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**CLOSED SESSION**

Board President T.J. Zane called the meeting to order at 4:10 p.m. to receive public comments 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 5:06 p.m. At 6:00 p.m., following a Special Board meeting at 5:40 p.m., Board Members reconvened in the Community Room to begin their regular meeting and relay any reportable action taken during closed session.

**1.0 CALL TO ORDER – PUBLIC SESSION**

**2.0 CLOSED SESSION**

1. Pending/ Existing Litigation Pursuant to Government Codes 54956.9(a), 54956(d)(2), 54956.9(d)(1), and 54956.9(e)(3)
  - a. Case No. ADR 05262022
  - b. Case No. ADR 05302022
  - c. Case No. ADR 06242022
  - d. Case No. ADR 06102022
  - e. Case No. ADR 07182022
  - f. Case No. OAH 2022030423
  - g. Case No. OAH 2022030432
  - h. Case Nos. OAH 2022030582 & 2022060069
2. Conference with Legal Counsel Anticipated Litigation Pursuant to Government Code 54956.9, 54956.(d)(2), and 54956.9(d)(4)
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. 2021-2022.09
  - b. Case No. 2021-2022.10
  - c. Case No. 2021-2022.13
4. Negotiations - PFT, PSEA Unit I and Unit II, Management/ Confidential, and Real Property Pursuant to Government Codes 54957.5(e) and 54956.8

5. Public Employee  
Discipline/ Dismissal/ Release/ Reassignment/ Resignation/ Nonreelection Pursuant to Government Codes 54954.5(e), and 54957
6. Public Employee Appointment/ Employment Pursuant to Government Code 54957
  - a. Director of Food and Nutrition
  - b. Director of Facilities, Maintenance & Operations
  - c. Principal
7. Conference with Real Property Negotiator Pursuant (Government Code 54956.8)
  - a. a. Real Property: Poway Center for Performing Arts (PCPA) Parcel Number 278-450-27-00 ("Property") Negotiating Parties: Poway Unified School District, Real Property, Associate Superintendent, Business Support Services (Lessee), and City of Poway (Lessor) Under Negotiation: Negotiations will 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 6:00 p.m. and invited everyone to join him as he led the salute to the flag.

**3.2 Report Out of Closed Session**

Clerk O'Connor reported that Closed Session began at 4:10 p.m.

2.1-a: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/ Existing Litigation, Case No. ADR 05262022, on a motion by Ms. O'Connor-Ratcliff 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-b: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/ Existing Litigation, Case No. ADR 05302022, 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.*

2.1-c: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/ Existing Litigation, Case No. ADR 06242022, on a motion by Ms. O'Connor-Ratcliff 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-d: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/ Existing Litigation, Case No. ADR 06102022, on a motion by Ms. O'Connor-Ratcliff 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. ADR 07182022, on a motion by Ms. O'Connor-Ratcliff 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-f: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/ Existing Litigation, Case No. OAH 2022030423, 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-g: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/ Existing Litigation, Case No. OAH 2022040342, on a motion by Mr. Zane 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-h: Clerk O'Connor-Ratcliff reported that in the matter of Conference with Legal Counsel Pending/ Existing Litigation, Case Nos. OAH 2022030582 and OAH 2022060069, on a motion by Dr. Sytsma 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.***

2.3-a: Clerk O'Connor-Ratcliff reported that in the matter of Pupil Personnel – Student Expulsions, Disciplinary Matters, and other Confidential Student Matters, Case No. 2021-2022.09, no reportable action was taken in closed session. The Board will take action in open session, agenda item 8.1.

2.3-b: Clerk O'Connor-Ratcliff reported that in the matter of Pupil Personnel – Student Expulsions, Disciplinary Matters, and other Confidential Student Matters, Case No. 2021-2022.10, no reportable action was taken in closed session. The Board will take action in open session, agenda item 8.1.

2.3-c: Clerk O'Connor-Ratcliff reported that in the matter of Pupil Personnel – Student Expulsions, Disciplinary Matters, and other Confidential Student Matters, Case No. 2021-2022.13, no reportable action was taken in closed session. The Board will take action in open session, agenda item 8.1.

2.6 -a: Clerk O'Connor-Ratcliff reported that in the matter of Public Employee Appointment, Director of Food and Nutrition, on a motion by Mr. Zane and a second by Dr. Patel, the Board voted to take action in closed session to appoint Dr. Emily Cena as Director of Food and Nutrition.

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

2.6 -b: Clerk O'Connor-Ratcliff reported that in the matter of Public Employee Appointment, Director of Facilities, Maintenance & Operations, on a motion by Mr. Zane and a second by Dr. Patel, the Board voted to take action in closed session to appoint Ruben Arras as Director of Facilities, Maintenance & Operation.

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

2.6 -c: Clerk O'Connor-Ratcliff reported that in the matter of Public Employee Appointment, Principal, on a motion by Ms. O'Connor-Ratcliff and a second by Dr. Sytsma, the Board voted to take action in closed session to appoint Dr. Yael Bozzay as Principal of Mt. Carmel High School.

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

2.7-a: 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. Closed session adjourned at 5:06 p.m.

### **3.3 Members in Attendance**

All Board members were in attendance, including Student Board Member Prisha Puntambekar.

### **3.4 Welcome to the Public**

Student Board Member Prisha Puntambekar welcomed the public and offered instruction on the procedure for addressing the Board during the Public Comments segment of the meeting.

### **3.5 Approval of Agenda/ Sequence**

Superintendent Phelps stated that staff would like to pull item 5.5(a) from the agenda in order to provide clarification; and items 7.2 and 7.3 which were heard prior to this Regular Meeting at a Special Board Meeting at 5:45 p.m.

On a motion by Dr. Patel and a second by Ms. Couvrette, the Board voted to approve the revised agenda and sequence. Preferential vote Aye by Student Board Member Prisha Puntambekar.

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

## **4.0 ORAL PRESENTATIONS**

### **4.1 Student Board Representatives**

No Student Board Representatives were present. Students will return at the September 8, 2022, Board Meeting, after school has resumed.

### **4.2 Public Comments**

Rachelle Babler spoke about inappropriate literature in PUSD schools.

Byron Yafuso spoke about a recent parental notification.

Lenice Sechrist made recommendations regarding Board Meetings, school bathrooms, library books, and CRT.

Melinda Huntoon spoke about a recent student survey.

Sterling spoke about censorship.

Stewart Cook spoke about DEI groups in PUSD.

Shayne McCool spoke about inclusion.

### **4.3 California Pivotal Practices Award**

Dr. Kim Phelps presented the Board of Education with the 2022 California Pivotal Practice Award given by the California Department of Education.

### **4.4 Safety and Security Improvements**

This item was presented as information only.

**5.0 CONSENT CALENDAR**

*President Zane clarified that items 5.5(a), 7.2, and 7.3, which were pulled under agenda item 3.5 Approval of Agenda/Sequence, should have been pulled under item 5.1, Approval of 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. 01-2023
- b) Approval of Classified Personnel Report No. 01-2023
- c) Approval of the Williams Settlement Quarterly Report for June 2022
- d) Approval of Variable Term Waiver Request – Ronald Hoffman, Matthew Iske

**5.3 CONSENT CALENDAR - BUSINESS SUPPORT SERVICES**

- a) Approval/Ratification of Contractual Services Report No. 01-2023
- b) Ratification of District Purchase Orders
- c) Ratification and Approval of District Commercial Warrants, Revolving Cash Fund Expenditures and Purchase Card Transactions for June and July 2022
- d) Acknowledgment of Enrollment Report No. 10 and 11/2021-2022
- e) Approval of Resolution No. 01-2023 Entitled “Designating Additional Persons Authorized to Act on Behalf of Poway Unified School District and Amending Resolution No. 70-2022”
- f) Approval of the Permanent Single Agreement Between California Department of Education and Poway Unified School District for Participating in Child Nutrition Programs
- g) Approval of Resolution No. 10-2023 Entitled “Resolution for Change of Revolving Cash Fund Custodian”
- h) Approval of Resolution No. 04-2023 Entitled “Adopting and Approving the Associate Membership Agreement Joining the Education Technology Joint Powers Authority”
- i) Approval of Barnhart-Reese Construction Inc., to Provide Project/ Construction Management Services for Facilities Projects
- j) Award Contract for Bid 2023-01 Purchase Delivery Trucks for the Food & Nutrition Department
- k) Approval/Ratification of Change Order, Chambers, Inc., (DBA Roof Construction)
- l) Approval of Resolution No. 05-2023 Entitled “Authorization to Purchase Janitorial Supplies and Equipment Through San Diego Unified Agreements No. GD21-0210-82 and GD21-08-09-82
- m) Approval of Change Order, Pacific Contractors Group Inc.

**5.4 CONSENT CALENDAR - LEARNING SUPPORT SERVICES**

- a) Approval of Updated California School Boards Association (CSBA) Board Policies
- b) Memorandum of Understanding Between Poway Unified School District and Jewish Family Service

## 5.5 CONSENT CALENDAR - STUDENT SUPPORT SERVICES

- a) California Department of Education Revision to Notice of Procedural Safeguards

## 5.6 CONSENT CALENDAR - TECHNOLOGY AND INNOVATION

- b) Approval of Resolution No. 07-2023 Entitled "Authorization to Purchase GoGuardian Software through the Interlocal Purchasing System (TIPS) Contract No. 210101"
- c) Approval of Resolution No. 08-2023 Entitled "Authorization to Purchase Voice Over Internet Protocol (VOIP) System and Equipment through the School Project for Utility Rate Reduction (SPURR) Master Contract SMC-ER-029"
- d) Approval of Resolution No. 06-2023 Entitled "Authorization to Purchase VEEAM Backup and Replication Solution through the California Multiple Award Schedule (CMAS) Contract No. 3-19-70-2784J"

## 5.7 CONSENT CALENDAR -SUPERINTENDENT

On a motion by Dr. Patel and a second by Dr. Sytsma, the Consent Calendar was approved with the exception of items 5.5(a) which was pulled for discussion, and items 7.2 and 7.3 which were heard at Special Board Meeting that took place at 5:45 p.m., prior to the Regular Board Meeting.

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

### 5.5a California Department of Education Revision to Notice of Procedural Safeguards

Following discussion, on a motion by Ms. O'Connor-Ratcliff and a second by Ms. Couvrette, the Board voted to approve item 5.5a.

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

## 6.0 PERSONNEL SUPPORT SERVICES

### 6.1 Approval of Amendments to Employment Agreements Between the PUSD Board of Education and the Superintendent and Associate Superintendents to Extend the Term of Employment by One Year

On a motion by Dr. Sytsma and a second by Dr. Patel, the Board voted to approve the amendments as presented.

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

## 7.0 BUSINESS SUPPORT SERVICES

### 7.1\*Approval of the 2022-2023 Poway Unified School District Revised Budget

On a motion by Ms. O'Connor-Ratcliff and a second by Dr. Sytsma, the Board voted to approve the revised budget as presented. Preferential vote Aye by Student Board Member Prisha Puntambekar.

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

*Action was taken on Items 7.2 and 7.3 in a Special Board Meeting that took place at 5:45 p.m.*

### 7.2\*Approval of Resolution No. 03-2023 Entitled "Authorizing a New Adjustment Period and a New Adjusted Interest Rate with Respect to the Poway Unified School District Certificates of Participation (2012 School Facilities Restructuring Program); Approving the Form of a Certificate Purchase Agreement; Approving the Form of Unenhanced Extended Rate Mode New Adjustment Period and New Adjusted Interest Rate Additional Provisions to Trust Agreement and Lease Agreement; Authorizing the Execution and Delivery by the District of the Certificate Purchase

**Agreement, and Authorizing the Execution of Necessary Documents and Certificates and Related Actions”**

**7.3 Approval of Resolution No. 02-2023 Entitled “Approving the Form of a Certificate Purchase Agreement and Unenhanced Extended Rate Mode New Adjustment Period and New Adjusted Interest Rate Additional Provisions; Authorizing the Execution and Delivery by the Authority of the Certificate Purchase Agreement, and Authorizing the Execution of Necessary Documents and Certificates and Related Actions”**

**7.4 Update on Non-Mandated Home to School Transportation Program**

This item was presented as information only.

**8.0 LEARNING SUPPORT SERVICES**

**8.1 Readmission of Students on Expulsion**

In the matter of Case Number 2021-2022.09, on a motion by Ms. O’Connor-Ratcliff and a second By Ms. Couvrette, the Board voted to readmit the student represented to the Poway Unified School District.

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

In the matter of Case Number 2021-2022.10, on a motion by Dr. Sytsma and a second by Dr. Patel, the Board voted to readmit the student represented to the Poway Unified School District.

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

In the matter of Case Number 2021-2022.13, on a motion by Dr. Sytsma and a second by Dr. Patel, the Board voted to readmit the student represented to the Poway Unified School District.

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

**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**

Dr. Phelps acknowledged all the hard work done by Team PUSD over the summer to help prepare for the new school year.


Dr. Phelps introduced this year’s annual PUSD Back to School video, “Brand New,” created by the PUSD Communications Team and student interns.

**13.0 CLOSED SESSION - CONTINUATION OF CLOSED SESSION AGENDA AS NECESSARY**

There were no additional items discussed in Closed Session.

**14.0 ADJOURNMENT**

The meeting adjourned at 7:42 p.m.



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T.J. Zane, President



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Michelle O'Connor-Ratcliff, Clerk



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Marian Kim Phelps, Secretary

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