



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

September 10, 2020
District Office Community Room

The Board of Education met in the Community Room with COVID-19 physical distancing measures in place for Board Members and Staff. Due to the physical distancing requirements, members of the public still needed to submit comments online as indicated in the agenda; the intent was not to limit public participation but to protect public health by following the recommended guidelines and San Diego County's order limiting attendance at public assemblies.

CLOSED SESSION

Board President Michelle O'Connor-Ratcliff 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 - Kimberley Beatty attended via phone. The closed session was adjourned at 6:01 p.m., and Board members reconvened in the Community Room to begin their regular meeting and relay any reportable action taken during closed session – Board Member Kimberley Beatty attended via phone.

REGULAR MEETING

1.0 CALL TO ORDER – PUBLIC SESSION

2.0 CLOSED SESSION

- 2.1 Pending/Existing Litigation Pursuant to Government Codes 54954.5, 54956.9, 54956.9(a), 54956.9(d)(2) or (3), 54956.9(d)(1) or (4), and 54956.9(e)(3)**
 - a. DFEH Claim No. 201911-08248412**
Legal Counsel: Amy Estrada

 - b. Name of case: Sanford v. Poway Unified School District, Superior Court**
Case No. 37-2019-00003926-CU-PO-CTL
Legal Counsel: David A. Veljovich, Esq.

- 2.2 Conference with Legal Counsel Anticipated Litigation Pursuant to Government Codes 54954.5, 54956.9, 54956.9(d)(2) or (3), and 54956.9(d)(4), 54956.9(e)(2)-(5), 54957, and 54957.1**

- 2.3 Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters Pursuant to Education Codes 35146, 48900(c), 48912, 49070, and 54957**

- 2.4 Negotiations – PFT, PSEA Unit I and Unit II, Management/Confidential Pursuant to Government Code 54957.6**
 - 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 Goals**
- 2.7 Conference with Real Property Negotiator Pursuant to Government Code 54956.8

3.0 RECONVENE / CALL TO ORDER AND PLEDGE OF ALLEGIANCE

3.1 Board President Michelle O’Connor-Ratcliff reconvened the meeting in Public Session at 6:08 p.m. and asked for a moment of silence in honor and memory of Nicole Radam from Sundance ESS who passed away. She then led the salute to the flag.

3.2 Report Out of Closed Session

2.1-a: Clerk Zane reported that in the matter of Pending/Existing Litigation, **DFEH Claim No. 201911-08248412**, on a motion by Mr. Zane and a second by Mrs. Couvrette, the Board voted to approve a settlement agreement between the District and a former classified employee. The settlement includes back-pay and additional training for employees. ***Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. 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 Emily Bylsma. Board Member Kimberley Beatty attended via phone.

3.4 Welcome to Public

Student Board Member Emily Bylsma 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 Dr. Patel, the agenda/sequence was approved as presented. Preferential vote Aye by Student Board Member Emily Bylsma. ***Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.***

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

No student reports.

4.2 Public Comments

Public Speakers were requested to submit comments by the Public Comment Form Link <https://bit.ly/PUSDpubliccomments>, **between 3:00 p.m. - 5:00 p.m.**, prior to the start of the 6:00 p.m. Open Session Regular Meeting. If indicated on the form, comments submitted via the online Public Comment Form were read aloud by our Chief Communications Officer, Christine Paik, during Agenda Item 4.2 “Public Comments” or the corresponding agenda item. **Public Comments were limited to 400 words or three minutes, with fifteen minutes of Public Comments per topic.**

Public Comments:

- Frida Brunzell submitted a comment updating PUSD regarding the Palomar Council PTA.
- Khadijah Sheikh submitted a comment regarding the need of an equity plan and ethnic studies.
- Terry Norwood submitted a comment regarding her concerns with public comments.

4.3 Classified Employee of the Year: Anna Noel, David Oliva, and Donna Lawrence
Associate Superintendent Ron Little shared information on our PUSD Classified Employees of the Year, while Board President Michelle O'Connor-Ratcliff and Dr. Kim Phelps presented awards.
This item was presented as information only.

4.4 Teacher of the Year: Laura Snow, Aaron Smith, and Amy Hillebrecht
Associate Superintendent Carol Osborne shared information on our PUSD Teachers of the Year, while Board President Michelle O'Connor-Ratcliff and Dr. Kim Phelps presented awards.
This item was presented as information only.

4.5 Reopening Plan
On a motion by Dr. Patel, and a second by Mrs. Couvrette, the Board approved the wearing of masks for all Pre-TK-12 students and staff. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O'Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Mrs. Dr. Patel, the Board approved the opening of three elementary schools on October 1, 2020, Abraxas High School on October 8, 2020, and the rest of the PUSD elementary schools open on October 12, 2020. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O'Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

On a motion by Mr. Zane, and a second by Mrs. Dr. Patel, the Board reworded and approved the opening of elementary schools in pilot group-1 on October 1, 2020, Abraxas High School on October 8, 2020, and the rest of the elementary schools in group-2 on October 12, 2020. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O'Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

The Board of Education came to a consensus agreement recommendation for all secondary middle schools and high schools, to allow staff to phase in small groups of secondary students to return to campus in organized fashion when they are ready. With administrators working with our teachers and staff for targeted learning support groups such as: social emotional groups, students receiving disability services, and clubs: yearbook, CTE, ASB, ELL students needing support, and athletics. Then start exploring the blended on campus model looking for voluntary groups of teachers and students to start moving in that direction.

Public Comments: Leslie Wilson, Marti Amado Corr, Emily Singh, Sharon Trom, Bill Huff, Artem Dinaburg, David Williams, Alina Benderskaya, Dustin Wallace, Jennifer Nibley, Ashley Williams, Michelle Anderson, Sandhya Lohani, and Maya Hausmann, submitted comments regarding the reopening plan.

Board President Michelle O'Connor-Ratcliff, called for a brief recess at 8:42 p.m., returning at 8:53 p.m.

4.6 Special Education Reopening Plan
On a motion by Mr. Zane, and a second by Dr. Patel, the Special Education Reopening Plan was approved as presented. Preferential vote Aye by Student Board Member Emily Bylsma.

Ayes: O'Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.

Public Comments: Scott Womble, Julie Lopez, Erin DeVries, and Dustin Wallace submitted comments regarding the Special Education Reopening Plan.

As approved in Agenda item 3.5 Agenda/Sequence, items 5.3(b), 5.4(a), and 5.7(b) were pulled by Mrs. Beatty for further discussion and heard prior to item 6.0.

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. 02-2021
- b. Approval of Classified Personnel Report No. 02-2021
- c. Approval of the Agreement with the University of Southern California (USC) for Student Teaching Program, School Counseling Program, and Social Work Program
- d. Approval of Internship Credential Agreement with San Diego State University
- e. Approval of New Classification – Office Specialist – Bilingual
- f. Approval of New Classification – Assistive Technology Resource Assistant
- g. Approval of New Classification – Attendance and Discipline Administrative Specialist

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 02-2021
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for August 2020
- d. Approval of Resolution Nos. 01-2021 Entitled “Certification of the Actual Appropriation Limit for 2019-2020 and Adoption of the 2020-2021 GANN Limit”
- e. Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- f. Acknowledgment of Quarterly Disclosure of Local Agency Investments for Poway Unified School District

- g. Acknowledgment of Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 Through 16
- h. Approval of Resolution No. 04-2021 Entitled “Observance of National School Lunch Week”
- i. Approval of Resolution No. 05-2021 Entitled “Observance of National Farm to School Month”
- j. Approval of the Permanent Single Agreement Between California Department of Education and Poway Unified School District for Participating in Child Nutrition Programs
- k. Acknowledgment of Actuarial Valuation Report of Retiree Health Liabilities as of June 30, 2020, Under Governmental Accounting Standards Board (GASB) 74/75
- l. Approval of Resolution No. 08-2021 Entitled “Authorization to Purchase Fuel Through the City of San Diego’s RFP No. 10089315-18-K”
- m. Approval to Purchase Eight Electric Buses Through a Grant Award
- n. Approve Resolution No. 10-2021 Entitled “Authorization to Purchase Electric Vehicle Charging Stations, Installation and Related Software for Electric School Bus Grant Through the Sourcewell Cooperative Purchasing Contract Using Vender Chargepoint, #051017-CPI”
- o. Approval of Resolution 11-2021 Entitled “Designation an Additional Persons Authorized to Act on Behalf of Poway Unified School District and Amending Resolution No. 60-2020”
- p. Ratification and Approval of Contract Change Order for Building “N” Roof Repair Project at Bernardo Heights Middle School

5.4 Consent Calendar – Learning Support Services

- a. Adoption of High School Advanced Placement Calculus Book
- b. Approval of Poway Unified School District Updated English Learner Reclassification Criteria

5.5 Consent Calendar – Student Support Services

- a. Approval of Resolution No. 13-2021 Entitled “National Suicide Prevention Awareness Month September 2020”

5.6 Consent Calendar – Technology and Innovation

- a. Approval of Resolution No. 14-2021 Entitled “Joint Powers Authority Membership – School Project for Utility Rate Reduction”

- b. Approval of Resolution No. 06-2021 Entitled “Authorization to Purchase Furniture and Services Through the National Cooperative Purchasing Alliance (NCPA) Contract Number 01-97”

5.7 Consent Calendar – Superintendent

- a. Acceptance of Gift(s)

- b. Approval for the Poway Unified School District’s Board of Education Meetings to Continue Meeting in Person

On a motion by Dr. Patel, and a second by Mr. Zane, the Consent Calendar was approved as presented with the exception of items 5.3(b), 5.4(a), and 5.7(b) pulled by Mrs. Beatty for further discussion. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

As approved in Agenda item 3.5 Agenda/Sequence, items 5.3(b), 5.4(a), and 5.7(b) were pulled by Mrs. Beatty for further discussion and heard prior to item 6.0.

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 ratification of District Purchase Orders as presented. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

5.4(a) Adoption of High School Advanced Placement Calculus Book

Following discussion, on a motion by Mrs. Beatty, and a second by Dr. Patel, the Board approved the adoption of high school advanced placement calculus book as presented. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

5.7(b) Approval for the Poway Unified School District’s Board of Education Meetings to Continue Meeting in Person

Following discussion, on a motion by Mr. Zane, and a second by Board President Michelle O’Connor-Ratcliff, the Board approved the regularly scheduled PUSD Board of Education Meetings to continue meeting in person in the community room, unless the Superintendent and Board President requests teleconference exception to the in person meeting or if the Board doesn’t meet a quorum. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, and Patel. No: Beatty. Motion carried, 4-1.*

Public Comments: Terry Norwood, Melody Cruz, Richard Smith, Nellie Kuwamoto, Ken Wilson, Victoria Wilson, and Michele Wield submitted comments regarding the in person Board of Education Meetings.

6.0 PERSONNEL SUPPORT SERVICES

6.1 Approval of California School Boards Association (CSBA) Board Policies 4000 Series – Second Reading

On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved the California School Boards Association (CSBA) Board Policy as presented. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

6.2 Approval of Resolution No. 09-2021 Entitled “Resolution Regarding the Elimination

or Reduction in Hours of Classified Positions as Contained within Exhibit ‘A’ and Corresponding Layoff of Classified Employees”

On a motion by Dr. Patel, and a second by Mr. Zane, the Board approved Resolution No. 09-2021 as presented. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

7.0 BUSINESS SUPPORT SERVICES

7.1 Approval of Resolution No. 07-2021 Entitled “Authorizing and Providing for the Issuance of Special Tax Refunding Bonds of Poway Unified School District Community Facilities District No. 6 (4S Ranch), Approving the Form of an Eighth Supplemental Indenture, Escrow Deposit and Trust Agreement, Bond Purchase Agreement, Preliminary Official Statement, Continuing Disclosure Agreement, and Other Documents and Authorizing Certain Actions in Connection with the Issuance of such Bonds”

On a motion by Dr. Patel, and a second by Mr. Zane, the Board approved Resolution No. 07-2021 as presented. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

7.2 Approval of the 2019-2020 Unaudited Actuals Financial Report

On a motion by Mr. Zane, and a second by Mrs. Couvrette, the Board approved the 2019-2020 Unaudited Actuals Financial Report as presented. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

7.3 Approval of Action to Identify and Approve the Most Beneficial Proposal and Specific Proposal Terms, and Approval of Entering into an Option Agreement and Ground Lease with the Selected Proposer in Furtherance of the District’s Request for Proposal Process for the Surplus Real Property Known as the Black Mountain Ranch Southern Site

Following discussion, on a motion by Mrs. Couvrette, and a second by Board President Michelle O’Connor-Ratcliff. The Board approved the actions to identify and approve the most beneficial proposal of entering into an option agreement and ground lease selected proposal for furtherance of the District’s request for proposal process for the surplus real property known as the Black Mountain Ranch Southern Site as referenced on slide number seven of the 7.3 presentation. Preferential vote Abstain by Student Board Member Emily Bylsma. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, and Beatty. Abstain: Patel. Motion carried, 4-0.*

Public Comments: Tamara Deverell, Marc & Sarah Van De Graaf, Susan Bikhazi, Jessica Vogelsang, Andrew Asch, Scott Lamb, Dawn Holman, Mike Barbera, Puneh Baha, Thomas Landers, Trica O’Boyle, Robert Meyer, Harold Small, Suneeta Atluri, Tatiana Dupuy, Juergen Stark, Michael Koh, Maria Grabowski, Darla O’Rourke, and 48 additional people submitted comments regarding the Surplus Real Property known as the Black Mountain Ranch Southern Site.

8.0 LEARNING SUPPORT SERVICES

8.1 Public Hearing and Approval of Resolution No. 12-2021 Entitled “Sufficiency of Instructional Materials for 2020-2021”

Board President Michelle O’Connor-Ratcliff opened a public hearing at 11:12 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at

11:12 p.m. On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved Resolution No. 12-2021 as presented. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O'Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

8.2 Proposed Adoption of High School and Middle School Spanish Supplemental Instructional Materials – First Reading

This item was presented as first reading only.

8.3 Public Hearing of Poway Unified School District Learning Continuity and Attendance Plan for 2020-2021 – First Reading

Board President Michelle O'Connor-Ratcliff opened a public hearing at 11:29 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at 11:29 p.m.

This item was presented as first reading.

8.4 Student Awards for Merit-Based Scholarships 2019-2020

This item was presented as information only.

9.0 STUDENT SUPPORT SERVICES

10.0 TECHNOLOGY AND INNOVATION

10.1 Professional Development Update

This item was presented as information only.

10.2 Technology Device Initiative

This item was presented as information only.

10.3 Software Update

This item was presented as information only.

10.4 Parent Academy

This item was presented as information 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 congratulated Team PUSD for opening our schools fully virtually for the first time in PUSD history.
- Dr. Kim Phelps thanked Team PUSD for all the preparation involved to make the first week of school a success.

(a) Student Recognition

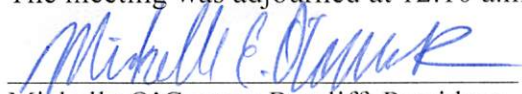
Accomplishments and awards earned by students were recognized.

13.0 **CLOSED SESSION**

There were no additional items discussed in Closed Session.

14.0 **ADJOURNMENT**

The meeting was adjourned at 12:10 a.m.



Michelle O'Connor-Ratcliff, President



T.J. Zane, Clerk



Marian Kim Phelps, Secretary

am