



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

December 17, 2020
District Office Community Room

CLOSED SESSION

Board President Michelle O'Connor-Ratcliff called the meeting to order at 4:03 p.m. to receive public comment on the closed session agenda items. There were five public comments heard, and at 4:26 p.m., all Board members convened to closed session in the Board Conference Room, with Kimberley Beatty attending via teleconference. The closed session was adjourned at 5:55 p.m., and Board members reconvened in the Community Room to begin their regular meeting and relay any reportable action taken during closed session.

Closed Session Public Comments: Tony Toranto, Tatiana Dupuy, Brad Runge, and Sandy Lamb gave public comments regarding the Surplus Real Property known as the Black Mountain Ranch Southern Site.

REGULAR MEETING

1.0 CALL TO ORDER – PUBLIC SESSION

2.0 CLOSED SESSION

2.1 Conference with Legal Counsel 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. 1 case: (Superior Court, County of San Diego, Case No.: 37-2020-00037296-CU-WM-CTL); Protect Our Community Now vs. Poway Unified School District, Poway District Board of Education, and Marian Kim Phelps; and Costco Wholesale Corporation, real party in interest

b. 1 case: (Superior Court, County of San Diego, Case No.: 37-2020-00010721-CU-WM-CTL); Albert Bates and Bridget Denihan vs. Poway Unified School District

c. Case No. 2020090835

d. Case No. ADR - 12042020

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

a. 1 Case

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

a. Case No. 2020-2021.01 – Stipulated Agreement

b. Case No. 2019-2020.20 – Readmission

c. Case No. 2019-2020.21 – Readmission

- 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 Mid-Year 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 6:06 p.m. and invited everyone to join as she led the salute to the flag.

3.2 **Report Out of Closed Session**

2.1-c: Clerk Zane reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, **Case No. 2020090835**, on a motion by Dr. Patel and a second by Mrs. Couvrette, the Board voted to approve the final settlement. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

2.1-d: Clerk Zane reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, **Case No. ADR - 12042020**, on a motion by Dr. Patel and a second by Mrs. Couvrette, the Board voted to approve the final settlement. *Ayes: O’Connor-Ratcliff, Couvrette, Zane, Beatty, and Patel. Motion carried unanimously, 5-0.*

2.3-a through c: Clerk Zane reported that in the matter of Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, **a. Case No. 2020-2021.01 – Stipulated Agreement, b. Case No. 2019-2020.20 – Readmission, and c. Case No. 2019-2020.21 – 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 Emily Bylsma. Board Member Kimberley Beatty attending via teleconference and newly elected Board Member Dr. Cindy Sytsma was also present.

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 Mrs. Couvrette, 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.*

3.6 Organizational Meeting of the Board – Election of Officers, Appointment of Board Representatives to Committees, and Confirmation of 2021 Regular Board Meeting Dates

3.6(a) Oath of Office

Superintendent Kim Phelps administered the Oath of Office to re-elected Board Member Dr. Darshana Patel, and newly-elected Board Member Dr. Cindy Sytsma.

3.6(b) Recognition of Outgoing Board Member

Superintendent Kim Phelps presented Mrs. Beatty with a plaque in appreciation of her eight years of Board service. Mrs. Beatty thanked the Board Members, Superintendent Kim Phelps, cabinet members, and staff for their professionalism and dedication. Mrs. Beatty was then excused from the meeting.

Public Comments: Kim Garnier, Gabriela Dow, Jana Johnson, and Janet Lettang spoke regarding outgoing Board Member Kimberley Beatty.

Superintendent Kim Phelps presented Ms. Michelle O'Connor-Ratcliff with a plaque in special recognition for her service as President of the Poway Unified School District Board of Education, from December 2019 to December 2020.

3.6(c) Re-elected Board Member Comments and New Board Member Comments

Re-elected Board Member Dr. Darshana Patel is honored to serve and represent the community for another four years and thanked the community for their overwhelming show of support.

Newly elected Board Member Dr. Cindy Sytsma thanked Superintendent Kim Phelps, the Poway Unified community, and fellow Board Members for this opportunity and accepted her position with sincere gratitude.

Newly elected Board Member Dr. Cindy Sytsma took her seat at the dais.

3.6(d) Organizational Meeting of the Board – Election of Officers, Appointment of Board Representatives to Committees, and Confirmation of 2021 Regular Board Meeting Dates

Board President Michelle O'Connor-Ratcliff called for the election of a new President and requested nominations. Mr. Zane nominated Mrs. Ginger Couvrette. There were no other nominations. Mrs. Ginger Couvrette accepted the nomination and the position as Board President. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: O'Connor-Ratcliff, Couvrette, Zane, Patel, and Sytsma. Motion carried unanimously, 5-0.*

Board President Ginger Couvrette called for the election of a new Vice President and requested nominations. Ms. O'Connor-Ratcliff nominated Mr. Zane. There were no other nominations. Mr. Zane accepted the nomination and the position as Board Vice President. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

Board President Ginger Couvrette called for the election of a new Clerk and requested nominations. Ms. O'Connor-Ratcliff nominated Dr. Patel. There were no other nominations. Dr. Patel accepted the nomination and the position as Board Clerk. Preferential vote Aye by

Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

3.6(d) (continued) Appointments by the President:

County Board of Education Representative: Michelle O'Connor-Ratcliff
California Association of Suburban School Districts (CALSSD) Representatives: Dr. Darshana Patel, Dr. Cindy Sytsma, Ginger Couvrette
California School Boards Association (CSBA) Delegate Assembly: Dr. Darshana Patel
Palomar Health: Dr. Cindy Sytsma
City of Poway Subcommittee Liaisons: T.J. Zane, Ginger Couvrette
City of San Diego Subcommittee Liaisons: Michelle O'Connor-Ratcliff, Dr. Darshana Patel
Poway Chamber of Commerce Liaison: Dr. Cindy Sytsma
San Diego North Chamber of Commerce Liaison: T.J. Zane
Palomar Council PTA Board Representative: Rotating
San Diego County Board of Supervisors Representative: Michelle O'Connor-Ratcliff
Personnel Commission Liaison: Michelle O'Connor-Ratcliff

On a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board confirmed the 2021 Regular Board Meeting dates as presented. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

3.6(e) A Short Recess was called for reorganization of the dais at 6:47 p.m. Board President Ginger Couvrette reconvened the meeting at 6:56 p.m.

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Kaia Thakkar from Dear Canyon Elementary School, Jose Torres from Del Norte High School, Asha Jahanian from Meadowbrook Middle School, and Maddie Migliori from Mt. Carmel High School, reported on events and activities at their respective schools.

4.2 Public Comments

PUSD is moving to live public comments (via Zoom) and is no longer accepting written comments to be read aloud at the meeting. If you wish to address the Board directly during the meeting, fill out a public speaker request form bit.ly/PUSDSpeakerRequestForm.

The speaker request form must be submitted during the following times on the day of the Board Meeting:

- Closed Session Public Speaker Requests: 1:00 p.m. - 3:30 p.m.
- Open Session Public Speaker Requests: 1:00 p.m. – 5:00 p.m.

Upon submission of the form, you will receive instructions on how to join via Zoom or by telephone. **Individual speakers are limited to 3-minutes, and there is a 15-minute time limit per topic.** When time is up, your microphone will be muted.

To Submit Written Comments:

If you wish to provide written comments as part of the record, you may submit your comments to bit.ly/PUSDWrittenComments. **Written comments will not be read aloud during the meeting, but will be provided to the Board Members.** Once the Board Agenda is posted on the Monday prior to the Board Meeting, written comments will be

accepted until 5:00 p.m. on the day of the Board Meeting. Written comments are limited to 400 words. Please be advised that any communications directed to the Poway Unified School District, including Board members and District staff, are subject to disclosure pursuant to the California Public Records Act. Communications will not be edited for redactions, except in compliance with State law.

Public Comments:

- Heather Plotzke shared a statement from the CAC about services for the Special Education population if Poway Unified School District extends 2-weeks past winter break for online learning only.
- Alberto Felix requested ESS to close with the rest of the schools if Poway Unified School District extends 2-weeks past winter break for online learning only.
- Laarissa Carey spoke against the 2-week extension after winter break.
- Tatiana Dupuy spoke against the Surplus Real Property known as the Black Mountain Ranch Southern Site.

4.3 Mental Health Days Initiative

This item was presented as information only.

Public Comments: Winnie Xu, May Lauritzen, Annabel Ng, Sally Scott, and Aakarsh Vermani spoke regarding the Mental Health Days Initiative.

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. 06-2021
- b. Approval of Classified Personnel Report No. 06-2021
- c. Approval of Education Fieldwork Agreement with the University of Redlands
- d. Approval of the Teacher Prep Clinical Agreement with California State University, San Marcos
- e. Approval of Resolution No. 28-2021 Entitled “Authorization to Teach Out of Major or Minor Fields”

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 05-2021
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for November 2020

- d. Approval of Resolution No. 24-2021 Entitled “Declaration of Intention to Dedicate an Easement to San Diego Gas and Electric Company, A Corporation (SDG&E), at Twin Peaks Center”
- e. Acknowledgment of Enrollment Report No. 2/2020-2021
- f. Adoption of the 2021-2022 Budget Development Calendar
- g. Approval of Memorandum of Understanding Between the City of Poway and Poway Unified School District for Meadowbrook Middle School Gymnasium Fire Alarm System Improvements
- h. Approve Resolution No. 29-2021 Entitled “Authorize and Award the Execution of Lease-Leaseback Contract Documents and Other Acts for the Rancho Bernardo High School Building N Modernization Project”
- i. Approve Resolution No. 30-2021 Entitled “Authorize and Award the Execution of Lease-Leaseback Contract Documents and Other Acts for the Del Norte High School Expansion, Field, and Lighting Project”
- j. Approval of Resolution No. 26-2021 Entitled “Ordering Judicial Foreclosure Pursuant to the Mello-Roos Community Facilities Act of 1982 of Certain Properties for which the Payment of Special Taxes are Delinquent, Approving and Ratifying Certain Actions of Special Counsel, and Ordering that the Tax Collector be Credited with those Special Taxes”

5.4 Consent Calendar – Learning Support Services

- a. Adoption of Ethnic Studies and Ethnic Literature as New High School Courses
- b. Adopt Middle School Supplemental Texts
- c. Approval of the District-Level Title I, Part A, Parent and Family Engagement Policy for the 2020-2021 School Year
- d. Approval of Updated California School Boards Association (CSBA) Board Policies 5132 Dress and Grooming and 5145.3 Nondiscrimination/ Harassment

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 as presented. *Ayes: Couvrette, Zane, Patel, O’Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

6.0 PERSONNEL SUPPORT SERVICES

- 6.1 Public Hearing and Approval of the Initial Proposal for Contract Negotiations from the Board of Education to the Poway Federation of Teachers (PFT) 2021-2022**
Board President Ginger Couvrette opened a public hearing at 8:00 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at 8:01 p.m. On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved the Initial Proposal for Contract Negotiations from the Board of Education to the Poway Federation of Teachers (PFT) 2021-2022 as presented. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*
- 6.2 Approval of Revisions to Board Policy 4.318, "Exempt Positions – Salary Schedule"**
On a motion by Dr. Patel, and a second by Mr. Zane, the Board approved the Board Policy 4.318, "Exempt Positions – Salary Schedule" as presented. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*
- 6.3 Approval of Resolution No. 31-2021 Entitled "Adoption of Supplemental Retirement Plan for Poway Federation of Teachers -Represented Employees" and Review of Enabling Documents**
On a motion by Dr. Sytsma, and a second by Mr. Zane, the Board approved Resolution No. 31-2021 as presented. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*
- 6.4 Initial Proposal for Contract Negotiations from the Poway Federation of Teachers (PFT) to the Board of Education 2021 – 2022**
On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved the Contract Negotiations from the Poway Federation of Teachers (PFT) to the Board of Education 2021-2022 as presented. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*
- 6.5 Student Attendance Calendars 2021-2022 & 2022-2023 – First Reading**
This item was a first reading only.

7.0 BUSINESS SUPPORT SERVICES

- 7.1 Approval of Resolution No. 27-2021 Entitled "Authorization to Borrow Funds for Fiscal Year 2020-2021 and the Issuance and Sale of a 2020-2021 Cross Fiscal Year Tax Revenue Anticipation Note in an Amount Not to Exceed \$20 Million and Participation in the California Education Notes Program"**
On a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board approved Resolution No. 27-2021 and the Issuance and Sale of a 2020-2021 Cross Fiscal Year Tax Revenue Anticipation Note in an amount not to exceed \$20 Million and Participation in the California Education Notes Program as presented. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

Board President Ginger Couvrette called for a brief recess of the Poway Unified School District Board of Education Meeting at 8:12 p.m., to hear the Poway Unified School District Public Financing Authority agenda item 7.2.

Board President Ginger Couvrette called to order the Poway Unified School District Public Financing Authority at 8:12 p.m.

7.2 Approval of Resolution No. 25-2021 Entitled “Appointing the Associate Superintendent, Business Support Services as the Auditor and Treasurer of the Poway Unified School District Public Financing Authority”

On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved Resolution No. 25-2021 as presented. *Ayes: Ginger Couvrette, T.J. Zane, Darshana Patel, Marian Kim Phelps, and Ron Little. Motion carried unanimously, 5-0.*

Board President Ginger Couvrette adjourned the Poway Unified School District Public Financing Authority at 8:15 p.m.

The regular Board of Education Meeting was called back in session at 8:15 p.m. by Board President Ginger Couvrette, she then called for a short recess and reconvening at 8:27 p.m.

8.0 LEARNING SUPPORT SERVICES

8.1 Ratification of Stipulated Agreement for Student Expulsion

On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved the Ratification of Stipulated Agreement for Case No. 2020-2021.01. *Ayes: Couvrette, Zane, Patel, and O’Connor-Ratcliff. Motion carried, 4-0.*

8.2 Readmission of Students 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 No. 2019-2020.20. *Ayes: Couvrette, Zane, Patel, and O’Connor-Ratcliff. Motion carried, 4-0.*

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 No. 2019-2020.21. *Ayes: Couvrette, Zane, Patel, and O’Connor-Ratcliff. Motion carried, 4-0.*

8.3 Poway Unified School District 2020-2021 Reopening Update

Following discussion, on a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Board approved the recommendation from Presentation Slide No. 20: Temporarily suspend on campus learning, all campuses fully virtual January 4, 2021, to January 15, 2021, (10 days). Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, Patel, O’Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

Following discussion, on a motion by Mr. Zane, and a second by Ms. O’Connor-Ratcliff, the Board approved the recommendation from Presentation Slide No. 21: On January 19, 2021, Elementary Students (who chose in-person learning) will return to campus to resume the daily AM/PM schedule. Students receiving in-person special education services will return to campus. Secondary Students (who chose in-person learning) will return on campus on the concurrent A/B model. Note: Valley returns from winter break on January 7, 2021, they will be virtual through January 20 and open on campus January 21, 2021. Abraxas returns from winter break on January 13, 2021, they will be virtual through January 15, 2021, and open on campus January 19, 2021. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, Patel, O’Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

Following discussion, on a motion by Ms. O’Connor-Ratcliff, and a second by Dr. Sytsma, the Board approved the recommendation from Presentation Slide No. 22: Close all Programs January 4, 2021, through January 15, 2021. ESS programs closed for these 10-days and all preschool programs will be virtual. All students will learn from home virtually with their

existing teachers. IEP's and Assessments will be done virtually the first two weeks of January 2021. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

Public Comments: Steve Inman, Emily Stewart, Derek Shafer, and Danielle Allphin spoke regarding the 2020-2021 Reopening Update.

9.0 **STUDENT SUPPORT SERVICES**

10.0 **TECHNOLOGY AND INNOVATION**

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 Poway Unified School District being awarded a CSBA Golden Bell Award for School Culture and Safety, highlighting our Districtwide No Place for Hate efforts, anti-bias training for staff, See Something Say Something tip line, safety committee work, SAVE promise clubs, as well as our anti-racism resolution and equity improvement planning.
- Dr. Kim Phelps spoke about the Adopt-A-Family program adopting 400 families and thanked the families and employees participating to support our school sites and District foundations.

(a) **Student Recognition**

Accomplishments and awards earned by students were recognized.

(b) **Staff Recognition**

Accomplishments and awards earned by staff were recognized.

(c) **School Recognition**

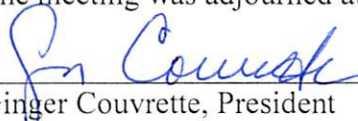
Accomplishments and awards earned by schools were recognized.

13.0 **CLOSED SESSION**

There were no additional items discussed in Closed Session.

14.0 **ADJOURNMENT**

The meeting was adjourned at 10:17 p.m.


Ginger Couvrette, President


Dr. Darshana Patel, Clerk


Dr. Marian Kim Phelps, Secretary

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