



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

**April 11, 2019**  
District Office Community Room

**CLOSED SESSION**

Board President Darshana Patel called the meeting to order at 4:01 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 5:09 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), 54956.9(d)(1), and 54956.9(e)(3)
  - a. **NaviStar/Creative Bus Litigation**
  - b. **(1) Case No. 2018081172**  
**(2) Case No. 2018110272**  
**(3) Case No. 2018120254**  
**(4) Case No. 2018121058**
- 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. 2018-2019.14 – Stipulated Agreement**
  - b. **Case No. 2018-2019.15 – Stipulated Agreement**
  - c. **Case No. 2018-2019.16 – Stipulated Agreement**
  - d. **Case No. 2018-2019.18 – Stipulated Agreement**
  - e. **Case No. 2017-2018.33 – Readmission**
  - f. **Case No. 2017-2018.35 – Readmission**
- 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 Darshana Patel reconvened the meeting in Public Session at 6:01 p.m. and led the salute to the flag.

**3.2 Report Out of Closed Session**

2.1-B-1: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, Case No. 2018081172, on a motion by Ms. O'Connor-Ratcliff and a second by Mr. Zane, the Board voted to approve the final settlement. *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. 2018110272, on a motion by Ms. O'Connor-Ratcliff and a second by Board President Darshana Patel, the Board voted to approve the final settlement. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

2.1-B-3: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, Case No. 2018120254, on a motion by Mrs. Couvrette, and a second by Ms. O'Connor-Ratcliff, the Board voted to approve the final settlement. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

2.1-B-4: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, Case No. 2018121058, on a motion by Ms. O'Connor-Ratcliff and a second by Mrs. Beatty, the Board voted to approve the final settlement. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

2.3-A through F: Clerk Couvrette reported that in the matter of Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, A. Case No. 2018-2019.14 – Stipulated Agreement, B. Case No. 2018-2019.15 – Stipulated Agreement, C. Case No. 2018-2019.16 – Stipulated Agreement, D. Case No. 2018-2019.18 – Stipulated Agreement, E. Case No. 2017-2018.33 – Readmission, and F. Case No. 2017-2018.35 – Readmission. No reportable action from closed session. The Board will take action in open session, agenda items 8.1 and 8.2.

There was no other reportable action taken in closed session.

**3.3 Members in Attendance**

All Board members were in attendance. Student Board Member Jake Schwartz arrived at 6:21 pm.

**3.4 Welcome to Public**

Mrs. Couvrette 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. *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 Kyle Ritter from Abraxas High School, Alexis Long 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:

- Shirley Black spoke about Rancho Bernardo High School Friends of the Library.

### **4.3 Poway Unified School District Facilities Master Plan (FMP) Overview**

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. 09-2019
- b. Approval of Classified Personnel Report No. 09-2019
- c. Adoption of the 2019-2020 and 2020-2021 Year-Round Student Attendance Calendars for Abraxas High School
- d. Approval of the Williams Settlement Quarterly Report for March 2019
- e. Approval of Resolution No. 54-2019 Entitled “Acknowledgment of National PTA Teacher Appreciation Week – May 6-10, 2019”
- f. Approval of Resolution No. 55-2019 Entitled “Acknowledgment of California Classified School Employee Week – May 19-25, 2019”
- g. Ratification of Offer of Voluntary Student Accident Insurance for 2019/2020 School Year

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

- a. Approval/Ratification of Contractual Services Report No. 09-2019

- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants for March 2019
- d. Acknowledgment of Enrollment Report No. 7/2018-2019
- e. Approval of Resolution No. 50-2019 Entitled “Acknowledgment of School Bus Drivers’ Day – April 23, 2019”
- f. Approval of Resolution No. 49-2019 Entitled “Acknowledgment of School Lunch Hero Day May 3, 2019, and School Nutrition Employee Week – May 6-10, 2019”
- g. Approval of Resolution Nos. 52-2019 and 53-2019 Entitled “Application to State Allocation Board for Capital Facilities Funding for Oak Valley Middle School Addition and Mesa Verde Middle School Modernization When Bond Authority is Unavailable as Required by Title 2, Code of California Regulations, Section 1859.95.1”
- h. Approve the Notice of Exemption for Projects at Poway High School, Rancho Bernardo High School, Del Norte High School and Bernardo Heights Middle School
- i. Award Bid No. 2019-11B Audio Visual Equipment and Supplies to B&H Foto & Electronics Corp., Dale Pro Audio, Filmtools, George’s Camera, Howard Technology Solutions, Musson Theatrical, Inc., Pathway Communications, LTD., Troxell Communications, Inc.

**5.4 Consent Calendar – Learning Support Services**

- a. Adoption of High School Supplemental Textbooks
- b. Adoption of Middle School Science Textbooks
- c. Approval of Interdistrict Attendance Permit Contracts
- d. Approval/Ratification of Out-of-State Field Trips

**5.5 Consent Calendar – Student Support Services**

**5.6 Consent Calendar – Technology and Innovation**

**5.7 Consent Calendar – Superintendent**

- a. Acceptance of Gifts
- b. Approval of California School Board Association (CSBA) Updates to Board Bylaw 9322 and Board Bylaw 9324

On a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Consent Calendar was approved as presented. *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. 56-2019 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 Mrs. Couvrette, the Board approved Resolution No. 56-2019 as presented, with the exception of line 2 on Exhibit ‘A’, which was removed. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**6.2 Approval of Declaration of Need for Fully Qualified Educators**

On a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board approved the Declaration of Need for Fully Qualified Educators as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**6.3 Approval of the Employment Agreement Between Poway Unified School District and the Associate Superintendent of Personnel Support Services**

Following discussion, on a motion by Mr. Zane and a second by Ms. O’Connor-Ratcliff, the Board approved the Associate Superintendent of Personnel Support Services Employment Agreement as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**6.4 Approval of the Employment Agreement Between Poway Unified School District and the Associate Superintendent of Business Support Services**

On a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board approved the Associate Superintendent of Business Support Services Employment Agreement as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**6.5 Approval of the Employment Agreement Between Poway Unified School District and the Associate Superintendent of Learning Support Services**

On a motion by Mr. Zane and a second by Ms. O’Connor-Ratcliff, the Board approved the Associate Superintendent of Learning Support Services Employment Agreement as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**6.6 Approval of the Employment Agreement Between Poway Unified School District and the Associate Superintendent of Technology and Innovation**

On a motion by Mr. Zane and a second by Ms. O’Connor-Ratcliff, the Board approved the Associate Superintendent of Technology and Innovation Employment Agreement as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**6.7 Approval of the Employment Agreement Between Poway Unified School District and the Associate Superintendent of Student Support Services**

On a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board approved the Associate Superintendent of Student Support Services Employment Agreement as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

## **7.0 BUSINESS SUPPORT SERVICES**

### **7.1 Public Hearing and Approval of Resolution No. 51-2019 Entitled “Authorizing a Use of Grants Request for Oak Valley Middle School (OVMS) Addition”**

Board President Darshana Patel opened a public hearing at 7:08 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at 7:08 p.m.

Following discussion, on a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board approved Resolution No. 51-2019 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 Public Hearing and Approval of Cell Tower License Agreement with T-Mobile West, LLC., at Del Norte High School**

Board President Darshana Patel opened a public hearing at 7:11 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at 7:12 p.m.

On a motion by Mrs. Couvrette and a second by Mr. Zane, the Board approved the Cell Tower License Agreement with T-Mobile West at Del Norte High School 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.*

### **7.3 Approve Resolution No. 47-2019 Entitled “Authorize the Other Post Employment Benefit (OPEB) Irrevocable Trust Recommendations Related to Investment / Asset Allocation Strategy and Initial Balance Transfer”**

On a motion by Mr. Zane and a second by Mrs. Couvrette, the Board approved Resolution No. 47-2019 as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

### **7.4 2019 Summer Facilities Projects**

This item was presented as information only.

## **8.0 LEARNING SUPPORT SERVICES**

### **8.1 Ratification of Stipulated Agreement for Student Expulsions**

On a motion by Mr. Zane and a second by Ms. O’Connor-Ratcliff, the Board approved the Ratification of case number 2018-2019.14. *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 2018-2019.15. *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 2018-2019.16. *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 2018-2019.18. *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 Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board approved the Readmission to Poway Unified School District for case number 2017-2018.33. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board approved the Readmission to Poway Unified School District for case number 2017-2018.35. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**9.0 STUDENT SUPPORT SERVICES**

**10.0 TECHNOLOGY AND INNOVATION**

**11.0 SUPERINTENDENT**

**11.1 Select Representative Board Members for the 2019-2020 Student Board Member Selection Committee**

Ms. O’Connor-Ratcliff self-nominated and Board President Darshana Patel self-nominated. Following discussion, on a motion by Mr. Zane and a second by Mrs. Couvrette, the Board approved Ms. O’Connor-Ratcliff and Board President Darshana Patel as the 2019-2020 Board Member Representatives for the Student Board Member Selection Committee. 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 congratulated Poway Unified School Districts Teachers of the Year: Sarah McCracken, Midland Elementary; Stephen Whittaker, Oak Valley Middle School; Coleen Montgomery, Rancho Bernardo High School.
- Dr. Kim Phelps spoke about our students in grades 3<sup>rd</sup> through 8<sup>th</sup> and 10<sup>th</sup> graders taking the California Assessment of Student Performance and Progress state testing.

**(a) Student Recognition**

Accomplishments and awards earned by students were recognized.

**(b) School Recognition**

Accomplishments and awards earned by schools were recognized.

**(c) 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 8:02 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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