



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

September 12, 2019
District Office Community Room

CLOSED SESSION

Board President Darshana Patel called the meeting to order at 4:04 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 6:07 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. 2019030281**
 - (2) **Case No. 2019051146**
 - (3) **Case No. 2019061033 and 2019060146**
 - (4) **Case No. ADR-080919**
 - (5) **Case No. SA-07232019**

- 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. 2019-2020.01 – Stipulated Agreement**
 - b. **Case No. 2016-2017.31 - Readmission**
 - c. **Case No. 2017-2018.21 - Readmission**
 - d. **Case No. 2018-2019.02 - Readmission**
 - e. **Case No. 2018-2019.05 - Readmission**
 - f. **Case No. 2018-2019.08 - 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
 - a. **Classified Employee**

- 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 6:14 p.m. and led the salute to the flag.

3.2 Report Out of Closed Session

2.1-A-1: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, **Case No. 2019030281**, 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. 2019051146**, on a motion by Ms. O'Connor-Ratcliff 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. 2019061033 and 2019060146**, 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.*

2.1-A-4: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, **Case No. ADR-080919**, on a motion by Mr. Zane 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-A-5: Clerk Couvrette reported that in the matter of Pending/Existing Litigation, **Case No. SA-07232019**, 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 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. 2019-2020.01 – Stipulated Agreement, B. Case No. 2016-2017.31 - Readmission, C. Case No. 2017-2018.21 - Readmission, D. Case No. 2018-2019.02 – Readmission, E. Case No. 2018-2019.05 – Readmission, and F. Case No. 2018-2019.08 - Readmission.** No reportable action from closed session. The Board will take action in open session, agenda items 8.1 and 8.2.

2.5-A: Clerk Couvrette reported that in the matter of Public Employee Discipline / Dismissal / Release / Reassignment / Resignation / Nonreelection, **Classified Employee**, on a motion by Mr. Zane and a second by Mrs. Couvrette, the Board voted to terminate the employment of a classified employee. *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 Mariana Akins.

3.4 Welcome to Public

Student Board Member Mariana Akins 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 7.1 pulled from the agenda by staff. Preferential vote Aye by Student Board Member Mariana Akins. *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 Lucy Boretto from Poway High School, Christina Hartley from Rancho Bernardo High School, Andrey Tu from Westview High School, and Trey Coleman and Amon Andrews from Oak Valley Middle 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:

- Tovah Terranova spoke about the Safety Committee, cell phone bill, and mental health bill.
- Michael Rennie spoke about Poway On Stage and National Arts in Education Week.
- Janet Lettang spoke about National Arts in Education Week and the Visual and Performing Arts (VAPA) plan.

4.3 CLASSIFIED EMPLOYEES OF THE YEAR: Deborah Seibert, Alice Burge, and Vickie Norris

Associate Superintendent Ron Little shared information on our PUSD Classified Employees of the Year, while Board President Darshana Patel and Dr. Kim Phelps presented awards. This item was presented as information only.

4.4 TEACHERS OF THE YEAR: Stephen Whittaker, Coleen Montgomery, and Sarah McCracken

Associate Superintendent Carol Osborne shared information on our PUSD Teachers of the Year, while Board President Darshana Patel and Dr. Kim Phelps presented awards. This item was presented as information only.

4.5 VOLUNTEERS OF THE YEAR: Eric Hellon, Ed Oliva, Darleen and Dustin Dunn

Associate Superintendent James Jimenez shared information on our PUSD Volunteers of the Year, while Board President Darshana Patel and Dr. Kim Phelps presented awards. Revised green sheet to include Mesa Verde Middle School Volunteer. This item was presented as information only.

4.6 Bond Feasibility Survey

This item was a presentation and information only.

Public Speaker: John Nienstedt asked questions regarding the polling for the bond measure.

Board President Darshana Patel, called for a brief recess at 7:51 p.m., and reconvened at 7:59 p.m.

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. 02-2019
- b. Approval of Classified Personnel Report No. 02-2019
- c. Approval of Clinical Education Site Agreement with Northern Illinois University
- d. Approval of Intern Agreement with the University of Arizona
- e. Approval of Variable Term Waiver Request – Douglas Devlin, Michael Willows, Michael Brueggemeyer
- f. Approval of Supervised Fieldwork Agreement (School Counseling and School Psychology) with Brandman University

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 02-2020
- b. Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions
- c. Approval of Resolution No. 09-2020 Entitled “Certification of the Actual Appropriation Limit for 2018-2019 and Adoption of the 2019-202 Gann Limit”
- d. Approval of Resolution No. 06-2020 Entitled “Observance of National School Lunch Week”
- e. Approval of Updated California School Board Association (CSBA) Board Policies 3510 Green School Operations, 3511 Energy and Water Management, and 3551 Food Service Operations / Cafeteria Fund
- f. Accept the Annual Summary Continuing Disclosure Compliance Report
- g. Accept Projects as Complete and Authorize to File a Notice of Completion
- h. Ratification and Approval of District Commercial Warrants for August 2019

- i. Approval of Resolution No. 08-2020 Entitled “Declaration of Intention to Dedicate an Easement to San Diego Gas and Electric Company, A Corporation (SDG&E), at Twin Peaks Middle School”
- j. Acknowledgment of Quarterly Disclosure of Local Agency 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. Approval of Resolution No. 10-2020 Entitled “Authorization to Purchase Furniture Through the National Cooperative Purchasing Alliance (NCPA) RFP No. 14-15”
- n. Approval of Resolution No. 13-2020 Entitled “Authorization to Purchase Track Surface Material for Westview High School Through the California Multiple Award Schedule (CMAS) Contract”

5.4 Consent Calendar – Learning Support Services

- a. Approval of the Agreement for Participation in San Diego County’s Career Technical Education (CTE)
- b. Approval of Agreement with Community Action Partnership of San Luis Obispo County for Head Start Services
- c. Approval of the Budesgymnasium and Budesrealgymnasium Mödling-Keimgasse, Student Visit from Austria
- d. Approval of Revised California School Board Association (CSBA) Board Policies 5000 and 6000 Series

5.5 Consent Calendar – Student Support Services

5.6 Consent Calendar – Technology and Innovation

5.7 Consent Calendar – Superintendent

- a. Acceptance of Gift(s)

On a motion by Ms. O’Connor-Ratcliff, and a second by Mr. Zane, the Consent Calendar was approved with items 5.3(a) and 5.3(b) pulled by Ms. Beatty and items 5.3(e) and 5.4(d) pulled by Ms. O’Connor-Ratcliff for further discussion. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

As approved in Agenda item 3.5 Agenda/Sequence, items 5.3(a), 5.3(b), 5.3(e), and 5.4(d) were heard prior to agenda item 6.1 and agenda item 7.1 was pulled from the agenda by staff.

5.3(a) Approval/Ratification of Contractual Services Report No. 02-2020

Following discussion, on a motion by Mrs. Beatty, and a second by Mr. Zane, the Board approved Contractual Services Report No. 02-2020 as presented. *Ayes: Patel, O’Connor-*

Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.

5.3(b) Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions

Following discussion, on a motion by Mrs. Beatty, and a second by Mr. Zane, the Board approved the Ratification of District Purchase Orders, Revolving Cash Fund Expenditures, and Purchase Card Transactions as presented. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

5.3(e) Approval of Updated California School Board Association (CSBA) Board Policies 3510 Green School Operations, 3511 Energy and Water Management, and 3551 Food Service Operations / Cafeteria Fund

Following discussion, on a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board approved Board Policies 3510, 3511, and 3551, with spelling corrected. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

5.4(d) Approval of Revised California School Board Association (CSBA) Board Policies 5000 and 6000 Series

Following discussion, on a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board approved Board Policies 5123, 5136, 6145.6, 6174, and 6179, with spelling corrected. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

6.0 PERSONNEL SUPPORT SERVICES

6.1 Ratification of the Poway Federation of Teachers (PFT) – Tentative Agreement 2018-19 and 2019-20

Following discussion, on a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Ratification of the Poway Federation of Teachers (PFT) – Tentative Agreement 2018-19 and 2019-20. Revised green sheet to include supporting documents. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, and Zane. Noes: Beatty. Motion carried, 4-1.*

6.2 Approval of California School Board Association (CSBA) Board Policy 4119.24, 4219.24, 4319.24 – First Reading

This item was presented as a first reading only.

6.3 Approval of Resolution No. 11-2020 Entitled “Resolution Regarding the Elimination of Classified Positions as Contained within Exhibit ‘A’; Corresponding Layoff of Classified Employees”

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved Resolution No. 11-2020 as presented. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

As approved in Agenda item 3.5 Agenda/Sequence, items 5.3(a), 5.3(b), 5.3(e), and 5.4(d) were heard prior to agenda item 6.1 and agenda item 7.1 was pulled from the agenda by staff.

7.0 BUSINESS SUPPORT SERVICES

7.1 Approval to Issue a Request for Proposal (RFP) for the Potential Lease, Sale or Exchange of Black Mountain Ranch Southern Property (Santaluz)

This item was pulled from the agenda by staff.

7.2 Approval of the 2018-2019 Unaudited Actuals Financial Report

On a motion by Mrs. Beatty and a second by Mr. Zane, the Board approved the 2018-2019 Unaudited Actuals Financial Report as presented. Preferential vote Aye by Student Board Member Mariana Akins. Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.

7.3 Public Hearing and Approval of Resolution No. 05-2020 Entitled "Approving a School Facilities Needs Analysis; Adopting Alternative School Facility Fees in Compliance with California Education Code Section 17620 and Government Code Sections 65995.5, 65995.6, 65995.7, and 66000 ET SEQ.; and Making Related Findings and Determinations"

Board President Darshana Patel opened a public hearing at 8:42 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at 8:43 p.m.

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved Resolution No. 05-2020 presented. Preferential vote Aye by Student Board Member Mariana Akins. Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.

7.4 Approve Resolution No. 12-2020 Entitled "Authorizing the Issuance and Sale of 2019 General Obligation Refunding Bonds of School Facilities Improvement District No. 2002-1 of the Poway Unified School District in an Aggregate Principal Amount not to Exceed Thirty One Million Dollars"

Following discussion, on a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved Resolution No. 12-2020 presented. Preferential vote Aye by Student Board Member Mariana Akins. Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.

7.5 Authorization to Execute the First Amendment to the Final Guarantee Maximum Price for the Oak Valley Middle School Classroom Addition

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Authorization to Execute the First Amendment to the Final Guarantee Maximum Price for the Oak Valley Middle School Classroom Addition as presented. Preferential vote Aye by Student Board Member Mariana Akins. Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.

8.0 LEARNING SUPPORT SERVICES

8.1 Ratification of Stipulated Agreement for Student Expulsion

On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the ratification of case number 2019-2020.01. 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 Mrs. Beatty, and a second by Mr. Zane, the Board approved the readmission to PUSD Schools for case number 2016-2017.31. *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 PUSD Schools for case number 2017-2018.21. *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 PUSD Schools for case number 2018-2019.02. *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 PUSD Schools for case number 2018-2019.05. *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 PUSD Schools for case number 2018-2019.08. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

8.3 Public Hearing and Approval of Resolution No. 03-2020 Entitled "Sufficiency of Instructional Materials for 2019-2020"

Board President Darshana Patel opened a public hearing at 9:03 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at 9:03 p.m.

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved Resolution No. 03-2020 as presented. Preferential vote Aye by Student Board Member Mariana Akins. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

8.4 Proposed Adoption of High School and Middle School Science Textbooks – First Reading

This item was presented as a first reading only.

8.5 Proposed Adoption of New High School Courses – First Reading

This item was presented as a first reading only.

9.0 STUDENT SUPPORT SERVICES

9.1 Approval of Resolution No. 07-2020 Entitled "Dyslexia Awareness Month October 2019"

On a motion by Mrs. Beatty, and a second by Mr. Zane, the Board approved Resolution No. 07-2020 as presented. Revised green sheet to remove roll call vote. Preferential vote Aye by Student Board Member Mariana Akins. *Ayes: Patel, O'Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

- 9.2 Approval of Resolution No. 04-2020 Entitled “Character Counts! And Red Ribbon Week for Alcohol, Tobacco, and Other Drugs Prevention”**
 On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved Resolution No. 04-2020 as presented. Preferential vote Aye by Student Board Member Mariana Akins. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*
- 9.3 Approval of Resolution No. 14-2020 Entitled “National Suicide Prevention Awareness Month September 2019”**
 On a motion by Mrs. Beatty, and a second by Mr. Zane, the Board approved Resolution No. 14-2020 as presented. Revised green sheet to remove roll call vote. Preferential vote Aye by Student Board Member Mariana Akins. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

10.0 TECHNOLOGY AND INNOVATION

11.0 SUPERINTENDENT

- 11.1 Approval of the Poway Unified School District Vision, Mission, and Board Goals**
 On a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Board approved the PUSD Vision, Mission, and Board Goals as presented. Board requested the PUSD Vision and Mission Statements added to each Board Agenda. Preferential vote Aye by Student Board Member Mariana Akins. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*
- 11.2 Approval of the Poway Unified School District Governance Handbook**
 On a motion by Ms. O’Connor-Ratcliff, and a second by Mr. Zane, the Board approved the PUSD Governance Handbook as presented. Preferential vote Aye by Student Board Member Mariana Akins. *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 the upcoming State of the District event on November 19, 2019.
- Dr. Kim Phelps spoke about PUSD being the newest members in the national network of “Innovative Schools,” through the non-profit Digital Promise.

(a) Student Recognition

Accomplishments and awards earned by students were recognized.

(b) School Recognition

Accomplishments and awards earned by schools were recognized.

(c) District Recognition

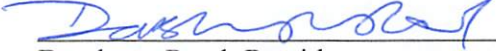
Accomplishments and awards earned by the District were recognized.

13.0 **CLOSED SESSION**

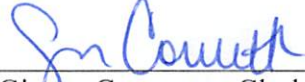
There were no additional items discussed in Closed Session.

14.0 **ADJOURNMENT**

The meeting was adjourned at 9:34 p.m.



Darshana Patel, President



Ginger Couvrette, Clerk



Marian Kim Phelps, Secretary

am