



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

**November 14, 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 5:42 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. 2019060888 / 2019080378 (Consolidated)**
  - (2) **Case No. 2019071055**
  - (3) **Case No. 2019080822**
  - (4) **Case No. 2019081014**
  - (5) **PA-11042019**
- 2.2 Conference with Legal Counsel Anticipated Litigation Pursuant to Government Code 54956.9, 54956.9(d)(2), and 54956.9(d)(4)
  - a. **Consideration of Procedures Regarding Complaint Against Employee(s) Filed Under District Administrative Procedure 4.106.2 (Government Code 54957)**
- 2.3 Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters Pursuant to Education Code 48900(c)
  - a. **Case No. 2018-2019.09 – Enforced Expulsion**
  - b. **Case No. 2019-2020.02 – Stipulated Agreement**
  - c. **Case No. 2019-2020.04 – Stipulated Agreement**
  - d. **Case No. 2019-2020.05 – Stipulated Agreement**
  - e. **Case No. 2019-2020.06 – Stipulated Agreement**

**f. Case No. 2017-2018.18 – 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 6:05 p.m. and then asked for a moment of silence for the five victims of today’s shooting at Saugus High School. Boy Scout Troop 622 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, on a motion by Ms. O’Connor-Ratcliff and a second by Mrs. Couvrette, the Board voted to approve the final settlement of Case No. **2019060888 / 2019080378 (Consolidated)**. *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, on a motion by Ms. O’Connor-Ratcliff and a second by Mrs. Couvrette, the Board voted to approve the final settlement of Case No. **2019071055**. *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, on a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board voted to approve the final settlement of Case No. **2019080822**. *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, on a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board voted to approve the final settlement of Case No. **2019081014**. *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, on a motion by Mr. Zane and a second by Ms. O’Connor-Ratcliff, the Board voted to approve the final settlement of Case No. **PA-11042019**. *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. 2018-2019.09 – Enforced Expulsion, B. Case No. 2019-2020.02 – Stipulated Agreement, C. Case No. 2019-2020.04 – Stipulated Agreement, D. Case No. 2019-2020.05 – Stipulated Agreement, E. Case No. 2019-2020.06 – Stipulated Agreement, and F. Case No. 2017-2018.18 – Readmission**. No reportable action from closed session. The Board will take action in open session, agenda items 8.1, 8.2, and 8.3.

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 Ms. O'Connor-Ratcliff and a second by Mrs. Couvrette, the Board voted to impose a 7-day suspension without pay for 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 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.*

## **4.0 ORAL PRESENTATIONS**

### **4.1 Student Board Representatives**

Student Board representatives Lucy Boretto from Poway High School, Dean Olsson from Westview High School, Micayla Lillie from Mesa Verde Middle School, plus Daniel Hawe and Lucas Silverman from Park Village Elementary 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 regarding the bond and legal matters.
- Martha Leebolt spoke regarding management concerns for the Poway Center of the Performing Arts (PCPA).
- Rebecca MacGowan spoke regarding management concerns for the Poway Center of the Performing Arts (PCPA).
- Rhonda Petrosky spoke in support of school PTA's and spoke about 300 art pieces received by the Palomar Council PTA.
- Three 6<sup>th</sup> grade students from Black Mt. Middle School shared their opinions regarding the Poway Center of the Performing Arts (PCPA).
- Denise Ott selected not to speak, but stated she would be opposed to the PCPA no longer being available to the community at large.

**4.3 Award of OtterCares Donation to Poway Unified School District**  
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. 04-2020
- b. Approval of Classified Personnel Report No. 04-2020
- c. Approval of Reappointment of Personnel Commissioner – Appointee of the Classified Employees
- d. Approval of Intern Contract Agreement (Multiple Subject, Single Subject, and Education Specialist Internship Credential) with Brandman University
- e. Approval of Revisions to Salary Schedules Following Approved Salary Increases

**5.3 Consent Calendar – Business Support Services**

- a. Approval/Ratification of Contractual Services Report No. 04-2020
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for October 2019
- d. Acknowledgment of Enrollment Report No. 2/2019-2020
- e. Acknowledgment of Governmental Accounting Standards Board (GASB) 75 Actuarial Valuation Report as of June 30, 2019
- f. Approval of Resolution No. 19-2020 Entitled “Authorization to Establish Fund 71”
- g. Acknowledgment of Quarterly Disclosure of Local Agency Investments for Poway Unified School District
- h. Acknowledgment of Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 through 16
- i. Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- j. Acknowledgment of Annual Report for Fiscal Year 2018-2019 Required for the Collection of Statutory (Level 1) and Alternative (Level 2/3) School Fees, Pursuant to Government Code Sections 66001 and 66006

- k. Award a Contract for Bid No. 2020-12B Fencing Repairs and Upgrades at Tierra Bonita Elementary, Twin Peaks Middle, Pomerado Elementary, Painted Rock Elementary and Garden Road Elementary to Red Hawk Services
- l. Approval of Agriculture and Natural Resources Career Technical Education (CTE) Facilities Program Application for Poway High School

**5.4 Consent Calendar – Learning Support Services**

- a. Approval of School Plan for Student Achievement (SPSA) for Elementary, Middle, and High Schools for 2019-2020
- b. Approval of Secondary District Plan for Work Experience Education for 2019-2021
- c. Approval of Resolution No. 24-2020 Entitled “Authorization of Amended Contract CSPP-9465 with the California Department of Education to Provide Child Development Services”
- d. Approval of Implementation of the National External Diploma Program for Poway Adult School
- e. Approval of Updated California School Board Association (CSBA) Board Policy 0460 - Local Control and Accountability Plan
- f. Approval of Memoranda of Understanding Between Creekside, Del Sur, and Sundance Elementary Schools/Poway Unified School District and National University, Sanford College of Education Relating to the Participation in Sanford Education Programs, Harmony and Inspire, during the 2019-2020 Academic Year
- g. Approval of the Memorandum of Understanding for Data Sharing Services between Poway Unified School District and the Education to Career Network (ETCN)
- h. Approval of the District-Level Title I, Part A, Parent and Family Engagement Policy for the 2019-2020 School Year
- i. 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. Approval of Updated California School Board Association (CSBA) Board Bylaw 9323 Meeting Conduct
- b. Acceptance of Gift(s)

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 New Classification – Preschool Operations Supervisor**

On a motion by Mrs. Couvrette, and a second by Mr. Zane, the Board approved the New Classification – Preschool Operations Supervisor as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

### **6.2 Approval of Resolution No. 25-2020 Entitled “Resolution Regarding Superintendent Compensation, April 3, 2017, through June 30, 2018”**

Following discussion, on a motion by Mrs. Couvrette, and a second by Board President Patel, the Board approved Resolution No. 25-2020 as presented. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, and Zane. Noes: Beatty. Motion carried, 4-1.*

### **6.3 Submittal of Annual Workers’ Compensation Self-Insurer’s Report to the State Office of Self-Insurance Plans**

This item was presented as information only.

## **7.0 BUSINESS SUPPORT SERVICES**

### **7.1 Review and Acceptance of the 2018-2019 Financial Compliance and Program Audit**

Following discussion, on a motion by Ms. O’Connor-Ratcliff, and a second by Mrs. Couvrette, the Board approved the 2018-2019 Financial Compliance and Program Audit 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.*

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

Following discussion, on a motion by Mrs. Beatty, and a second by Mrs. Couvrette, the Board approved the Request for Proposal (RFP) for the Potential Lease, Sale or Exchange of Black Mountain Ranch Southern Property (Santaluz) 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 Approval of Resolution No. 22-2020 Entitled, “Appointing and Employing Consultants in Connection with the Issuance of Community Facilities District No. 16 and Improvement Area ‘A’ (Del Sur East II) Special Tax Bonds”**

Following discussion, on a motion by Ms. O’Connor-Ratcliff, and a second by Mr. Zane, the Board approved the Resolution No. 22-2020 with an edit in Section-6, by removing the word his to read as follows: The Superintendent, or designee, is hereby authorized and directed, for and in the name and on behalf of the District, to enter into a contract the James F. Anderson Law Firm, for the provision of services as the District’s Special Disclosure Counsel. 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 Approval of Resolution No. 20-2020 Entitled “Resolution of the Board of Education of the Poway Unified School District Ordering A School Bond Election on March 3, 2020, and Authorizing Necessary Actions in Connection Therewith”**

Following discussion, on a motion by Ms. O’Connor-Ratcliff, and a second by Mr. Zane, the Board approved the Resolution No. 20-2020 as presented. Preferential vote Aye by Student Board Member Mariana Akins. *Roll Call Vote as follows, Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Noes: 0. Absent: 0. Abstain: 0. Motion carried unanimously, 5-0.*

**7.5 Approval of Resolution No. 21-2020 Entitled “Resolution of the Board of Education of the Poway Unified School District Committing to Bond Measure and Capital Projects Accountability and Transparency”**

On a motion by Mr. Zane, and a second by Mrs. Couvrette, the Board approved the Resolution No. 21-2020 as presented. Preferential vote Aye by Student Board Member Mariana Akins. *Roll Call Vote as follows, Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Noes: 0. Absent: 0. Abstain: 0. Motion carried unanimously, 5-0.*

*Board President Patel, called for a 10-minute recess at 8:17 p.m., reconvened the meeting in Public Session at 8:27 p.m.*

**8.0 LEARNING SUPPORT SERVICES**

**8.1 Ratification of Enforced Expulsion**

On a motion by Mrs. Couvrette, and a second by Mr. Zane, the Board approved the Ratification of Enforced Expulsion for case number 2018-2019.09. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**8.2 Ratification of Stipulated Agreements for Student Expulsion**

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved the Ratification of Stipulated Agreement for case number 2019-2020.02. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved the Ratification of Stipulated Agreement for case number 2019-2020.04. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved the Ratification of Stipulated Agreement for case number 2019-2020.05. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved the Ratification of Stipulated Agreement for case number 2019-2020.06. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**8.3 Readmission of Student on Expulsion**

On a motion by Mr. Zane, and a second by Mrs. Beatty, the Board approved the Readmission to the Poway Unified School District for case number 2017-2018.18. *Ayes: Patel, O’Connor-Ratcliff, Couvrette, Beatty, and Zane. Motion carried unanimously, 5-0.*

**8.4 Approval of New California School Board Association (CSBA) Board Policies 0520 – Intervention for Underperforming Schools and 0520.1 – Comprehensive and Targeted Support and Improvement – First Reading**

This item was presented as a first reading only.

**8.5 Structures for Learning at Poway Unified School District High Schools**

This item was presented as information only.

**9.0 STUDENT SUPPORT SERVICES**

**9.1 Approval of Resolution No. 18-2020 Entitled “School Psychology Awareness Week 2019”**

On a motion by Ms. O’Connor-Ratcliff, and a second by Mrs. Couvrette, the Board approved Resolution No. 18-2020 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.*

**9.2 Approval of Resolution No. 26-2020 Entitled “Poway Unified School District to Become a Live Well San Diego School District”**

On a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Board approved Resolution No. 26-2020 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.*

**10.0 TECHNOLOGY AND INNOVATION**

**10.1 Approval of New Board Policy 5131.8 – Mobile Communication Devices – First Reading**

This item was presented as a first reading only.

**11.0 SUPERINTENDENT**

**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 20 PUSD students selected for the prestigious Northrup Grumman High School Internship Program, including students representing all five high schools.
- Dr. Kim Phelps congratulated Tierra Bonita Elementary School for being named an Apple Distinguished School for the fourth time in a row.

**(a) Student Recognition**

Accomplishments and awards earned by students were recognized.

**(b) School Recognition**

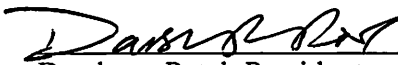
Accomplishments and awards earned by schools were recognized.


**13.0 CLOSED SESSION**

There were no additional items discussed in Closed Session.

**14.0 ADJOURNMENT**

The meeting was adjourned at 9:40 p.m.

  
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Darshana Patel, President

  
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Ginger Couvrette, Clerk



  
Marian Kim Phelps, Secretary

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