



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

February 14, 2005
Morning Creek Elementary School

CLOSED SESSION

President Andy Patapow called the meeting to order at 5:00 p.m. to receive public comment on the closed session agenda items. There were no public comments, and the Board convened to closed session in the staff lounge. The closed session was adjourned at 7:01 p.m., and Board members reconvened in the Morning Creek multipurpose room for the to begin their regular meeting and report action taken during closed session.

REGULAR MEETING

A. PRELIMINARY FUNCTIONS

A-1 Reconvene / Call to Order

The regular meeting of the Board of Education was called to order at 7:14 p.m. by President Andy Patapow.

A-2 Report Out of Closed Session

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)
Case Nos.: GIC809387 and GIC823157

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – THREATENED LITIGATION
(Subdivision (b)(1) of Government Code Section 54956.9)
Case: Beerman v. Poway Unified School District – Claim

CLOSED SESSION: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL
COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to
subdivision (a) of Government Code Section 54956.9 (2 cases)

CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: APN# 313-421-06-00
Agency negotiator: John P. Collins
Negotiating parties: PUSD, CB Richard Ellis, Inc., and Will Gustafson
Under negotiating: Potential Real Property Exchange

CLOSED SESSION: PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS
(Position(s): administrative employee)

The Board conferred with real property negotiators and gave direction to move forward. There was no other reportable action taken in closed session.

A-3 Salute to Flag

Westview High School student Karmichael Castillo led the salute to the flag.

A-4 Invocation/Inspirational Comments

Inspirational comments for the evening were made by Mr. McMillan.

A-5 Members in Attendance

All Board members were in attendance.

A-6 Welcome to Public

Mrs. Ranftle welcomed the public and offered instructions on the procedure for addressing the Board during the Public Comments segment of the meeting.

A-7 Approval of Minutes

It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that the minutes of the January 18, 2005, Regular Board Meeting be approved as presented. *Motion carried unanimously, 5-0.*

A-8 Approval of Agenda Sequence

D-401 Re-appointment of Citizens' Oversight Committee Members for a Two-Year Term Effective March 2005

D-402 Acceptance of Resignation From a Member of the Citizens' Oversight Committee and Direction to Staff to Solicit Applications to Fill the Vacancy

D-201 Public Hearing and Approval of Governing Board Appointee to the Personnel Commission

D-301 Approval of New Board Policy Section 6.26 – Energy Conservation

G-309 Enrollment Report No. 5/2004-05

It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that agenda items D-401, D-402, D-201, D-301, and G-309 be considered prior to routine agenda items. *Motion carried unanimously, 5-0.*

Agenda Item B-1 was taken out of sequence.

B-1 Student Board Member Reports

Student Board members Ashley Sacknoff from Westview High School, Michelle Kim from Rancho Bernardo High School, Chloe Sweig from Poway High School, Jonathan Wong from Mt. Carmel High School, and Laura Clark from Abraxas High School reported on events and activities at their respective schools.

A-9 Approval of Consent Calendar

100 – LEARNING SUPPORT SERVICES

106 Approval of Agreement for Nonpublic School/Nonpublic Agency Services

107 Approval of Resolution No. 28-2005 entitled “Authorization of Grant Agreement with the First 5 Commission of San Diego to Provide Comprehensive Community-Based Parent Education and Support Services”

108 Approval of Out-of-State Field Trips

109 Acceptance of Gifts

200 – PERSONNEL SUPPORT SERVICES

203 Approval of Valley Elementary 2005/2006 Modified School Calendar

204 Approval of 2005/2006 and 2006/2007 Year-Round Calendars for Abraxas High School

205 (a) Approval of Certificated Personnel Report No. 8-2005

(b) Approval of Classified Personnel Report No. 8-2005

300 – BUSINESS SUPPORT SERVICES

302 Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports, District Revolving Cash Fund Checks, and Purchasing Card Transactions; Ratification of ASB and District Purchase Orders and Professional Services Contracts

303 Approval/Ratification of Professional Services Report No. 07-2005

- 304 Approval of Monthly Budget Revisions
- 305 Award of Bid Number 7B-2005 Gymnasium Bleacher Replacement at Poway High School and Mt. Carmel High School
- 306 Award of Bid Number 8B-2005 for Heating, Ventilating, and Air Conditioning (HVAC) Replacement at Meadowbrook Middle School, Building 10
- 307 Approval of Resolution No. 29-2005 entitled “Authorization to Purchase School Furnishings, Office Furnishings, and Accessories Awarded by Glendale Unified School District Bid No. P-16 04/05”
- 308 Authorization to Renegotiate Electric Energy Service Contract with Strategic Energy

400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT

- 403 Ratification of Change Orders to Contracts with Maximum Demolition, Inc., and Casper Concrete Cutters, Inc., for Additional Services for Mt. Carmel High School Modernization, Phase 2
- 404 Ratification of Award of Contract No. 502-05-006, Bid Package 3, to Steven Smith Landscaping for Mt. Carmel High School Modernization, Phase 2
- 405 Ratification of Award of Contract No. 577-05-095, Bid Package 33, with SOLPAC, Inc., dba Soltek Pacific, for Westwood Elementary School, Building Addition E
- 406 Ratification of Change Order No. 4 to Contract No. 579-04-001 with Current Enterprises for Interim Housing at School Facilities Improvement District (SFID) Sites
- 407 Ratification of Change Orders to Contracts with Southland Electric, Inc., Rocky Coast Framers, Inc., Metropolitan Construction, and Iron Horse Grading, Inc., for Additional Services at Westwood Elementary School

500 – COMMUNITY FACILITIES DISTRICT

600 – SUPERINTENDENT’S OFFICE

A revised agenda item E-303 was distributed to the Board and Cabinet prior to the beginning of the meeting. It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that the items on the consent calendar be approved as presented. *Motion carried unanimously, 5-0.*

B. REPORTS AND PRESENTATIONS

B-2 (a) Superintendent’s Briefing

Dr. Phillips presented a brief update on current issues and events:

- Black History Month activities were held at school sites and in the classrooms to acknowledge and celebrate the role of African Americans.
- Dr. Phillips noted that although Governor Schwarzenegger made a commitment to restore Prop 98 funding, he has now changed his position. The governor’s proposed state budget overstates increases in revenues to schools. The Governor and the Education Coalition need to find resolution for adequate short- and long-term support of education for the children of California. The governor’s proposed changes to Prop 98 funding formula will have significant negative impact on the adequate funding for K-12 public education.
- Deputy Superintendent John Collins presented an update of *Building for Success* and Community Facility District projects. Midland and Westwood Elementary schools, Oak Valley Middle School, and Mt. Carmel and Poway High schools have ongoing active construction. Chaparral, Garden Road, Painted Rock, and Tierra Bonita Elementary schools and Twin Peaks Middle School are in the design/development stage of modernization. Monterey Ridge Elementary, Del Norte High School, and Elementary School #24 are in the design/development stage for new construction. Mr. Collins also introduced Chrissa Corday, a member of the Citizens’ Oversight Committee.

- As follow-up to two speakers at the January 18 meeting, Mr. Collins said he responded to Sunset Hills Elementary PTA President Mary Andrews concerning cell towers. PUSD will be proactive in notifying parents by placing an article in the school newsletter when a cell tower on a site is being considered, and notification will be early enough to allow parents to attend the Board meeting at which the item will be presented so they can address the issue. Mr. Collins has agreed to attend an informational meeting at Sunset Hills regarding the proposed cell towers at Black Mountain Middle School.
- Approval of Middle School Boundaries is not on tonight's agenda. The item will be presented at a Special Board meeting on February 28 in Room B-1 at the District Office. The deadline for middle school parents to declare Oak Valley Middle School attendance is March 1.

(b) Student Recognition

Student accomplishments and awards received were recognized.

(c) Staff Recognition

Accomplishments and awards earned by staff members were recognized.

(d) District Recognition

School awards and honors received were recognized.

B-3 2005 CSBA Delegate Assembly Election

Mrs. Ranftle put forth the following names as representatives to the 2005 CSBA Delegate Assembly:

- George Gastil (Lemon Grove School District)
- Kelli Moors (Carlsbad Unified School District)
- Barbara Myers (Del Mar Union School District)
- Barbara Rohrer (Valley Center-Pauma Unified School District)
- Barbara Ryan (Santee School District)
- Carol Skiljan (Encinitas Union School District)

It was moved by Mrs. Ranftle seconded by Mr. Mangum, that the Board vote for those named as representatives to the 2005 CSBA Delegate Assembly: *Motion carried unanimously, 5-0.*

B-4 Board Member Reports

Board members reported on their activities and events attended in the previous month.

C. PUBLIC COMMENTS

Linda Cialeo and Lorene Joosten shared information with the Board regarding the formation of Poway Unified Education Advocates, a joint advocacy committee of parents, teachers, and administrators on issues that affect K-12 public education.

Heike Rodriguez asked the Board to consider allowing her current sixth grade student to remain at Bernardo Heights rather than attending Oak Valley.

Carolyn Epple expressed concern for the provisions of the Governor's budget which undermine the funding of K-12 education now and in the future.

Don Raczka stated his support of Poway Unified Education Advocates and Resolution No. 26-2005, urging the Governor and State Legislature to fully fund education according to the requirements of Proposition 98.

Connie Messina shared her concern about a new affordable housing project in South Poway.

Lorene Joosten recommended parents call the Governor at 916.445.2841 #5 to request that he stop taking funds from education to balance the state budget.

EARLY DISCUSSION ITEMS – *As approved in agenda item A-8, these items were considered prior to routine agenda items.*

D-401 Re-appointment of Citizens’ Oversight Committee Members for a Two-Year Term Effective March 2005

It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that the Board approve staff’s recommendation for the re-appointment of Andy Berg, Fred Sanford, Tony Heinrichs, and Kathy Frost to a second two-year term on the COC effective March 1, 2005. *Motion carried unanimously, 5-0.*

D-402 Acceptance of Resignation From a Member of the Citizens’ Oversight Committee and Direction to Staff to Solicit Applications to Fill the Vacancy

It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that the Board accept the resignation of Mr. Todd Gutschow as a member of the Citizens’ Oversight Committee. *Motion carried unanimously, 5-0.* President Patapow, Dr. Phillips, and Mr. Collins presented Todd Gutschow a plaque of appreciation for his two years of service on the COC. Staff was directed to advertise and solicit applications for consideration of appointment to the COC.

D-201 Public Hearing and Approval of Governing Board Appointee to the Personnel Commission

President Patapow opened a public hearing at 9:08 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the Poway Unified School District Governing Board approve the appointment of Mr. Todd Gutschow to the Personnel Commission. *Motion carried unanimously, 5-0.*

D-301 Approval of New Board Policy Section 6.26 – Energy Conservation

It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the Board approve new Board Policy 6.26 – Energy Conservation. *Motion carried unanimously, 5-0.*

G-309 Enrollment Report No. 5/2004-05

This report was presented as information only.

D. ACTION ITEMS

D-101 Public Hearing and Approval of Submission of a Specific Waiver for the Continued Use of Instructional Materials in Mathematics for Grades 6-8, Adopted under AB 2519 in 1999, Using Instructional Materials Funding Realignment Program Funds

President Patapow opened a public hearing at 9:18 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that a specific waiver be approved for submission to the State Board of Education requesting that the District be allowed to continue to use Instructional Materials Funding Realignment Program funds for the purchase and use of Prentice Hall Mathematics as the core mathematics resource in grades 6-8 through the 2006-2007 school year. *Motion carried unanimously, 5-0.*

D-102 Public Hearing and Approval of Submission of Waiver to Purchase Non-adopted Instructional Materials Using Instructional Materials Funding Realignment Program Funds

President Patapow opened a public hearing at 9:20 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mrs. Ranftle seconded by Mr. Mangum, that a general waiver be approved for submission to the State Board of Education requesting the District be allowed to continue to use Instructional Materials Funding Realignment Program funds for the

purchase and use of Everyday Mathematics as the core mathematics resource through the 2007-2008 school year. *Motion carried unanimously, 5-0.*

D-103 Approval of Interdistrict Attendance Agreements

It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that the Superintendent or his designee be authorized to sign interdistrict attendance agreements with the County of San Diego and designated out-of-county districts for the 2005-2006 school year. *Motion carried unanimously, 5-0.*

D-104 Readmission of Students on Expulsion

It was moved by Mr. McMillan, seconded by Mrs. Vanderveen, that the students represented by Case Nos. 2003-2004.04, 2003-2004.12, 2003-2004.39, 2003-2004.40, 2003-2004.42, and 2003-2004.49 be readmitted to the Poway Unified School District. *Motion carried unanimously, 5-0.*

D-105 Ratification of Student Discipline

It was moved by Mr. McMillan, seconded by Mrs. Vanderveen, that the action on the recommendations presented regarding Case Nos. 2004-2005.23, 2004-2005.24, 2004-2005.26, 2004-2005.28, 2004-2005.30, 2004-2005.31, and 2004-2005.36 be ratified. *Motion carried unanimously, 5-0.*

D-202 Approval of Resolution No. 30-2005 entitled “Authorization to Teach out of Major or Minor Fields”

It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that Resolution No. 30-2005 be approved and the Clerk of the Board be authorized to sign the resolution for the Board. *Motion carried unanimously, 5-0.*

D-501 Public Hearing and Approval of Resolution No. 27-2005 entitled “Dedication of an Easement to the Olivenhain Municipal Water District at Oak Valley Middle School”

President Patapow opened a public hearing at 9:27 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that Resolution No. 27-dedicating a right-of-way easement to the Olivenhain Municipal Water District at Oak Valley Middle School be approved. *Motion carried unanimously, 5-0.*

D-601 Approval of Resolution No. 26-2005 entitled “Support of Fully Funding Education According to the Requirements of Proposition 98”

It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that Resolution No. 26-2005 urging the California Governor and State Legislature to fully fund education according to the requirements of Proposition 98, be approved. *Motion carried unanimously, 5-0.*

F. FIRST READING ITEMS

F-110 Proposed Adoption of New and Revised High School Courses – First Reading

This was presented as a first reading, to be presented for action on March 14, 2005.

F-111 Proposed Adoption of High School Supplemental Textbook – First Reading

This was presented as a first reading, to be presented for action on March 14, 2005.

G. INFORMATION ITEMS

G-112 Proposed Deletion of Administrative Procedure Section 3.3.4 – Physical Performance Testing

This was presented as information.

G-310 Report on 2003-2004 Attendance Rates

This report was presented as information only.

G-311 Quarterly School Bus Inspection Report

This report was presented as information.

G-312 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Poway Unified School District

This report was presented as information only.

G-502 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 through 13

This report was presented as information.

G-602 Revision of Administrative Procedure Section 1.11.1 – Conflict of Interest Procedures

This was presented as information only.

H. NEW BUSINESS – BOARD MEMBERS

There was no business discussed under this item.

I. CORRESPONDENCE

There was no correspondence presented.

J. CLOSED SESSION

There were no additional items discussed in Closed Session.

K. ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

Andy Patapow, President

Steve McMillan, Clerk

Donald Phillips, Secretary

mc