



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

December 13, 2018
District Office Community Room

CLOSED SESSION

Board President T.J. Zane called the meeting to order at 4:00 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 5:45 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: PERB Case No. LA-CE-6189-E
Legal Counsel: Gerald Conradi**

b. Case No. 2018060783

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)

**a. Case No. 2018-2019.02 Expulsion Appeal
Legal Counsel: Ernest Bell**

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, 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 6:03 p.m. and led the salute to the flag.

3.2 Report Out of Closed Session

2.1-B: Clerk Sellers reported that in the matter of Pending/Existing Litigation, Case No. 2018060783 on a motion by Ms. O'Connor-Ratcliff and a second by Mrs. Beatty, the Board voted to approve a final settlement of \$67,565. *Ayes: Zane, Patel, Sellers, Beatty, and O'Connor-Ratcliff. Motion carried unanimously, 5-0.*

2.3-A: Clerk Sellers reported that in the matter of Pupil Personnel – Student Expulsion(s), Disciplinary Matters(s) and Other Confidential Student Matters, Case No. 2018-2019.02, Expulsion Appeal on a motion by Mrs. Beatty and a second by Mr. Zane, the Board voted to suspend the expulsion with placement at Abraxas High School for one plus one, through June 2019. Based upon the Board's review of the Findings of Fact and Recommendations and consideration of arguments regarding the appeal heard in Closed Session. The roll-call vote was as follows: *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, Special Education on a motion by Dr. Patel and a second by Ms. O'Connor-Ratcliff, the Board voted to approve the appointments of Lisa Dreyer and Tiffany King 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 Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the agenda/sequence was approved with item 3.6(f) pulled from 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.*

3.6(a) Oath of Office

Superintendent Kim Phelps administered the Oath of Office to re-elected Board Members Michelle O'Connor-Ratcliff and T.J. Zane, and newly-elected Board Member Ginger Couvrette.

3.6(b) Recognition of Outgoing Board Member

Superintendent Kim Phelps presented Mr. Sellers with a plaque in appreciation of his 4-years of Board service. Mr. Charles Sellers thanked his family, Mrs. Beatty, and the hardworking people in PUSD for the education given to students.

3.6(c) New Board Member Comments

Newly-elected Board Member Ginger Couvrette spoke about being humbled and thankful for the opportunity to serve the community as the new PUSD trustee. She will reflect on our Mission Statement and putting students first.

3.6(d) Organizational Meeting of the Board – Election of Officers, Appointment of Board Representatives to Committees, and Confirmation of 2019 Regular Board Meeting Dates

Board President Zane called for the election of a new president and requested nominations. Mr. Zane nominated Dr. Patel. There were no other nominations, Dr. Patel accepted the nomination and the position as Board President.

Board President Patel presented Mr. Zane with a plaque in special recognition for his service as President of the Poway Unified School District Board of Education, December 2017 to December 2018.

Board President Patel called for the election of a new vice president and requested nominations. Board President Patel nominated Ms. O'Connor-Ratcliff, and Mrs. Beatty nominated Mrs. Beatty. Ms. O'Connor-Ratcliff accepted the nomination and Mrs. Beatty accepted the nomination. *The vote of the Board was as follows: O'Connor-Ratcliff voted for O'Connor-Ratcliff, Beatty voted for Beatty, Couvrette voted for O'Connor-Ratcliff, Zane voted for O'Connor-Ratcliff, and Board President Patel voted for O'Connor-Ratcliff. Final vote was four votes for O'Connor-Ratcliff and one vote for Beatty. Board Member O'Connor-Ratcliff is Vice President with a 4/1 vote.*

Board President Patel called for the election of a new clerk and requested nominations. Mr. Zane nominated Mrs. Couvrette. There were no other nominations, Mrs. Couvrette accepted the nomination and the position as Board Clerk.

3.6(d) (continued) Appointments by the President:

*County Board of Education Representative: Michelle O'Connor-Ratcliff
California Association of Suburban School Districts (CALSSD) Representatives: T.J. Zane, Ginger Couvrette, Michelle O'Connor-Ratcliff
California School Boards Association (CSBA) Delegate Assembly: Darshana Patel
Palomar Health: Kimberley Beatty
City of Poway Subcommittee Liaisons: Ginger Couvrette, T.J. Zane
City of San Diego Subcommittee Liaisons: T.J. Zane, Michelle O'Connor-Ratcliff
Poway Chamber of Commerce Liaison: Ginger Couvrette
San Diego North Chamber of Commerce Liaison: Ginger Couvrette
Palomar Council PTA Board Representative: Rotating
San Diego County Board of Supervisors Representative: T.J. Zane*

3.6(e) A Short Recess was called for reorganization of the dais at 6:34 p.m. Board President Patel reconvened the meeting at 6:44 p.m.

As approved in Agenda Item 3.5, Agenda/Sequence, item 3.6(f) was pulled from the agenda.

3.6(f) Nominations of California School Boards Association Delegate Assembly
No action was taken on this item.

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Jamie Sousa from Abraxas High School, Delaney Anderson from Del Norte High School, Ashley Wood from Mt. Carmel High School, and Adrienne McWilliams from Westview 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:

- Gaby Dow spoke about Board members modeling for our kids and budget concerns.
- Shannon Talent spoke regarding formal complaints on behalf of her 9-year old son.
- Kari Talent spoke regarding formal complaints on behalf of her 9-year old son.
- Casey Dominguez spoke regarding campaign ethics and integrity of elections.
- Laurie McLaughlin spoke against a Board Member regarding campaign ethics.

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. 05-2019
- b. Approval of Classified Personnel Report No. 05-2019
- c. Approval of Resolution No. 27-2019 Entitled “Authorization to Teach Out of Major or Minor Fields”
- d. Adoption of the 2019-2020 and 2020-2021 Student Attendance Calendars
- e. Approval of Salary Allocation for Noon Duty Assistant
- f. Approval of Salary Allocation for Finance Manager

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 05-2019
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants for November 2018
- d. Award Bid 2019-03B for a Direct Access Electrical Service Provider to Constellation Newenergy, Inc.
- e. Award Bid 2019-01B for Fleet Utility Vehicles to Sun Road Auto, LLC, DBA Kearney Pearson Ford

- f. Accept the Project as Complete and Authorize Staff to File a Notice of Completion on Contract with M.A. Stevens Construction, Inc., for Stone Ranch Elementary School Expansion Project
- g. Accept the Project as Complete and Authorize Staff to File a Notice of Completion on Contract with Progressive Flooring for Del Sur and Park Village Elementary Schools Flooring Project
- h. Revision of Award of Bid No. 2018-16B Audio Visual Equipment & Supplies, Award Category Five to Voice and Video Sales

5.4 Consent Calendar – Learning Support Services

- a. Adoption of High School Supplemental Textbooks
- b. Approval of Re-designation of Title I Elementary School From Targeted Assistance to Schoolwide Title I for Garden Road Elementary School
- c. Approval of Updated California School Board Association (CSBA) Board Policy 6020

5.5 Consent Calendar – Student Support Services

5.6 Consent Calendar – Technology and Innovation

5.7 Consent Calendar – Superintendent

- a. Approval of Updated California School Board Association (CSBA) Board Policy 1100
- b. Approval of Updated California School Board Association (CSBA) Board Bylaw 9110
- c. Acceptance of Gift(s)

On a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Consent Calendar was approved as presented with the exception of item 5.1(a) pulled by Mr. Zane, 5.2(d) pulled by Ms. Couvrette, and 5.3(b) pulled by Mrs. Beatty for further discussion. ***Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.***

As approved in Agenda Item 5.0, Approval of Consent Calendar, items 5.1(a), 5.2(d), and 5.3(b) were pulled by Board Members for further discussion prior to item 6.0.

5.1(a) Approval of Minutes

Following discussion, on a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Board approved the November 8, 2018, Regular Board Minutes as presented. Preferential vote Aye by Student Board Member Jake Schwartz. ***Ayes: Patel, O’Connor-Ratcliff, Beatty, and Zane. Abstain: Couvrette. Motion carried, 4-0.***

5.2(d) Adoption of the 2019-2020 and 2020-2021 Student Attendance Calendars

Following discussion, on a motion by Board President Patel, and a second by Ms. Couvrette, the Board approved the adoption of the 2019-2020 and 2020-2021 Student Attendance Calendars as presented, with a possible modification for Monday, October 28, 2019, non-

student day for High Schools only, being moved to a Friday. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

5.3(b) Ratification of District Purchase Orders

Following discussion, on a motion by Mrs. Beatty, and a second by Mr. Zane, the Board approved the Ratification of District Purchase Orders as presented. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

6.0 PERSONNEL SUPPORT SERVICES

6.1 Approval of Resolution No. 29-2019 Entitled “Resolution Regarding the Elimination of Classified Positions as Contained Within Exhibit ‘A’; Corresponding Layoff of Classified Employees”

Following discussion, on a motion by Mr. Zane, and a second by Ms. Couvrette, the Board approved Resolution No. 29-2019 as presented. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

6.2 2017-2018 Annual Disclosure and Certification of Estimated Accrued Unfunded Liability for Self-Insured Workers’ Compensation Claims, Fiscal Year 2017-2018, and Submittal of Annual Workers’ Compensation Self-Insurer’s Report to State
This item was a presentation and information only.

7.0 BUSINESS SUPPORT SERVICES

7.1 Approval and Certification of First Interim Financial Report and Approval of Resolution No. 28-2019 Entitled “Authorization to Revise the 2018-2019 Budget as Reflected in the First Interim Financial Report”

Following discussion, on a motion by Ms. O'Connor-Ratcliff, and a second by Mrs. Beatty, the Board approved Resolution No. 28-2019 as presented. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

7.2 2019-2020 Budget Development Workshop
This item was presented as information only.

7.3 Enrollment Report No. 3/2018-2019
This item was presented as information only.

8.0 LEARNING SUPPORT SERVICES

8.1 Ratification of Stipulated Agreements for Student Expulsions

On a motion by Mr. Zane, and a second by Ms. Couvrette, the Board approved the Ratification of case number 2018-2019.03. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Ratification of case number 2018-2019.04. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Ratification of case number 2018-2019.05. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

8.2 Readmission of Students on Expulsion

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Readmission to the Poway Unified School District for case number 2017-2018.12. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Readmission to the Poway Unified School District for case number 2017-2018.22. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Readmission to the Poway Unified School District for case number 2017-2018.31. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mrs. Beatty, and a second by Mr. Zane, the Board approved the Readmission to the Poway Unified School District for case number 2017-2018.32. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

8.3 Approval of the District-Level Title I, Part A, Parent and Family Engagement Policy – First Reading

This item was presented as first reading only.

8.4 California School Dashboard – State Indicators

This item was presented as information only.

9.0 STUDENT SUPPORT SERVICES

10.0 TECHNOLOGY AND INNOVATION

11.0 SUPERINTENDENT

11.1 Approval of Revisions to Board Bylaws 9323

Following discussion, on a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board requested revisions for Board Bylaws 9323 to start with the original CSBA policy and insert the PUSD regular agenda format, then bring this item back for the February 14, 2019, Board Meeting for further review. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. 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 spoke about Del Norte Students Esheta Garg and Cassandra Lidstad being selected for the National Association for Music Educators All National Mixed Honor Choir; and the Mt. Carmel High School Marching Band and Color Guard taking 1st place for the fourth year in a row at the Southern California School Band and Orchestra Association Championships in Arcadia last month.

- Dr. Kim Phelps spoke about the first State of the District Breakfast that was held last month being a huge success and receiving positive feedback and interest.
- (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.

13.0 CLOSED SESSION


There were no additional items discussed in Closed Session.

14.0 ADJOURNMENT

The meeting was adjourned at 8:32 p.m.



Darshana Patel, President



Ginger Couvrette, Clerk



Marian Kim Phelps, Secretary

am