



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

**October 11, 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 5:37 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.** Name of Case: TC-17-29  
Legal Counsel: Tencer Sherman

**b.** Name of Case: LS-18-01  
Legal Counsel: Randall Winet

**c.** Name of Case: PERB Case No. LA-CE-6189-E  
Legal Counsel: Gerald Conradi

**d.** (1) Case No. OAH2018070282,  
(2) Case No. OAH2018070770,  
(3) Case No. SA6,  
(4) Case No. OAH2018050495

**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

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

**3.1** Board President T.J. Zane reconvened the meeting in Public Session at 6:02 p.m. and led the salute to the flag.

#### **3.2 Report Out of Closed Session**

2.1-A: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. TC-17-29, on a motion by Ms. O'Connor-Ratcliff and a second by Dr. Patel, the Board voted to approve a settlement agreement for the amount of \$55,000 to resolve a tort claim and release the District from all claims and liability pertaining to the matter. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-D-1: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018070282, on a motion by Ms. O'Connor-Ratcliff and a second by Mrs. Beatty, the Board voted to approve a final settlement of \$14,500. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-D-2: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018070770, on a motion by Ms. O'Connor-Ratcliff and a second by Dr. Patel, the Board voted to approve a final settlement of \$15,000. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-D-3: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. SA6, on a motion by Dr. Patel and a second by Mr. Sellers, the Board voted to approve a final settlement of \$24,000. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.1-D-4: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. OAH2018050495 on a motion by Board President Zane and a second by Mrs. Beatty, the Board voted to approve a final settlement of \$5,500. *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 Mr. Sellers, and a second by Dr. Patel, the agenda/sequence was approved 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.*

### **4.0 ORAL PRESENTATIONS**

#### **4.1 Student Board Representatives**

Student Board representatives Billy Santos from Abraxas High School, Delaney Anderson from Del Norte High School, and Tyler Vandenberg from Mt. Carmel High 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:

- Chloe Rodgers and three other students spoke about the upcoming Poway High School's Titan Theatre play at the Poway Performing Arts Center on October 25, 26, & 27.
- Kevin Juza shared conversations he had with Poway Unified School District students.
- Stan Rodkin spoke regarding safety and against any use of Round-Up products in schools.

#### **4.3 Report on District Results from the Spring 2018 California Assessment of Student Performance and Progress**

This item was presented as information only.

### **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. 03-2019
- b. Approval of Classified Personnel Report No. 03-2019
- c. Approval of the Williams Settlement Quarterly Report for September 2018
- d. Approval of Student Teaching Agreement with New York University, New York

#### **5.3 Consent Calendar – Business Support Services**

- a. Approval/Ratification of Contractual Services Report No. 03-2019
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants for September 2018
- d. Accept the Project as Complete and Authorize Staff to File a Notice of Completion on Contract with Soltek Construction Company for the Stone Ranch Elementary School Expansion Project
- e. Approval of Notice of Exemption for Oak Valley Middle School Classroom Addition Project
- f. Approval of Resolution No. 18-2019 Entitled "Authorize the Lease of Modular Buildings from Williams-Scotsman Through the Contract Awarded by Region 4

Education Service Center and Administered by National Intergovernmental Purchasing Alliance (National IPA)”

- g. Accept Projects as Complete and Authorize to File Notice of Completion

#### **5.4 Consent Calendar – Learning Support Services**

- a. Approval/Ratification of Out-of-State Field Trips
- b. Approval of Updated California School Board Association (CSBA) Board Policies 5000 Series
- c. Approval of Revised Board Policy 3312.2 Educational Travel Program Contracts

#### **5.5 Consent Calendar – Student Support Services**

#### **5.6 Consent Calendar – Technology and Innovation**

#### **5.7 Consent Calendar – Superintendent**

- a. Acceptance of Gifts

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

*Items 5.3(a) and 5.3(b) were pulled from the Consent Calendar for further discussion prior to item 6.1.*

#### **5.3(a) Approval/Ratification of Contractual Services Report No. 03-2019**

Following discussion, on a motion by Ms. O’Connor-Ratcliff, and a second by Dr. Patel, the Board approved the Contractual Services Report No. 03-2019 as presented. *Ayes: Zane, Patel, and O’Connor-Ratcliff. Noes: Sellers and Beatty. Motion carried, 3-2.*

#### **5.3(b) Ratification of District Purchase Orders**

Following discussion, on a motion by Board President Zane, and a second by Dr. Patel, 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.*

Public Speaker: Chris Garnier spoke against two Board Members.

### **6.0 PERSONNEL SUPPORT SERVICES**

#### **6.1 Approval of Salary Reallocations for Classifications Identified as Part of Year One of the Classification Review Cycle**

Following discussion, on a motion by Board President Zane, and a second by Dr. Patel, the Board approved the Salary Reallocations for Classifications Identified as Part of Year One of the Classification Review Cycle as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O’Connor-Ratcliff. Motion carried unanimously, 5-0.*

Public Speakers:

- Kathy Hughes spoke in favor of attracting and attaining the best drivers and mechanics for the Poway Unified School District.
- David Little spoke in favor of approving the salary reallocations.

**6.2 Ratification of the Memorandum of Understanding (MOU) with Poway School Employees Association, Unit I (Office/Technical and Paraprofessional Unit) Regarding One-Time Funding for the 2019 Medical Benefit Plan Year**

Following discussion, on a motion by Dr. Patel, and a second by Ms. O'Connor-Ratcliff, the Board approved the Ratification of Memorandum of Understanding (MOU) with Poway School Employees Association, Unit I as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

**6.3 Ratification of the Memorandum of Understanding (MOU) with Poway School Employees Association, Unit II (Operations Support Services Unit) Regarding One-Time Funding for the 2019 Medical Benefit Plan Year**

On a motion by Dr. Patel, and a second by Ms. O'Connor-Ratcliff, the Board approved the Ratification of Memorandum of Understanding (MOU) with Poway School Employees Association, Unit II as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

*Board President T.J. Zane, called for a five-minute recess at 7:36 p.m.*

**7.0 BUSINESS SUPPORT SERVICES**

**7.1 Governmental Accounting Standards Board (GASB) 75 Actuarial Valuation Report as of June 30, 2018**

This item was a presentation and information only.

Public Speaker: Janet Lettang spoke about service costs liability increases and other points regarding the GASBA 75 presentation.

**7.2 Other Post Employment Benefit (OPEB) Irrevocable Trust**

This item was a presentation and information only.

**7.3 Enrollment Report No. 1/2018-2019**

This item was a presentation and information only.

**8.0 LEARNING SUPPORT SERVICES**

**8.1 Ratification of Stipulated Agreement 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 2018-2019.01. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

**8.2 Readmission of Student on Expulsion**

On a motion by Mr. Sellers, and a second by Dr. Patel, the Board approved the Readmission to the Poway Unified School District for case number 2017-2018.27. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

**9.0 STUDENT SUPPORT SERVICES**

**9.1 Approval of Updated 2018-2019 Special Education Community Advisory Committee Members**

Following discussion, on a motion by Mrs. Beatty, and a second by Board President Zane, the Board approved the Updated 2018-2019 Special Education Community Advisory

Committee as presented. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff.*  
*Motion carried unanimously, 5-0.*

**10.0 TECHNOLOGY AND INNOVATION**

**11.0 SUPERINTENDENT**

**11.1 Approval of revisions to Board Bylaws 9124 and Board Bylaws 9323**

Following discussion, Board Bylaws Section 9124 was tabled by Mrs. Beatty and Mrs. Beatty shared possible revisions to Board Bylaws Section 9323 for the November Board Meeting. No action was taken on this item at this time.

**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 congratulated Westview High School English teacher Katie Wu who was selected as one of five San Diego County's Teachers of the Year.
- Dr. Kim Phelps spoke about Poway Unified School District having 45 National Merit Semifinalist, who will be competing for 7,500 National Merit Scholarships worth more than \$31 million dollars.

**(a) Student Recognition**

Accomplishments and awards earned by students were recognized.

**(b) Staff Recognition**

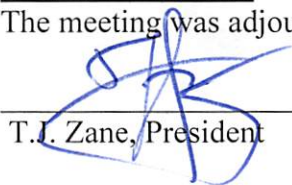
Accomplishments and awards earned by staff were recognized.

**13.0 CLOSED SESSION**

There were no additional items discussed in Closed Session.

**14.0 ADJOURNMENT**

The meeting was adjourned at 9:20 p.m.

  
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T.J. Zane, President

  
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Charles Sellers, Clerk

  
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Marian Kim Phelps, Secretary

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