

**POWAY UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
REGULAR BOARD MEETING  
AGENDA**

**March 9, 2009**



**Morning Creek Elementary School  
Multipurpose Room  
10925 Morning Creek Drive South – San Diego, CA 92128**

**NOTE:** At 4:00 p.m., there will be an open session to allow for public comment on the closed session agenda, followed immediately by a closed session in the Morning Creek staff lounge. The Regular Board Meeting will be Called to Order at 6:00 p.m.

**CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR**

Agent Negotiator: Bill Chiment  
PFT, CSEA, SEIU

**CLOSED SESSION: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL COUNSEL – PENDING LITIGATION:** Significant exposure to litigation pursuant to subdivision (a) of Government Code Section 54956.9  
Case #37-2008-00076306-CU-PA-CTL

**CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION** (Subdivision (b)(1) of Section 54956.9)  
Case No. TC-09-24

**CLOSED SESSION: PUBLIC EMPLOYEES:** Discipline / Dismissal / Release / Non-Reelection / Resignation / Reassignment

**CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS**  
(Position(s): classroom teacher / program specialist / probationary-temporary certificated employee / administrative employee)

**CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Properties: APN 274-840-06-00; APN 323-480-12-00; APN 313-381-14-00;  
APN 323-481-03-00; Middle School Site #7  
Agency negotiator: John P. Collins

*In compliance with the Americans with Disabilities Act, if you need special assistance, disability-related modifications, or accommodations, including auxiliary aids or services, in order to participate in the public meetings of the District's Governing Board, please contact the office of the District Superintendent at (858) 679-2550 [13626 Twin Peaks Road, Poway]. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accommodation and accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with the meeting in appropriate alternative formats for persons with a disability.*

*Written materials relating to an item on this agenda that are distributed to the Poway Unified School District Board of Education within 72 hours before it is to consider the item at its regularly scheduled meeting will be available for public inspection at 13626 Twin Peaks Road, Poway, during normal business hours. Such written materials will also be made available on the district website [www.powayusd.com], subject to staff's ability to post the documents before the regularly scheduled meeting.*

**A. PRELIMINARY FUNCTIONS**

1. Call to Order 6:00 p.m.
2. Report Out of Closed Session
3. Salute to Flag
4. Members in Attendance
5. Welcome to Public – **Todd Gutschow**
6. Approval of Minutes
7. Approval of Agenda Sequence
8. Approval of Consent Calendar

**B. REPORTS / PRESENTATIONS / EARLY AGENDA ITEMS**

1. Student Board Member Reports
2. Superintendent’s Reports
  - (a) Superintendent’s Briefing
  - (b) Student Recognition
3. 2009 CSBA Delegate Assembly Election
4. Board Member Reports

**EARLY AGENDA ITEMS**

- D-301 Approval and Certification of Second Interim Financial Report and Approval of Resolution No. 35-2009 entitled “Authorization to Revise the 2008-2009 Budget as Reflected in the Second Interim Financial Report”
- D-201 Approval of Resolution No. 34-2009 entitled “Resolution Regarding Discontinuances and Reductions of Particular Kinds of Services (Districtwide; see details in Resolution, Exhibit “A”) and Commencement of Certificated Layoff; Competency and Seniority Tie Breaking Standards; Implementation of Education Code Section 44955, subdivision (d)(1); Direction to Notify Affected Employees of Recommendation of Layoff; and Related Actions”
- D-202 Approval of Resolution No. 37-2009 entitled “Resolution Regarding Administrative and Supervisory Certificated Employees Pursuant to Education Code Section 44951”
- G-205 Reassignment of Counselors to Teaching Positions

**C. PUBLIC COMMENTS**

The public is cordially invited to participate in this meeting of the Board of Education. Item “C” is placed on the agenda for the purpose of providing visitors with an opportunity to address the Board. If there are concerns regarding specific individuals, it is preferred that the speaker refrain from naming them publicly in order to respect their privacy. The Board will accept and review any written material that would provide more specific information.

The Brown Act (Government Code) states that Board members may not engage in a discussion of non-agenda items or issues raised during public comments except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff. The law does not permit Board action or extended discussion of any item not on the agenda.

Requests to speak during Agenda Item C will be granted only if a Speaker Slip is given to the Clerk of the Board of Education before Item C comes up in the agenda.

1. Matthew Van Court – “Facility Charge” (3 minutes)

#### **D. ACTION ITEMS**

##### **100 – LEARNING SUPPORT SERVICES**

- 101 Public Hearing and Approval of the 2008-2009 Annual Service Plan and Annual Budget Plan for the Special Education Local Plan Area
- 102 Approval of Single Plan for Student Achievement (SPSA) for Rancho Bernardo High School
- 103 Adoption of New Career, Technical, and Adult Education Course
- 104 Ratification of Student Discipline
- 105 Readmission of Students on Expulsion

##### **200 – PERSONNEL SUPPORT SERVICES**

- 201\* Approval of Resolution No. 34-2009 entitled “Resolution Regarding Discontinuances and Reductions of Particular Kinds of Services (Districtwide; see details in Resolution, Exhibit “A”) and Commencement of Certificated Layoff; Competency and Seniority Tie Breaking Standards; Implementation of Education Code Section 44955, subdivision (d)(1); Direction to Notify Affected Employees of Recommendation of Layoff; and Related Actions”
- 202\* Approval of Resolution No. 37-2009 entitled “Resolution Regarding Administrative and Supervisory Certificated Employees Pursuant to Education Code Section 44951”

##### **300 – BUSINESS SUPPORT SERVICES**

- 301\* Approval and Certification of Second Interim Financial Report and Approval of Resolution No. 35-2009 entitled “Authorization to Revise the 2008-2009 Budget as Reflected in the Second Interim Financial Report”

##### **400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

##### **500 – COMMUNITY FACILITIES DISTRICT**

##### **600 – SUPERINTENDENT’S OFFICE**

#### **E. ACTION/CONSENT ITEMS**

##### **100 – LEARNING SUPPORT SERVICES**

- 106 Adoption of New Course Offered by the Career, Technical, and Adult Education Department
- 107 Adoption of High School Supplemental Textbook
- 108 Implementation of the Community-Based English Tutoring Program
- 109 Approval of Agreement for Nonpublic School/Nonpublic Agency Services
- 110 Approval/Ratification of Out-of-State Field Trips
- 111 Acceptance of Gifts

##### **200 – PERSONNEL SUPPORT SERVICES**

- 203 Approval of Revised Classified Description - Food and Nutrition Area Supervisor
- 204 (a) Approval of Certificated Personnel Report No. 09-2009  
(b) Approval of Classified Personnel Report No. 09-2009

**300 – BUSINESS SUPPORT SERVICES**

- 302 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders
- 303 Approval/Ratification of Contractual Services Report No. 08-2009
- 304 Ratification of Award of Bid No. 571-09-001 for Purchase of Marquees and Scoreboards at Various School Sites

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

- 401 Acceptance of Project as Complete and Authorization to File a Notice of Completion on the Contract with Echo Pacific Construction, Inc., for the Expansion and Modernization of Valley Elementary School
- 402 Acceptance of Project as Complete and Authorization to File a Notice of Completion on the Contract with Echo Pacific Construction, Inc., for the Expansion and Modernization of Meadowbrook Middle School
- 403 Authorization to Award Bid No. 574-09-001 and Execute a Contract for Separation, Demolition, Transport, Utility Preparation, and Installation of Temporary Classrooms/ Portable Buildings at Various School Sites
- 404 Ratification of Change Order to Contract with Miller Environmental, Inc.; Authorization to Reduce Retention to 5 Percent on Contracts with Able Heating & Air Conditioning, Inc., Best Interiors, Inc., Commercial Furnishings, Inc., Grani Installation, Inc., ISEC, K & Z Cabinet Co., Inc., Kitcor Corporation, Miller Environmental, Inc., Peltzer Plumbing, Inc., Roof Construction, Southland Electric, Inc., Team C Construction, and Whitehead Construction, Inc., for Services Rendered in the Modernization of Rolling Hills Elementary School

**500 – COMMUNITY FACILITIES DISTRICT**

**600 – SUPERINTENDENT’S OFFICE**

**F. FIRST READING ITEMS**

**100 – LEARNING SUPPORT SERVICES**

- 112 Proposed Adoption of New High School Course – First Reading
- 113 Proposed Adoption of High School Textbooks – First Reading
- 114 Proposed Adoption of Elementary School Science Textbooks – First Reading

**200 – PERSONNEL SUPPORT SERVICES**

**300 – BUSINESS SUPPORT SERVICES**

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

**500 – COMMUNITY FACILITIES DISTRICT**

**600 – SUPERINTENDENT’S OFFICE**

**G. INFORMATION ITEMS**

**100 – LEARNING SUPPORT SERVICES**

**200 – PERSONNEL SUPPORT SERVICES**

- 205\* Reassignment of Counselors to Teaching Positions

**300 – BUSINESS SUPPORT SERVICES**

305 Enrollment Report No. 6/2008-2009

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

**500 – COMMUNITY FACILITIES DISTRICT**

**600 – SUPERINTENDENT’S OFFICE**

**H. NEW BUSINESS – BOARD MEMBERS**

**I. CORRESPONDENCE**

**J. CLOSED SESSION**

**Closed Session: STUDENT DISCIPLINE**

Consideration and/or deliberation of student discipline matters

**Closed Session: CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION**  
(Subdivision (b)(1) of Section 54956.9)

**Closed Session: PUBLIC EMPLOYEES: Discipline / Dismissal / Release / Non-Reelection / Resignation**

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**Closed Session: CONFERENCE WITH LABOR NEGOTIATOR**

Agent Negotiator: Bill Chiment  
PFT, CSEA, SEIU

**Closed Session: DISCUSSION(S) / ACTION(S) PURSUANT TO** Government Code Section 54956.95

**Closed Session: PUBLIC EMPLOYEE APPOINTMENT / EMPLOYMENT**

**Closed Session: PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS**

(Position(s): classroom teacher / program specialist / probationary-temporary certificated employee / administrative employee)

**Closed Session: PUBLIC EMPLOYEE COMPLAINT(S)**

**Closed Session: PUBLIC EMPLOYEE GRIEVANCE(S)**

**K. ADJOURNMENT / NEXT MEETING**

The next **regularly** scheduled Board Meeting will be held on **Monday, April 20**, at **6:00 p.m.** at Morning Creek Elementary School, 10925 Morning Creek Drive South, San Diego.