



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

June 16, 2022

District Office Community Room

CLOSED SESSION

Board President T.J. Zane called the meeting to order at 1:07 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 2:45 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. Case No. ADR 04272022

b. Case No. OAH 2022020366

c. Case No. OAH 2022030844

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

a. Case No. 2021-2022.06

b. Case No. 2020-2022.11

2.4 Negotiations – PFT, PSEA Unit I and Unit II, Management/Confidential Pursuant to Government Code 54957.6

a. District Agent: James Jimenez

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. Director of Transportation

b. Director of Food and Nutrition

c. Principal(s)

d. Superintendent's Evaluation

- 2.7 Conference with Real Property Negotiator Pursuant to Government Code 54956.8
Real Property: Poway Center for Performing Arts (PCPA) Parcel Number 278-450-27-00 (“Property”)
Negotiating Parties: Poway Unified School District, Real Property Negotiators Ron Little, Associate Superintendent, Business 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 3:03 p.m. and invited everyone to join him in as he led the salute to the flag.

3.2 **Report Out of Closed Session**

2.1-a: Dr. Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. ADR 04272022, on a motion by Dr. Sytsma and a second by Ms. Couvrette, the Board voted to approve the final settlement agreement.
Ayes: Zane, Patel, Sytsma, and Couvrette. Absent: O’Connor-Ratcliff.
Motion carried, 4-0.

2.1-b: Dr. Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2022020366, on a motion by Ms. Couvrette and a second by Dr. Sytsma, the Board voted to approve the final settlement agreement.
Ayes: Zane, Patel, Sytsma, and Couvrette. Absent: O’Connor-Ratcliff.
Motion carried, 4-0.

2.1-c: Dr. Patel reported that in the matter of Conference with Legal Counsel Pending/Existing Litigation, Case No. OAH 2022030844, on a motion by Ms. Couvrette and a second by Mr. Zane, the Board voted to approve the final settlement agreement.
Ayes: Zane, Patel, Sytsma, and Couvrette. Absent: O’Connor-Ratcliff.
Motion carried, 4-0.

2.3-a: Dr. Patel reported that in the matter of Pupil Personnel – Student Expulsions, Disciplinary Matters, and other Confidential Student Matters, Case No. 2021-2022.06, there was no reportable action in closed session. The Board will take action in open session, agenda item 8.1.

2.3-b: Dr. Patel reported that in the matter of Pupil Personnel – Student Expulsions, Disciplinary Matters, and other Confidential Student Matters, Case No. 2020-2022.11, there was no reportable action in closed session. The Board will take action in open session, agenda item 8.1.

2.4-a: Dr. Patel reported that in the matter of Negotiations, there was no reportable action taken.

2.6-a: Dr. Patel reported that in the matter of Public Employee Appointment, Director of Transportation, on a motion by Mr. Zane, and a second Dr. Sytsma, the Board voted to appoint Anton Lotter as the Director of Transportation.
Ayes: Zane, Patel, Sytsma, and Couvrette. Absent: O’Connor-Ratcliff.
Motion carried, 4-0.

2.6-b: Dr. Patel reported that in the matter of Public Employee Appointment, Director of Food and Nutrition, on a motion by Ms. Couvrette and a second by Mr. Zane, the Board voted to appoint Joseph Vaughn as the Director of Food and Nutrition.

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

2.6-d: Clerk O'Connor-Ratcliff reported that in the matter of Public Employee Appointment/Employment, Superintendent's Evaluation, no reportable action was taken in closed session.

In all other closed session matters, there was no other reportable action taken. Closed session adjourned at 2:45 p.m.

3.3 Members in Attendance

All Board members were in attendance except for Michelle O'Connor-Ratcliff who was absent due to Covid-19. No Student Board Member was in attendance.

3.4 Welcome to Public

Board Member Ginger Couvrette 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 Dr. Sytsma, and a second by Dr. Patel, the agenda/sequence was approved as presented.

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

4.0 ORAL PRESENTATIONS

4.1 Student Board Representatives

Student Board representatives Johanna Carter and Wyatt Sytsma from Garden Road Elementary School reported on events and activities at their school.

4.2 Public Comments

Robbie Bowers, Christine Scherr, and Kim Woolstencroft spoke about the working conditions of PUSD athletic trainers.

Becky Rapp and Mindi Bullick spoke about inappropriate literature in PUSD schools.

Lori DeVore, Linda Mauch, Mary Carpenter spoke about PSEA classified staff wages.

Stewart Cook spoke about about race, gender, and performance.

4.3 Retirement Recognition

The Board recognized the years of service of Directors Tim Purvis and Babre (Lou) Lewis. This item was presented as information only.

4.4 Update on Annual Report of Activities from the Special Education Community Advisory Committee for 2021-2022

This item was presented as information only.

President Zane called a recess at 4:10 pm. The meeting reconvened at 4:19 p.m.

5.0 CONSENT CALENDAR

5.1 Approval of Consent Calendar

Zane

- a. Approval of Minutes

5.2 Consent Calendar – Personnel Support Services

Jimenez

- a. Approval of Certificated Personnel Report No. 12-2022
- b. Approval of Classified Personnel Report No. 12-2022
- c. Approval of Variable Term Waiver Request – Michael Brueggemeyer; Michael Buxton; Douglas Devlin; Ann Palouda; Michael Martinez
- d. Approval of Teacher Internship Agreement with the University of Massachusetts Global

5.3 Consent Calendar – Business Support Services

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- a. Approval/Ratification of Contractual Services Report No. 12-2022
- b. Ratification of District Purchase Orders
- c. Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for May 2022
- d. Acknowledgment of Enrollment Report No. 9/2021-2022
- e. Approval of Resolutions Nos. 66-2022, 67-2022, 68-2022, 69-2022, and 70-2022 Designating Persons Authorized to Act on Behalf of the Poway Unified School District
- f. Approval of Resolution No. 65-2022 Entitled “Authorization to Purchase Fuel Through the City of San Diego’s RFP No. 10089315-18-K Using Vendor SC Fuels”
- g. Approval of Resolution No. 110-2022 Entitled “Authorization to Allocate the Monies Received from the Education Protection Account (EPA)”
- h. Approval of Resolution No. 111-2022 Entitled “Authorization of the Transfer of 2021-22 District Budgetary Funds Between Expenditure Classifications After June 30, 2022”
- i. Approval of Resolution No. 109-2022 Entitled “Authorization to Resurface Tennis Courts at Westview High School, Under the California Multiple Award Schedule (CMAS) Contract No. 4-20-78-0089C”

- j. Approval of Resolution Nos. 71-2022 Through 107-2022 Entitled “Establishment of Annual Special Tax for Community Facilities Districts Nos. 2 Through 16”
- k. Authorization to Sell and/or Dispose of Obsolete and Surplus Items for the 2022-2023 School Year
- l. Authorization to Utilize Individual Piggyback Contracts for 2022-23
- m. Approval of Resolution No. 116-2022 Entitled “Authorization to Purchase Rekortan Track System and Installation at Mt. Carmel High School, Under the California Multiple Award Schedule (CMAS) Contract No. 4-20-00-0130A”

5.4 Consent Calendar – Learning Support Services Osborne

- a. Approval/Ratification of Out-of-State Field Trips
- b. Approval of New Middle School Textbooks
- c. Approval of Agricultural Career Technical Education Incentive Grant Application

5.5 Consent Calendar – Student Support Services Mizel

5.6 Consent Calendar – Technology and Innovation Burks

- a. Approval of California School Boards Association (CSBA) Revised Board Policy 6158 – Independent Study

5.7 Consent Calendar – Superintendent Kim Phelps

Dr. Patel pulled item 5.4(a) for further discussion. On a motion by Dr. Patel and a second by Dr. Sytsma, the Consent Calendar was approved as presented with the exception of item 5.4(a).

***Ayes: Zane, Patel, Sytsma and Couvrette. Absent: O’Connor-Ratcliff.
Motion carried, 4-0.***

As approved in item 5.2 Consent Calendar, item 5.4(a) was pulled for further discussion.

5.4(a) Approval/Ratification of Out-of-State Field Trips

Following discussion, on a motion by Dr. Patel and a second by Ms. Couvrette, the Board voted to approve item 5.4(a).

***Ayes: Zane, Patel, Sytsma and Couvrette. Absent: O’Connor-Ratcliff.
Motion carried, 4-0.***

6.0 PERSONNEL SUPPORT SERVICES

6.1 Ratification of the Poway Federation of Teachers (PFT) – Tentative Agreement 2022-2023 and revisions to the Salary Schedule

On a motion by Ms. Couvrette and a second by Dr. Patel, the Board voted to approve the new tentative agreement and salary schedule revisions as presented.

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

6.2 Approval of an Increase in Compensation on the Salary Schedules for the Association of Poway School Managers (APSM)

On a motion by Dr. Sytsma and a second by Dr. Patel, the Board voted to approve the revised salary schedules presented.

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

7.0 BUSINESS SUPPORT SERVICES

7.1 Adoption of 2022-2023 Proposed Budget and Approval of Related Criteria and Standards

On a motion by Dr. Patel and a second by Ms. Couvrette, the Board voted to approve the 2022-2023 proposed budget and related criteria and standards as presented.

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

7.2 Approval of 2022-23 Balances in Excess of Minimum Reserve Requirements

On a motion by Ms. Couvrette and a second by Dr. Sytsma, the Board voted to approve the 2022-2023 balances in excess of minimum reserve requirements as presented.

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

7.3 Rate Mode Extension for 2012 Certificates of Participation (COPs) Restructuring Program

This item was presented as information only.

7.4 Public Hearing and Approval of Resolution No. 113-2022 Entitled “Adopting Certain Findings and Approving Solar Power Purchase Agreement for Solar Energy Related Improvements to District Facilities with Forefront Power (FFP BTM Solar, LLC)”

President Zane opened a public hearing at 4:50 pm to hear any public comments on this item. Hearing none, the public hearing was closed at 4:50 pm. On a motion by Ms. Couvrette and a second by Dr. Patel, the Board voted to approve Resolution 113-2022 as presented.

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

7.5 Public Hearing and Approval of Resolution No. 114-2022 Entitled “Dedication of an Easement to San Diego Gas and Electric Company, a Corporation (SDG&E) for Power Your Drive for Schools at the Poway Center for Performing Arts (PCPA)”

President Zane opened a public hearing at 5:04 pm to hear any public comments on this item and accompanying item 7.6. Hearing no public comments, the public hearing was closed at 5:04 pm. On a motion by Dr. Patel and a second by Dr. Sytsma, the Board voted to approve Resolution 114-2022 as presented.

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

7.6 Public Hearing and Approval of Resolution No. 115-2022 Entitled “Dedication of an Easement to San Diego Gas and Electric Company, a Corporation (SDG&E) for Power Your Drive for Schools at Poway High School”

On a motion by Ms. Couvrette and a second by Dr. Patel, the Board voted to approve Resolution 115-2022 as presented.

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

8.0 LEARNING SUPPORT SERVICES

8.1 Readmission of Students on Expulsion

On a motion by Dr. Sytsma and second by Dr. Patel, the Board voted to readmit the student represented in Case No. 2021-2022.06.

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

On a motion by Dr. Sytsma and second by Ms. Couvrette, the Board voted to readmit the student represented in Case No. 2021-2022.11.

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

8.2 Approval of the Local Control and Accountability Plan (LCAP) for 2021-2024 – Update 2022-2023

On a motion by Dr. Patel and a second by Dr. Sytsma, the Board voted to approve the Local Control and Accountability Plan (LCAP) for 2021-2024 as presented.

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

8.3 Approval of the Updated Local Control and Accountability Plan (LCAP) Federal Addendum for 2022-2023

On a motion by Dr. Sytsma and a second by Ms. Couvrette, the Board voted to approve the Updated Local Control and Accountability Plan (LCAP) Federal Addendum as presented.

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

8.4 Student Award for Merit-Based Scholarships 2021-2022

This item was presented as information only.

8.5 Universal Transitional Kindergarten (UTK) and Extended Learning Opportunities Program (ELO-P) Plan for Poway Unified School District

This item was presented as information only.

9.0 STUDENT SUPPORT SERVICES

9.1 Public Hearing and Approval of the 2022-2023 Annual Service Plan and Annual Budget Plan for the Special Education Local Plan Area (SELPA)

President Zane opened a public hearing at 5:21 pm to hear any public comments on this item. Hearing none, the public hearing was closed at 5:22 pm. On a motion by Ms.

Couvrette and a second by Dr. Patel, the Board voted to approve the Annual Service Plan and Annual Budget for the SELPA as presented.

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

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. Phelps congratulated the class of 2022 for their achievements and all the schools for hosting the graduation and promotion ceremonies.
- Dr. Phelps thanked Team PUSD for their resiliency throughout the school year and for finishing off the year strong and wished everyone a happy relaxing summer.

(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 5:33 p.m.



T.J. Zane, President



Michelle O'Connor-Ratcliff, Clerk



Dr. Marian Kim Phelps, Secretary

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