



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

December 14, 2017
District Office Community Room

CLOSED SESSION

Board President O'Connor-Ratcliff called the meeting to order at 4:31 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 Pending/Existing Litigation Pursuant to Government Codes 54956.9(a), 54956.9(d)(2), and 4956.9(d)(1)
 - a. **Name of Case:** PERB CASE No. LA-CE-6188-E
Legal Counsel: Gerald Conradi
 - b. **Case No.** OAH2016120112, **Case No.** OAH2017030981, **Case No.** OAH2017080870, and **Case No.** OAH2017090419
- 2.2 Conference with Legal Counsel Anticipated Litigation Pursuant to Government Code 54956.9, 54956.9(d)(2), and 54956.9(d)(4)
- 2.3 Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters Pursuant to Education Code 48900(c)
- 2.4 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
 - b. **Real Property** –Santaluz Surplus Property, Parcel Number 312-293-11-00, 306-250-27-00, and 306-020-32-00
Negotiating Parties: Paul Marra and Ron Little
- 2.5 Public Employee Discipline/Dismissal/Release Pursuant to Government Codes 54954.5(e), and 54957
- 2.6 Public Employee Appointment/Employment Pursuant to Government Code 54957

3.0 RECONVENE / CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Board President O'Connor-Ratcliff reconvened the meeting in Public Session at 6:10 p.m. and led the salute to the flag.

3.1 Report Out of Closed Session

2.1-A-1: Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. LA-CE-6188-E, on a motion by Mrs. Beatty and a second by Dr. Patel, the Board voted to ratify the settlement agreement as presented. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.1-B-1: Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. OAH2016120112, on a motion by Mrs. Beatty and a second by Mr. Sellers, the Board voted to ratify the settlement agreement. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.1-B-2: Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. OAH2017030981, on a motion by Mrs. Beatty and a second by Mr. Sellers, the Board voted to ratify the settlement agreement. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.1-B-3: Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. OAH2017080870, on a motion by Mr. Sellers and a second by Mr. Zane, the Board voted to ratify the settlement agreement. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

2.1-B-4: Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. OAH2017090419, on a motion by Mrs. Beatty and a second by Mr. Sellers, the Board voted to ratify the settlement agreement. *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

Student Board Member Shaina Mishra 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 Mrs. Beatty, the agenda/sequence was approved with one change to allow Student Board Member Shaina Mishra to give her Board Report in the 4.0 section. *Ayes: O'Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

3.5 Organizational Meeting of the Board

a. Organizational Meeting - Election of Officers, Appointment of Board Representatives to Committees, and Confirmation of 2018 Board Meetings Dates

Board President O'Connor-Ratcliff called for the election of a new President. Mrs. Beatty nominated Mr. Sellers, and Dr. Patel nominated Mr. Zane. There was no call

for a second for either nomination. *On a roll call vote, Mr. Sellers and Mrs. Beatty voted for Mr. Sellers; Dr. Patel, Mr. Zane, and Mrs. O'Connor-Ratcliff voted for Mr. Zane. Mr. Zane was elected President on a 3/2 vote.*

Board President Zane presented outgoing Board President O'Connor-Ratcliff with a plaque and thanked her for her service.

Board President Zane called for the election of a new Vice President. Mrs. O'Connor-Ratcliff nominated Dr. Patel. There were no other nominations and no call for a second. *On a roll call vote, Mr. Sellers abstained and Mrs. Beatty voted no. Dr. Patel, Mrs. O'Connor-Ratcliff, and Board President Zane voted ayes for Dr. Patel. Dr. Patel was elected Vice President on a 3/1 vote with 1 abstention.*

Board President Zane called for the election of a new Clerk. Mrs. O'Connor-Ratcliff nominated Mr. Sellers, Mr. Sellers declined and Dr. Patel nominated Mrs. Beatty, Mrs. Beatty declined. Board President Zane nominated Mrs. O'Connor-Ratcliff, Mrs. O'Connor-Ratcliff declined.

A short recess was called for reorganization of the dais at 6:33 p.m. Board President Zane reconvened the meeting at 6:44 p.m.

The PUSD Board of Education was not able to select a Clerk at this time, and heard items 4.1, Student Board Representative Shaina Mishra's report, and 4.3, while waiting on word from District Counsel.

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Trevor George from Poway High School, Kailey Lyche from Rancho Bernardo High School, and Nathan Xia from Westview High School, reported on events and activities at their respective schools.

Student Board Member Shaina Mishra reported on her activities and events attended since the previous meeting.

4.2 Public Comments were heard after the continuation of item 3.5(a) on the agenda.

4.3 College Bound Program

This item was presented as information only.

Board President Zane once again opened the opportunity for nominations for the office of Clerk, hearing none he referred to Superintendent Kim-Phelps. Dr. Kim-Phelps stated: according to the education code 35038, in any district the governing board of which, is required to elect a clerk, the Superintendent of Schools of the County shall appoint one of the members of the governing board to fill the office of the district clerk if a clerk is not elected by the governing board on the date prescribed, or if except as provided in section 35039 a vacancy occurs in the position of district clerk, the unified school district is required to have the position of clerk filled, therefore if this board cannot appoint one or select one, the County Superintendent will then select one out of the remaining three Governing Board Members. Until then the position of Vice President can serve in both capacities. At this time Board President Zane declared a vacancy for the office of Clerk and asked for Vice President Patel to carry out the duties of clerk until the vacancy is filled, Vice President Patel accepted.

3.5(a) (continued) Appointments by the President:

- *County Board of Education Representative: Mrs. Kimberley Beatty; Alternate: Mrs. Michelle O'Connor-Ratcliff*
- *California Association of Suburban School Districts (CALSSD) Representatives: Mrs. Michelle O'Connor-Ratcliff, Dr. Patel; Alternate: Mr. T.J. Zane*
- *California School Boards Association (CSBA) Delegate Assembly: Mr. Charles Sellers*
- *Palomar Health: Mrs. Kimberley Beatty*
- *City of Poway Subcommittee Liaisons: Mr. T.J. Zane, Mrs. Michelle O'Connor-Ratcliff*
- *City of San Diego Subcommittee Liaisons: Dr. Patel, Mr. T.J. Zane*
- *Poway Chamber of Commerce Liaison: Mrs. Michelle O'Connor-Ratcliff*
- *San Diego North Business Chamber of Commerce Liaison: Mr. T.J. Zane*
- *Palomar Council PTA Board Representative: Rotate*
- *San Diego County Board of Supervisors Representative: Mr. T.J. Zane*

- b. Nominations of California School Boards Association Delegate Assembly**
No action was taken on this item.

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:

- Glen Whitman introduced himself to the Board.
- Janet Lettang spoke about LCAP and Performing Arts.
- John Lettang and Jessica Trost spoke in favor of the Performing Arts.

5.0 CONSENT CALENDAR

5.1 Consent Calendar - Approval of Minutes

5.2 Consent Calendar - Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 05-2018
- b. Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions
- c. Approval of Resolution No. 30-2018 Entitled "Authorization to Purchase Computer Systems, Related Equipment, and Services using the Los Angeles County Office of Education Contract"

- d. Approval of Letter to Senators and Assemblymember requesting Governor Brown to Prioritize an Increased Pace of Sale of Proposition 51 Bonds
- e. Adoption of the 2018-2019 Budget Development Calendar
- f. Accept the Annual Disclosure Compliance Request 2016-2017

5.3 Consent Calendar - Learning Support Services

- a. Approval/Ratification of Out-of-State Field Trips

5.4 Consent Calendar - Personnel Support Services

- a. Approval of Certificated Personnel Report No. 05-2018
- b. Approval of Classified Personnel Report No. 05-2018
- c. Approval of Resolution No. 32-2018 Entitled “Authorization to Teach Out of Major or Minor Fields”
- d. Adoption of the 2018-2019 Student Attendance Calendar

5.5 Consent Calendar - Technology and Innovation

5.6 Consent Calendar – Superintendent

- a. Acceptance of Gifts

On a motion by Mrs. O’Connor-Ratcliff, and a second by Mrs. Beatty, 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 Authorize Appointment of Financing Team to Gather Information from Existing Bondholders

Following a presentation and discussion, on a motion by Mrs. O’Connor-Ratcliff, and a second by Mrs. Beatty, the Board approved the appointment of a Financing Team as presented. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

6.2 Review and Acceptance of the 2016-2017 Financial Compliance and Program Audit

Following a presentation and discussion, on a motion by Mr. Sellers, and a second by Dr. Patel, the Board accepted the 2016-2017 Financial Compliance and Program Audit as presented. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

6.3 Approval and Certification of First Interim Financial Report and Approval of Resolution No. 31-2018 Entitled “Authorization to Revise the 2017-2018 Budget as Reflected in the First Interim Financial Report”

Following a presentation and discussion, on a motion by Mr. Sellers, and a second by Mrs. O’Connor-Ratcliff, the Board approved the First Interim Financial Report, Resolution 31-2018, and to Revise the 2017-2018 Budget as presented. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

6.4 Approval of Engagement of a new Special Tax Consultant and CFD Administrator

Following discussion, on a motion by Mr. O’Connor-Ratcliff, and a second by Dr. Patel, the Board approved Engagement of a new Special Tax Consultant and CFD Administrator as presented. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

6.5 Enrollment Report No. 3/2017-2018

This item was presented as information only.

7.0 LEARNING SUPPORT SERVICES

7.1 Ratification of Stipulated Agreement for Student Expulsion

On a motion by Mrs. O’Connor-Ratcliff, and a second by Beatty, the Board approved the Ratification of case number 2017-2018.05. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

On a motion by Mrs. O’Connor-Ratcliff, and a second by Beatty, the Board approved the Ratification of case number 2017-2018.07. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

On a motion by Mrs. O’Connor-Ratcliff, and a second by Beatty, the Board approved the Ratification of case number 2017-2018.08. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

On a motion by Mrs. O’Connor-Ratcliff, and a second by Mr. Sellers, the Board approved the Ratification of case number 2017-2018.10. *Ayes: O’Connor-Ratcliff, Zane, Patel, Beatty, and Sellers. Motion carried unanimously, 5-0.*

7.2 California School Dashboard State Indicators

This item was presented as information only.

8.0 PERSONNEL SUPPORT SERVICES

8.1 2016-2017 Annual Report of the Personnel Commission

This item was presented as information only.

8.2 Annual Disclosure and Certification of Estimated Accrued Unfunded Liability for Self-Insured Workers’ Compensation Claims, Fiscal Year 2016-2017, and Submittal of Annual Workers’ Compensation Self-Insurer’s Report to State

This item was presented as information only.

9.0 TECHNOLOGY AND INNOVATION

10.0 SUPERINTENDENT

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 the Mt. Carmel Sundevils Marching Band and Color Guard awarded Grand Champions in the Southern California School Band Championships for the third year in a row; and students from Meadowbrook, Oak Valley, and Design39Campus placing first and second in their categories for the first Lego League regional competition at Legoland.
- Dr. Kim-Phelps spoke about vision to increase access to foreign languages for our students.

(a) Student Recognition

Accomplishments and awards earned by students were recognized.

(b) Staff Recognition

Accomplishments and awards earned by staff were recognized.

(c) School Recognition

Accomplishments and awards earned by schools were recognized.

12.0 CLOSED SESSION

There were no additional items discussed in Closed Session.

13.0 ADJOURNMENT

The meeting was adjourned at 8:54 p.m.



T.J. Zane, President



Darshana Patel, Vice President/Clerk



Marian Kim-Phelps, Secretary

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