



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

**January 17, 2019**  
District Office Community Room

**CLOSED SESSION**

Board President Darshana Patel 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 5:55 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), 54956.9(e)(3), and 54957.1(a)(3)(A)**
- a. Name of Case: PERB Case No. LA-CE6189-E, Approval of settlement agreement between the Poway Unified School District and Poway School Employees Association  
Legal Counsel: Gerald Conradi**
- b. (1) Case No. 2018060535 / 2018080542 (Consolidated)  
(2) Case No. 2018100043**
- 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. 2018-2019.06**
- b. Appeal of Administrative Placement Appeal Hearing Decision**
- 2.4 Negotiations – PFT, PSEA Unit I and Unit II, Management/Confidential, and Real Property Pursuant to Government Codes 54957.6, and 54956.8**
- 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. Superintendent Goals and Mid-Year Evaluation**

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

3.1 Board President Darshana Patel reconvened the meeting in Public Session at 6:05 p.m. and led the salute to the flag.

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

**2.1-A:** Clerk Couvrette reported that in the matter of Pending/Existing Litigation, **Name of Case: PERB Case No. LA-CE6189-E, Approval of settlement agreement between the Poway Unified School District and Poway School Employees Association**, on a motion by Mr. Zane and a second by Ms. O'Connor-Ratcliff, the Board voted to approve a Settlement Agreement between the Poway Unified School District and Poway School Employees Association ("PSEA") in PERB Case Number LA-CE-6189-E.

The substance of this Settlement Agreement includes the following provisions:

Eligible unit members in the Office/Technical and Paraprofessional Unit who are in regular employment status on December 13, 2018 shall receive a payout of vacation days.

Eligible unit members with a contracted work year of 9 ½ or 10 months shall receive a vacation payout of 2 days. Eligible unit members with a contracted work year of 10 ½ months shall receive a vacation payout of 1.5 days. Eligible unit members with a contracted work year of 11, 11 ½, or 12 months shall receive a vacation payout of 1 day.

The payout of vacation days shall be granted on a one-time basis only. The one-time payout of vacation days shall occur on or about March 31, 2019.

No unit member hired on or after December 14, 2018 shall receive the one-time payout of vacation days.

The Agreement shall be inapplicable to individuals who are no longer employed by the District as of December 13, 2018.

PSEA withdraws PERB Unfair Practice Charge No. LA-CE-6189-E.

The Agreement represents a full and complete resolution of the claims and disputes between the parties based upon the above unfair practice charge. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**2.1-B-1:** Clerk Couvrette reported that in the matter of Pending/Existing Litigation, **Case No. 2018060535 / 2018080542 (Consolidated)**, on a motion by Ms. O'Connor-Ratcliff and a second by Mr. Zane, the Board voted to approve a final settlement of \$30,000. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**2.1-B-2:** Clerk Couvrette reported that in the matter of Pending/Existing Litigation, **Case No. 2018100043**, on a motion by Ms. O'Connor-Ratcliff and a second by Mr. Zane, the Board voted to approve a final settlement agreement of \$18,000. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**2.3-B:** Clerk Couvrette reported that in the matter of Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, **Appeal of Administrative Placement Appeal Hearing Decision**, on a motion by Ms. O'Connor-Ratcliff and a second by Mrs. Couvrette, the Board voted to uphold the Administrative Placement Appeal Hearing Decision. The period of the Administrative Placement will be

for the remainder of the current semester and the following semester. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. 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. Zane, and a second by Ms. O'Connor-Ratcliff, the agenda/sequence was approved 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.*

**4.0 ORAL PRESENTATIONS**

**4.1 Student Board Representatives**

Student Board representatives Savannah Evanko from Poway High School, Sydney Roberts from Rancho Bernardo High School, and Dean Olsson 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:

- Lizzie Whitehead spoke regarding the PUSD all District Choir Concert on January 19<sup>th</sup> and 20<sup>th</sup>.
- Allie Furlong spoke regarding a performance in the Poway High Theater on February 1<sup>st</sup>, 2<sup>nd</sup>, 8<sup>th</sup>, and 9<sup>th</sup>.
- Janet Lettang spoke about student visual and performing arts and adopting new student arts standards.

**4.3 Award of OtterCares Grant to Pomerado Elementary School**

This item was a presentation and information only.

**4.4 Bond Investor Outreach Feedback**

This item was a presentation and information only.

**4.5 X-Ploration Program**

This item was a presentation and 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. 06-2019
- b. Approval of Classified Personnel Report No. 06-2019
- c. Approval of the Williams Settlement Quarterly Report for December 2018
- d. Approval of Resolution No. 32-2019 Entitled “Authorization to Teach out of Major or Minor Fields”
- e. Approval of Resolution No. 33-2019 to Designate an Authorized PUSD Representative for the San Diego and Imperial County Schools Fringe Benefits Consortium (FBC)

**5.3 Consent Calendar – Business Support Services**

- a. Approval/Ratification of Contractual Services Report No. 06-2019
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants for December 2018
- d. Acknowledgement of Enrollment Report No. 4/2018-2019
- e. Acknowledgement of Del Norte High School as a Potential Cellular Site by T-Mobile
- f. Approval of Resolution No. 20-2019 Entitled “Declaration of Intention to Dedicate a Road Easement to San Diego Gas and Electric Company, a California Corporation, Along Midland Road”

**5.4 Consent Calendar – Learning Support Services**

- a. Approval/Ratification of Out-of-State Field Trips
- b. Approval of the District-Level Title I, Part A, Parent and Family Engagement Policy

**5.5 Consent Calendar – Student Support Services**

**5.6 Consent Calendar – Technology and Innovation**

- a. Approval of Donation of Computers to the Home Computer Giveaway Program

**5.7 Consent Calendar – Superintendent**

- a. 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 exception of items 5.1(a) and 5.3(a) pulled by Mrs. Couvrette and item 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 3.4 Agenda/Sequence, items 5.1(a), 5.3(a), and 5.3(b) were pulled for further discussion and heard 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 December 13, 2018, Regular Board Meeting Minutes as presented. *Ayes: Patel, O'Connor-Ratcliff, Beatty, and Zane. Abstain: Couvrette. Motion carried, 4-0.*

**5.3(a) Approval/Ratification of Contractual Services Report No. 06-2019**

Following discussion, on a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board approved the Contractual Services Report No. 06-2019 as presented. *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 District Purchase Orders as presented. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

Public Speaker: Janet Lettang asked about the cost covering software and services for 3-years, feedback, and if there will be an evaluation.

**6.0 PERSONNEL SUPPORT SERVICES**

**6.1 Approval of Revisions to Board Policy 4.318, "Exempt Positions – Salary Schedule"**

Following discussion, on a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the revisions to Board Policy 4.318 as presented. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**7.0 BUSINESS SUPPORT SERVICES**

**7.1 Review and Acceptance of the 2017-2018 Financial Compliance and Program Audit**

Following discussion, on a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the 2017-2018 Financial Compliance and Program Audit 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.*

**8.0 LEARNING SUPPORT SERVICES**

**8.1 Readmission of Student on Expulsion**

On a motion by Mr. Zane, and a second by Board President Patel, the Board approved the readmission to Poway Unified School District for case number 2017-2018.26. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**8.2 Proposed Adoption of New High School Course – First Reading**

This item was presented as a first reading.

**9.0 STUDENT SUPPORT SERVICES**

**9.1 Approval of Resolution No. 30-2019 Entitled "National School Counseling Week 2019"**

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved Resolution No. 30-2019 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.*

**10.0 TECHNOLOGY AND INNOVATION**

**10.1 School Site Security Cameras**

This item was presented as information only.

**11.0 SUPERINTENDENT**

**11.1 Approval of California School Board Association (CSBA) Board Policy 2210 Administrative Discretion Regarding Board Policy**

On a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board approved CSBA Board Policy 2210 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.*

**11.2 Approval of California School Board Association (CSBA) Board Policy 0415 Equity**

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved CSBA Board Policy 0415 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.*

**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 Adobe Bluffs Middle School winning the prestigious title of International Confucius Classroom of the Year Award for best Mandarin language and culture program.
- Dr. Kim Phelps spoke about gathering data for next month's Local Control and Accountability Program (LCAP) through Thoughtexchange online platform.

**(a) Student Recognition**

Accomplishments and awards earned by students were recognized.

**(b) 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 8:09 p.m.

  
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Darshana Patel, President

  
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Ginger Couvrette, Clerk

  
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Marian Kim Phelps, Secretary

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