



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

March 9, 2009
Morning Creek Elementary School

CLOSED SESSION

President Andy Patapow called the meeting to order at 4:00 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. Due to a flight delay, Mr. Mangum was absent from the closed session. The closed session was adjourned at 5:50 p.m., and Board members reconvened in the Morning Creek multipurpose room to begin their regular meeting and relay any reportable 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 6:01 p.m. by President Andy Patapow.

A-2 Report Out of Closed Session

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 Closed session, on a motion by Mrs. Ranftle, seconded by Mr. Gutschow, the Board took action to approve a Compromise Settlement of Case No. 37-2008-0076306-CU-PA-CTL in the amount of \$100,000 and to authorize the Deputy Superintendent to sign the necessary documents.

On a motion by Mrs. Vanderveen, seconded by Mr. Gutschow, the Board took action to reject personal injury claim 09-24.

It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that Resolution No. 36-2009, Resolution Regarding Release of Administrative Certificated Employees Pursuant to Education Code Section 44951, be adopted. *Motion carried, 4-0; Member Mangum absent.*

There was no other reportable action taken in closed session.

A-3 Salute to Flag

Rancho Bernardo High School students Alyssa Brown and Ajouni Singh led the salute to the flag.

A-4 Members in Attendance

Four Board members were in attendance until Mr. Mangum joined the meeting at 6:20 p.m. when discussion was beginning on item D-301.

A-5 Welcome to Public

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

A-6 Approval of Minutes

It was moved by Mr. Gutschow, seconded by Mrs. Vanderveen, that the minutes of the February 9, 2009, Regular Board Meeting be approved as presented. *Motion carried, 4-0; Member Mangum absent.*

A-7 Approval of Agenda Sequence

- 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

It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that agenda items D-301, D-201, D-202, and G-205 be considered prior to routine agenda items. *Motion carried, 4-0; Member Mangum absent.*

A-8 Approval of Consent Calendar

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

Revised agenda item E-204(a) was distributed to the Board and Cabinet prior to the beginning of the meeting. Mr. Gutschow declared his intention to abstain on agenda item E-111. It was moved by Mrs. Vanderveen, seconded by Mr. Gutschow, that, with the exception of item E-111, the items on the consent calendar be approved as presented. *Motion carried, 4-0; Member Mangum absent.* Item E-111 was *approved 3-0; Member Mangum absent, Member Gutschow abstained.*

B. REPORTS / PRESENTATIONS / EARLY AGENDA ITEMS

B-1 Student Board Member Reports

Student Board members Greg Christensen from Abraxas High School, Tina Nguyen from Mt. Carmel High School, Lucas Segil from Poway High School, Sana Marzouq from Rancho Bernardo High School, and Michele Nguyen from Westview High School reported on events and activities at their respective schools.

B-2 (a) Superintendent’s Briefing

Dr. Phillips stated that comments about the budget would be discussed in agenda item D-301. And in the interest of time this evening, there was no *Building for Success* update this month.

(b) Student Recognition

Student accomplishments and awards received were recognized.

B-3 2009 CSBA Delegate Assembly Election

Mrs. Ranftle put forth seven names as representatives to the 2009 CSBA Delegate Assembly:

Twila Godley (Lakeside Union School District)
Penny Halgren (La Mesa-Spring Valley School District)
Kelli Moors (Carlsbad Unified School District)
Janet Mulder (Jamul-Dulzura Union School District)
Barbara Ryan (Santee School District)
Priscilla J. Schreiber (Grossmont Union High School District)
Carol Skiljin (Encinitas Union School District)

It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that the Board vote for those named as representatives to the 2009 CSBA Delegate Assembly: ***Motion carried, 4-0; Member Mangum absent.***

B-4 Board Member Reports

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

EARLY AGENDA ITEMS – *As approved in agenda item A-7, these items were considered prior to routine 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”

Revised agenda item D-301 was distributed to the Board and Cabinet prior to the beginning of the meeting. It was moved by Mrs. Vanderveen, seconded by Mr. Gutschow, that Resolution No. 35-2009 be approved, revising the 2008-2009 interim budget for the General Fund as represented on the Second Interim Financial Report, and certifying to the County Superintendent of Schools that the District will meet its fiscal obligations in the 2008-2009 fiscal year and the two subsequent years. ***Motion carried unanimously, 5-0.***

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”

Marc Houle, Jann Williams, Scott Wild, Colleen Pratt, Gerry Bohart, Kimberly Carroll, and Laura Peterson expressed their concerns about the State budget, including a reminder that California is no longer valuing education as the district parents do. It was suggested that parents contact legislators to resolve the budgeting process for funding public education responsibly. District foundations were originally established to provide an enhanced education experience to students’ education rather than providing essential resources as necessitated by legislators’ lowered priority for education. Even as reductions are considered, consistency should be maintained districtwide.

Sue Sheldon requested that each school site have a library budget as the library program is investing in the district’s goal of college readiness.

Eddie Corbell shared that she felt teacher layoffs should be based solely on seniority date and the tie breaker list should not include paid extra-curricular coaching as its second item.

Annie Isaac asked that the reassignment of counselors from her child’s site be reconsidered.

Revised agenda item D-201 was distributed to the Board and Cabinet prior to the beginning of the meeting. It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that the Board approve Resolution No. 34-2009 with its attached exhibits as presented.

Roll Call Vote Required

Vote: *Ayes:* *Gutschow, Mangum, Patapow, Ranftle, Vanderveen*
 Noes: *None*
 Absent: *None*
 Abstain: *None*
 Motion Passed *5-0*

D-202 Approval of Resolution No. 37-2009 entitled “Resolution Regarding Administrative and Supervisory Certificated Employees Pursuant to Education Code Section 44951”

It was moved by Mr. Gutschow, seconded by Mr. Mangum, that the Board approve Resolution No. 37-2009 as presented.

Roll Call Vote Required

Vote: *Ayes:* *Gutschow, Mangum, Patapow, Ranftle, Vanderveen*
 Noes: *None*
 Absent: *None*
 Abstain: *None*
 Motion Passed *5-0*

G-205 Reassignment of Counselors to Teaching Positions

This was presented as information.

C. PUBLIC COMMENTS

Susan Fleming shared her concern about the lack of bus transportation for her son to attend Del Norte High School next year.

Kit Moses encouraged the Board to direct that the Arts and Music Grant funds continue to maintain those programs.

D. ACTION ITEMS

D-101 Public Hearing and Approval of the 2008-2009 Annual Service Plan and Annual Budget Plan for the Special Education Local Plan Area

President Patapow opened a public hearing at 8:26 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Mangum, seconded by Mrs. Ranftle, that the Annual Service Plan and Annual Budget Plan be approved. *Motion carried unanimously, 5-0.*

D-102 Approval of Single Plan for Student Achievement (SPSA) for Rancho Bernardo High School

It was moved by Mrs. Vanderveen, seconded by Mrs. Ranftle, that Rancho Bernardo High School’s 2008-2009 Single Plan for Student Achievement (SPSA) be approved. *Motion carried unanimously, 5-0.*

D-103 Adoption of New Career, Technical, and Adult Education Course

It was moved by Mrs. Ranftle, seconded by Mr. Gutschow, that the course listed be approved. *Motion carried unanimously, 5-0.*

D-104 Ratification of Student Discipline

It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that, based upon the Board's review of the Findings of Fact and Recommendations submitted by administrative hearing panels, the action on the recommendations presented regarding Case Numbers 2008-2009.23, 2008-2009.26, and 2008-2009.27 be ratified. *Motion carried unanimously, 5-0.*

D-105 Readmission of Students on Expulsion

It was moved by Mr. Gutschow, seconded by Mr. Mangum, that students represented by Case Numbers 2007-2008.23, 2007-2008.42, 2007-2008.47, and 2007-2008.90 be readmitted to the Poway Unified School District. *Motion carried unanimously, 5-0.*

As approved in agenda item A-7, D-201, D-202, and D-301 were considered prior to routine agenda items.

F. FIRST READING ITEMS

F-112 Proposed Adoption of New High School Course – First Reading

This was presented as a first reading, to be presented for action on April 20, 2009.

F-113 Proposed Adoption of High School Textbooks – First Reading

This was presented as a first reading, to be presented for action on April 20, 2009.

F-114 Proposed Adoption of Elementary School Science Textbooks – First Reading

This was presented as a first reading, to be presented for action on April 20, 2009.

G. INFORMATION ITEMS

As approved in agenda item A-7, G-205 was considered prior to routine agenda items.

G-305 Enrollment Report No. 6/2008-2009

This report 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 8:39 p.m.

Andy Patapow, President

Penny Ranftle, Clerk

Donald Phillips, Secretary

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