



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

January 18, 2018
District Office Community Room

CLOSED SESSION

Board President T.J. Zane called the meeting to order at 4:02 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 5:59 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: No. 37-2017-00030491-CL-PA-CTL
Legal Counsel: Sam Sherman

b. Name of Case: No. 37-2017-00041638-CL-PA-CTL
Legal Counsel: Sam Sherman

c. Name of Case: 37-2017-00015136-CU-MC-CTL
Legal Counsel: Mark Bresee

d. Name of Case: No. 37-2017-00040148-CU-MC-CTL
Legal Counsel: Randy Winet/Steve Tisi

e. Name of Case: No. 17CV2215W
Legal Counsel: Randy Winet/Steve Tisi

f. Name of Case: No. Uniform Complaint Response
Legal Counsel: Mark Bresee

g. Name of Case: No. LA-CE-6189-E
Legal Counsel: Jerry Conradi

h. Case No. OAH2017100960, Case No. OAH2017100562, and Case No. SA3

2.2 Conference with Legal Counsel Anticipated Litigation Pursuant to Government Code 54956.9, 54956.9(d)(2), and 54956.9(d)(4)

a. Name of Case: Navistar, Inc. School Bus Engines
Legal Counsel: Best Best & Krieger, Tyree K. Dorward

- 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**
- 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**

3.1 Board President T.J. Zane reconvened the meeting in Public Session at 6:07 p.m. and led the salute to the flag.

3.2 **Report Out of Closed Session**

2.1-A: Acting Clerk Patel reported that in the matter of Pending/Existing Litigation, on a motion by Ms. O’Connor-Ratcliff and a second by Dr. Patel, and by roll call vote, the Board voted unanimously to approve the Compromised Settlement of Case No. 37-2017-00030491-CL-PA-CTL, in the amount of \$10,000 and authorized the Superintendent to execute the necessary agreements. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-H-1: Acting Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. OAH2017100960, on a motion by Ms. O’Connor-Ratcliff and a second by Mrs. Beatty, the Board voted to approve settlement agreement. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-H-2: Acting Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. OAH2017100562, on a motion by Ms. O’Connor-Ratcliff and a second by Mrs. Beatty, the Board voted to approve settlement agreement. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-H-3: Acting Clerk Patel reported that in the matter of Pending/Existing Litigation, Case No. SA3, on a motion by Ms. O’Connor-Ratcliff and a second by Mrs. Beatty, the Board voted to approve settlement agreement. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

There was no other reportable action taken in closed session.

3.3 **Members in Attendance**

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

3.4 **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.

3.5 **Approval of Agenda/Sequence**

On a motion by Ms. O’Connor-Ratcliff, and a second by Dr. Patel, the agenda/sequence was approved with the following change, Student Board Member Shaina Mishra’s report was

moved from item 11.1 to item 4.1 following the Student Board Representatives report. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Olivia Hampton from Abraxas High School, Delaney Anderson from Del Norte High School, and Megan Vildibill from Mt. Carmel High School, reported on events and activities at their respective schools.

As approved in Agenda item 3.5 Agenda/Sequence, Student Board Member Shaina Mishra's report from item 11.1 was heard after agenda item 4.1.

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:

- Janet Lettang spoke about upcoming Performing Arts events and LCAP survey.

4.3 Apple Distinguished School

This item was presented as information/presentation only.

5.0 CONSENT CALENDAR

5.1 Consent Calendar - Approval of Minutes

On a motion by Mrs. Beatty, and a second by Mr. Sellers, the minutes were approved as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

5.2 Consent Calendar - Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 06-2018
- b. Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions
- c. Approval of a Lot Line Adjustment at Del Sur Elementary School
- d. Award Contracts for Bid No. 2017-11B Photo, Audio Visual Equipment and Supplies to B&H Foto & Electronics Corp., George's Camera, and Musson Theatrical
- e. Award a Contract for Bid No. 2017-09B Computerized Maintenance Management System Software and Facilities Condition Assessment Services to Ameresco Asset Sustainability Group, LLC.

5.3 Consent Calendar - Learning Support Services

- a. Approval of Resolution No. 33-2018 Entitled "National School Counseling Week 2018"

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

5.4 Consent Calendar - Personnel Support Services

- a. Approval of Certificated Personnel Report No. 06-2018
- b. Approval of Classified Personnel Report No. 06-2018
- c. Approval of Resolution No. 34-2018 Entitled “Revision of Date for Observance of ‘Lincoln Day’ 2019”
- d. Approval of the Williams Settlement Quarterly Report for December 2017
- e. Approval of Clinical Facilities Use Agreement in Occupational Therapy Students with Bay Path University, Longmeadow, Massachusetts

5.5 Consent Calendar - Technology and Innovation

5.6 Consent Calendar – Superintendent

- a. Acceptance of Gifts

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

6.0 BUSINESS SUPPORT SERVICES

6.1 Approval to Execute LED Lighting Retrofit Projects at Adobe Bluffs, Creekside, Garden Road, Highland Ranch, Sundance, Turtleback, and Valley Elementary Schools, and Meadowbrook and Twin Peaks Middle Schools Utilizing SDG&E’s On-Bill Financing (OBF) Program

Following discussion, on a motion by Dr. Patel, and a second by Mrs. Beatty, the Board approved the LED Lighting Retrofit Projects as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

6.2 Approval of Resolution No. 36-2018 Calling for Full and Fair Funding of California’s Public Schools

Following discussion, on a motion by Dr. Patel, and a second by Mr. Sellers, the Board approved Resolution No. 36-2018 as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

6.3 Governor’s 2018-2019 Budget Proposal Update

This item was a presentation and information only.

6.4 Proposition 39 Final Expenditure Plan

This item was presented as information/presentation only.

6.5 Enrollment Report No. 4/2017-2018

This item was presented as information only.

7.0 LEARNING SUPPORT SERVICES

7.1 Readmission of Student on Expulsion

On a motion by Ms. O'Connor-Ratcliff, and a second by Dr. Patel, the Board approved the Readmission to Poway Unified School District for case number 2016-2017.24. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

7.2 Proposed Adoption of California School Board Association (CSBA) Board Policy 5030 – Student Wellness (First Reading)

This item was presented as a First Reading.

8.0 PERSONNEL SUPPORT SERVICES

8.1 Approval of Resolution No. 35-2018 Entitled “Adoption of Supplemental Early Retirement Plan for Poway Federation of Teachers-Represented Employees” and Review of Enabling Documents

Following discussion, on a motion by Mrs. Beatty, and a second by Mr. Sellers, the Board voted for the non-approval of Resolution No. 35-2018. *Ayes: Sellers and Beatty. Noes: Zane, Patel, and O'Connor-Ratcliff. Motion failed, 2-3.*

On a motion by Ms. O'Connor-Ratcliff, and a second by Dr. Patel, the Board voted to approve Resolution No. 35-2018 as presented. *Ayes: Zane, Patel, and O'Connor-Ratcliff. Noes: Sellers and Beatty. Motion passed, 3-2.*

8.2 Initial Proposal to “Sunshine” Articles for Contract Negotiations from Poway Federation of Teachers (PFT) 2018-2019

This item was presented as information only.

9.0 TECHNOLOGY AND INNOVATION

10.0 SUPERINTENDENT

10.1 County Superintendent Appointment to fill the Office of Poway Unified School District’s Clerk of the Governing Board

Mr. Charles Sellers accepted the County Superintendent of Schools appointment to serve as the Poway Unified School District’s Clerk of the Board of Education for the 2018 term.

10.2 Proposed Adoption of California School Board Association (CSBA) Board Policies 4119.21 / 4219.21 / 4319.21 (First Reading)

This item was presented as a First Reading.

11.0 REPORTS AND COMMENTS

11.1 Board Member Reports

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

As approved in Agenda item 3.5 Agenda/Sequence, Student Board Member Shaina Mishra’s report was heard following agenda item 4.1.

11.2 Superintendent’s Report

The following updates on current issues and events were presented:

- Dr. Kim-Phelps congratulated the six National Board Certificated Teachers from Poway Unified School District.

- Dr. Kim-Phelps spoke about the two orientations for school site Local Control Accountability Plan, or LCAP, Community Forums.

(a) **Student Recognition**

Accomplishments and awards earned by students were recognized.

(b) **Staff Recognition**

Accomplishments and awards earned by staff were recognized.

12.0 **CLOSED SESSION**


There were no additional items discussed in Closed Session.

13.0 **ADJOURNMENT**

The meeting was adjourned at 8:05 p.m.



T.J. Zane, President



Dr. Darshana Patel, Vice President/Clerk



Marian Kim-Phelps, Secretary

am