



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

September 13, 2018
District Office Community Room

CLOSED SESSION

Board President T.J. Zane called the meeting to order at 4:03 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 5:20 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), 4956.9(d)(1), and 54956.9(e)(3)

- a. (1) Case No. OAH2018030894, and**
- (2) Case No. OAH2018040143, and**
- (3) Case No. OAH2018050218, and**
- (4) Case No. OAH2018051004, and**
- (5) Case No. OAH2018020745, and**
- (6) Case No. OAH2018020006**

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**

2.5 Public Employee Discipline/Dismissal/Release/Reassignment/Resignation/Nonelection Pursuant to Government Codes 54954.5(e), and 54957

2.6 Public Employee Appointment/Employment Pursuant to Government Code 54957

- a. Director II of Special Education**

3.0 RECONVENE / CALL TO ORDER AND PLEDGE OF ALLEGIANCE

3.1 Board President T.J. Zane reconvened the meeting in Public Session at 6:04 p.m. and led the salute to the flag.

3.2 Report Out of Closed Session

2.1-A1: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018030894, on a motion by Dr. Patel and a second by Ms. O'Connor-Ratcliff, the Board voted to approve final settlement agreement for \$65,000. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-A2: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018040143, on a motion by Board President Zane and a second by Ms. O'Connor-Ratcliff, the Board voted to approve final settlement agreement for up to \$6,000. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-A3: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018050218, on a motion by Dr. Patel and a second by Mrs. Beatty, the Board voted to approve the settlement agreement for \$10,000. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-A4: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018051004, on a motion by Mr. Sellers and a second by Dr. Patel, the Board voted to approve final settlement of educational costs and/or legal fees not to exceed \$20,000 and ongoing education costs not to exceed \$6,000 per year. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-A5: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018020745, on a motion by Mrs. Beatty and a second by Ms. O'Connor-Ratcliff, the Board voted to approve final settlement agreement for \$85,000. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-A6: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018020006, on a motion by Ms. Beatty and a second by Board President Zane, the Board voted to approve final settlement agreement for \$60,000. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.6-A: Clerk Sellers reported that in the matter of Public Employee Appointment/Employment, Director II of Special Education, on a motion by Ms. O'Connor-Ratcliff and a second by Ms. Beatty, the Board voted to approve the employment of Dr. Lorelei Olsen as Director II Special Education. *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 Jake Schwartz.

3.4 Welcome to Public

Student Board Member Jake Schwartz 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 Dr. Patel, and a second by Ms. O'Connor-Ratcliff, the agenda/sequence was approved with item 9.1 to be heard after item 4.6 on the agenda and item 5.3(J) to be heard

after item 7.1 on the agenda. Preferential vote Aye by Student Board Member Jake Schwartz. *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 Sean Fallon from Poway High School, Sydney Roberts from Rancho Bernardo High School, and Carter Kane from Westview School, reported on events and activities at their respective schools.

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:

- Kevin Juza shared his observations as part of the Safety Committee and offered his support for full and fair funding to PUSD.
- Janet Lettang spoke about traffic near Poway High School due to road construction and shared information on National Arts in Education.
- Stan Rodkin shared his safety concerns from an article on pesticides.

4.3 CLASSIFIED EMPLOYEES OF THE YEAR: Shelley Porter and Michele Cass

Associate Superintendent Ron Little shared information on our PUSD Classified Employees of the Year, while Board President T.J. Zane and Dr. Kim Phelps presented awards.

4.4 TEACHERS OF THE YEAR: Ana Collins, Shantel Raquel, and Katie Wu

Associate Superintendent Carol Osborne shared information on our PUSD Teachers of the Year, while Board President T.J. Zane and Dr. Kim Phelps presented awards.

4.5 VOLUNTEERS OF THE YEAR: Krissa Jensen, Tom McFadden, Andrea Mitchell, and Roger Mitchell

Associate Superintendent James Jimenez shared information on our PUSD Volunteers of the Year, while Board President T.J. Zane and Dr. Kim Phelps presented awards.

4.6 CALIFORNIA DISTINGUISHED SCHOOLS: Monterey Ridge Elementary School, Principal Sal Embry, Park Village Elementary School, Principal Mike Mosgrove, and Willow Grove Elementary School, Principal Amy Huff

Associate Superintendent Jennifer Burks recognized our 2018 California Distinguished School winners, while Board President T.J. Zane and Dr. Kim Phelps presented awards.

As approved in Agenda item 3.4 Agenda/Sequence, item 9.1 was heard after agenda item 4.6.

9.1 Approval of Resolution No. 17-2019 Entitled “Dyslexia Awareness Month October 2018”

Following discussion, on a motion by Board President Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved Resolution No. 17-2019 as presented. Preferential vote Aye by Student Board Member Jake Schwartz. **Ayes: Zane, Patel, Sellers, Beatty and O'Connor-Ratcliff. Motion carried unanimously, 5-0.**

Public Speakers: Stacey Cavaglieri and Melissa Lazaro spoke in support of Resolution No. 17-2019 and requested a yes vote from the Board Members.

As approved in Agenda item 3.4 Agenda/Sequence, item 5.3(b) was heard prior to item 6.0 and item 5.3(j) was heard after item 7.1 on the agenda.

5.0 CONSENT CALENDAR

5.1 Approval of Consent Calendar

- a. Approval of Minutes

5.2 Consent Calendar – Personnel Support Services

- a. Approval of Certificated Personnel Report No. 02-2019
- b. Approval of Classified Personnel Report No. 02-2019
- c. Approval of Variable Term Waiver Request – Shelby Bueno, Joseph Cousin, Monica Royal
- d. Approval of Student Teaching Agreement with Southern Cross University, New South Wales, Australia

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 02-2019
- b. Ratification of District Purchase Orders
- c. Approval of Resolution No. 15-2019 Entitled “Certification of the Actual Appropriation Limit for 2017-2018 and Adoption of the 2018-2019 Gann Limit”
- d. Ratification and Approval of District Commercial Warrants for August 2018
- e. Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- f. Quarterly Disclosure of Local Agency Investments for Poway Unified School District
- g. Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 Through 16
- h. Ratification of Change Order Number 6 – Bid 2016-16B; Stone Ranch Elementary School Expansion
- i. Accept the Annual Summary Continuing Disclosure Compliance Report

- j. Approval of Monthly Budget Revisions
- k. Approval of Resolution No. 14-2019 Entitled “Authorization to Participate in the California Energy Commission’s (CEC) School Bus Replacement Program”
- l. Approval of Resolution No. 13-2019 Entitled “Observance of National School Lunch Week”

5.4 Consent Calendar – Learning Support Services

- a. Approval to Host Fireworks Displays for 2018-2019 Homecoming Events
- b. Approval of Resolution No. 09-2019 Entitled “Character Counts! And Red Ribbon Week for Alcohol, Tobacco, and Other Drugs Prevention”

5.5 Consent Calendar – Student Support Services

5.6 Consent Calendar – Technology and Innovation

5.7 Consent Calendar – Superintendent

- a. Approval of CSBA Board Bylaws 9270 Conflict of Interest Appendix for Designated Positions
- b. Acceptance of Gifts

On a motion by Mrs. Beatty, and a second by Dr. Patel, the Consent Calendar was approved as presented with the exception of items 5.3(b) pulled by Mr. Sellers and item 5.3(j) pulled by Board President Zane for further discussion. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

As approved in Agenda item 3.4 Agenda/Sequence, item 5.3(b) was heard prior to agenda item 6.0.

5.3(b) Ratification of District Purchase Orders

Following Discussion, on a motion by Dr. Patel, and a second by Ms. O’Connor-Ratcliff, the Board approved the Ratification of District Purchase Orders as presented. *Ayes: Zane, Patel, and O’Connor-Ratcliff. Noes: Sellers and Beatty. Motion carried, 3-2.*

6.0 PERSONNEL SUPPORT SERVICES

6.1 Approval of Resolution No. 16-2019 Entitled “Resolution Regarding the Elimination or Reduction in Hours of the Classified Positions as Contained Within Exhibit ‘A’; Corresponding Layoff of Classified Employees”

On a motion by Ms. O’Connor-Ratcliff, and a second by Dr. Patel, the Board approved Resolution No. 16-2019 as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

6.2 Maintain the District’s Current Carriers, Aetna, Kaiser, Dental and Vision, for 2019 Coverage

This item was a presentation and information only.

7.0 BUSINESS SUPPORT SERVICES

- 7.1 Certification of the 2017-2018 Unaudited Actual Year-End Closing Financial Report**
Following discussion, on a motion by Mr. Sellers, and a second by Ms. O'Connor-Ratcliff, the Board approved the 2017-2018 Unaudited Actual Year-End Closing Financial Report as presented. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

As approved in Agenda item 3.4 Agenda/Sequence, item 5.3(j) was heard after item 7.1 on the agenda.

5.3(j) Approval of Monthly Budget Revisions

Following Discussion, on a motion by Board President Zane, and a second by Mrs. Beatty, the Board approved the Monthly Budget Revisions as presented. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

7.2 Public Hearing and Approval of Resolution No. 12-2019 Entitled "Approving a School Facilities Needs Analysis; Adopting Alternative School Facility Fees in Compliance with California Education Code Section 17620 and Government Code Sections 65995.5, 65995.6, 65995.7, and 66000 ET SEQ.; and Making Related Findings and Determinations"

Board President Zane called a public hearing to order at 7:41 p.m. and asked if there were any speaker slips submitted on this topic. Hearing none, the public hearing was closed. On a motion by Mrs. Beatty, and a second by Ms. O'Connor-Ratcliff, the Board approved Resolution No. 12-2019 as presented. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Zane, Patel, Sellers, Beatty and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

7.3 Public Hearing and Approval of Resolution No. 08-2019 Entitled "Dedication of an Easement to the City of Poway at Painted Rock Elementary School"

Board President Zane called a public hearing to order at 7:43 p.m. and asked if there were any speaker slips submitted on this topic. Hearing none, the public hearing was closed. On a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Sellers, the Board approved Resolution No. 08-2019 as presented. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Zane, Patel, Sellers, Beatty and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

8.0 LEARNING SUPPORT SERVICES

8.1 Ratification of Stipulated Agreements for Student Expulsion

On a motion by Ms. O'Connor-Ratcliff, and a second by Dr. Patel, the Board approved the Ratification of case number 2017-2018.39. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

On a motion by Ms. O'Connor-Ratcliff, and a second by Dr. Patel the Board approved the Ratification of case number 2017-2018.40. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

8.2 Readmission of Students on Expulsion

On a motion by Mr. Sellers, and a second by Dr. Patel, the Board approved the Readmission to Poway Unified School District for case number 2017-2018.14. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

On a motion by Mr. Sellers, and a second by Ms. O'Connor-Ratcliff, the Board approved the Readmission to Poway Unified School District for case number 2017-2018.16. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

8.3 Public Hearing and Approval of Resolution No. 10-2019 Entitled "Sufficiency of Instructional Materials for 2018-2019"

Board President Zane called a public hearing to order at 7:46 p.m. and asked if there were any speaker slips submitted on this topic. Hearing none, the public hearing was closed. Following discussion, on a motion by Dr. Patel, and a second by Ms. O'Connor-Ratcliff, the Board approved Resolution No. 10-2019 as presented. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Zane, Patel, Beatty and O'Connor-Ratcliff. Absent: Sellers. Motion carried, 4-0.*

As approved in Agenda item 3.4 Agenda/Sequence, item 9.1 was heard after agenda item 4.6.

9.0 STUDENT SUPPORT SERVICES

9.1 Approval of Resolution No. 17-2019 Entitled "Dyslexia Awareness Month October 2018"

10.0 TECHNOLOGY AND INNOVATION

11.0 SUPERINTENDENT

11.1 Approval of Resolution No. 11-2019 Entitled "Biennial Review of Conflict of Interest Board Policy"

On a motion by Ms. O'Connor-Ratcliff, and a second by Board President Zane, the Board approved Resolution No. 11-2019 as presented. *Ayes: Zane, Patel, Sellers, Beatty and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

12.0 REPORTS AND COMMENTS

12.1 Board Member Reports

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

12.2 Superintendent's Report

The following updates on current issues and events were presented:

- Dr. Kim Phelps commended staff, teachers, principals, and parent volunteers for such a smooth start to school this year.
- Dr. Kim Phelps also spoke about September being Attendance Awareness Month and spoke about the PUSD Safety Planning Committee's first meeting.

(a) Staff Recognition

Accomplishments and awards earned by staff were recognized.

13.0 CLOSED SESSION

There were no additional items discussed in Closed Session.

14.0 ADJOURNMENT


The meeting was adjourned at 8:20 p.m.



T.J. Zane, President



Charles Sellers, Clerk



Marian Kim Phelps, Secretary

am