



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

**May 9, 2019**  
District Office Community Room

**CLOSED SESSION**

Board President Darshana Patel called the meeting to order at 4:32 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 5:47 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. (1) Case No. 2018050966**
  - (2) Case No. 2019010612**
  - (3) Case No. S-0601-18/19**
  
- 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. 2018-2019.17 – Stipulated Agreement**
  
  - b. Case No. 2018-2019.19 – Stipulated Agreement**
  
  - c. Case No. 2018-2019.21 – Stipulated Agreement**
  
  - d. Case No. 2017-2018.39 – 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**
  - a. Superintendent’s Evaluation and Contract**

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

**3.1** Board President Darshana Patel reconvened the meeting in Public Session at 6:00 p.m. and led the salute to the flag. She then asked for a Moment of Silence in honor and memory of the Chabad of Poway Shooting Victims. Board President Darshana Patel also requested a Moment of Silence in honor and memory of Joe McEachron, Director of Poway Federation of Teachers (PFT), who passed away. Board President Darshana Patel also requested a Moment of Silence in honor and memory of the victims of the Colorado STEM School shooting.

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

2.1-A-1: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, Case No. 2018050966 / 2018090084 (Consolidated), 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-A-2: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, Case No. 2019010612, on a motion by Mr. Zane and a second by Mrs. Couvrette, the Board voted to approve the final settlement. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

2.1-A-3: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, Case No. S-0601-18/19, 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.*

2.3-A through D: Clerk Couvrette reported that in the matter of Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, A. Case No. 2018-2019.17 – Stipulated Agreement, B. Case No. 2018-2019.19 – Stipulated Agreement, C. Case No. 2018-2019.21 – Stipulated Agreement, and D. Case No. 2017-2018.39 – 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, 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**

Following discussion, on a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the agenda/sequence was approved with item 11.1 to be heard prior to item 4.1 on the agenda and items 6.1 and 6.2 were pulled from the agenda by staff. Preferential vote Aye by Student Board Member Jake Schwartz. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

*As approved in Agenda item 3.4 Agenda/Sequence, item 11.1 was heard prior to agenda item 4.1.*

### **11.1 Appointment of Student Board Member to Serve During the 2019-2020 School Year**

Following discussion, on a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board approved Miss Mariana Akins to serve as the 2019-2020 Student Board Member. 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 Christina Hartley from Rancho Bernardo High School, and Audrey Tou from Westview High School, reported on events and activities at their respective schools. Student Board representative Lucy Boretto from Poway High School was absent.

##### **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:

- Two students from Poway High School spoke about the Robotics Program.
- Gloria Ekelchik spoke regarding her sons disciplinary record.
- Dick Jeffreys spoke about cyber education accomplishments and STEM Program.
- Karen Harkins spoke about “No Place For Hate” and keeping data to improve school climate.
- Carrie Jaquess spoke about her community concern for a proposed marijuana outlet in Rancho Bernardo.

##### **4.3 Advancement Via Individual Determination (AVID) Eighth Grade and Senior Standouts**

This item was presented as information only.

##### **4.4 Process to Determine Qualification of Special Education Services**

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. 10-2019
- b. Approval of Classified Personnel Report No. 10-2019
- c. Approval of Internship Agreement with William James College
- d. Approval of Affiliation Agreement with Idaho State University

**5.3 Consent Calendar – Business Support Services**

- a. Approval/Ratification of Contractual Services Report No. 10-2019
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants for April 2019
- d. Approval of Monthly Budget Revisions
- e. Acknowledgment of Enrollment Report No. 8/2018-2019
- f. Approval of Resolution Nos. 57-2019, 58-2019, 59-2019, 60-2019, 61-2019, 62-2019, and 63-2019, Designating Persons Authorized to Act on Behalf of the Poway Unified School District
- g. Approval of 2019-2020 Marine Science Floating Laboratory Field Trip Agreement
- h. Approval of 2019-2020 Outdoor Education Program Agreement
- i. Approval of 2019-2020 Science Outreach Program
- j. Acknowledgment of Quarterly Disclosure of Local Investments for Community Facilities District Nos. 1 Through 16
- k. Acknowledgment of Quarterly Disclosure of Local Agency Investments for Poway Unified School District
- l. Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- m. Award a Contract for Request for Proposal (RFP) No. 2019-18P for Frozen Fruit Juice Products to Trident Beverage, Inc.
- n. Award Contracts for Bid No. 2019-24B Remove and Replace Asphalt at Tierra Bonita Elementary, Twin Peaks Middle, Highland Ranch Elementary Schools to Hazard Construction and PAL General Engineering
- o. Award Contracts for Bid No. 2019-25B Remove and Replace Flooring at Highland Ranch, Tierra Bonita, and Pomerado Elementary Schools to DFS Flooring and Progressive Carpet & Design
- p. Approval of Resolution 68-2019 Entitled “Authorization to Participate in the San Diego County Neighborhood Reinvestment Program” for Facilities at Abraxas Continuation High School

**5.4 Consent Calendar – Learning Support Services**

- a. 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**

Following discussion, on a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Consent Calendar was approved as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

*As approved in Agenda item 3.4 Agenda/Sequence, items 6.1 and 6.2 were pulled from the agenda by staff.*

**6.0 PERSONNEL SUPPORT SERVICES**

**6.1 Approval of Salary Reallocation for Crew Chief I**

This item was pulled from agenda by staff.

**6.2 Approval of Salary Reallocation for Crew Chief II**

This item was pulled from agenda by staff.

**6.3 Approval of California School Board Association (CSBA) Board Policies 4000 Series – First Reading**

This item was a first reading only.

**7.0 BUSINESS SUPPORT SERVICES**

**7.1 Approval of Resolution No. 64-2019 Entitled “Authorization to Make Temporary Transfers of Special or Restricted Monies Between District Funds for Fiscal Year 2019-2020”**

On a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Board approved Resolution No. 64-2019 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 Approval of Resolution No. 65-2019 Entitled “Authorization for the Board of Education of Poway Unified School District to Request Temporary Transfer of Funds from the County Treasurer”**

On a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Board approved Resolution No. 65-2019 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.*

**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. O’Connor-Ratcliff, the Board approved the Ratification of case number 2018-2019.17. *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 2018-2019.19. *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 2018-2019.21. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**8.2 Readmission of Student 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 2017-2018.39. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**9.0 STUDENT SUPPORT SERVICES**

**10.0 TECHNOLOGY AND INNOVATION**

*As approved in Agenda item 3.4 Agenda/Sequence, item 11.1 was heard prior to agenda item 4.1.*

**11.0 SUPERINTENDENT**

**11.1 Appointment of Student Board Member to Serve During the 2019-2020 School Year**

**11.2 Approval of Regular Board Meeting Dates for 2020 – First Reading**

This item was a first reading only.

**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 hosting Western States Benchmarking Consortium from seven states across the U.S. and hosting visitors from the Korean National University of Education.
- Dr. Kim Phelps thanked the facilities and maintenance team for their hard work over Spring Break on a number of projects.

**(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 7:50 p.m.

  
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Darshana Patel, President

  
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Ginger Couvrette, Clerk

  
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Marian Kim Phelps, Secretary