



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

November 18, 2021
Virtual/Video Conferencing

CLOSED SESSION

Board President Ginger Couvrette 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 via virtual conferencing. The closed session was adjourned at 5:02 p.m., and Board members reconvened via virtual/video conferencing 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** 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. ADR10072021**
 - b.** **Case No. OAH 2021060399**
 - c.** **Case No. OAH 2021080374**
 - d.** **Case No. OAH 2021060669**
 - e.** **Case No. OAH 2021080421**
 - f.** **Case Nos. OAH 2021080326 & 2021050695**
- 2.2** 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. 2021-2022.05**
 - b.** **Case No. 2021-2022.06**
- 2.3** Negotiations – PFT, PSEA Unit I and Unit II, Management/Confidential and Real Property Pursuant to Government Code 54957.6 and 54956.8
- a.** **District Agent: James Jimenez**

3.0 RECONVENE / CALL TO ORDER AND PLEDGE OF ALLEGIANCE

3.1 Board President Ginger Couvrette reconvened the meeting in Public Session via virtual/video conferencing at 6:01 p.m. and invited everyone to join as she led the salute to the flag.

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. ADR 10072021, on a motion by Ms. O'Connor-Ratcliff and a second by Mr. Zane, the Board voted to approve the final settlement.

Ayes: Zane, Patel, O'Connor-Ratcliff, and Sytsma. Recuse: Couvrette. Motion carried, 4-0.

2.1-b: Clerk Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021060399, on a motion by Mr. Zane and a second by Ms. O'Connor-Ratcliff, the Board voted to approve the final settlement.

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

2.1-c: Clerk Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021080374, on a motion by Mr. Zane and a second by Ms. O'Connor-Ratcliff, the Board voted to approve the final settlement.

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

2.1-d: Clerk Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021060669, on a motion by Mr. Zane and a second by Ms. Couvrette, the Board voted to approve the final settlement.

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

2.1-e: Clerk Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021080421, on a motion by Ms. O'Connor-Ratcliff and a second by Ms. Couvrette, the Board voted to approve the final settlement.

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

2.1-f: Clerk Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case Nos. OAH 2021080326 and 2021050695, on a motion by Mr. Zane and a second by O'Connor-Ratcliff, the Board voted to approve the final settlement.

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

2.2-a: Clerk Patel reported that in the matter of Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, Case No. 2021-2022.05, **the Board will take action in open session, agenda item 8.1.**

2.2-b: Clerk Patel reported that in the matter of Pupil Personnel – Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, Case No. 2021-2022.06, **the Board will take action in open session, agenda item 8.1.**

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 Winnie Xu.

3.4 Welcome to Public

Student Board Member Winnie Xu 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. Sytsma, the agenda/sequence was approved as presented. Preferential vote Aye by Student Board Member Winnie Xu.

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 Alvin Li from Del Norte High School, Charlie Hicock from Mt. Carmel High School, Isabella Schellhase from Meadowbrook Middle School, and Kayla Ricks from Shoal Creek Elementary School reported on events and activities at their respective schools.

4.2 Public Comments

Public Comments:

- Erica Rangel, Nateal Jackson, Lindsay Ball, Lenice Sechrist, Chris Henry, Casey Doan, Mary Costello, Frida Brunzell, spoke on the topic of Ethnic Studies and Ethnic Literature. The 15 minute time limit was reached. Seven other speakers submitted cards to speak on this topic.
- Tracey Cooke spoke about PUSD bus drivers working during the pandemic.
- Debra Nunez spoke regarding unfilled classified positions and shortage of substitutes.

4.3 Trustee Area Boundaries

This item was presented as 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. 04-2022
- b. Approval of Classified Personnel Report No. 04-2021

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 04-2021
- b. Ratification of District Purchase Orders

- c. Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for October 2021
- d. Acknowledgment of Enrollment Report No. 2/2021-2022
- e. Approval of Resolution No. 17-2022 Entitled “Authorization to Purchase Classroom and Office Furniture by the Poway Unified School District through the Torrance Unified School District Bid No. 10-04.09.19”
- f. Approval of Selection of Consultants to Provide Construction Professional Service Consultants for Modernization, New Construction, and Other Projects
- g. Award Bid 2022-06 Mt. Carmel Performing Arts Center Repairs to Burner Construction Corp.
- h. Acknowledgment of Quarterly Disclosure of Local Agency Investments for Poway Unified School District
- i. Acknowledgment of Quarterly Disclosure of Local Agency Investments for Community Facilities Districts Nos. 1 through 16
- j. Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- k. Approval of Resolution No. 18-2022 Entitled “Opposition to Proposed Net Energy Metering (NEM) Policy Changes Presented by California’s Investor Owned Utilities (IOU’S) to the California Public Utilities Commission (CPUC) that will have Significant Adverse Impacts on the Viability of New Solar Projects on California Schools”
- l. Approval of Letter of Intent for the Development of a Potential Districtwide Solar Project

5.4 Consent Calendar – Learning Support Services

- a. Approval of Out-of-State Field Trips
- b. Approval of District-Level Title I, Part A, Parent and Family Engagement Policy for the 2021-2022 School Year
- c. Approval of 2021-2022 School Plan for Student Achievement (SPSA) for Middle and High Schools

5.5 Consent Calendar – Student Support Services

- a. Approval of the Updated 2021-2022 Special Education Community Advisor Committee (CAC) Members
- b. Approval of the Updated California School Boards Association (CSBA) Board Policy 6159.2 – Nonsectarian School and Agency Services for Special Education

5.6 Consent Calendar – Technology and Innovation

5.7 Consent Calendar – Superintendent

- a. Acceptance of Gift(s)
- b. Approve December 16, 2021, as the 2021 Organizational Meeting of the Poway Unified School District’s Board of Education

On a motion by Dr. Patel, and a second by Ms. O’Connor-Ratcliff, 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 Additional Holiday Compensation for Classified Employees who Worked on June 18, 2021

On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved holiday compensation for classified employees who worked on June 18, 2021.

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

6.2 Approval of New Classification – Visual and Performing Arts Specialist

On a motion by Mr. Zane, and a second by Dr. Patel, the Board approved the new classification of Visual and Performing Arts Specialist as presented.

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

Public Comment:

Janet Lettang spoke about the VAPA Specialist position.

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

This item was presented as information only.

7.0 BUSINESS SUPPORT SERVICES

7.1 Authorization to Execute the First Amendment to the Final Guaranteed Maximum Price for the Del Norte High School Expansion, Field and Lighting Project

On a motion by Mr. Zane, and a second by Ms. Couvrette, the Board approved the execution of the First Amendment to the Construction Services, Sublease, and Site Lease Agreements to approve the Final Guaranteed Maximum Price (GMP) for the Del Norte High School Expansion, Field and Lighting Project. Preferential vote Aye by Student Board Member Winnie Xu.

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

7.2 Transportation Update on Late School Start Mandate (SB 328)

This item was presented as information only.

8.0 LEARNING SUPPORT SERVICES

8.1 Ratification of Stipulated Agreements for Student Expulsion

On a motion by Dr. Sytsma and a second by Dr. Patel, the Board approved the Stipulated Agreement for Case No. 2021-2022.05 as presented.

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

On a motion by Mr. Zane and a second by Dr. Patel, the Board approved the Stipulated Agreement for Case No. 2021-2022.06 as presented.

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

8.2 Readmission of Student Expulsion

On a motion by Dr. Sytsma and a second by Ms. Couvrette, the Board approved the readmission of student expulsion for Case No. 2020-2021.02 as presented.

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

8.3 Educator Effectiveness Block Grant Expenditure Plan - First Reading

This item was presented as first reading only.

8.4 Health and Safety Protocol Update and California Department of Public Health (CDPH) Guidance Updates

This item was presented as information only.

Public Comments: Cheryl Giustiniano, Byron Yafuso, and Jessica Reimer spoke regarding health and safety protocols updates.

9.0 STUDENT SUPPORT SERVICES

10.0 TECHNOLOGY AND INNOVATION

10.1 Connect Academy Update

This item was presented as information only.

11.0 SUPERINTENDENT

11.1 Approval to Conduct the Regularly Scheduled PUSD Board of Education Meeting, Commencing December 16, 2021, Online via Virtual/Video Conferencing, Pursuant to AB 361.

On a motion by Dr. Patel and a second by Ms. O'Connor-Ratcliff, the Board approved conducting the December 16, 2021, Board of Education Meeting online, via virtual/video conferencing, pursuant to AB 361. Preferential vote Aye by Student Board Member Winnie Xu. *Ayes: Couvrette, Patel, O'Connor-Ratcliff, and Sytsma. Noes: Zane. Motion carried, 4-1.*

Public Comments: Employee X, Christine Paik, Michele Wilson-Manos, and Kimberlie Rens spoke on the topic of virtual PUSD Board Meetings.

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 opening of the new PUSD Japanese language and culture program.
- Dr. Kim Phelps spoke about choosing gratitude.

(a) Student Recognition

Accomplishments and awards earned by students were recognized.

(b) School Recognition

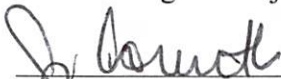
Accomplishments and awards earned by schools were recognized.

13.0 CLOSED SESSION

There were no additional items discussed in Closed Session.

14.0 ADJOURNMENT

The meeting was adjourned at 9:39 p.m.



President



Clerk



Dr. Marian Kim Phelps, Secretary

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