07B Delivery Truck to Dion International Trucks, LLC
- b. Approval/Ratification of Contractual Services Report No. 03-2018
- c. Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions
- d. Approve Resolution No. 24-2018 Entitled "Authorization to Purchase Apple Computer Products, Services, and Related Items for the Period of October 16, 2017, Through October 15, 2018, Through the Glendale Unified School District Bid No. P-13 13/14"
- e. Accept the Project as Complete and Authorize to File a Notice of Completion for Stone Ranch Elementary School Expansion – Site Development
- f. Accept the Project as Complete and Authorize to File a Notice of Completion for Roof Replacement at Mesa Verde Middle School
- g. Accept the Project as Complete and Authorize to File a Notice of Completion for Del Sur Elementary School Relocatable Classroom Buildings – Site Preparation

5.3 Consent Calendar - Learning Support Services

- a. Approval of the Agreement for Participation in San Diego County's Career Technical Education (CTE)
- b. Approval of Contract with Community Action Partnership of San Luis Obispo County for the San Diego Head Start Program
- c. Acceptance of Gifts

5.4 Consent Calendar - Personnel Support Services

- a. Approval of Certificated Personnel Report No. 03-2018

- b. Approval of Classified Personnel Report No. 03-2018
- c. Approval of the Williams Settlement Quarterly Report for September 2017

5.5 Consent Calendar - Technology and Innovation

5.6 Consent Calendar – Superintendent

On a motion by Mr. Zane, and a second by Mr. Sellers, the Consent Calendar was approved as presented. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

6.0 BUSINESS SUPPORT SERVICES

6.1 Approval of Resolution No. 25-2018 Entitled “Resolution to Close Other Enterprise Fund (Fund 63) and Transfer Balances to Child Development Fund (Fund 12)”

On a motion by Mrs. Beatty, and a second by Mr. Zane, the Board approved Resolution No. 25-2018 as presented. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

6.2 Approval of Monthly Budget Revisions

On a motion by Mr. Sellers, and a second by Mrs. Beatty, the Board approved the Monthly Budget Revisions. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

6.3 2018-19 Budget Development

This item was a presentation and information only.

6.4 Enrollment Report No. 1/2017-2018

This item was presented as information only.

7.0 LEARNING SUPPORT SERVICES

7.1 Ratification of Student Discipline

On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved the Ratification of case number 2017-2018-02. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

7.2 Ratification of Enforced Expulsion

On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved the Ratification of Enforced Expulsion for case number 2016-2017-32. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

7.3 Proposed Adoption of High School Textbooks – First Reading

This item was presented as information only.

8.0 PERSONNEL SUPPORT SERVICES

8.1 Public Hearing and Approval of Governing Board Appointee to the Personnel Commission

Board President O’Connor-Ratcliff opened a public hearing at 8:34 p.m. to hear any public comments on this issue. Hearing none, the public hearing was closed. On a motion by Mr. Sellers, and a second by Dr. Patel, the Board voted Margaret Wyatt Appointee to the

Governing Board Personnel Commission. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

8.2 Approval of Resolution No. 23-2018 Entitled “Resolution Regarding the Elimination or Reduction in Hours of the Classified Positions as Contained in Exhibit ‘A’; Corresponding Layoff of Classified Employees”

On a motion by Mr. Sellers, and a second by Dr. Patel, the Board approved Resolution No. 23-2018 as presented. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

9.0 TECHNOLOGY AND INNOVATION

10.0 SUPERINTENDENT

10.1 Adoption of California School Board Association (CSBA) Board Policies Section 1000 – 1700 – Community Relations

Following discussion, on a motion by Mr. Zane, and a second by Board President O'Connor-Ratcliff, the Board approved the amendment to remove 1312.2(a), (b), (c), (d), and (e) from the CSBA Board Policies Section 1000-1700. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Board President O'Connor-Ratcliff, the Board approved CSBA Board Policies Section 1000-1700 with the amendment to remove 1312.2(a), (b), (c), (d), and (e). *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

11.0 REPORTS AND COMMENTS

11.1 Board Member Reports

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

11.2 Superintendent's Report

The following updates on current issues and events were presented:

- Dr. Kim-Phelps spoke about continuing to attend staff meetings at school sites to personally welcome Team PUSD to a new and exciting school year.
- Dr. Kim-Phelps spoke about the first meeting of our Superintendent's Student Board Advisory Committee being a diverse group of students from all six of our high schools, and was impressed with their passion, maturity, and willingness to learn.

(a) Student Recognition

Accomplishments and awards earned by students were recognized.

(b) Staff Recognition

Accomplishments and awards earned by staff members were recognized.

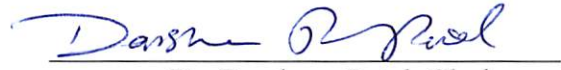
12.0 CLOSED SESSION


There were no additional items discussed in Closed Session.

13.0 ADJOURNMENT

The meeting was adjourned at 9:10 p.m.


Michelle O'Connor-Ratcliff, President


Dr. Darshana Patel, Clerk


Marian Kim-Phelps, Secretary

am