



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

January 14, 2021
Virtual/Video Conferencing

CLOSED SESSION

Board President Ginger Couvrette called the meeting to order at 4:02 p.m. to receive public comment on the closed session agenda items. Following public comments, all Board members convened to closed session via Virtual/Video Conferencing. The closed session was adjourned at 5:50 p.m., and Board members reconvened Virtual/Video Conferencing to begin their regular meeting and relay any reportable action taken during closed session.

Public Comments: Gina Guzzo, Marc Fishleder, Tatiana Dupuy, and Shannon Matwiyoff 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.** **Case No. 2020100239**
 - b.** **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**
- 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
- 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
- a. **Real Property:** Approximately 27.22 acres of vacant land located at the intersection of Carmel Valley Road and Camino Del Sur; APNs 306-020-32, 306-250-27 and 312-293-11 (“Property”).
- Negotiating Parties:** Poway Unified School District, real property negotiators Ron Little, Associate Superintendent, Business Support Services and District legal counsel (Proposed Lessor/Seller/Exchangor), and an unidentified number of potential lessees, buyers or exchangees for the Property which may lease or acquire all or a portion of the Property through request for proposal processes (Proposed Lessee(s)/Buyer(s)/Exchangee(s)).
- Under Negotiation:** Guidance and direction to negotiators regarding issues associated with possible lease and/or sale of all or part of the identified Property.

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

3.1 Board President Ginger Couvrette reconvened the Virtual/Video Conferencing meeting in Public Session at 6:04 p.m. and invited everyone to join as she led the salute to the flag. She then asked for a moment of silence in memory of Oak Valley Middle School Teacher, Janet Chiu who passed away earlier this month.

3.2 **Report Out of Closed Session**

2.1-a: Clerk Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, **Case No. 2020100239**, on a motion by Ms. O’Connor-Ratcliff and a second by Mr. Zane, the Board voted to approve the final settlement. ***Ayes: Couvrette, Zane, Patel, O’Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.***

- a. 2.7-a: Clerk Patel reported that in the matter of Conference with Real Property Negotiator Pursuant to Government Code 54956.8.
- Real Property:** Approximately 27.22 acres of vacant land located at the intersection of Carmel Valley Road and Camino Del Sur; APNs 306-020-32, 306- 250-27 and 312-293-11 (“Property”).
- Negotiating Parties:** Poway Unified School District, real property negotiators Ron Little, Associate Superintendent, Business Support Services and District legal counsel (Proposed Lessor/Seller/Exchangor), and an unidentified number of potential lessees, buyers or exchangees for the Property which may lease or acquire all or a portion of the Property through request for proposal processes (Proposed Lessee(s)/Buyer(s)/Exchangee(s)).
- Under Negotiation:** Guidance and direction to negotiators regarding issues associated with possible lease and/or sale of all or part of the identified Property.

2.7-a Board report as follows: Tonight in closed session, by Board Consensus, the Board provided direction to its Real Property Negotiators and legal counsel to forgo finalizing any Option Agreement and/or Ground Lease with Costco Wholesale for a period of ninety (90) days, during which time the District will continue to engage interested parties and Costco about the proposed ground lease transaction, as well as possible alternatives.

There was no other reportable action taken in closed session.

3.3 **Members in Attendance**

All Board members were in attendance via Virtual/Video Conferencing, including Student Board Member Emily Bylsma.

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 Ms. O'Connor-Ratcliff, and a second by Dr. Patel, the agenda/sequence was approved as presented. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Amy Nguyen from Rancho Bernardo High School and Jeslyn Tran from Oak Valley Middle school reported on events and activities at their respective schools. Riandra Turner from Abraxas High School was absent.

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: No 4.2 public comments.

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. 07-2021
- b. Approval of Classified Personnel Report No. 07-2021

- c. Approval of the Williams Settlement Quarterly Report for December 2020
- d. Approval of the Clinical Affiliation Master Agreement with MGH Institute of Health Professionals, Inc., Massachusetts
- e. Approval of the Practicum Agreement for Placement Outside Oregon Speech-Language Pathology Assistant Program with Chemeketa Community College/ Yamhill Valley, Oregon
- f. Approval of the Affiliation Agreement with Idaho State University
- g. Approval of Resolution No. 33-2021 Entitled “Revision of Date for Observance of ‘Lincoln Day’ 2022 and 2023”

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 06-2021
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for December 2020
- d. Acknowledgement of Enrollment Report No. 3/2020-2021
- e. Award Bid 2021-05 Meadowbrook Middle School Fire Alarm

5.4 Consent Calendar – Learning Support Services

- a. Approval/Ratification of the Memorandum of Agreement with the San Diego County Superintendent of Schools Relating to the 2020-2021 After School Education and Safety (ASES) Grant
- b. Approval of Interdistrict Attendance Agreements with School Districts in San Diego and Other Counties
- c. Approval of School Plan for Student Achievement (SPSA) for Elementary, Middle, and High Schools for 2020-2021
- d. Approval of Updated California School Boards Association (CSBA) Board Policies 5127 Graduation Ceremonies and Activities, 5144 Discipline, and 5144.1 Suspension and Expulsion/Due Process

5.5 Consent Calendar – Student Support Services

- a. Approval of Resolution No. 32-2021 Entitled “National School Counseling Week 2021”

5.6 Consent Calendar – Technology and Innovation

5.7 Consent Calendar – Superintendent

- a. Acceptance of Gift(s)

On a motion by Dr. Patel, 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 Approval of the Memorandum of Understanding Between the Poway Unified School District (PUSD) and the Poway School Employees Association (PSEA) Unit I to Include the California Minimum Wage Increase and Revisions to the Salary Schedule
Following discussion, on a motion by Mr. Zane, and a second by Dr. Patel, the Board approved Memorandum of Understanding Between the Poway Unified School District and the Poway School Employees Association (PSEA) Unit I to include the California minimum wage increase and revisions to salary schedule as presented. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

6.2 Approval of the Memorandum of Understanding Between the Poway Unified School District (PUSD) and the Poway School Employees Association (PSEA) Unit II to Include the California Minimum Wage Increase and Revisions to the Salary Schedule
On a motion by Mr. Zane, and a second by Ms. O'Connor-Ratcliff, the Board approved Memorandum of Understanding Between the Poway Unified School District and the Poway School Employees Association (PSEA) Unit II to include the California minimum wage increase and revisions to salary schedule as presented. *Ayes: Couvrette, Zane, Patel, O'Connor-Ratcliff, and Sytsma. Motion carried unanimously, 5-0.*

6.3 Adoption of the 2021-2022 and 2022-2023 Student Attendance Calendars
On a motion by Ms. O'Connor-Ratcliff, and a second by Dr. Sytsma, the Board approved the 2021-2022 and 2022-2023 Student Attendance Calendars 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.*

7.0 BUSINESS SUPPORT SERVICES

7.1 Public Hearing and Approval of Resolution No. 34-2021 "Dedication of Easement to San Diego Gas & Electric Company, a Corporation (SDG&E), at Twin Peaks Center"
Board President Ginger Couvrette opened a public hearing at 6:26 p.m. to hear any public comments on this item. Hearing none, the public hearing was closed at 6:27 p.m.
On a motion by Dr. Patel, and a second by Ms. O'Connor-Ratcliff, the Board approved Resolution No. 34-2021 as presented. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Patel, O'Connor-Ratcliff, and Sytsma. Abstain: Zane. Motion carried, 4-0.*

7.2 Annual Report for Fiscal Year 2019-2020 Required for the Collection of Statutory (Level 1) and Alternative (Level 2/3) School Fees, Pursuant to Government Code Sections 66001 and 66006
This item was presented as information only.

8.0 LEARNING SUPPORT SERVICES

8.1 Poway Unified School District 2020-2021 Reopening Update
Following discussion, on a motion by Dr. Patel, and no second the motion failed for Presentation Slide No. 20 number 1: Starting on January 19, 2021, resume childcare support for families through ESS and Full-Day Preschool; individual special education assessments, instruction, and related supports and services will resume on a case by case basis.

Following further discussion, on a motion by Dr. Patel, and a second by Mr. Zane, the Board approved the recommendation on Presentation Slide No. 20 number 1: Starting on January 19, 2021, resume childcare support for families through ESS and Full-Day Preschool; individual special education assessments, instruction, and related supports and services will resume on a case by case basis. 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 Board President Ginger Couvrette, the Board approved the recommendation on Presentation Slide No. 20 number 2: January 25, 2021, through February 1, 2021, resume elementary on campus learning, AM/PM schedule; special education classes (preschool through adult transition) will resume on campus; and small groups at middle and high schools can return to campus. Preferential vote Aye by Student Board Member Emily Bylsma. *Ayes: Couvrette, Zane, and O'Connor-Ratcliff. Noes: Patel. Abstain: Sytsma. Motion carried, 3-0.*

Following discussion, on a motion by Ms. O'Connor-Ratcliff, and a second by Mr. Zane, the Board approved the recommendation on Presentation Slide No. 21 number 3: Open middle and high schools for on campus learning pending San Diego County return to the Red Tier. Five days after we return to the Red Tier, middle and high schools will open with concurrent model on A/B schedule. 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: Kodi Keller, Steve Inman, Laarissa Carey, Mary Carpenter, Tara Hutter and Casey Allphin spoke regarding the 2020-2021 Reopening Update.

9.0 STUDENT SUPPORT SERVICES

9.1 Mental Health Days Initiative: Approval of Resolution No. 35-2021 Entitled "Excused Absences for Mental Health"

Following discussion, on a motion by Dr. Patel, and a second by Mr. Zane, the Board approved Resolution No. 35-2021 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.*

Public Comment: Aakarsh Vermani spoke regarding the Mental Health Days Resolution No. 35-2021.

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 High School Senior Ryan Whitson being selected to perform in the virtual All-National Honor Ensemble for the National Association for

Music Education. He will be performing virtually in the Symphony Orchestra, as the only student chosen from San Diego County.

- Dr. Kim Phelps spoke about January 2021 being School Board Recognition Month, and thanked our five PUSD Trustees for their tireless efforts devoted to students and the District: Ginger Couvrette, T.J. Zane, Dr. Darshana Patel, Michelle O'Connor-Ratcliff, and Dr. Cindy Sytsma.

(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 8:58 p.m.



Ginger Couvrette, President



Dr. Darshana Patel, Clerk



Dr. Marian Kim Phelps, Secretary

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