



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

January 13, 2022
District Office Community Room

CLOSED SESSION

Board President T.J. Zane called the meeting to order at 4:04 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 6:00 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 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. PERB Case No. LA-CE-6508-E

b. Case No. ADR 12032021

c. Case No. ADR 12142021

d. Case No. OAH 2021080641

e. Case No. OAH 2021080729

f. Case No. OAH 2021090835

g. Case No. OAH 2021110603

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 Potential 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. 2021-2022.11 – Stipulated Agreement

b. Case No. 2020-2021.04 – Readmission

c. Case No. 2021-2022.04 – Review of Administrative Placement

- 2.4 Negotiations – PFT, PSEA Unit I and Unit II, Management/Confidential Pursuant to Government Code 54957.6
- 2.5 Public Employee Discipline/Dismissal/Release/Reassignment/Resignation/Non-reelection Pursuant to Government Codes 54954.5(e), and 54957
- 2.6 Public Employee Appointment/Employment Pursuant to Government Code 54957
 - a. **Superintendent Goals and Mid-Year Evaluation**
- 2.7 Conference with Real Property Negotiator Pursuant to Government Code 54956.8
 - a. **Real Property:** Poway Center for the Performing Arts (PCPA) Parcel Number 278-450-27-00 (“Property”).
Negotiating Parties: Poway Unified School District, real property negotiators Ron Little, Associate Superintendent, Business Support Services (Lessee), and City of Poway (Lessor).
Under Negotiation: Negotiations will concern the District’s facilities use and terms, and potential capital improvement projects.

3.0 RECONVENE / CALL TO ORDER AND PLEDGE OF ALLEGIANCE

3.1 Board President T.J. Zane reconvened the meeting in Public Session at 6:07 p.m. and invited everyone to join as he led the salute to the flag.

3.2 Report Out of Closed Session

2.1-a: Clerk O’Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, PERB Case No. LA-CE-6508-E, on a motion by Dr. Patel and a second by Ms. Couvrette, the Board voted to approve a settlement agreement resolving the unfair practice charge filed by PSEA concerning the alleged unlawful changes to Article 21.2 of the parties’ collective bargaining agreement.

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

2.1-b: Clerk O’Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. ADR 12032021, on a motion by Dr. Patel and a second by Ms. Couvrette, the Board voted to approve the settlement agreement.

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

2.1-c: Clerk O’Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. ADR 12142021, on a motion by Ms. Couvrette and a second by Dr. Sytsma, the Board voted to approve the settlement agreement.

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

2.1-d: Clerk O’Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021080641, on a motion by Mr. Zane and a second by Dr. Patel, the Board voted to approve the settlement agreement.

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

2.1-e: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021080729, on a motion by Dr. Patel and a second by Dr. Sytsma, the Board voted to approve the settlement agreement.

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

2.1-f: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021090835, on a motion by Ms. Couvrette and a second by Mr. Zane, the Board voted to approve the settlement agreement.

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

2.1-g: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2021110603, on a motion by Ms. O'Connor-Ratcliff and a second by Dr. Sytsma, the Board voted to approve the settlement agreement.

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

2.2-a: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Anticipated Litigation, 1 potential case, the Board has given direction to its legal counsel to initiate litigation under certain criteria. The particulars of such litigation, including the action and the defendants, will be disclosed if formal proceedings are commenced.

2.3-a: Clerk O'Connor-Ratcliff reported that in the matter of Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, Case No. 2021-2022.11 – Stipulated Agreement, there was no reportable action in closed session. **The Board took action in open session on agenda item 8.1.**

2.3-b: Clerk O'Connor-Ratcliff reported that in the matter of Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, Case No. 2020-2021.04 – Readmission, there was no reportable action in closed session. **The Board took action in open session on agenda item 8.2.**

2.3-c: Clerk O'Connor-Ratcliff reported that in the matter of Student Expulsion(s), Disciplinary Matter(s), and Other Confidential Student Matters, Case No. 2021-2022.04 – Review of Administrative Placement, there was no reportable action taken.

2.6-a: Clerk O'Connor-Ratcliff reported that in the matter of Public Employee Appointment /Employment, Superintendent Mid-Year Evaluation and Goals, there was no reportable action taken.

2.7-a: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Real Property Negotiator Pursuant to Government Code 54956.8, there was no reportable action taken.

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

At staff's request, agenda item 5.4(b) was pulled from the agenda. On a motion by Ms. Couvrette, and a second by Dr. Patel, the agenda/sequence was approved as presented with the exception of item 5.4(b). Preferential vote Aye by Student Board Member Winnie Xu.

Ayes: Zane, Patel, O'Connor-Ratcliff, Sytsma and Couvrette. Motion carried unanimously, 6-0.

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Charlie Hicok from Mt. Carmel High School, Kody Mongold from Westview High School, Lilah Enyedi from Oak Valley Middle School, and Lily Roys from Sundance Elementary School reported on events and activities at their respective schools.

4.2 Public Comments

Public Comments:

Shayne McCool spoke about the California ethnic studies program.

Bill Huff spoke about continuing to keep schools open for in-person instruction.

Cheryl Giustiniano spoke about masking choice and policies.

4.3 Select and Approve a Final Trustee Area Boundaries Map

Following a presentation, on a motion by Ms. O'Connor-Ratcliff and a second by Dr. Sytsma, the Board voted to approve trustee area map scenario 4B. Preferential vote Aye by Student Board Member Winnie Xu.

Ayes: Zane, Patel, O'Connor-Ratcliff, Sytsma and Couvrette. Motion carried unanimously, 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. 06-2022

b. Approval of Classified Personnel Report No. 06-2022

c. Approval of the Williams Settlement Quarterly Report for December 2021

d. Approval of Speech and Hearing Sciences Student Placement Agreement with Arizona State University and the College of Health Solutions

5.3 Consent Calendar – Business Support Services

- a. Approval/Ratification of Contractual Services Report No. 06-2022
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for December 2021
- d. Acknowledgment of Enrollment Report No. 4/2021-2022

5.4 Consent Calendar – Learning Support Services

- a. Adoption of New High School Course
- b. Approval of 2020-2021 School Accountability Report Cards (SARC) for Elementary, Middle, and High Schools
- c. Approval/Ratification of Out-of-State Field Trip

5.5 Consent Calendar – Student Support Services

- a. Approval of Updated California School Boards Association (CSBA) Board Policy 0430 – Comprehensive Local Plan for Special Education
- b. Approval of Updated California School Boards Association (CSBA) Board Policy 0450 – Comprehensive Safety Plan
- c. Approval of Resolution No. 25-2022 Entitled “National School Counseling Week 2022”

5.6 Consent Calendar – Technology and Innovation

5.7 Consent Calendar – Superintendent

- a. Approval to Conduct Next Month’s Regular Board of Education Meeting Entirely Online, Via Virtual/Video Teleconferencing

On a motion by Ms. O’Connor-Ratcliff, and a second by Ms. Couvrette, the Consent Calendar was approved as presented with the exception of agenda item 5.4(b) which was pulled by staff under agenda item 3.5.

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

6.0 PERSONNEL SUPPORT SERVICES

6.1 Proposed 2022-2023 Year-Round Student Attendance Calendar for Valley Elementary – First Reading

This item was presented as first reading only.

6.2 Proposed 2022-2023 Year-Round Student Attendance Calendar for Abraxas High School – First Reading

This item was presented as a first reading only.

6.3 2020-2021 Annual Report of the Personnel Commission

This item was presented as information only.

Board President T.J. Zane called for a brief recess at 7:16 p.m., reconvening at 7:29 p.m.

7.0 BUSINESS SUPPORT SERVICES

7.1 Review and Acceptance of the 2020-2021 Financial, Compliance, and Program Audit
This item was presented as information only.

7.2 Long Range Facilities Master Plan Update
This item was presented as information only.

8.0 LEARNING SUPPORT SERVICES

8.1 Ratification of Stipulated Agreement for Student Expulsion
On a motion by Ms. Couvrette and a second by Dr. Patel, the Board voted to approve the Stipulated Agreement for Case No. 2021-2022.
Ayes: Zane, Patel, O'Connor-Ratcliff, Sytsma, and Couvrette. Motion carried unanimously, 5-0.

8.2 Readmission of Student on Expulsion
On a motion by Dr. Sytsma and a second by Ms. O'Connor-Ratcliff, the Board voted to approve the Readmission for Case No. 2020-2021.04.
Ayes: Zane, Patel, O'Connor-Ratcliff, Sytsma, and Couvrette. Motion carried unanimously, 5-0.

8.3 Proposed Adoption of New High School Course – First Reading
This item was presented as a first reading only.

8.4 Update on Palomar Community College District and Poway Unified School District Collaboration to Open a Middle College High School
This item was presented as information only.

8.5 January 2022 California Department of Public Health (CDPH) Health and Safety Updates
Public Comments:
Nicole Asch, Byron Yafuso, and Karen Vogue spoke about CDPH and vaccination mandates.
This item was presented as information only.

9.0 STUDENT SUPPORT SERVICES

10.0 TECHNOLOGY AND INNOVATION

10.1 Approval of California School Boards Association (CSBA) Board Policy 1313 – Civility
On a motion by Dr. Patel and a second by Ms. O'Connor-Ratcliff, the Board voted to approve the adoption of Board Policy 1313 – Civility.
Ayes: Zane, Patel, O'Connor-Ratcliff, Sytsma, and Couvrette. Motion carried unanimously, 5-0.

11.0 SUPERINTENDENT

11.1 Approval of Rescheduling the June 23, 2022, Regular Board Meeting to Thursday, June 16, 2022

On a motion by Dr. Patel and a second by Ms. Couvrette, the Board voted to approve rescheduling the June 23, 2022, Regular Board Meeting to June 16, 2022. Preferential vote Aye by Student Board Member Winnie Xu.

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

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:

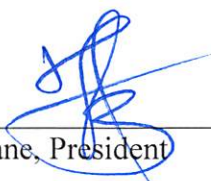
- Dr. Phelps announced that January is School Board Recognition Month and expressed her gratitude to all PUSD trustees for navigating the ongoing and unprecedented challenges that the recent months have presented, and for continuing to make the wellbeing of all PUSD students their first priority.
- Dr. Phelps also shared her appreciation for all of Team PUSD and their ongoing efforts to keep schools open throughout this school year.

13.0 CLOSED SESSION

There were no additional items discussed in Closed Session.

14.0 ADJOURNMENT


The meeting was adjourned at 9:42 p.m.



T.J. Zane, President



Michelle O'Connor-Ratcliff, Clerk



Dr. Marian Kim Phelps, Secretary

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