

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

**March 8, 2010**



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

**REGULAR MEETING BEGINS AT 6:00 P.M.**

**NOTE:** At 3:30 p.m., there will be an open session to allow for public comment on the closed session agenda items, followed immediately by a closed session in the Morning Creek staff lounge.

**CLOSED SESSION: PUBLIC EMPLOYEE EMPLOYMENT**

Title: Superintendent

**CLOSED SESSION: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM  
LEGAL COUNSEL (Subdivision (b)(1) of Section 54956.9)**

Case No. 07cv783BEN

**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 LABOR NEGOTIATOR**

Agent Negotiator: Bill Chiment

PFT, CSEA, SEIU

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*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.*

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*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](http://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 – **Linda Vanderveen**
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
  - (c) Staff Recognition
  - (d) District Recognition
3. 2010 CSBA Delegate Assembly Election
4. Board Member Reports

**EARLY AGENDA ITEMS**

- D-301 Approval of Resolution No. 36-2010 entitled “Authorization for Governing Board of Poway Unified School District to Request Temporary Transfer of Funds”
- D-302 Approval and Certification of Second Interim Financial Report and Approval of Resolution No. 37-2010 entitled “Authorization to Revise the 2009-2010 Budget as Reflected in the Second Interim Financial Report”

**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.

**D. ACTION ITEMS**

**100 – LEARNING SUPPORT SERVICES**

- 101 Ratification of Student Discipline
- 102 Readmission of Student on Expulsion
- 103 Approval of Interdistrict Attendance Agreements for 2010-2011 School Year
- 104 Approval of “Title 1, Part A, Waiver Application” to Carry Over More than 15 Percent of Funding

105 Public Hearing and Approval of the 2009-2010 Annual Service Plan and Annual Budget Plan for the Special Education Local Plan Area (SELPA)

**200 – PERSONNEL SUPPORT SERVICES**

201 Approval of Resolution No. 34-2010 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. 35-2010 entitled “Resolution Regarding Administrative and Supervisory Certificated Employees Pursuant to California Education Code Section 44951”

**300 – BUSINESS SUPPORT SERVICES**

301\* Approval of Resolution No. 36-2010 entitled “Authorization for Governing Board of Poway Unified School District to Request Temporary Transfer of Funds”

302\* Approval and Certification of Second Interim Financial Report and Approval of Resolution No. 37-2010 entitled “Authorization to Revise the 2009-2010 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 Approval of Agreement for Nonpublic School/Nonpublic Agency Services

107 Adoption of High School Textbook and Student Workbook

108 Adoption of Middle School Textbooks

109 Adoption of New High School Courses

110 Approval of Resolution No. 40-2010 entitled “American Recovery and Reinvestment Act (ARRA) Contract for Transition Partnership Program Agreement with California Department of Rehabilitation”

111 Approval/Ratification of Out-of-State Field Trips

**200 – PERSONNEL SUPPORT SERVICES**

203 Approval of Clinical Facilities Agreement in Occupational Therapy Assistant with Grossmont-Cuyamaca Community College District

204 Approval of Student Teaching Agreement with University of San Diego

205 Approval of Resolution No. 39-2010 entitled “Revision of Date for Observance of ‘Lincoln Day’ 2011 and ‘Washington Day’ 2011”

206 Approval of Change to Classification Description – Sign Language Interpreter

207 (a) Approval of Certificated Personnel Report No. 10-2010

(b) Approval of Classified Personnel Report No. 10-2010

**300 – BUSINESS SUPPORT SERVICES**

303 Approval/Ratification of Contractual Services Report No. 08-2010

304 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders

- 305 Acceptance of Project as Complete and Authorization to File a Notice of Completion with Echo Pacific Construction Co. for Installation of Artificial Turf at Valley Elementary School
- 306 Award a Contract for Bid No. 17B-2010 Uniforms to G&K Services, Inc., and Reject Non-responsive Bid from Signature Apparel
- 307 Authorization to Award Bid No. 19B-2010 and Sign Contract(s) to Purchase Fall Varsity Athletic Apparel

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

**500 – COMMUNITY FACILITIES DISTRICT**

- 501 Approval of Resolution No. 38-2010 entitled “Intention to Consider Modifications to the Rate and Method of Apportionment of Special Taxes with Respect to Community Facilities District No. 10, Improvement Area F (Torrey Highlands - Subarea IV), the Facilities Authorized to be Financed, and the Authorized Bonded Indebtedness”

**600 – SUPERINTENDENT’S OFFICE**

- 601 Approval of Revised Board Policy Section 1.13 – Student Board Members

**F. FIRST READING ITEMS**

**100 – LEARNING SUPPORT SERVICES**

**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**

**300 – BUSINESS SUPPORT SERVICES**

- 308 Enrollment Report No. 6/2009-2010

**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**

**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

**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 EMPLOYMENT**

Title: Superintendent

**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 19**, at **6:00 p.m.** at Morning Creek Elementary School, 10925 Morning Creek Drive South, San Diego.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: A-6

SUBJECT: APPROVAL OF MINUTES

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

That the minutes of the February 8, 2010, Regular Board Meeting, February 10, 2010, Special Board Meeting, and February 22, 2010, Special Board meeting be approved as presented.

**DISCUSSION/PROGRAM:**

The minutes of the February 8, 2010, Regular Board Meeting, February 10, 2010, Special Board Meeting, and February 22, 2010, Special Board Meeting are attached.

LEGAL REFERENCE: N/A

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_



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

**February 8, 2010**  
Morning Creek Elementary School

**CLOSED SESSION**

President Todd Gutschow called the meeting to order at 4:01 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 5:59 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 6:08 p.m. by President Todd Gutschow.

**A-2 Report Out of Closed Session**

**CLOSED SESSION: PUBLIC EMPLOYMENT**

Title: Superintendent

**CLOSED SESSION: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL COUNSEL – PENDING LITIGATION (Subdivision (b)(1) of Section 54956.9)**

Case No.: 07cv783BEN

Case No.: 37-2009-00095304-CU-CL-CTL

**CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR**

Agent Negotiator: Bill Chiment

PFT, CSEA, SEIU

**CLOSED SESSION: CAHSEE WAIVER FOR GRADUATION FOR STUDENTS WITH DISABILITIES - CONSIDERATION (EC 56101, 60851)**

On motion of Mrs. Ranftle and second by Mrs. Vanderveen, and in accordance with California Education Code Sections 35146, 60850, 60851 and PUSD Board Policy 3.6, the Board reviewed 52 California High School Exit Exam waiver requests. These requests are for Special Education students who passed the California High School Exit Exam with modifications as specified in their Individual Education Plans. The Board approved by unanimous vote all 52 waiver requests.

There was no other reportable action taken in closed session.

**A-3 Salute to Flag**

Two Del Norte High School freshmen led the salute to the flag.

**A-4 Members in Attendance**

All Board members were in attendance.

**A-5 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-6 Approval of Minutes**

It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that the minutes of the January 19, 2010, Regular Board Meeting and February 1, 2010, Special Board Meeting be approved as presented. *Motion carried unanimously, 5-0.*

**A-7 Approval of Consent Calendar**

**100 – LEARNING SUPPORT SERVICES**

- 107 Adoption of ROP/Adult Education Textbooks
- 108 Approval/Ratification of Out-of-State Field Trips
- 109 Acceptance of Gifts

**200 – PERSONNEL SUPPORT SERVICES**

- 202 (a) Approval of Certificated Personnel Report No. 08-2010
- (b) Approval of Classified Personnel Report No. 08-2010

**300 – BUSINESS SUPPORT SERVICES**

- 301 Approval/Ratification of Contractual Services Report No. 07-2010
- 302 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders
- 303 Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders
- 304 Approval of the Williams Settlement Quarterly Report for December 2009
- 305 Authorization to Award RFP 6P-2010 Contract for Independent Audit Services for Fiscal Year 2009-2010
- 306 Authorization to Execute Three Second Amendments to the Construction Services, Sublease, and Site Lease Agreements with Echo Pacific Construction Co., for the Renovation of the New District Administration Center

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

**500 – COMMUNITY FACILITIES DISTRICT**

**600 – SUPERINTENDENT’S OFFICE**

Revised agenda item E-301 was distributed to the Board and Cabinet prior to the beginning of the meeting. Mrs. Ranftle asked that item E-303 be pulled for discussion. It was moved by Mr. Patapow, seconded by Mr. Mangum, that, with the exception of item E-303, the items on the consent calendar be approved as presented. *Motion carried unanimously, 5-0.*

**EARLY AGENDA ITEMS**

President Gutschow asked for a motion to move agenda items D-104, F-203, F-204, and F-205 forward as Early Agenda Items.

It was moved by Mr. Patapow, seconded by Mrs. Vanderveen, that agenda items D-104, F-203, F-204, and F-205 be considered prior to routine agenda items. *Motion carried unanimously, 5-0.*

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

### **B-1 Student Board Member Reports**

Student Board members Tess Moore from Mt. Carmel High School, Cierra Gwin from Abraxas High School, Karen Mejia from Rancho Bernardo High School, Kaitlin Garriott from Del Norte High School, Abbey Cavendish from Westview High School, and Meghan Spooner from Poway High School reported on events and activities at their respective schools.

### **B-2 (a) Superintendent's Briefing**

The following updates on current issues and events were presented:

- Dr. Phillips reviewed the budget reduction issues, and the projected 2010-2011 budget shortfall is projected to be \$24 million if there are no further cuts from the Governor.

### **(b) Student Recognition**

Student accomplishments and awards received were recognized.

### **(c) District Recognition**

School awards and honors received were recognized.

### **B-3 Recognition of Volunteers for District H1N1 Vaccination Clinics**

Volunteers at the eight school-based vaccination clinics were recognized.

### **B-4 State of the District Reports 2002-2009**

Dr. Phillips presented information focusing on the progress and growth of the District from 2002-2009.

Dr. Phillips announced his retirement effective June 30, 2010, after nine years in PUSD, and almost 40 years in education. President Gutschow expressed the Board's appreciation for what Dr. Phillips brought to PUSD. He said the Board discussed the matter in Closed Session and unanimously decided to appoint Dr. John Collins as Superintendent. No action on this could be taken this evening. At the February 22 Special Board meeting, Dr. Phillips' letter of retirement will be accepted and the Board will formally appoint Dr. Collins.

### **B-5 Board Member Reports**

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

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

### **D-104 Public Hearing and Approval of General Education Waiver to Waive Penalty and Allow Increase of Maximum Class Size at Grades 4-8**

President Gutschow opened a public hearing at 7:09 p.m. to receive public comment. Hearing none, the public hearing was closed. It was moved by Mr. Patapow, seconded by Mrs. Vanderveen, that the Board approve a general education waiver requesting to increase maximum class size at Grades 4-8 and that associated penalties be waived. *Motion carried unanimously, 5-0.*

### **F-203 Initial Proposal From the Board of Education to the California School Employees Association, Chapter 313**

Revised agenda item F-203 was distributed to the Board and Cabinet prior to the beginning of the meeting. This was presented as a first reading. A public hearing will be held at a Special Board Meeting scheduled for February 22, 2010, to give the community an opportunity to respond to the proposal.

**F-204 Initial Proposal From the Board of Education to the Poway Federation of Teachers, Local 2357**

Revised agenda item F-204 was distributed to the Board and Cabinet prior to the beginning of the meeting. This was presented as a first reading. A public hearing will be held at a Special Board Meeting scheduled for February 22, 2010, to give the community an opportunity to respond to the proposal.

Kris Thresher, Marc Houle, Kati DeBolt, Lesley Meisberger, Laurie Milliken, Mary Jo Speehar, Cathy Carr, and Martin Reisert expressed their concerns about the District's initial proposal.

**F-205 Initial Proposal From the Board of Education to the Service Employees International Union, Local 221**

Revised agenda item F-205 was distributed to the Board and Cabinet prior to the beginning of the meeting. This was presented as a first reading. A public hearing will be held at a Special Board Meeting scheduled for February 22, 2010, to give the community an opportunity to respond to the proposal.

**C. PUBLIC COMMENTS**

John Riess, house counsel for Kirk Paving, indicated his client would like to settle the claim and avoid litigation.

**D. ACTION ITEMS**

**D-101 Ratification of Student Discipline**

It was moved by Mrs. Vanderveen, seconded by Mr. Patapow, that, based upon the Board's review of the Findings of Fact and Recommendations submitted by the administrative hearing panel, the action of the recommendations presented regarding Case Numbers 2009-2010.28, 2009-2010.32, 2009-2010.37, and 2009-2010.38 be ratified. *Motion carried unanimously, 5-0.*

**D-102 Ratification of Stipulated Agreements for Student Expulsions**

It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that the Board of Education approve and ratify the stipulated agreements for expulsion in Case Numbers 2009-2010.35 and 2009-2010.36. *Motion carried unanimously, 5-0.*

**D-103 Readmission of Students on Expulsion**

It was moved by Mr. Mangum, seconded by Mr. Patapow, that students represented by Case Numbers 2008-2009.34, 2008-2009.47, 2008-2009.51, 2008-2009.52, 2008-2009.61, 2008-2009.62, and 2008-2009.73 be readmitted to the Poway Unified School District. *Motion carried unanimously, 5-0.*

*As approved earlier in the meeting, D-104 was considered prior to routine agenda items.*

**D-105 Approval of Single Plan for Student Achievement (SPSA) for each Elementary, Middle, and High School for 2009-2010**

It was moved by Mr. Patapow, seconded by Mrs. Vanderveen, that each school's 2009-2010 Single Plan for Student Achievement (SPSA) be approved. *Motion carried unanimously, 5-0.*

**D-106 Approval of Redesignation of Title I Elementary Schools, Valley and Los Peñasquitos, from Targeted Assistance to Schoolwide Title I Programs**

It was moved by Mr. Mangum, seconded by Mr. Patapow, that Valley Elementary and Los Peñasquitos Elementary Schools be redesignated to Schoolwide Title I Programs. *Motion carried unanimously, 5-0.*

**D-201 Approval of 2010/2011 Year-Round Student Attendance Calendar for Abraxas High School and the Modified Student Attendance Calendar for Valley Elementary School**

It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the Board approve the proposed year-round student attendance calendar for Abraxas High School and the modified student attendance calendar for Valley Elementary School for the 2010/2011 school year as presented. *Motion carried unanimously, 5-0.*

**D-401 Approval of Resolution No. 31-2010 entitled “Authorizing the Issuance of Not to Exceed \$25,000,000 Aggregate Initial Principal Amount of General Obligation Bond Anticipation Notes of School Facilities Improvement District No. 2007-1 of the Poway Unified School District, 2008 Election, Series 2010, Approving the Execution and Delivery of an Indenture, a Note Purchase Agreement, and a Continuing Disclosure Agreement, and Approving the Distribution of an Official Statement in Connection Therewith and Other Matters Related Thereto”**

It was moved by Mrs. Ranftle, seconded by Mrs. Vanderveen, that Resolution No. 31-2010 be approved, authorizing the maximum financial parameters, approving the financing documents, and authorizing the actions required to complete the issuance of the 2010 Bond Anticipation Notes (“BANs”). *Motion carried unanimously, 5-0.*

*Agenda item E-303 was pulled from the Consent Calendar for discussion and action.*

**E-303 Approval of Quarterly Associated Student Body (ASB) and Student Council Financial Reports and Ratification of ASB Purchase Orders**

It was moved by Mrs. Ranftle, seconded by Mr. Mangum, that the quarterly ASB and Student Council Financial Reports and ASB purchase orders be ratified. *Motion carried unanimously, 5-0.*

**F. FIRST READING ITEMS**

**F-110 Proposed Adoption of High School Textbook and Student Workbook – First Reading**

This was presented as a first reading, to be presented for action on March 8, 2010.

**F-111 Proposed Adoption of Middle School Textbooks – First Reading**

This was presented as a first reading, to be presented for action on March 8, 2010.

**F-112 Proposed Adoption of new High School Courses – First Reading**

This was presented as a first reading, to be presented for action on March 8, 2010.

*As approved earlier in the meeting, F-203, F-204, and F-205 were considered prior to routine agenda items.*

**F-601 Proposed Revision of Board Policy Section 1.13 – Student Board Members – First Reading**

This was presented as a first reading, to be presented for action on March 8, 2010.

**G. INFORMATION ITEMS**

**G-206 Annual Disclosure and Certification of Estimated Accrued but Unfunded Liability for Self-Insured Workers’ Compensation Claims, Fiscal Year 2008-2009 and Submittal of Annual Workers’ Compensation Self-Insurer’s Report to State**

This report was presented as information only.

**G-307 Enrollment Report No. 5/2009-2010**

This report was presented as information.

**G-308 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Poway Unified School District**

This report was presented as information only.

**G-501 Annual Investment Policy Review and Quarterly Disclosure of Local Agency Investments for Community Facilities District Nos. 1 through 14**

This report was presented as information.

**H. NEW BUSINESS – BOARD MEMBERS**

President Gutschow announced there would be a Special Board Meeting on Wednesday, February 10, beginning at 3:30 p.m., in Conference Room B-1 at the Administration Center.

**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 8:13 p.m.

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Todd Gutschow, President

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Jeff Mangum, Clerk

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Donald Phillips, Secretary

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

**February 10, 2010**  
Administration Center, Room B-1

**SPECIAL MEETING**

The special meeting of the Board of Education was called to order at 3:32 p.m. by President Todd Gutschow. All Board members were in attendance.

**AGENDA ITEMS**

**A. PUBLIC COMMENT**

There were no public comments, so the meeting adjourned immediately to closed session.

**B. CLOSED SESSION – PUBLIC EMPLOYEE**

**Title: Superintendent**

The Board reconvened in open session at 6:10 p.m.

There was no reportable action taken in closed session.

**C. ADJOURNMENT**

The meeting was adjourned at 6:10 p.m.

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Todd Gutschow, President

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Jeff Mangum, Clerk

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John P. Collins, Deputy Superintendent



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

**February 22, 2010**  
Morning Creek Elementary School

**CLOSED SESSION**

President Todd Gutschow called the meeting to order at 3:28 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. Jeff Mangum joined closed session at 3:32 p.m. The closed session was adjourned at 5:51 p.m., and Board members reconvened in the Morning Creek multipurpose room to begin their special meeting and relay any reportable action taken during closed session.

**SPECIAL MEETING**

**A. PRELIMINARY FUNCTIONS**

**A-1 Reconvene / Call to Order**

The special meeting of the Board of Education was called to order at 6:03 p.m. by President Todd Gutschow.

**A-2 Report Out of Closed Session**

**CLOSED SESSION: PUBLIC EMPLOYEE APPOINTMENT**

Title: Superintendent

**CLOSED SESSION: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL COUNSEL – PENDING LITIGATION** (Subdivision (b)(1) of Section 54956.9)

Case No. 07cv783BEN

**CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATOR**

Agent Negotiator: Bill Chiment  
PFT, CSEA, SEIU

There was no reportable action taken in closed session.

**A-3 Salute to Flag**

Two Oak Valley Middle School students led the salute to the flag.

**A-4 Members in Attendance**

All Board members were in attendance.

**B. PRESENTATION**

**B-1 Budget Overview**

Dr. Phillips and Dr. Collins presented an overview of the District budget and its priorities. Possible solutions and negotiation processes were also reviewed.

## C. PUBLIC COMMENTS

Laura Van Tyne shared that she felt the cost of an administrative position at her child's school would be better reinvested into the classroom.

Heather Skale questioned the purchase of the new administration building and why so many managers have their own assistant, adding that San Diego Unified has a webpage for information related to the budget crisis.

Lorene Joosten encouraged the Board to endorse the initiative to reduce the requirement for approving a parcel tax to 55%.

Craig Ellsworth shared his concern about our wasteful spending habits which began in the 1980's when funding was plentiful.

## D. ACTION ITEMS

### D-1(a) Approval of Certificated Personnel Report No. 09-2010

President Gutschow noted that Dr. Phillips' retirement is listed in this report. It was moved by Mr. Mangum, seconded by Mrs. Vanderveen, that the Certificated Personnel Report No. 09-2010 be approved as presented. *Motion carried unanimously, 5-0.*

### D-1(b) Approval of Classified Personnel Report No. 09-2010

It was moved by Mr. Patapow, seconded by Mrs. Ranftle, that the Classified Personnel Report No. 09-2010 be approved as presented. *Motion carried unanimously, 5-0.*

### D-2 Employment Agreement Between Poway Unified School District and Dr. John Collins, Superintendent

It was moved by Mr. Patapow, seconded by Mrs. Vanderveen, that the Board approve the employment agreement between the Poway Unified School District and Dr. John Collins, Superintendent, as presented. *Motion carried unanimously, 5-0.*

### D-3 Initial Proposal from the Board of Education to the California School Employees Association (CSEA), Chapter 313

Mr. Chiment stated the initial proposals in agenda items D-3, D-4, and D-5 are part of the negotiations process. Each proposal was presented to the Board as a first reading at the February 8, 2010, Board meeting, and tonight as a public hearing. They represent the beginning of the collective bargaining process, not the conclusion. Each proposal is for a three-year period, with the net effect that all employees experience a 7.5% salary rollback plus 10 fewer work days annually.

President Gutschow opened a public hearing at 7:10 p.m. to receive public comment.

Dianne Kodadek pledged to continue open and honest communication between CSEA leadership and the District.

The public hearing was closed at 7:15 p.m. It was moved by Mr. Patapow, seconded by Mr. Mangum, that the Board adopt the District's initial proposal to California School Employees Association (CSEA), Chapter 313. *Motion carried unanimously, 5-0.*

### D-4 Initial Proposal from the Board of Education to the Poway Federation of Teachers (PFT), Local 2357

President Gutschow opened a public hearing at 7:16 p.m. to receive public comment.

Marc Houle and Candy Smiley presented a review of the State of the District from a teacher's perspective and proposed that every dollar decision be based on classroom needs, non self-supporting programs be suspended, revenue be generated through registration fees, donations, selling advertising, fundraising, and developing partnerships, plus demand political action to adequately fund schools.

Tina Shaw submitted a written statement indicating opposition to cutting teacher salaries, but chose not to address the Board.

The following 18 individuals expressed their opposition to the proposed teacher's salary reduction and five fewer student instructional days because of the negative impact on staff and student learning, and requested that other options be considered:

Jan Van Horne	Sharon Rosenthal	Holly Lecakes-Jones
Jennifer Conlon	Shawnee Wood	Naomi Lukaszewski
Mary Jo Speehar	Tricia Steiner	Kathy Diaz
Laurie Milliken	Jane Wakeham Lopez	Nancy Gross
Barbara Bly	Barbara Chappell-Brown	Dorra Duensing
Philip Factor	Terri Rogelstad	Florence Laurenson

The public hearing was closed at 8:56 p.m. It was moved by Mr. Mangum, seconded by Mr. Patapow, that the Board adopt the District's initial proposal to Poway Federation of Teachers (PFT), Local 2357. *Motion carried unanimously, 5-0.*

#### **D-5 Initial Proposal from the Board of Education to the Service Employees International Union (SEIU), Local 221**

President Gutschow opened a public hearing at 8:57 p.m. to receive public comment.

Chuck Lord expressed SEIU's willingness to sit at the bargaining table to get the budget resolved.

Patrick Huot said that bus drivers are unable to get a second job due to scheduling, and that after-school activities encourage students to develop teamwork and pride.

The public hearing was closed at 9:04 p.m. It was moved by Mrs. Vanderveen, seconded by Mr. Mangum, that the Board adopt the District's initial proposal to Service Employees International Union (SEIU), Local 221. *Motion carried unanimously, 5-0.*

Mr. Mangum stated that the budget situation is serious, and the cuts are unsupportable, divisive, and ruinous. Closing a \$24 million deficit in a quarter-billion dollar budget with 85% of the budget being salaries narrows the options, all of which are unfavorable. In reality, there is no choice as the budget must be balanced and that cannot be done any other way except pay cuts. The Board values the employees and what they have accomplished, but cannot close the budget gap without cutting instructional positions. Mrs. Ranftle added that the last \$49 million of cut decisions have been hard to make, not just the decisions to be made this year. The new administration building, which was purchased with funds legally earmarked for only that specific use, is saving \$500,000 in annual lease payments, and those dollars can be used for general fund expenses. Board members expressed their determination not to waiver from doing what's best for the students.

#### **E. ADJOURNMENT**

The meeting was adjourned at 9:17 p.m.

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Todd Gutschow, President

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Jeff Mangum, Clerk

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Donald Phillips, Secretary

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: A-7

SUBJECT: APPROVAL OF AGENDA SEQUENCE

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the following agenda items be considered prior to routine agenda items.

**DISCUSSION/PROGRAM:**

- D-301 Approval of Resolution No. 36-2010 entitled "Authorization for Governing Board of Poway Unified School District to Request Temporary Transfer of Funds"
- D-302 Approval and Certification of Second Interim Financial Report and Approval of Resolution No. 37-2010 entitled "Authorization to Revise the 2009-2010 Budget as Reflected in the Second Interim Financial Report"

LEGAL REFERENCE: N/A

FISCAL IMPACT: None

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: A-8

SUBJECT: APPROVAL OF CONSENT CALENDAR

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

The following comprise the consent calendar. Action may be taken on these items by a single motion of the Board, allowing time for discussion on other routine items.

**DISCUSSION/PROGRAM:**

**100 – LEARNING SUPPORT SERVICES**

- 106 Approval of Agreement for Nonpublic School/Nonpublic Agency Services
- 107 Adoption of High School Textbook and Student Workbook
- 108 Adoption of Middle School Textbooks
- 109 Adoption of New High School Courses
- 110 Approval of Resolution No. 40-2010 entitled "American Recovery and Reinvestment Act (ARRA) Contract for Transition Partnership Program Agreement with California Department of Rehabilitation"
- 111 Approval/Ratification of Out-of-State Field Trips

**200 – PERSONNEL SUPPORT SERVICES**

- 203 Approval of Clinical Facilities Agreement in Occupational Therapy Assistant with Grossmont-Cuyamaca Community College District
- 204 Approval of Student Teaching Agreement with University of San Diego
- 205 Approval of Resolution No. 39-2010 entitled "Revision of Date for Observance of 'Lincoln Day' 2011 and 'Washington Day' 2011"
- 206 Approval of Change to Classification Description – Sign Language Interpreter
- 207 (a) Approval of Certificated Personnel Report No. 10-2010  
(b) Approval of Classified Personnel Report No. 10-2010

**300 – BUSINESS SUPPORT SERVICES**

- 303 Approval/Ratification of Contractual Services Report No. 08-2010

Continued . . .

LEGAL REFERENCE: N/A

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

- 304 Approval of District Revolving Cash Fund and Purchase Card Transactions; Ratification of District Purchase Orders
- 305 Acceptance of Project as Complete and Authorization to File a Notice of Completion with Echo Pacific Construction Co. for Installation of Artificial Turf at Valley Elementary School
- 306 Award a Contract for Bid No. 17B-2010 Uniforms to G&K Services, Inc., and Reject Non-responsive Bid from Signature Apparel
- 307 Authorization to Award Bid No. 19B-2010 and Sign Contract(s) to Purchase Fall Varsity Athletic Apparel

**400 – SCHOOL FACILITIES IMPROVEMENT DISTRICT**

**500 – COMMUNITY FACILITIES DISTRICT**

- 501 Approval of Resolution No. 38-2010 entitled "Intention to Consider Modifications to the Rate and Method of Apportionment of Special Taxes with Respect to Community Facilities District No. 10, Improvement Area F (Torrey Highlands - Subarea IV), the Facilities Authorized to be Financed, and the Authorized Bonded Indebtedness"

**600 – SUPERINTENDENT'S OFFICE**

- 601 Approval of Revised Board Policy Section 1.13 – Student Board Members

**TO: BOARD OF EDUCATION**

**MEETING DATE:** March 8, 2010

**FROM:** Donald A. Phillips  
Staff Support:

**AGENDA ITEM:** B-1

**SUBJECT: STUDENT BOARD MEMBER REPORTS**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

**Information.**

**DISCUSSION/PROGRAM:**

Abraxas High School:	Cierra Gwin
Del Norte High School:	Ashtyn Faucher
Mt. Carmel High School:	Tess Moore
Poway High School:	Erin Leonard
Rancho Bernardo High School:	Sana Marzouq
Westview High School:	Abbey Cavendish

**TO: BOARD OF EDUCATION**

**MEETING DATE:** March 8, 2010

**FROM:** Donald A. Phillips  
Staff Support:

**AGENDA ITEM:** B-2(a)

**SUBJECT: SUPERINTENDENT'S BRIEFING**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

Information.

**DISCUSSION/PROGRAM:**

Dr. Phillips will present a brief update on current issues and events.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support: Sharon Raffer

AGENDA ITEM: B-2(b)

SUBJECT: STUDENT RECOGNITION

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

Information.

**DISCUSSION/PROGRAM:**

- The following 30 Poway Unified School District high school seniors are National Merit Scholarship finalists. These students are judged on college entrance exam scores, academic records, evidence of leadership, essays, and recommendations. Nearly 1.5 million high school students from more than 21,000 high schools in the United States entered the 2009-2010 National Merit Program by taking the 2008 PSAT National Merit Scholarship Qualifying Test in their junior year, which served as an initial screening of program entrants. These academically-talented seniors have an opportunity to continue in the competition for 10,500 merit scholarship awards, worth \$50 million, that will be offered this spring.

**National Merit Scholarship Finalists**

Mt. Carmel High School

Shuyang Fang  
Fei Frank Ni  
Jared Servantez

Rancho Bernardo High School

Julia Brown  
Tiffany Dharma  
Timothy Evans  
Jeffrey Kong  
Jarred Mihalik  
Glori Ng  
Sumukh Sathnur  
Christopher Stanton

Poway High School

Parker Dato  
Dustin Hu  
Emmeline Kim  
Jennifer Rhee

Westview High School

Allison Chen  
Jefferson Chen  
Felicia Han  
Rose Hill  
Tiffany Hwu  
Bonnie Jiang  
Charles Lee  
Ming Liu  
Alice Main  
Connie New  
Kyle Plutchak  
Eileen Shi  
Christine Sun  
Emily Teng  
Karl Yang

Continued...

- The White House Commission on Presidential Scholars and the United States Department of Education have selected the following PUSD students as candidates for the United States Presidential Scholars Program. Approximately 3,000 candidates were chosen from nearly 3 million students who are expected to graduate from U.S. high schools in the year 2010. Inclusion in the Presidential Scholars Program, now in its 46<sup>th</sup> year, is one of the highest honors bestowed upon graduating high school seniors. Scholars are selected on the basis of superior academic and artistic achievements, leadership qualities, strong character, and involvement in community and school activities.

**Candidates for the United States Presidential Scholars Program**

Mt. Carmel High School  
James Ferguson  
Amanda Lee

Rancho Bernardo High School  
Glori Ng  
Anna Nonaka

Poway High School  
Jennifer Rhee  
Michael Urbach

Westview High School  
Rose Hill

- “The Funny Bone,” a play co-written by **Chris Toth** and **Mikie Kantya Layavong** when they were in sixth grade at Mesa Verde Middle School last year was featured at San Diego’s Playwrights Project “Plays by Young Writers” Festival held February 26-28 at the Lyceum Theatre. The annual “Plays by Young Writers” Festival is the organization’s marquee event. Each year, young dramatists from around the state submit scripts (a total of 242 this year) to the California Young Playwrights Contest, vying for either a full festival production or (for those under 15) a staged reading. Six scripts were selected. “The Funny Bone” was described by *San Diego Union Tribune’s* Theater Critic James Hebert as a staged reading where “a chronically humorless bear resorts to desperate measures to win an ‘American Idol’-style joke contest in this animal-centric comedy. The play brings reality-show aspirations into the realm of talking animals, and even gets in a little dig at the expense of the healthcare biz.” The play was the only selected entry with co-writers.

The Mesa Verde teachers who worked with and supported the students were **Susan Bateman** and **Brian Bateman**.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support: Sharon Raffer

AGENDA ITEM: B-2(c)

SUBJECT: STAFF RECOGNITION

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

Information.

**DISCUSSION/PROGRAM:**

- Two Poway Unified School District administrators will be recognized from the Association of California School Administrators (ACSA) Region 18 for 2010 at the "Honoring Our Own" dinner on April 29, 2010. Eric Lehw, Executive Director of Curriculum, Instruction, Standards, and Assessment has been chosen as the ACSA Administrator of the Year Award Winner in the Curriculum and Instruction Category. Dr. Miguel Carrillo, Meadowbrook Middle School principal, has been chosen as the ACSA Administrator of the Year Award Winner in the Middle Grades Principal Category.
- Wayne Branstetter, Poway High school head wrestling coach, was featured in the Winter 2010 edition of *Our City San Diego* magazine. In "Inspiration on and off the Mat," the four-page article profiles and commends Wayne for "teaching success in wrestling and in life." He has touched the lives of hundreds of young men and amassed an amazing record for wrestling championships at Poway High School.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support: Sharon Raffer

AGENDA ITEM: B-2(d)

SUBJECT: DISTRICT RECOGNITION

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

Information.

**DISCUSSION/PROGRAM:**

- **Los Peñasquitos Elementary School** has been selected by the California Department of Education as a 2009-2010 Title I Academic Achievement Award School. Los Peñasquitos met the criteria for this state award, which includes demonstrating that all students are making significant progress toward proficiency on California's academic content standards. Additionally, the school's socioeconomically disadvantaged students must have doubled the achievement targets set for them for two consecutive years. Six thousand California schools participate in the Title I program. There are 238 California schools who will receive this recognition at an award ceremony scheduled for April 21, 2010, in Los Angeles.
- The **Meadowbrook Middle School** eighth grade academic team won the California State Championship at the middle school level of the *We the People: The Citizen and the Constitution* competition on February 20, 2010. The Meadowbrook team is comprised of 32 students and their language arts/social studies teacher is **Tina Shaw**.
- **Twin Peaks Middle School** was selected as a finalist for the California of Directors of Activities/ California Association of Student Leaders (CADA/CASL), Outstanding Student Activities Program Award for the 2009-2010 school year. This year's award is being presented to 14 middle schools from California. More than 800 member schools are eligible for this honor. The honor recognizes the leadership of advisor **JJ Barlow** and ASB President **Brenna Sheehan**.
- **Meadowbrook Middle School** was selected as a finalist for the California of Directors of Activities/ California Association of Student Leaders (CADA/CASL), Outstanding Student Activities Program Award for the 2009-2010 school year. This year's award is being presented to 14 middle schools from California. More than 800 member schools are eligible for this honor. The honor recognizes the leadership of ASB Directors **Joe Gizzo** and **Janice Teixeira**.
- **Del Sur Elementary School** was featured on Fox 5 "*Show Me Your School*" broadcast on Friday, February 5, 2010. The show featured an inside look at Del Sur's classroom literacy programs, as well as Del Sur's Friday Flag assembly and their college readiness focus.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: B-3

SUBJECT: 2010 CSBA DELEGATE ASSEMBLY ELECTION

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the Board vote for representatives to 2010 CSBA's Delegate Assembly.

**DISCUSSION/PROGRAM:**

The California School Board's Association (CSBA) Delegate Assembly is the primary policymaking body of the association. Delegates adopt the association's legislative platform, take positions on other issues that may come before it, elect the officers and directors, and adopt bylaws. The delegates elected will serve two-year terms beginning April 1, 2010, through March 31, 2012.

Voting must take place at a Board meeting prior to March 15, 2010, the deadline date for ballots to be postmarked. The Board as a whole may vote for up to nine, the number of vacancies in Region 17.

LEGAL REFERENCE: N/A

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

**TIME SENSITIVE, REQUIRES BOARD ACTION  
DEADLINE MONDAY, MARCH 15, 2010**

January 29, 2010

**MEMORANDUM**

**TO:** All Board Presidents and Superintendents  
CSBA Member Boards of Education

**FROM:** Frank Pugh, President

**SUBJECT:** 2010 CSBA Delegate Assembly Election  
**U. S. Postmark Deadline – Monday, March 15, 2010**



Enclosed is the ballot material for election of a representative to the CSBA Delegate Assembly from your region. The material consists of the ballot on red paper, required biographical sketch, and if submitted, résumé for each candidate. In addition, we are including a “copy” of the ballot on white paper so that it may be copied for inclusion in board agenda packets. However, **only the ballot on red paper is to be completed and returned.**

The board as a whole may vote for up to the number of vacancies in the region or subregion as indicated on the ballot. For example, if there are three vacancies in the region or subregion, the board may vote for up to three individuals. Regardless of the number of vacancies, each board may cast no more than one vote for any one candidate. (The ballot also contains a provision for write-in candidates; their name and district must be clearly printed in the space provided.)

The ballot must be signed by the Superintendent or board clerk and returned in the enclosed envelope; if the envelope is misplaced, you may use your district’s stationery; please write **DELEGATE ELECTION** prominently on the envelope with the region or subregion number on the bottom left corner. **Envelopes with the ballots must be postmarked by the U.S. Post Office on or before Monday, March 15. No exceptions are allowed.**

Election results will be available no later than Wednesday, March 31. If there is a tie vote, a run-off election will be held. All re-elected and newly elected Delegates will serve two-year terms beginning April 1, 2010 – March 31, 2012. The next meeting of the Delegate Assembly is on Saturday, May 22 – Sunday, May 23 at the Hyatt Regency in Sacramento.

The names of all Delegates will be available on CSBA’s Web site no later than Monday, April 5. Please do not hesitate to contact Michelle Neto in the Administration department at (800) 266-3382 should you have any questions.

This complete, **ORIGINAL** Ballot must be **SIGNED** by the Superintendent or Board Clerk and returned in the enclosed envelope postmarked by the post office No Later Than **MONDAY, MARCH 15, 2010**. Only ONE Ballot per Board. Be sure to mark your vote "X" in the box.  
*A PARTIAL, UNSIGNED, PHOTOCOPIED, OR LATE BALLOT WILL NOT BE VALID.*

OFFICIAL 2010 DELEGATE ASSEMBLY BALLOT  
 REGION 17  
 (San Diego County)

Number of vacancies: 9 (Vote for no more than 9 candidates)

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*Delegates will serve two-year terms beginning April 1, 2010 – March 31, 2012*

*\*denotes incumbent*

- |  |  |
|--|--|
| <input type="checkbox"/> Jane Cruz Alfano (Cajon Valley Union SD)    | <input type="checkbox"/> Barbara Groth (San Dieguito Union HSD)* |
| <input type="checkbox"/> Jill D. Barto (Cajon Valley Union SD)       | <input type="checkbox"/> Steve Lilly (Vista USD)*                |
| <input type="checkbox"/> Comischell Rodriguez (Del Mar Union SD)     | <input type="checkbox"/> Dan Lopez (Ramona USD)*                 |
| <input type="checkbox"/> Zoe Carpenter (Escondido Union SD)          | <input type="checkbox"/> Raqual Marquez Maden (San Ysidro ESD)*  |
| <input type="checkbox"/> Douglas Dechairo (Valley Center-Pauma USD)* | <input type="checkbox"/> Steven McDowell (Del Mar Union SD)      |
| <input type="checkbox"/> Katie Dexter (Lemon Grove SD)*              | <input type="checkbox"/> Pearl Quiñones (Sweetwater Union HSD)*  |
| <input type="checkbox"/> James Grier, Jr. (National SD)*             | <input type="checkbox"/> Anne Renshaw (Fallbrook Union ESD)*     |

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*Provision for Write-in Candidate Name*

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*School District*

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*Provision for Write-in Candidate Name*

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*School District*

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*Provision for Write-in Candidate Name*

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*School District*

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*Signature of Superintendent or Board Clerk*

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*TITLE*

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*School District*

*See reverse side for a current list of all Delegates in your Region.*

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**Region 17 – Carol Skiljan, Director (Encinitas Union ESD)**  
**23 Delegates (17 elected/6 appointed)**

**Below is a list of all the current Delegates from this Region.**

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John de Beck (San Diego USD), appointed term expires 2011  
Doug Dechairo (Valley Center-Pauma USD), term expires 2010  
Katie Dexter (Lemon Grove SD), term expires 2010  
John L. Evans (San Diego USD), appointed term expires 2011  
Twila Godley (Lakeside Union SD), term expires 2011  
James Grier, Jr. (National SD), term expires 2010  
Barbara Groth (San Dieguito Union HSD), term expires 2010  
Penny Halgren (La Mesa-Spring Valley SD), term expires 2011  
Sheila Jackson (San Diego USD), appointed term expires 2010  
Steve Lilly (Vista USD), term expires 2010  
Bertha Lopez (Sweetwater Union HSD), term expires 2010  
Dan Lopez (Ramona USD), term expires 2010  
Raquel Marquez-Maden (San Ysidro ESD), term expires 2010  
Kelli Moors (Carlsbad USD), term expires 2011  
Janet Mulder (Jamul-Dulzura Union ESD), term expires 2011  
Pearl Quinones (Sweetwater Union HSD), appointed term expires 2010  
Penny Ranftle (Poway USD), appointed term expires 2011  
Anne Renshaw (Fallbrook Union ESD), term expires 2010  
Arlie Ricasa (Sweetwater Union HSD), appointed term expires 2011  
Barbara Ryan (Santee ESD), term expires 2011  
Priscilla Schreiber (Grossmont Union HSD), term expires 2011  
Vacancy, term expires 2011

**County Delegate**

Susan Hartley (San Diego COE), term expires 2011

<b><u>Counties</u></b>
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San Diego

**TO: BOARD OF EDUCATION**

**MEETING DATE:** March 8, 2010

**FROM:** Donald A. Phillips  
Staff Support:

**AGENDA ITEM:** B-4

**SUBJECT: BOARD MEMBER REPORTS**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

**Information.**

**DISCUSSION/PROGRAM:**

Todd Gutschow –

Jeff Mangum –

Andy Patapow –

Penny Ranftle –

Linda Vanderveen –

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: D-301

Staff Support: Malliga Tholandi

SUBJECT: APPROVAL OF RESOLUTION NO. 36-2010 ENTITLED  
"AUTHORIZATION FOR GOVERNING BOARD OF POWAY  
UNIFIED SCHOOL DISTRICT TO REQUEST TEMPORARY  
TRANSFER OF FUNDS"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

That Resolution No. 36-2010, requesting a temporary transfer of funds from the County Treasurer to meet District cash flow needs in 2009-2010, be approved.

**DISCUSSION/PROGRAM:**

Due to the principal apportionment deferrals from this February, April, and May to July and August, the District will encounter a cash shortage towards the end of fiscal year. The San Diego County Office of Education has confirmation from the San Diego County Treasurer's Office that the County Treasurer will provide temporary loans that can be repaid after June 30. Our District will be able to borrow an amount not-to-exceed \$38 million on or before April 26, 2010. This amount does not exceed 85% of the principal apportionment and property taxes accruing to the District by June 30, 2010.

The District will be charged interest on the funds borrowed at approximately 4% to 5% by the County Treasurer.

With the attached resolution, the Chief Financial Officer will request temporary transfer of funds on or before April 26, 2010. The repayment will be taken from the principal apportionment revenues and property taxes at the time of distribution to the District.

The entire loan will be repaid by August 31, 2010.

LEGAL REFERENCE: California Education Code Sections 42620 and 85220

FISCAL IMPACT: Interest expense of approximately \$383,967

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Poway Unified School District

RESOLUTION NO. 36-2010

AUTHORIZATION FOR GOVERNING BOARD OF POWAY UNIFIED  
SCHOOL DISTRICT TO REQUEST TEMPORARY TRANSFER OF FUNDS

On motion of member \_\_\_\_\_, seconded by member \_\_\_\_\_,  
the following resolution is adopted:

WHEREAS, the California Constitution, Article XVI, Section 6 and Education Code section 42620 or 85220 provide that the Treasurer of the County shall have the power and the duty to make such temporary transfer from the funds in custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any district whose funds are in custody and are paid out solely through the Treasurer's office; such temporary transfer of funds shall be made only upon resolution adopted by the governing board of the County to make such temporary transfer; such temporary transfer of funds shall not exceed 85% of the amount of money which will accrue to the district, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the first moneys accruing to the district and before any other obligation of the district is met from the money accruing; and

WHEREAS, on March 8, 2010, the governing board is adopting a revised budget for this District for the fiscal year 2009-2010 pursuant to the provisions of the Education Code sections 42127 or 70901, and revenues accruing to the District for the remainder of the fiscal year are estimated to be \$45,600,000; and

WHEREAS, it is necessary to provide funds for meeting obligations incurred for maintenance purposes by this District; AND NOW THEREFORE

IT IS RESOLVED AND ORDERED pursuant to the provisions of the California Constitution, Article XVI, Section 6, and Education Code section 42620 or 85220 as follows:

1. The Board of Supervisors of the County of San Diego is requested to direct the Treasurer of the County of San Diego to make a temporary transfer from the funds in custody on or before April 26, 2010, to meet obligations incurred for maintenance purposes in the amount of \$38,000,000 which does not to exceed a total of 85% of moneys accruing to the District by June 30, 2010, as certified by the District Superintendent and verified by the County Auditor and Controller.
2. Funds will be transferred to this District by the Treasurer of the County of San Diego (CoSD) in sums as requested by the District Superintendent and certified by him/her to be necessary to provide funds for meeting the obligations incurred for maintenance purposes by the District not to exceed the maximum amount herein specified, provided the Treasurer determines that funds in his custody are available for such transfers.
3. Repayment of the funds shall be made from the revenues accruing to the District before any other obligation. Interest on any transferred funds will accrue and be payable by the District, at the greater of, the same interest rate the CoSD Investment

Pool is earning or the average overnight repo rate for each month until the entire amount transferred is repaid.

- 4. The Clerk/Secretary of this Board is directed to file a copy of this resolution with the Board of Supervisors, the County Superintendent of Schools, the County Auditor and Controller, and the County Treasurer-Tax Collector.

PASSED AND ADOPTED by the Governing Board of the Poway Unified School District, County of San Diego, State of California, on March 8, 2010, by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO )

This is to certify that the foregoing document is a true copy of the Resolution of the Board of Education of Poway Unified School District of San Diego County.

\_\_\_\_\_  
Jeff Mangum, Clerk of the Board of Education

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins  
Staff Support: Malliga Tholandi

AGENDA ITEM: D-302

SUBJECT: APPROVAL AND CERTIFICATION OF SECOND INTERIM FINANCIAL REPORT AND APPROVAL OF RESOLUTION NO. 37-2010 ENTITLED "AUTHORIZATION TO REVISE THE 2009-2010 BUDGET AS REFLECTED IN THE SECOND INTERIM FINANCIAL REPORT"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That Resolution No. 37-2010 be approved, revising the 2009-2010 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 2009-2010 fiscal year and the two subsequent fiscal years.

**DISCUSSION/PROGRAM:**

During the fiscal year following the adoption of the District's budget, the Chief Financial Officer is required to present to the Board two Interim Financial Reports. The Second Interim Financial Report reflects the current budget and actual revenues and expenditures as of January 31. In addition, budget projections are updated with the most current information available. These projections, which revise the District's budget, are presented to the Board for approval. The Board will then certify to the County Superintendent of Schools that the District will be able to meet its financial obligations for the current year and two subsequent fiscal years.

Attached for the Board's review is the resolution authorizing the second interim revisions to the budget, the Certification that the District will meet its financial obligations, the Budget Summary Report for the General Fund Combined, a multi-year projection, and a Cash Flow Report for the General Fund. The Standardized Account Code Structure (SACS) forms including the Criteria and Standards have been provided to the Board electronically for their review.

LEGAL REFERENCE: California Education Code Sections 33129, 42130, 42131, 42600, and 42602

FISCAL IMPACT: As reflected in the attached/enclosed documents

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Poway Unified School District

**RESOLUTION NO. 37-2010**

**AUTHORIZATION TO REVISE THE 2009-2010 BUDGET AS REFLECTED IN THE SECOND INTERIM FINANCIAL REPORT**

ON MOTION of Member \_\_\_\_\_,  
seconded by Member \_\_\_\_\_, the following resolution  
is adopted:

WHEREAS, the Board of Education approved the District's 2009-2010 First Interim Financial Report on December 14, 2009, and

WHEREAS, estimated revenues and expenditures have changed since approval of the 2009-2010 First Interim Budget Financial Report.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Board of Education of the Poway Unified School District that, pursuant to Education Code Sections 42600 and 42602, budget revisions and transfers represented in the 2009-2010 Second Interim Financial Report are approved, and the Chief Financial Officer is authorized to make such revisions.

PASSED AND ADOPTED on March 8, 2010, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

STATE OF CALIFORNIA    )  
COUNTY OF SAN DIEGO    )

This is to certify that the foregoing document is a true copy of the Resolution of the Board of Education of the Poway Unified School District of San Diego County.

\_\_\_\_\_  
Jeff Mangum, Clerk of the Board of Education

NOTICE OF CRITERIA AND STANDARDS REVIEW. This interim report was based upon and reviewed using the state-adopted Criteria and Standards. (Pursuant to Education Code (EC) sections 33129 and 42130)

Signed: \_\_\_\_\_  
District Superintendent or Designee

Date: \_\_\_\_\_

NOTICE OF INTERIM REVIEW. All action shall be taken on this report during a regular or authorized special meeting of the governing board.

To the County Superintendent of Schools:

This interim report and certification of financial condition are hereby filed by the governing board of the school district. (Pursuant to EC Section 42131)

Meeting Date: March 08, 2010

Signed: \_\_\_\_\_  
President of the Governing Board

**CERTIFICATION OF FINANCIAL CONDITION**

**POSITIVE CERTIFICATION**

As President of the Governing Board of this school district, I certify that based upon current projections this district will meet its financial obligations for the current fiscal year and subsequent two fiscal years.

**QUALIFIED CERTIFICATION**

As President of the Governing Board of this school district, I certify that based upon current projections this district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years.

**NEGATIVE CERTIFICATION**

As President of the Governing Board of this school district, I certify that based upon current projections this district will be unable to meet its financial obligations for the remainder of the current fiscal year or for the subsequent fiscal year.

Contact person for additional information on the interim report:

Name: Malliga Tholandi

Telephone: (858) 748-0010 x 2529

Title: Chief Financial Officer

E-mail: mtholandi@powayusd.com

**Criteria and Standards Review Summary**

The following summary is automatically completed based on data provided in the Criteria and Standards Review form (Form 01CSI). Criteria and standards that are "Not Met," and supplemental information and additional fiscal indicators that are "Yes," may indicate areas of potential concern, which could affect the interim report certification.

CRITERIA AND STANDARDS			Met	Not Met
1	Average Daily Attendance	Funded ADA for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.	X	

<b>CRITERIA AND STANDARDS (continued)</b>			<b>Met</b>	<b>Not Met</b>
2	Enrollment	Projected enrollment for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.	X	
3	ADA to Enrollment	Projected second period (P-2) ADA to enrollment ratio for the current and two subsequent fiscal years is consistent with historical ratios.	X	
4	Revenue Limit	Projected revenue limit for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.		X
5	Salaries and Benefits	Projected ratio of total unrestricted salaries and benefits to total unrestricted general fund expenditures has not changed by more than the standard for the current and two subsequent fiscal years.		X
6a	Other Revenues	Projected operating revenues (federal, other state, other local) for the current and two subsequent fiscal years have not changed by more than five percent since first interim.	X	
6b	Other Expenditures	Projected operating expenditures (books and supplies, services and other expenditures) for the current and two subsequent fiscal years have not changed by more than five percent since first interim.		X
7a	Deferred Maintenance	SBX3 4 (Chapter 12, Statutes of 2009) eliminates the local match requirement for Deferred Maintenance for a five-year period from 2008-09 through 2012-13. Therefore, this item has been inactivated for that period.		
7b	Ongoing and Major Maintenance Account	If applicable, changes occurring since first interim meet the required contribution to the ongoing and major maintenance account (i.e., restricted maintenance account).	X	
8	Deficit Spending	Unrestricted deficit spending, if any, has not exceeded the standard in any of the current or two subsequent fiscal years.		X
9a	Fund Balance	Projected general fund balance will be positive at the end of the current and two subsequent fiscal years.	X	
9b	Cash Balance	Projected general fund cash balance will be positive at the end of the current fiscal year.	X	
10	Reserves	Available reserves (e.g., designated for economic uncertainties, undesignated amounts) meet minimum requirements for the current and two subsequent fiscal years.	X	

<b>SUPPLEMENTAL INFORMATION</b>			<b>No</b>	<b>Yes</b>
S1	Contingent Liabilities	Have any known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) occurred since first interim that may impact the budget?	X	
S2	Using One-time Revenues to Fund Ongoing Expenditures	Are there ongoing general fund expenditures funded with one-time revenues that have changed since first interim by more than five percent?	X	
S3	Temporary Interfund Borrowings	Are there projected temporary borrowings between funds?		X
S4	Contingent Revenues	Are any projected revenues for any of the current or two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel tax, forest reserves)?	X	
S5	Contributions	Have contributions from unrestricted to restricted resources, or transfers to or from the general fund to cover operating deficits, changed since first interim by more than \$20,000 and more than 5% for any of the current or two subsequent fiscal years?		X

<b>SUPPLEMENTAL INFORMATION (continued)</b>			<b>No</b>	<b>Yes</b>
S6	Long-term Commitments	Does the district have long-term (multiyear) commitments or debt agreements?		X
		• If yes, have annual payments for the current or two subsequent fiscal years increased over prior year's (2008-09) annual payment?	X	
		• If yes, will funding sources used to pay long-term commitments decrease or expire prior to the end of the commitment period, or are they one-time sources?	X	
S7a	Postemployment Benefits Other than Pensions	Does the district provide postemployment benefits other than pensions (OPEB)?		X
		• If yes, have there been changes since first interim in OPEB liabilities?	X	
S7b	Other Self-insurance Benefits	Does the district operate any self-insurance programs (e.g., workers' compensation)?		X
		• If yes, have there been changes since first interim in self-insurance liabilities?	X	
S8	Status of Labor Agreements	As of second interim projections, are salary and benefit negotiations still unsettled for:		
		• Certificated? (Section S8A, Line 1b)	X	
		• Classified? (Section S8B, Line 1b)	X	
S8	Labor Agreement Budget Revisions	• Management/supervisor/confidential? (Section S8C, Line 1b)	X	
		For negotiations settled since first interim, per Government Code Section 3547.5(c), are budget revisions still needed to meet the costs of the collective bargaining agreement(s) for:		
		• Certificated? (Section S8A, Line 3)	n/a	
S8	Labor Agreement Budget Revisions	• Classified? (Section S8B, Line 3)	n/a	
S9	Status of Other Funds	Are any funds other than the general fund projected to have a negative fund balance at the end of the current fiscal year?	X	

<b>ADDITIONAL FISCAL INDICATORS</b>			<b>No</b>	<b>Yes</b>
A1	Negative Cash Flow	Do cash flow projections show that the district will end the current fiscal year with a negative cash balance in the general fund?	X	
A2	Independent Position Control	Is personnel position control independent from the payroll system?		X
A3	Declining Enrollment	Is enrollment decreasing in both the prior and current fiscal years?	X	
A4	New Charter Schools Impacting District Enrollment	Are any new charter schools operating in district boundaries that are impacting the district's enrollment, either in the prior or current fiscal year?	X	
A5	Salary Increases Exceed COLA	Has the district entered into a bargaining agreement where any of the current or subsequent fiscal years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment?	X	
A6	Uncapped Health Benefits	Does the district provide uncapped (100% employer paid) health benefits for current or retired employees?	X	
A7	Independent Financial System	Is the district's financial system independent from the county office system?	X	
A8	Fiscal Distress Reports	Does the district have any reports that indicate fiscal distress? If yes, provide copies to the COE, pursuant to EC 42127.6(a).	X	
A9	Change of CBO or Superintendent	Have there been personnel changes in the superintendent or chief business official (CBO) positions within the last 12 months?	X	

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: C

SUBJECT: PUBLIC COMMENTS

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

**PUBLIC COMMENT WILL BE LIMITED TO THREE MINUTES PER SPEAKER.**

**DISCUSSION/PROGRAM:**

This portion of the meeting is reserved for persons desiring to address the Board on any matter not on this agenda. 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.

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.

Individuals wishing to discuss concerns regarding District personnel issues should follow District policies and procedures available in the Personnel Office.

Student problems should be placed on the regular agenda only after all administrative remedies have been exhausted. They will most likely be held in closed session with the Board in order to respect student confidentiality.

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.

If a member of the community would like to have an item placed on the regular agenda under Item C so that more time can be provided for discussion, this can be done by sending a written request to the Superintendent ten days prior to the meeting at which he/she wishes to speak.

**LEGAL REFERENCE:** Government Code Section 54950 *et seq.*

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: D-101

Staff Support: Paul Gentle

SUBJECT: RATIFICATION OF STUDENT DISCIPLINE

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That, based upon the Board's review of the Findings of Fact and Recommendations submitted by the administrative hearing panel, the action of the recommendations presented regarding the case number listed below be ratified.

**DISCUSSION/PROGRAM:**

**Case Number 2009-2010.39**

A ninth grade student appeared before an Administrative Hearing Panel for violation of Education Code Sections 48900 and 48915. The Administrative Hearing Panel is recommending that the student be expelled for the remainder of the second semester of the 2009-2010 school year and the following summer school session. The Administrative Hearing Panel is further recommending that the expulsion be suspended and the student be allowed to enroll in the New Directions Program.

LEGAL REFERENCE: California Education Code Sections 48900 and 48915

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: D-102

Staff Support: Paul Gentle

SUBJECT: READMISSION OF STUDENT ON EXPULSION

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the student represented by the case number listed below be readmitted to the Poway Unified School District.

**DISCUSSION/PROGRAM:**

One student who was expelled during the 2008-2009 school year is applying for readmission to the District.

**Case Number 2008-2009.49**

The student and parents have submitted documents presenting satisfactory evidence that they have completed requirements set forth as conditions for return to the District. Therefore, staff is recommending that the student represented by the case number listed above be readmitted to the Poway Unified School District for the 2009-2010 school year.

LEGAL REFERENCE: California Education Code Sections 48900 and 48915

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: D-103

Staff Support: Paul Gentle

SUBJECT: APPROVAL OF INTERDISTRICT ATTENDANCE AGREEMENTS FOR 2010-2011 SCHOOL YEAR

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

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 2010-2011 school year.

DISCUSSION/PROGRAM:

In accordance with Sections 35160.5, 46601.5, 48204, and 48209.6 of the Education Code of California, school districts may establish interdistrict agreements that provide for an exchange of pupils. These agreements are renewed or established on an annual basis.

The following chart shows transfer information for the 2009-2010 school year for districts with which we currently have agreements and the number of requests approved for Grades K-12. For the 2009-2010 school year, 837 students entered the District from other school districts, 190 students transferred from Poway Unified to other districts and 16 requests were disapproved by either PUSD or the other district due to attendance, grades, disciplinary concerns, or unavailable school/program placement. It should be noted that both districts involved must agree in order for the transfer request to be approved.

LEGAL REFERENCE: California Education Code Sections 35160.5, 46601.5, 48204, and 48209.6

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

**POWAY UNIFIED SCHOOL DISTRICT  
2009-2010 INTERDISTRICT ATTENDANCE PERMITS  
BY DISTRICT/GRADE LEVEL**

	Employment			Subtotal	All Other Transfers to Poway			Subtotal	PUSD Employee			Subtotal	Grand Total	Declined			Subtotal
	K-5	6-8	9-12		K-5	6-8	9-12		K-5	6-8	9-12			K-5	6-8	9-12	
Bonsall Union School District	1	1		2					1			1	3				
Cajon Valley Union School District	2			2		2		2	1	1		2	6				
Carlsbad Unified School District					1			1	4			4	5				
Chula Vista Elementary School District	2			2		1		1	1	1		2	5				
Del Mar Union School District					2			2	1			1	4	1			1
Encinitas Union School District						1		1					1				
Escondido Union Elementary School District	54	18	1	73	37	22	1	60	25	11		36	172	3			3
Escondido Union High School District			14	14	1	1	75	77	1		9	10	102			1	1
Fallbrook Union High School District							1	1					1				
Grossmont Union High School District			4	4			19	19			4	4	27				
Imperial County						4	2	6					6				
La Mesa-Spring Valley School District	1			1	4			4					5				
Lake Elsinore Unified School District		3		3	1	3	1	5					8				
Lakeside Union School District	1			1			1	1		2		2	4				
Lemon Grove School District		2		2	1		1	2					4				
Menefee School District		1		1		1		1					2				
Mountain Empire Unified School District					2		1	3	1			1	4				
Murrieta Valley Unified School District	1			1			2	2	1			1	4				
National City School District					1		1	2					2				
Ramona Unified School District	5	1	3	9	5	5	20	30	11	9	7	27	69			3	3
San Diego Unified School District	31	24	21	76	63	36	74	173	46	14	13	73	326	1		3	4
San Dieguito Union High School District		1		1		5	14	19			4	4	24				
San Jacinto Unified School District									1			1	1				
San Marcos Unified School District	6	3	1	10	1	3	6	10	12	2	1	15	35				
Santee					3		1	4					4				
Solana Beach School District	1			1	2	1	1	4					9	2	2		4
Temecula Valley Unified School District	1			1	4	4	9	17					18				
Oceanside Unified School District					1			1			1	1	2				
<b>Grand Total</b>	<b>106</b>	<b>54</b>	<b>44</b>	<b>204</b>	<b>129</b>	<b>89</b>	<b>230</b>	<b>448</b>	<b>106</b>	<b>40</b>	<b>39</b>	<b>185</b>	<b>853</b>	<b>7</b>	<b>2</b>	<b>7</b>	<b>16</b>

**POWAY UNIFIED SCHOOL DISTRICT  
2009-2010 INTERDISTRICT ATTENDANCE PERMITS  
STUDENTS TRANSFERRING OUT OF PUSD**

	Employment			Subtotal	All Other Transfers to Poway			Subtotal	Grand Total
	K-5	6-8	9-12		K-5	6-8	9-12		
Poway Unified School District	47	6	8	61	55	17	57	129	190
<b>Grand Total</b>	47	6	8	61	55	17	57	129	<b>190</b>

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: D-104

Staff Support: Tracy Liu

SUBJECT: APPROVAL OF "TITLE I, PART A, WAIVER APPLICATION"  
TO CARRY OVER MORE THAN 15 PERCENT OF FUNDING

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

That the Board approve the waiver request to carry over more than 15 percent of its Title I, Part A, 2009 and 2010 allocations, due to additional American Recovery and Reinvestment Act (ARRA) funding.

**DISCUSSION/PROGRAM:**

Under the Elementary and Secondary Education Act (ESEA), districts may carry over no more than 15 percent of their annual Title I, Part A federal funds allocations. Additional Title I funds were provided by the one-time supplemental ARRA allocations in 2009-2010, resulting in a large districtwide carryover of Title I funds. A waiver from the California Department of Education (CDE) may be requested, no more than once every three years, if districts wish to carry over a percentage of funding greater than 15%. The District will request this waiver for a period of two years total: to carry over excess Title I, Part A funds from fiscal year 2009 to fiscal year 2010, and to carry over excess fiscal year 2010 funds to fiscal year 2011.

Title I carryover will be used to provide additional support for at-risk students at Title I-identified schools.

LEGAL REFERENCE: Elementary and Secondary Education Act (ESEA) Section 1127(a)(b)

FISCAL IMPACT: Carryover funds - approximately \$650,000 of Title I, Part A, and ARRA Title I, Part A funding

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

LEA Name:

Person Completing This Report: Tracy Liu

Person Completing Position/Title: Assistant Director, Learning Support Services

Contact e-mail Address: tliu@powayusd.com

Contact Phone Number: 858-748-0010 ext. 2436

**References:**

Current local educational agency (LEA) allocations for regular fiscal year 2009 Title I, Part A, funds and the Title I, Part A, American Recovery and Reinvestment Act (ARRA) funds are on the California Department of Education (CDE) No Child Left Behind: Title I, Parts A & D Web page at <http://www.cde.ca.gov/fq/aa/ca/nclbtilei.asp>.

**Directions:**

- 1) Select the LEA name from the drop-down menu. Refer to the "Enable Macros" attachment if you experience difficulties with the dropdown.
- 2) Enter the contact information of the person completing this report in the space provided.
- 3) Read the Assurance Statement and Signature page and the assurances related to each waiver request.
- 4) Select the chosen waiver(s) by checking the appropriate box; provide dollar amounts where requested. If you are applying for waiver II(a) or II(b), complete the ARRA LEA Waiver Plan Template located under the Waiver section on the CDE Title I, Part A Web page at <http://www.cde.ca.gov/sp/sw/t1/titleparta.asp>.
- 5) Print the application and obtain the signatures of the LEA superintendent and the local governing board president on page 4. Retain this copy of the assurances and any supporting documentation for compliance monitoring purposes.
- 6) A copy of the local governing board agenda and board minutes reflecting approval of the Title I, Part A, LEA Waiver Application will be maintained and made available for compliance monitoring.
- 7) Save this application electronically and send as an e-mail attachment to [TitleIWaivers@cde.ca.gov](mailto:TitleIWaivers@cde.ca.gov). Please include your LEA name and County-District-School (CDS) code. Remember to attach the ARRA LEA Waiver Plan Template if you are applying for waiver II(a) or II(b).

The LEA requests the following:

**Section I. Waivers of Title I, Part A, Statutory and Regulatory Requirements**

- (a) Exemption from the 14-day school choice parent notification requirement for students enrolled in newly identified program improvement (PI) schools for 2009–10 or schools that anticipated exiting PI during the 2009–10 school year but did not (Elementary and Secondary Education Act [ESEA] Section 1116[b][1][E][i]; 34 *Code of Federal Regulations* [CFR] Section 200.37[b][4][iv]). Please note that this waiver was previously granted for all applicable LEAs by the SBE at its September, 2009 meeting. **The inclusion of this item in the application package, and your response, is for federal reporting purposes only. See assurances for Section I. (a) on page 5 of this application.**
- (b) To offer SES to schools in PI year one, in addition to public school choice, to eligible students and to count those SES expenditures for eligible students in those schools toward the local educational agency's (LEA's) 20 percent obligation (ESEA Section 1116[b][10] and 34 *CFR* Section 200.48). See assurances for **Section I. (b)** on page 6 of this application.

**Section II. Waivers Related to Title I, Part A, ARRA Funds**

- (a) To exclude some or all of Title I, Part A, ARRA funding from calculation of the LEA's 20 percent obligation for choice-related transportation and SES ESEA Section 1116[b][10] and 34 *CFR* Section 200.48[a][2]). See assurances for **Section II. (a)** on page 7 of this application and complete the ARRA LEA Waiver Plan.

ARRA Amount to be excluded: 0.00

- (b) To exclude some or all of Title I, Part A, ARRA funding from the calculation of the LEA's 10 percent obligation for professional development (ESEA Section 1116[c][7][A][iii]). See assurances for **Section II. (b)** on page 8 of this application and complete the ARRA LEA Waiver Plan.

ARRA Amount to be excluded: 0.00

Number of teachers and principals that have received standards-based instructional materials professional development: 0

Number of teachers and principals that have **not** received standards-based instructional materials professional development: 0

- (c) To exclude some or all of Title I, Part A, ARRA funding from the calculation of the LEA's 10 percent obligation for professional development for schools in PI (ESEA Section 1116[b][3][A][iii]). See assurances for **Section II. (c)** on page 9 of this application.

- (d) To exclude some or all of Title I, Part A, ARRA funding from the calculation of per-pupil amount for SES (ESEA Section 1116[e][6][A] and 34 *CFR* Section 200.48[c][1]). See assurances for **Section II. (d)** on page 10 of this application.

ARRA Amount to be excluded: 0.00

- (e) To request a waiver from CDE to carryover more than 15 percent of its Title I, Part A, 2009 and 2010 allocations due to ARRA funding (ESEA Section 1127[a][b]). See assurances for **Section II. (e)** on page 11 of this application.

**Title I, Part A – Local Educational Agency (LEA)  
Assurance Statement and Signature Page**

The LEA certifies that:

- 1) All applicable state and federal statutory and regulatory requirements will be met by the LEA and information contained in this Title I, Part A, LEA Waiver Application is correct and complete.
- 2) Legal assurances for all individual waiver applications are accepted as the basic legal condition for the operation of programs and assurances with original signatures retained by the LEA for compliance monitoring.
- 3) A copy of the local governing board agenda and board minutes reflecting approval of the Title I, Part A, LEA Waiver Application will be maintained and made available for compliance monitoring.
- 4) Original signatures of the LEA superintendent, or designee, and board president for the Title I, Part A, LEA Waiver Application are on file.
- 5) All compliance items identified in the notification of finding from Categorical Program Monitoring (CPM):
  - a. Have been resolved (no further information is required), or
  - b. **Have not been resolved. Justification for not resolving findings and an action plan to resolve the findings is required in the LEA Waiver Plan, Box 1, located under the Waiver section on the California Department of Education (CDE) Title I, Part A Web page at <http://www.cde.ca.gov/sp/sw/t1/titleparta.asp>.**
- 6) Pursuant to *California Code of Regulations*, Title 5, (5 CCR) Sections 4600–4687, all Uniform Complaint Procedure (UCP) actions:
  - a. Have been resolved (no further information is necessary), or
  - b. **Have not been resolved. Justification for not resolving actions and an action plan to resolve the actions is required in the LEA Waiver Plan, Box 2, located under the Waiver section on the California Department of Education (CDE) Title I, Part A Web page at <http://www.cde.ca.gov/sp/sw/t1/titleparta.asp>.**

I hereby certify that all of the applicable state and federal rules and regulations will be observed by this LEA and that, to the best of my knowledge, information contained in this Waiver Application is correct and complete. Legal assurances for all programs are accepted as the basic legal condition for the operation of selected projects and programs and copies of assurances are retained onsite. I certify that we accept all general and program specific assurances for Titles I, II, and/or III as appropriate, except for those for which a waiver has been obtained. A copy of all waivers will remain on file. I certify that actual ink signatures for this LEA Waiver Application are on file. I further certify that, upon approval of any waiver requests by the SBE, necessary revisions of the LEA Plan will be submitted for local board approval.

In addition, the LEA agrees to submit a report to the California Department of Education (CDE) on June 1, 2010, that: (1) describes the uses of each waiver by the LEA or by its schools; (2) describes how schools continue to provide assistance to the same populations served by the program(s) for which the waiver was granted; and (3) evaluates the progress of the LEA and of schools in improving the quality of instruction or the academic achievement of students. The CDE will provide directions and guidance pertaining to the LEA submission of the report.

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Superintendent Signature

Date

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Board President Signature

Date

Web page of the LEA Plan: [http://www.powayusd.com/doc\\_library/LEAP\\_09.pdf](http://www.powayusd.com/doc_library/LEAP_09.pdf)

**Section II. (e)**  
**Waivers Related to Title I, Part A ARRA Funds**

**Local Educational Agency (LEA) Waiver Application to carryover more than 15 percent of its Title I Part A American Recovery and Reinvestment Act (ARRA) allocation once every three years through its Consolidated Application. (Elementary and Secondary Education Act [ESEA] Section 1127[a]).**

ESEA Section 1127(b) permits the California Department of Education (CDE) to waive the limitation of once every three years if (1) the LEA's request is reasonable and necessary; or (2) a supplemental Title I, Part A, allocation becomes available.

- 1) In accordance with these provisions, the LEA is requesting a waiver of the carryover limitation more than once every three years because of its Title I, Part A, funds made available under the ARRA, which is, by definition, a supplemental Title I, Part A, appropriation. The LEA is requesting this waiver for a period of two years to carry over excess fiscal year 2009 fiscal year Title I, Part A, funds to fiscal year 2010 and to carry over excess fiscal year 2010 Title I, Part A, funds to fiscal year 2011.
- 2) The LEA is obtaining a waiver of the carry over limitation in ESEA Section 1127(a) so that it can carry over more than 15 percent of its Title I, Part A, fiscal year 2009 or fiscal year 2010 allocation and has already received such a waiver within the prior three years (or receives such a waiver with respect to its fiscal year 2009 funds). The LEA shall apply to the CDE in accordance with CDE's regular procedures for waivers of the carry over limitation. The LEA hereby assures that it needs a waiver of the carry over limitation for the second (or third) time within three years because of its ARRA funds.

CDE Use Only

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: D-105

Staff Support: Theresa Kurtz

SUBJECT: PUBLIC HEARING AND APPROVAL OF THE 2009-2010 ANNUAL SERVICE PLAN AND ANNUAL BUDGET PLAN FOR THE SPECIAL EDUCATION LOCAL PLAN AREA (SELPA)

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That, following a public hearing, the Annual Service Plan and Annual Budget Plan be approved.

**DISCUSSION/PROGRAM:**

Each Special Education Local Plan Area (SELPA) is required to develop a Service and Budget Plan component to the Local Plan.

The Annual Service Plan describes the full continuum of services that ensures access to appropriate instruction and services for all students with disabilities from birth to 22 years of age, including children with low incidence disabilities. The Annual Budget Plan provides an overview of special education revenue and expenditures and is based on the 2009-2010 school year.

Both the Annual Service and Annual Budget Plans must be developed according to the SELPA's Local Plan governance and policy-making process. It is necessary that the Board approve, after a public hearing, the Annual Service and Annual Budget Plans to be incorporated in the Local Plan for special education for Poway Unified School District as a single-district SELPA.

*A copy of the Annual Service Plan and Annual Budget Plan was provided to the Board for their review, and will be available at the Board Meeting.*

LEGAL REFERENCE: California Education Code Section 56205(b)(2)

FISCAL IMPACT: \$12,404,813

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

**CERTIFICATION OF ANNUAL BUDGET PLAN**  
**FISCAL YEAR: 2009-10**

1. Check one, as applicable:		
<input checked="" type="checkbox"/> <i>Single District</i>	<input type="checkbox"/> <i>Multiple District</i>	<input type="checkbox"/> <i>District/County</i>
CDS Code / SELPA Code 68296/3711	SELPA Name POWAY UNIFIED	Application Date
SELPA Address 13626 Twin Peaks Rd	SELPA City Poway, CA	SELPA Zip 92064-3034
Name SELPA Director (Print) Theresa Kurtz	SELPA Director's Telephone Number ( 858 ) 668-2733	

<b>2. CERTIFICATION BY AGENCY DESIGNATED AS ADMINISTRATIVE AND FISCAL AGENCY FOR THIS PROGRAM (Responsible Local Agency (RLA) or Administrative Unit (AU))</b>		
RLA/AU Name Poway Unified	Name/Title of RLA Superintendent (Type) Donald A. Phillips	Telephone Number (858) 748-0010 Ext. 2550
RLA/AU Street Address 13626 Twin Peaks Rd	RLA/AU City Poway, CA	RLA/AU Zip 92064-3034
Date of Governing Board Approval  March 8, 2010		

***Certification of Approval of Annual Budget Plan pursuant to Education Code Section 56205(b).***

I certify that the Annual Budget Plan was developed according to the SELPA's local plan governance and policy making process. Notice of this public hearing was posted in each school within the SELPA at least 15 days prior to the hearing.

The Annual Budget Plan was presented for Public Hearing on March 8, 2010.

Adopted this 8<sup>th</sup> day of March, 2010.

Yeas: \_\_\_\_\_ Nays: \_\_\_\_\_

Signed: \_\_\_\_\_  
 RLA / AU Superintendent

**ANNUAL BUDGET PLAN**  
**FISCAL YEAR: 2009-10**

The Annual Budget Plan shall identify expected expenditures for all items required by this part as listed below. The SACS Codes provide source information from the LEA(s) reporting.

	<b>Reference/Label</b>	<b>Instructions</b>	<b>Totals</b>
A	Funds received in accordance with Chapter 7.2 (commencing with Section 56836). (Special Education <b>Program Funding</b> )	SACS Resource Code 6500 (State), 3300-3499 (Federal) 6515-6535 (Gen Fund)	30,226,051
B	<b>Administrative costs of the plan.</b>	SACS Goal Code 5001 Function 2100	1,033,750
C	Special Education services to pupils with <b>severe disabilities</b> (1) and <b>low incidence disabilities</b> (2).	SACS Goal Code 5710	
		SACS Goal Code 5730	712,062
		SACS Goal Code 5750	23,843,949
D	Special education services to pupils with <b>non-severe disabilities</b> .	SACS Goal Code 5770	20,144,169
E	Supplemental aids and services to meet the individual needs of pupils placed in <b>regular education classrooms</b> and environments.	Any SACS Goal Code with SACS Function Code 1130 <sup>1</sup>	8,537,475
F	Regionalized operations and services, and direct instructional support <b>by program specialists</b> in accordance with Article 6 (commencing with Section 56836.23) of Chapter 7.2. (SELPA Program Specialists Funding)	SACS Goal Code 5050	
		SACS Goal Code 5060	438,436
G	The use of <b>property taxes</b> allocated to the special education local plan area pursuant to Section 2572.	Statement is included in Local Plan	

<sup>1</sup> Function Activity Classification can be located at:  
<http://www.cde.ca.gov/be/ag/ag/yr08/mar08item24a6.doc>

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FOR CALIFORNIA DEPARTMENT OF EDUCATION USE ONLY

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Received by the Superintendent of Public Instruction: Date: \_\_\_\_\_ By: \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment

AGENDA ITEM: D-201

Staff Support:

SUBJECT: APPROVAL OF RESOLUTION NO. 34-2010 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"

- Action (checked), Consent Calendar, First Reading, Information, Presentation, Public Hearing, Roll Call Vote Required (checked)

RECOMMENDATION:

That the Board approve Resolution No. 34-2010 with its attached exhibits as presented.

DISCUSSION/PROGRAM:

The current proposed level of state funding projected for education in the 2010-2011 school year results in revenue insufficient to maintain current levels of programs and services. It is therefore necessary to plan 2010-2011 program changes in a timely fashion within the current structure of the law. This planning includes necessary certificated layoff proceedings to discontinue and reduce particular kinds of services ("PKS") and to reduce certificated staff no later than the beginning of the 2010-2011 school year.

For the discontinuance and reduction of certificated services, which would result in layoffs of certificated personnel in accordance with California Education Code sections 44949 and 44955, which provide that notifications must be made no later than March 15.

The listed discontinuances and reductions, and the resulting estimated fiscal impact, include positions of certificated administrators, counselors, program specialists, psychologists, and teachers. As a March 15 notice is required in order to preserve any discretion in certificated staffing decisions for next year, these recommendations are based upon an analysis of current fiscal projections and yet unknown personnel information and are made to ensure needed flexibility. With improved financial projections, other budget savings, or notice from current certificated staff of resignations, and requested leaves, the numbers of certificated employees ultimately affected by layoff would be reduced.

Continued...

LEGAL REFERENCE: California Education Code Sections 44846, 44949, 44955, 44956, and 44957

FISCAL IMPACT: Estimated savings to the 2010/2011 budget TBD

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Similar eliminations and reductions of classified management and staff positions, by California Education Code, require only a 45-day notice. Recommendations for any Board actions regarding classified staff reductions will likely occur in the April to June timeframe and, therefore, be effective with the start of the 2010-2011 work year for affected employees.

Personnel Support Services staff has completed the arduous task of preparing a comprehensive analysis of certificated employees' credentials and seniority in the affected areas to be used in the layoff process as prescribed by the California Education Code. Following Board adoption of the resolution indicating which programs and services will be discontinued or reduced, this analysis will be used to identify the individual certificated employees to be affected. As prescribed by statute, notifications will be made prior to March 15. Those certificated employees receiving a notification that their services may or shall not be required for the 2010-2011 school year as a result of layoff may request a hearing. The results of any requested hearing and final notice must be completed prior to May 15, unless delayed by the presiding administrative law judge.

Board of Education of the  
Poway Unified School District

Resolution No. 34-2010

**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**

ON MOTION OF member \_\_\_\_\_, seconded by member \_\_\_\_\_,  
the following Resolution is adopted:

**WHEREAS**, because of financial constraints resulting from revenue being insufficient to maintain current levels of programs and services, including particular kinds of certificated services, and it being necessary to commence implementing program changes in a timely fashion within the current structure of the law, this District's Governing Board determines that it is in the best interests of the District and the welfare of the schools and the pupils thereof, to commence certificated layoff proceedings to discontinue and reduce particular kinds of services ("PKS") as hereinafter enumerated and to reduce the corresponding number of certificated staff no later than the beginning of the 2010-2011 school year;

**WHEREAS**, this action to reduce the services of regular certificated employees is not based upon a reduction of average daily attendance during either of the past two years;

**WHEREAS**, this discontinuance and reduction of certificated services shall result in layoffs of certificated personnel in accordance with Education Code sections 44949 and 44955 which provide a process whereby particular decisions, actions, and notifications must be undertaken no later than March 15 of each school year regarding layoffs of certificated personnel in order to reduce the number of certificated staff, and this Board desires to reduce certificated staff as permitted by law;

**WHEREAS**, this Governing Board desires to discontinue and reduce the particular kinds of certificated services as listed in Exhibit "A", attached, and to that extent of full-time equivalents ("FTEs") not later than the beginning of the 2010-2011 school year;

**WHEREAS**, in the opinion of the Governing Board, it will be necessary as a result of the discontinuances and reductions of these particular kinds of services reflected in Exhibit "A" to decrease the number of certificated permanent and/or probationary employees by a corresponding number of full-time equivalent positions;

**WHEREAS**, Education Code section 44955, subdivision (d) authorizes a school district to deviate from terminating certificated employees in order of seniority based upon criteria as referenced in that statute;

**WHEREAS**, this Governing Board determines that there is a specific need for personnel to teach in this school district's dual language immersion classes which classes constitute a specific course or course of study within the meaning of Education Code section 44955, subdivision (d)(1) and that those employees currently serving or who have previously served in this school district as certificated employees in those classes possess special training and experience to teach in that course or course of study;

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED** by this Governing Board, as follows:

1. All of the above recitals are true and correct;
2. The particular kinds of services as listed in Exhibit "A" are hereby to be and will be discontinued and reduced and otherwise eliminated to the described extents no later than the beginning of the 2010-2011 school year within the meaning of Education Code section 44955, subdivision (b);
3. It is the opinion of this Governing Board, in view of the discontinuances and reductions of these particular kinds of services, that it is necessary to decrease the number of permanent and/or probationary employees serving in positions requiring certification qualifications within this school district at the close of this school year by a corresponding number of full-time equivalent positions as set forth within Exhibit "A" and that such decrease in number of certificated staff be implemented by the termination of employment of regular employees above, in addition to the termination of employment of temporary substitute employees and through attrition due to resignation, retirement, and leave of absences;
4. For purposes of "bumping" (displacement) and reemployment rights and the determination of "competency" within the meaning of Education Code sections 44955(b), 44956(a)(1), and 44957(a) to the extent such might apply, "competency" shall be based upon all of the following conditions which will allow for bumping and reemployment:

(A) possession and current filing of a preliminary or clear credential for the subject matter into which the employee would bump for the 2010-2011 school year; and

(B) the employee is serving in or is on leave from a teaching position other than as an hourly compensated "impact teacher", and whose job performance was included within the scope of formal evaluation procedures of an applicable collective bargaining agreement, provided however that this condition subparagraph (B) shall not apply to restrict the bumping by or reemployment rights of any administrator or counselor who is serving in or on leave from such administrative or counseling position in this school district; the intent of this subparagraph (B) is that impact teachers do not possess the right to displace or serve as regular classroom teachers as a result of the discontinuances and reductions of certificated services; and

(C) if bumping for the 2010-2011 school year, and for purposes of rights to reemployment in the future, into a non-teaching position (such as a position outside the collective bargaining unit), the employee must have actively served in that particular kind of service for 50 (fifty) percent FTE (full-time equivalent) or more at least one complete school year (not cumulative) within the last three school years (2007-2008 and following).

5. Deviations from the order of seniority for purposes of terminating and for purposes of reemployment of certificated employees of this District may be made and are directed to be made in accordance with and as permitted by Education Code sections 44955, subdivision (d)(1), 44956(a)(3) and 44957 (b), as follows:

Teachers of dual language immersion classes constitute a special and specific need in this District and shall be considered for this purpose as personnel teaching a specific course or course of study and employees currently serving in dual language immersion classes shall be considered as having special training and experience necessary to teach dual language

immersion classes for purposes of Education Code Section 44955 (d) (1); such teachers shall not be "bumped" or displaced by more senior employees unless such more senior employee has previously served in such classes in this school district;

6. For purposes of seniority tie-breaking criteria within the meaning of Education Code sections 44955, subdivision (b) (third paragraph) and section 44846 (second paragraph), the Governing Board determines that seniority ties shall be broken in accordance with the criteria listed within Exhibit "B", said criteria being based solely upon the needs of the District and the students thereof;
7. The Superintendent, or the Superintendent's designee(s), is/are instructed to take the steps necessary pursuant to the Education Code including, in part, sections 44955 and 44949, to implement the above and to reduce the certificated staff as set forth herein above;
8. The actions of this Governing Board will not, in any way, be considered to prejudice the rights of any certificated employee to whom notice will be given of the Superintendent's recommendations, should any employee request a hearing to contest this matter.

**IN WITNESS** of the adoption of the foregoing Resolution, we, the members present and voting thereof, have here unto set our hands this 8<sup>th</sup> day of March, 2010. Executed in San Diego, San Diego County, California.

Approval:

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Dissenting:

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Abstaining:

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Absent:

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I, Donald A. Phillips, Superintendent and Secretary to the Governing Board of the Poway Unified School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly adopted by said Board at a meeting thereof, the vote above stated, which Resolution is on file and of record in the Office of the Superintendent.

Date: \_\_\_\_\_, 2010

\_\_\_\_\_  
Superintendent/Secretary to Governing Board  
Poway Unified School District

Board of Education of the  
Poway Unified School District  
Resolution No. 34-2010

EXHIBIT "A"

**IDENTIFICATION OF PARTICULAR KINDS OF SERVICES (PKSs) AND FULL-TIME EQUIVALENCIES (FTEs) TO BE DISCONTINUED AND REDUCED NO LATER THAN THE BEGINNING OF THE ENSUING SCHOOL YEAR (2010-2011)**

Particular Kind of Service	Discontinuance or Reduction	Full-time Equivalents
Learning Support Services (LSS) Teacher on Special Assignment (TOSA) – Math	Reduction	.5
Categorically funded Teacher on Special Assignment (TOSA) - ASES	Discontinuance	2.00
Counselors' services program	Discontinuance	3.20
Counselor - Home School Liaison	Discontinuance	1.00
Special Education Program Psychologist	Reduction	2.00
Kindergarten through Fifth Grade classroom teaching services	Reduction	111.00
Middle school Language Arts/Social Science teaching services	Reduction	13.00
Middle school Math teaching services	Reduction	5.00
Middle school Physical Science teaching services	Reduction	2.00
Middle school Life Science teaching services	Reduction	1.60
Middle school Physical Education teaching services	Reduction	3.40
Middle school Earth Science teaching services	Reduction	1.40
Middle school AVID teaching services	Reduction	1.60
Middle school English Language Development teaching services	Reduction	1.60
Middle school Wheel elective teaching services	Reduction	3.20
Middle school Band/Orchestra teaching services	Reduction	.80
Middle school Choir teaching services	Reduction	.20
Middle school Spanish teaching services	Reduction	1.40
Middle school Drama teaching services	Reduction	.60
Middle school Art teaching services	Reduction	.80
Middle school Journalism teaching services	Reduction	.80
Middle school Industrial Technology teaching services	Reduction	.83
Middle school Yearbook teaching services	Reduction	.60
High school English teaching services	Reduction	14.60
High school Math teaching services	Reduction	13.60
High school Social Science teaching services	Reduction	8.20
High school Spanish teaching services	Reduction	6.20
High school French teaching services	Reduction	2.00
High school German teaching services	Reduction	1.20
High school Filipino teaching services	Reduction	1.42
High school Business teaching services	Reduction	1.00
High school Life Science teaching services	Reduction	4.60
High school Physical Science teaching services	Reduction	7.20
High school Physical Education/Health (ENS) teaching services	Reduction	3.20
High school Physical Education teaching services	Reduction	3.60
High school Health teaching services	Reduction	1.20
High school Choir teaching services	Reduction	1.20
High school Drama/Theatre teaching services	Reduction	1.60
High school Band/Orchestra teaching services	Reduction	1.40
High school Art teaching services	Reduction	.60

Particular Kind of Service	Discontinuance or Reduction	Full-time Equivalents
High school/ROP Art teaching services	Reduction	1.80
High school Consumer Family/Home Economics teaching services	Reduction	1.80
High school AVID teaching services	Reduction	1.40
High School Continuing Education teaching services	Reduction	2.00
Learning Support Services ("LSS") Assistant Director	Reduction	.09
Assistant Principal - Categorical	12 months to 11 months Discontinuance	1.00
Categorically funded hourly impact teacher services *	Discontinuance	(65.00)
<b>TOTAL FTEs</b>		<b>239.44</b>

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\*Inclusion of categorically funded hourly impact teacher services within this Resolution is included as a precaution and is not intended to grant those individuals who are impacted any rights greater than provided by law, and are not included in the total.

**Board of Education of the  
Poway Unified School District  
Resolution No. 34-2010**

**EXHIBIT "B"**

**CRITERIA FOR BREAKING SENIORITY TIES**

This Governing Board determines, based solely on the needs of this District and the students of this District, that seniority ties within the meaning of Education Code sections 44955, subdivision (b) (third paragraph) and section 44846, shall be resolved by applying the following criteria, to be applied in the following order, one step at a time. Such criteria shall be applied to rank the order of individuals for purposes of layoff and reemployment, subject to exceptions allowed by law. The criteria are as follows:

1. Individuals with preliminary or clear credentials or certificates authorizing services in classes for limited or non-English proficient students such as bilingual cross-cultural language and academic development (BCLAD) or cross-cultural language and academic development (CLAD) or the equivalent.
2. Current experience (this current school year) as an individual paid for extra/co-curricular service within PUSD Board Policies 4.212 and 4.213 in the following rank order:
  - AAA extra-curricular schedule
  - AA extra-curricular schedule
  - A extra-curricular schedule
  - High School Associated Student Body - co-curricular schedule
  - High School Yearbook - co-curricular schedule
  - High School Newspaper - co-curricular schedule
  - High School Band Director - co-curricular schedule
  - High School Drama - co-curricular schedule
  - High School Choral - co-curricular schedule
  - Schedule B extra-curricular
3. Prior PUSD counseling employment
4. Scope of clear or preliminary credentials as can be applied within the school district's current curriculum and as to which are on file as required by law.
5. Current Certification or verification from the National Board of Teaching Standards.
6. Possession of an earned doctoral degree from an institution accredited from an appropriate accrediting institution.
7. Salary Schedule Column placement (Column E – greatest preference/Column B – least preference).
8. Placement on TLC Prime Column.
9. Other paid extra-curricular or co-curricular, all department chairs.
10. First date of paid service as a temporary certificated employee in this school district.
11. If a tie still exists, the tie would be broken by lot. Numbers would be drawn with the lowest number winning the tie and continuing similarly until all remaining tied individuals are ranked.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment  
Staff Support:

AGENDA ITEM: D-202

SUBJECT: APPROVAL OF RESOLUTION NO. 35-2010 ENTITLED  
"RESOLUTION REGARDING ADMINISTRATIVE AND  
SUPERVISORY CERTIFICATED EMPLOYEES PURSUANT TO  
CALIFORNIA EDUCATION CODE SECTION 44951"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

That the Board approve Resolution No. 35-2010 as presented.

DISCUSSION/PROGRAM:

A strict and conservative reading of California Education Code 44951 might require that notice be provided to all certificated employees who hold a position requiring an administrative or supervisory credential if the length of their work year or salary are to be reduced. If approved by the Board of Education, the proposed resolution will be formally communicated to all potentially affected employees as required by law. This will provide the District with the flexibility needed to continue a reduced work year and potentially to implement an additional reduction in work year and compensation as is being proposed for all employee groups.

Though the terms of employment and compensation for the Superintendent is governed by a separate and individual employment contract, the Superintendent has indicated that he would initiate changes in his contract to parallel any changes which are made for certificated administrators as described above.

LEGAL REFERENCE: California Education Code Section 44951

FISCAL IMPACT: Savings for the 2010-2011 budget to be determined by the number of days reduced

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Board of Education of the Poway Unified School District

RESOLUTION NO. 35-2010

RESOLUTION REGARDING ADMINISTRATIVE AND SUPERVISORY CERTIFICATED EMPLOYEES PURSUANT TO CALIFORNIA EDUCATION CODE SECTION 44951

On motion of member \_\_\_\_\_, seconded by member \_\_\_\_\_, the following resolution is adopted:

WHEREAS, a strict and conservative interpretation of California Education Code section 44951 might require that notice be provided to certificated employees holding a position requiring a administrative or supervisory credential for changes in length of work year and/or reductions in salary, though the certificated employee maintains the current position for the following year;

WHEREAS, the District is proposing reduced work days per year and a possible reduction of salary or furloughs for all employee groups;

NOW, THEREFORE, the Board determines that the Superintendent, or his designee, provide the listed certificated employees with notice that, effective July 1, 2010, their work year may be reduced by up to an additional five (5) work days and with a reduction in annual compensation relative to those of the 2009/2010 school year.

Lynell	Antrim	Principal Middle School
Mark	Atkins	Principal Elementary
Vickie	Bakki	Principal Elementary
Melanie	Black	Director, Special Education
David	Boulware	Assistant Principal, Adult Education
Kathleen	Brown	Principal Elementary
Kelly	Burke	Assistant Principal High School
Celeste	Campbell	Principal Elementary
Miguel	Carrillo	Principal Middle School
Rudy	Casciato	Principal Continuation
Todd	Cassen	Assistant Principal High School
Ricardo	Ceceña	Principal Elementary
William	Chiment	Associate Superintendent, Personnel Support Services
Elaine	Cofrancesco	Executive Director, Student Support Services
Casey	Currgan	Assistant Principal Middle School
Lisa	Danzer	Principal Elementary
Cynthia	DeClercq	Principal Elementary
Salvador	Embry	Principal Elementary
Joseph	Erpelding	Principal Elementary
Scott	Fisher	Principal High School
Sally	Flournoy	Assistant Principal High School
Karen	Garrett	Assistant Principal Elementary School
Ronald	Garrett	Assistant Principal High School
Paul	Gentle	Director of Attendance and Welfare
Edward	Giles	Assistant Principal High School
Alicia	Graeff	Assistant Principal Middle School
Johneen	Gregg	Director, Extended Student Services
David	Hall	Principal Middle School

Tracy	Hogarth	Director II, Human Resources
Patricia	Hurt	Assistant Principal High School
Andrew	Johnsen	Principal Elementary
Douglas	Johnson	Principal Elementary
Elaine	Johnson	Principal Middle School
Dawn	Kastner	Principal High School
Elizabeth	Keller	Principal Elementary
Charan	Kirpalani	Assistant Principal Middle School
Keith	Koelzer	Assistant Principal High School
Theresa	Kurtz	Director, Special Education
Charmaine	Lawson	Principal Elementary
Eric	Lehew	Executive Director, Learning Support Services
David	LeMaster	Assistant Principal High School
Julie	Lerner	Principal Elementary
Tracy	Liu	Assistant Director, Learning Support Services
Gregory	Magno	Assistant Principal High School
Kathleen	Marshack	Principal Elementary
Thomas	McCoy	Principal High School
Peter	McKee	Assistant Principal High School
Deanne	McLaughlin	Principal Elementary
Jeannie	Miller	Principal Elementary
Clifford	Mitchell	Principal Middle School
Greg	Mizel	Principal High School
Michael	Mosgrove	Principal Elementary
Richard	Newman	Principal Elementary
Carol	Osborne	Principal Elementary
Teresa	Palzkill	Assistant Principal High School
Dennis	Panganiban	Assistant Principal Middle School
Martha	Parham	Director, Alternative Programs
Beth	Perisic	Assistant Principal High School
Sidia	Phillips	Assistant Principal Elementary School
Kathleen	Porter	Executive Director, Career Technical and Adult Education
Joseph	Radovich	Assistant Principal Continuation School
Sharon	Raffer	Director, Communications
Ignacio	Ramirez	Assistant Principal Middle School
Kaleb	Rashad	Assistant Principal Middle School
Kimberlie	Rens	Principal Elementary
Kathlyn	Roberts	Director, Early Childhood Development & Education
Melavel	Robertson	Associate Superintendent, Learning Support Services
Robin	Robinson	Principal Elementary
Paul	Robinson	Principal High School
Katie	Salo	Assistant Principal High School
Emily	Shieh	Assistant Director, Due Process Compliance SPED
Wendelyn	Smith-Rogers	Principal Elementary
Cynthia	Venolia	Principal Elementary
Noreen	Walton	Director II, Learning Support Services
Anita	Watson	Principal Elementary
Terry	Worthington	Principal Elementary
Sonya	Wrisley	Principal Middle School
Tina	Ziegler	Assistant Principal High School
Dawn	Zwibel	Principal Elementary

A copy of this Board Resolution plus appropriate written notice in accordance with the provisions of Education Code Section 44951 shall be served upon all affected certificated employees by the Superintendent, or his designee, in accordance with the provisions of law. Such notice shall be served on or before March 15, 2010.

IN WITNESS OF the adoption of the foregoing Resolution, we, the members present and voting thereon, have hereunto set our hands this 8th day of March, 2010. Executed in San Diego, San Diego County, California.

**BOARD OF EDUCATION OF THE POWAY  
UNIFIED SCHOOL DISTRICT**

Approval:

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Absent:

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Dissenting:

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Abstaining:

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I, Donald Phillips, Superintendent and Secretary to the Board of Education of Poway Unified School District of San Diego County, California, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by said Board at a duly-scheduled meeting thereof.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Donald A. Phillips, Ed.D.  
District Superintendent/Secretary to  
the Board

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins  
Staff Support: Malliga Tholandi

AGENDA ITEM: D-301

SUBJECT: APPROVAL OF RESOLUTION NO. 36-2010 ENTITLED  
"AUTHORIZATION FOR GOVERNING BOARD OF POWAY  
UNIFIED SCHOOL DISTRICT TO REQUEST TEMPORARY  
TRANSFER OF FUNDS"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

That Resolution No. 36-2010, requesting a temporary transfer of funds from the County Treasurer to meet District cash flow needs in 2009-2010, be approved.

**DISCUSSION/PROGRAM:**

Due to the principal apportionment deferrals from this February, April, and May to July and August, the District will encounter a cash shortage towards the end of fiscal year. The San Diego County Office of Education has confirmation from the San Diego County Treasurer's Office that the County Treasurer will provide temporary loans that can be repaid after June 30. Our District will be able to borrow an amount not-to-exceed \$38 million on or before April 26, 2010. This amount does not exceed 85% of the principal apportionment and property taxes accruing to the District by June 30, 2010.

The District will be charged interest on the funds borrowed at approximately 4% to 5% by the County Treasurer.

With the attached resolution, the Chief Financial Officer will request temporary transfer of funds on or before April 26, 2010. The repayment will be taken from the principal apportionment revenues and property taxes at the time of distribution to the District.

The entire loan will be repaid by August 31, 2010.

LEGAL REFERENCE: California Education Code Sections 42620 and 85220

FISCAL IMPACT: Interest expense of approximately \$383,967

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Poway Unified School District

RESOLUTION NO. 36-2010

AUTHORIZATION FOR GOVERNING BOARD OF POWAY UNIFIED SCHOOL DISTRICT TO REQUEST TEMPORARY TRANSFER OF FUNDS

On motion of member \_\_\_\_\_, seconded by member \_\_\_\_\_, the following resolution is adopted:

WHEREAS, the California Constitution, Article XVI, Section 6 and Education Code section 42620 or 85220 provide that the Treasurer of the County shall have the power and the duty to make such temporary transfer from the funds in custody as may be necessary to provide funds for meeting the obligations incurred for maintenance purposes by any district whose funds are in custody and are paid out solely through the Treasurer's office; such temporary transfer of funds shall be made only upon resolution adopted by the governing board of the County to make such temporary transfer; such temporary transfer of funds shall not exceed 85% of the amount of money which will accrue to the district, shall not be made prior to the first day of the fiscal year nor after the last Monday in April of the current fiscal year, and shall be replaced from the first moneys accruing to the district and before any other obligation of the district is met from the money accruing; and

WHEREAS, on March 8, 2010, the governing board is adopting a revised budget for this District for the fiscal year 2009-2010 pursuant to the provisions of the Education Code sections 42127 or 70901, and revenues accruing to the District for the remainder of the fiscal year are estimated to be \$45,600,000; and

WHEREAS, it is necessary to provide funds for meeting obligations incurred for maintenance purposes by this District; AND NOW THEREFORE

IT IS RESOLVED AND ORDERED pursuant to the provisions of the California Constitution, Article XVI, Section 6, and Education Code section 42620 or 85220 as follows:

1. The Board of Supervisors of the County of San Diego is requested to direct the Treasurer of the County of San Diego to make a temporary transfer from the funds in custody on or before April 26, 2010, to meet obligations incurred for maintenance purposes in the amount of \$38,000,000 which does not to exceed a total of 85% of moneys accruing to the District by June 30, 2010, as certified by the District Superintendent and verified by the County Auditor and Controller.
2. Funds will be transferred to this District by the Treasurer of the County of San Diego (CoSD) in sums as requested by the District Superintendent and certified by him/her to be necessary to provide funds for meeting the obligations incurred for maintenance purposes by the District not to exceed the maximum amount herein specified, provided the Treasurer determines that funds in his custody are available for such transfers.
3. Repayment of the funds shall be made from the revenues accruing to the District before any other obligation. Interest on any transferred funds will accrue and be payable by the District, at the greater of, the same interest rate the CoSD Investment

Pool is earning or the average overnight repo rate for each month until the entire amount transferred is repaid.

- 4. The Clerk/Secretary of this Board is directed to file a copy of this resolution with the Board of Supervisors, the County Superintendent of Schools, the County Auditor and Controller, and the County Treasurer-Tax Collector.

PASSED AND ADOPTED by the Governing Board of the Poway Unified School District, County of San Diego, State of California, on March 8, 2010, by the following vote:

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO )

This is to certify that the foregoing document is a true copy of the Resolution of the Board of Education of Poway Unified School District of San Diego County.

\_\_\_\_\_  
Jeff Mangum, Clerk of the Board of Education

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: D-302

Staff Support: Malliga Tholandi

SUBJECT: APPROVAL AND CERTIFICATION OF SECOND INTERIM FINANCIAL REPORT AND APPROVAL OF RESOLUTION NO. 37-2010 ENTITLED "AUTHORIZATION TO REVISE THE 2009-2010 BUDGET AS REFLECTED IN THE SECOND INTERIM FINANCIAL REPORT"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That Resolution No. 37-2010 be approved, revising the 2009-2010 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 2009-2010 fiscal year and the two subsequent fiscal years.

**DISCUSSION/PROGRAM:**

During the fiscal year following the adoption of the District's budget, the Chief Financial Officer is required to present to the Board two Interim Financial Reports. The Second Interim Financial Report reflects the current budget and actual revenues and expenditures as of January 31. In addition, budget projections are updated with the most current information available. These projections, which revise the District's budget, are presented to the Board for approval. The Board will then certify to the County Superintendent of Schools that the District will be able to meet its financial obligations for the current year and two subsequent fiscal years.

Attached for the Board's review is the resolution authorizing the second interim revisions to the budget, the Certification that the District will meet its financial obligations, the Budget Summary Report for the General Fund Combined, a multi-year projection, and a Cash Flow Report for the General Fund. The Standardized Account Code Structure (SACS) forms including the Criteria and Standards have been provided to the Board electronically for their review.

LEGAL REFERENCE: California Education Code Sections 33129, 42130, 42131, 42600, and 42602

FISCAL IMPACT: As reflected in the attached/enclosed documents

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Poway Unified School District

**RESOLUTION NO. 37-2010**

**AUTHORIZATION TO REVISE THE 2009-2010 BUDGET AS REFLECTED IN THE SECOND INTERIM FINANCIAL REPORT**

ON MOTION of Member \_\_\_\_\_,  
seconded by Member \_\_\_\_\_, the following resolution  
is adopted:

WHEREAS, the Board of Education approved the District's 2009-2010 First Interim Financial Report on December 14, 2009, and

WHEREAS, estimated revenues and expenditures have changed since approval of the 2009-2010 First Interim Budget Financial Report.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Board of Education of the Poway Unified School District that, pursuant to Education Code Sections 42600 and 42602, budget revisions and transfers represented in the 2009-2010 Second Interim Financial Report are approved, and the Chief Financial Officer is authorized to make such revisions.

PASSED AND ADOPTED on March 8, 2010, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

STATE OF CALIFORNIA    )  
COUNTY OF SAN DIEGO   )

This is to certify that the foregoing document is a true copy of the Resolution of the Board of Education of the Poway Unified School District of San Diego County.

\_\_\_\_\_  
Jeff Mangum, Clerk of the Board of Education

NOTICE OF CRITERIA AND STANDARDS REVIEW. This interim report was based upon and reviewed using the state-adopted Criteria and Standards. (Pursuant to Education Code (EC) sections 33129 and 42130)

Signed: \_\_\_\_\_  
District Superintendent or Designee

Date: \_\_\_\_\_

NOTICE OF INTERIM REVIEW. All action shall be taken on this report during a regular or authorized special meeting of the governing board.

To the County Superintendent of Schools:

This interim report and certification of financial condition are hereby filed by the governing board of the school district. (Pursuant to EC Section 42131)

Meeting Date: March 08, 2010

Signed: \_\_\_\_\_  
President of the Governing Board

**CERTIFICATION OF FINANCIAL CONDITION**

**POSITIVE CERTIFICATION**

As President of the Governing Board of this school district, I certify that based upon current projections this district will meet its financial obligations for the current fiscal year and subsequent two fiscal years.

**QUALIFIED CERTIFICATION**

As President of the Governing Board of this school district, I certify that based upon current projections this district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years.

**NEGATIVE CERTIFICATION**

As President of the Governing Board of this school district, I certify that based upon current projections this district will be unable to meet its financial obligations for the remainder of the current fiscal year or for the subsequent fiscal year.

Contact person for additional information on the interim report:

Name: Malliga Tholandi

Telephone: (858) 748-0010 x 2529

Title: Chief Financial Officer

E-mail: mtholandi@powayusd.com

**Criteria and Standards Review Summary**

The following summary is automatically completed based on data provided in the Criteria and Standards Review form (Form 01CSI). Criteria and standards that are "Not Met," and supplemental information and additional fiscal indicators that are "Yes," may indicate areas of potential concern, which could affect the interim report certification.

CRITERIA AND STANDARDS			Met	Not Met
1	Average Daily Attendance	Funded ADA for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.	X	

<b>CRITERIA AND STANDARDS (continued)</b>			<b>Met</b>	<b>Not Met</b>
2	Enrollment	Projected enrollment for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.	X	
3	ADA to Enrollment	Projected second period (P-2) ADA to enrollment ratio for the current and two subsequent fiscal years is consistent with historical ratios.	X	
4	Revenue Limit	Projected revenue limit for any of the current or two subsequent fiscal years has not changed by more than two percent since first interim.		X
5	Salaries and Benefits	Projected ratio of total unrestricted salaries and benefits to total unrestricted general fund expenditures has not changed by more than the standard for the current and two subsequent fiscal years.		X
6a	Other Revenues	Projected operating revenues (federal, other state, other local) for the current and two subsequent fiscal years have not changed by more than five percent since first interim.	X	
6b	Other Expenditures	Projected operating expenditures (books and supplies, services and other expenditures) for the current and two subsequent fiscal years have not changed by more than five percent since first interim.		X
7a	Deferred Maintenance	SBX3 4 (Chapter 12, Statutes of 2009) eliminates the local match requirement for Deferred Maintenance for a five-year period from 2008-09 through 2012-13. Therefore, this item has been inactivated for that period.		
7b	Ongoing and Major Maintenance Account	If applicable, changes occurring since first interim meet the required contribution to the ongoing and major maintenance account (i.e., restricted maintenance account).	X	
8	Deficit Spending	Unrestricted deficit spending, if any, has not exceeded the standard in any of the current or two subsequent fiscal years.		X
9a	Fund Balance	Projected general fund balance will be positive at the end of the current and two subsequent fiscal years.	X	
9b	Cash Balance	Projected general fund cash balance will be positive at the end of the current fiscal year.	X	
10	Reserves	Available reserves (e.g., designated for economic uncertainties, undesignated amounts) meet minimum requirements for the current and two subsequent fiscal years.	X	

<b>SUPPLEMENTAL INFORMATION</b>			<b>No</b>	<b>Yes</b>
S1	Contingent Liabilities	Have any known or contingent liabilities (e.g., financial or program audits, litigation, state compliance reviews) occurred since first interim that may impact the budget?	X	
S2	Using One-time Revenues to Fund Ongoing Expenditures	Are there ongoing general fund expenditures funded with one-time revenues that have changed since first interim by more than five percent?	X	
S3	Temporary Interfund Borrowings	Are there projected temporary borrowings between funds?		X
S4	Contingent Revenues	Are any projected revenues for any of the current or two subsequent fiscal years contingent on reauthorization by the local government, special legislation, or other definitive act (e.g., parcel tax, forest reserves)?	X	
S5	Contributions	Have contributions from unrestricted to restricted resources, or transfers to or from the general fund to cover operating deficits, changed since first interim by more than \$20,000 and more than 5% for any of the current or two subsequent fiscal years?		X

<b>SUPPLEMENTAL INFORMATION (continued)</b>			<b>No</b>	<b>Yes</b>
S6	Long-term Commitments	Does the district have long-term (multiyear) commitments or debt agreements?		X
		• If yes, have annual payments for the current or two subsequent fiscal years increased over prior year's (2008-09) annual payment?	X	
		• If yes, will funding sources used to pay long-term commitments decrease or expire prior to the end of the commitment period, or are they one-time sources?	X	
S7a	Postemployment Benefits Other than Pensions	Does the district provide postemployment benefits other than pensions (OPEB)?		X
		• If yes, have there been changes since first interim in OPEB liabilities?	X	
S7b	Other Self-insurance Benefits	Does the district operate any self-insurance programs (e.g., workers' compensation)?		X
		• If yes, have there been changes since first interim in self-insurance liabilities?	X	
S8	Status of Labor Agreements	As of second interim projections, are salary and benefit negotiations still unsettled for:		
		• Certificated? (Section S8A, Line 1b)	X	
		• Classified? (Section S8B, Line 1b)	X	
S8	Labor Agreement Budget Revisions	• Management/supervisor/confidential? (Section S8C, Line 1b)	X	
		For negotiations settled since first interim, per Government Code Section 3547.5(c), are budget revisions still needed to meet the costs of the collective bargaining agreement(s) for:		
		• Certificated? (Section S8A, Line 3)	n/a	
S8	Labor Agreement Budget Revisions	• Classified? (Section S8B, Line 3)	n/a	
S9	Status of Other Funds	Are any funds other than the general fund projected to have a negative fund balance at the end of the current fiscal year?	X	

<b>ADDITIONAL FISCAL INDICATORS</b>			<b>No</b>	<b>Yes</b>
A1	Negative Cash Flow	Do cash flow projections show that the district will end the current fiscal year with a negative cash balance in the general fund?	X	
A2	Independent Position Control	Is personnel position control independent from the payroll system?		X
A3	Declining Enrollment	Is enrollment decreasing in both the prior and current fiscal years?	X	
A4	New Charter Schools Impacting District Enrollment	Are any new charter schools operating in district boundaries that are impacting the district's enrollment, either in the prior or current fiscal year?	X	
A5	Salary Increases Exceed COLA	Has the district entered into a bargaining agreement where any of the current or subsequent fiscal years of the agreement would result in salary increases that are expected to exceed the projected state funded cost-of-living adjustment?	X	
A6	Uncapped Health Benefits	Does the district provide uncapped (100% employer paid) health benefits for current or retired employees?	X	
A7	Independent Financial System	Is the district's financial system independent from the county office system?	X	
A8	Fiscal Distress Reports	Does the district have any reports that indicate fiscal distress? If yes, provide copies to the COE, pursuant to EC 42127.6(a).	X	
A9	Change of CBO or Superintendent	Have there been personnel changes in the superintendent or chief business official (CBO) positions within the last 12 months?	X	

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: E-106

Staff Support: Theresa Kurtz

SUBJECT: APPROVAL OF AGREEMENT FOR NONPUBLIC SCHOOL/NONPUBLIC AGENCY SERVICES

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the Superintendent, or his designee, be authorized to sign and forward the appropriate documents to the County Superintendent to reflect the placement of students in nonpublic schools/nonpublic agencies.

**DISCUSSION/PROGRAM:**

The District's Individual Education Program Team has recommended that designated special education students attend nonpublic schools and/or receive nonpublic agency services for the 2009-2010 school year, as listed on the attached sheet.

LEGAL REFERENCE: 56365(a) California Education Code, Part 30

FISCAL IMPACT: \$65,369 for 2009-2010 School Year, Within Current Budget

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

POWAY UNIFIED SCHOOL DISTRICT

NONPUBLIC SCHOOLS/AGENCIES

DATE: March 8, 2010

Nonpublic Schools 2009-2010	Services Provided	Number of Students	Tuition/Fee
ACES Academy	Full-Day Program for Autism Disabled (Increase for 1:1 Aide)	1	Fr. \$58,368 To \$70,087
Institute for Effective Education	Full-Day Program for Autism, Mental Retardation, and Emotionally Disabled	1	\$16,639
TERI, Inc.	Full-Day Program for Mentally and Physically Disabled	1	\$20,211

Nonpublic Agencies 2009-2010	Services Provided	Number of Students	Tuition/Fee
Precision Real-Time Services	Computer Assisted Real-Time Captioning (CART) Services	1	\$16,800

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: E-107

Staff Support: Noreen Walton

SUBJECT: ADOPTION OF HIGH SCHOOL TEXTBOOK AND STUDENT WORKBOOK

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

That the textbooks below be adopted.

DISCUSSION/PROGRAM:

At the February 8, 2010, Board Meeting, the textbooks listed below were presented to the Board of Education for a first reading. The proposed textbook and workbook have been reviewed by teachers representing all of the high schools and determined to be in alignment with subject-specific State and District standards. The textbook and workbook are available for examination and are on display in the Administration Center.

Subject	Textbook Title and Publisher
AP Music Theory	<u>Music in Theory and Practice, 8<sup>th</sup> Ed.</u> McGraw-Hill Higher Education, 2009 ISBN #978-0-07-310187-3
AP Music Theory	<u>Music in Theory and Practice Workbook, 8<sup>th</sup> Ed.</u> McGraw-Hill Higher Education, 2009 ISBN #978-0-07-312750-7

LEGAL REFERENCE: California Education Code Section 60242

FISCAL IMPACT: \$1700; Pending Funding Availability

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: E-108

Staff Support: Noreen Walton

SUBJECT: ADOPTION OF MIDDLE SCHOOL TEXTBOOKS

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

That the textbooks below be adopted.

DISCUSSION/PROGRAM:

At the February 8, 2010, Board Meeting, the textbooks listed below were presented to the Board of Education for a first reading. The proposed textbooks have been reviewed by teachers representing all of the middle schools and determined to be in alignment with subject-specific State and District standards. The textbooks are available for examination and are on display in the Administration Center.

Subject	Textbook Title and Publisher
Music	<u>Music Appreciation</u> Tew, John Douglas Lord Matthews, 2008 ISBN #978-1-59657-064-1
Music	<u>Strictly Strings: A Comprehensive String Method VIOLIN/Book 1</u> Dillion, Jacquelyn, et. al. Alfred Publishing Company, April 1992 ISBN #978-0882845302

Continued...

LEGAL REFERENCE: California Education Code Section 60242

FISCAL IMPACT: \$2,500; Pending Funding Availability

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Subject	Textbook Title and Publisher
Music	<p><b><u>Strictly Strings: A Comprehensive String Method VIOLIN/Book 2</u></b> Dillion, Jacquelyn, et. al. Alfred Publishing Company, April 1993 ISBN #978-0882845364</p> <p><b><u>Strictly Strings: Orchestra Companion, VIOLIN/Book 3</u></b> Kjelland, James, et. al. Alfred Publishing Company, August 1996 ISBN #978-0739003282</p>
Music	<p><b><u>Strictly Classics BOOK 1/VIOLIN</u></b> O'Reilly, John Alfred Publishing Company, 1995 ISBN #978-0739015193</p> <p><b><u>Strictly Classics BOOK 2/VIOLIN</u></b> O'Reilly, John Alfred Publishing Company, March 1996 ISBN #978-0739014721</p>

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson  
Staff Support: Noreen Walton

AGENDA ITEM: E-109

SUBJECT: ADOPTION OF NEW HIGH SCHOOL COURSES

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the courses listed below be adopted.

**DISCUSSION/PROGRAM:**

At the February 8, 2010, Board meeting, the following courses were presented to the Board of Education. The proposed additions are the result of ongoing efforts of the staff to ensure that the courses offered are aligned to specific standards and provide students with a variety of opportunities and pathways to prepare them for their future.

The courses submitted, if approved by the Board, will be offered in the 2010-2011 school year at Mt. Carmel and Westview High Schools.

**PHYSICAL EDUCATION**

Distance Running

**SOCIAL SCIENCE**

Contemporary World Cultures and Geography

**SPECIAL PROGRAMS**

L/Introduction to Geometry

LEGAL REFERENCE: California Education Code Section 51014

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

# PHYSICAL EDUCATION

COURSE TITLE/CODES:	Distance Running	1499
RECOMMENDED PREREQUISITES:	None	
LENGTH OF COURSE/CREDITS:	One trimester	Five each trimester
GRADE LEVELS:	10, 11, 12	

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## I. COURSE DESCRIPTION

Distance Running is designed to provide students with an opportunity to expand their knowledge and ability. Emphasis will be on proper training practices including warm up and cool down, as well as personal safety guidelines for the long-distance runner.

## II. MAJOR OBJECTIVES

The students will:

- A. Understand and perform basic warm-up activities.
  1. Jogging
  2. Sport-specific stretching
  3. Striding
- B. Know basic injury prevention principles.
  1. Moderation
  2. Progression of activity
  3. Proper cool down
- C. Be able to jog continuously for three miles.
- D. Understand how to increase endurance.
  1. Over distance running
  2. Cross training
  3. Tempo running
- E. Understand how to increase speed.
  1. 220 repeats
  2. Wind sprints
- F. Know proper post-run activities.

## III. COURSE CONTENT

- A. Stretching drills designed to increase flexibility
- B. Lecture and discussion to develop an understanding of muscle balance
- C. Application of overload principle to increase endurance
- D. Strengthening exercises: weight lifting, staircases, push-ups, and sit-ups
- E. Choosing safe running venues and terrains.

## IV. ADOPTED BASIC AND SUPPLEMENTARY TEXTS

- A. None

## SOCIAL SCIENCE

COURSE TITLE/CODES:	Contemporary World Cultures and Geography	1399
RECOMMENDED PREREQUISITES:	None	
LENGTH OF COURSE/CREDITS:	18 weeks	Ten credits per term
GRADE LEVELS:	9	

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### I. COURSE DESCRIPTION

Contemporary World Cultures and Geography introduces students to the concept of the global community and to contemporary issues through a series of area-studies, including Latin America, Middle East, Asia, and sub-Sahara Africa. Cultural components, cultural values, and major issues facing these regions are emphasized, along with their geographical diversity, providing students with an opportunity to see past the present of these regions and systemically think about their future, emphasizing critical thinking and problem solving. Knowledge and application of the research process and a variety of instructional strategies will be utilized. These include writing assignments, research papers, and oral presentations that emphasize effective communication and critical thinking skills, and that foster curiosity, while preparing students for the challenges of citizenship in a global community.

The course curriculum and assessments are designed to increase rigor and prepare students for higher level social science courses and testing. The course is also intended to prepare students to learn to work collaboratively in a spirit of mutual respect with individuals representing diverse cultures, regions, and lifestyles.

*Contemporary World Cultures and Geography* (pending Board approval) will receive PUSD elective credit and (pending UC approval) may be used to meet the UC/CSU "g" requirement.

### II. COURSE GOALS

The students will:

- A. Demonstrate clear and coherent written and oral communication in content area knowledge and related social science skills.
- B. Demonstrate the ability to read and comprehend a wide range of social science materials.
- C. Demonstrate the ability to solve problems and think critically through the analysis of content area curriculum and the effective completion of challenging individual and group assignments/projects.
- D. Demonstrate an understanding of the complexities of the global community and contemporary issues through reading, writing, and discussion of selected area-studies.

### III. COURSE OBJECTIVES

The students will:

- A. Engage in the study of selected area-studies, including Latin America, Asia, the Middle East, and sub-Sahara Africa.
- B. Value and appreciate the differences between cultures and the specific/universal issues facing specific cultures and the global community.
- C. Engage in "point-of-view" exercises to gain a greater understanding for the varieties of cultural perspectives within the global community, both through formal and informal speech.
- D. Increase their abilities to organize, draft, and articulate complex ideas/issues in expository essays.
- E. Demonstrate their knowledge of different cultures and cultural values through creative writing exercises.

### IV. COURSE OUTLINE

#### A. Regions of Study

This class comprises the first half of a two-year study of World Cultures. During their first year of the course, students will focus on:

1. Latin America
2. The Middle East (Southwest Asia and Northern Africa)
3. Sub-Saharan Africa
4. Asia

These regional studies will be woven through an international approach to global cultures. Students will be asked to keep the themes of political, economic, and geographic interdependence, nationalism, resource exploitation, industrialization, technological advancements, and human rights in mind. The content of the course will be organized into three content areas: physical geography, cultural geography, and history, and a list of pertinent skills covered in the course. Contemporary connections will be applied in each region of study.

B. Physical Geography:

Students will be able to:

1. Define and locate major physical features on a world map.
2. Define and locate major regions of the world.
3. Demonstrate familiarity with basic cartographic skills.
4. Demonstrate the impact of physical geography on global relations, including politics, economics, society, and technology.

C. Cultural Geography:

Students will be able to:

1. Define and locate regional, political, cultural, and economic zones.
2. Locate historical and current cultural divisions.
3. Demonstrate a region's relationship with the global society - politically, economically, geographically, and culturally.
4. Demonstrate an understanding of the political systems in the various world cultural regions.
5. Demonstrate an understanding of the economic systems in the various world cultural regions.
6. Demonstrate an understanding of the religious and philosophical beliefs in the various world cultural regions.
7. Demonstrate an understanding of the implications of science and technology on the various world cultural regions.
8. Demonstrate an understanding of the interdependence of world economic, cultural, and political systems within and among the various world cultural regions.
9. Demonstrate an understanding of the impact of the arts on the cultures of these regions.
10. Demonstrate an understanding of the role of social structure in global cultures, and the treatment of women and child labor in the various world cultural regions.
11. Demonstrate an understanding of resource exploitation and environmental depletion in all the various world cultural regions.

D. History:

Students will be able to:

1. Identify and locate major land forms and bodies of water.
2. Describe the significant historical periods and achievements of the major civilizations.
3. Discuss the influence and impact of imperialism on all aspects of the culture.
4. Discuss the independence movements and the eventual overthrow of European powers.
5. Discuss the rise of nation states in the nineteenth and twentieth centuries.
6. Explain the role of tradition, power, and wealth in society.
7. Explain the role of women in the society.
8. Give examples of the impact of Marxism, socialism, and capitalism.
9. Explain the geographic influences on the history in each region.
10. Discuss the role of religion in the development of culture and society.
11. Describe and distinguish traditional and contemporary systems of social stratification.
12. Compare and contrast the beliefs of Judaism, Christianity, Islam, Hinduism, Buddhism, Taoism, and Shintoism.
13. Trace the rise of Islamic civilization.
14. Give examples of changes and conflicts between traditional values and modern realities in a given society.
15. Identify the forms of government and major political issues effecting given societies.
16. Trace the growth of nationalism in a given society.
17. Identify central economic issues in the contemporary world.
18. Discuss the impact of technology on given societies.

E. Social Studies Skills:

Students will be able to:

1. Draw conclusions and express opinions in written and oral form.
2. Transfer written and graphic materials to a map.
3. Identify the beliefs and values expressed in primary sources.
4. Distinguish between fact and opinion.
5. Begin to formulate and support historical hypotheses.
6. Distinguish basic geographic concepts and terms.
7. Identify physiographic forms in a region.
8. Identify demographic terms used to study a society.
9. Write, compare, and contrast informative, persuasive, and creative essays.
10. Create and interpret timelines and graphs.
11. Annotate notes, outlines, drawings, and maps.
12. Identify and analyze primary sources and secondary sources.
13. Compare and contrast demographics of various regions and draw conclusions.
14. Create theses and provide support through written and oral communications.
15. Identify, gather, and implement appropriate and credible research.
16. Create and correctly use bibliographies.
17. Begin an exploration into forms of citation and documentation.
18. Organize their ideas into outline notes.

V. KEY ASSIGNMENTS

Unit Titles	Activity	State Standard
What is Culture? Study of local cultures	Statistical demographics of local community	Structural form of informational material
Latin America	Nation-studies of Brazil, Mexico, and one other nation	Comprehension and analysis of grade-level appropriate materials
	Research paper on issues related to Latin America	Research and technology Structural features of research paper Organization and delivery of oral communication
Middle East-Islam	Nation-studies of Egypt and one other nation	Comprehension and analysis of grade-level appropriate materials
	Islamic art forms	Knowledge of cultural components
Sub-Sahara Africa	Nation-studies of Nigeria and one other nation	Comprehension and analysis of grade-level appropriate materials
	Biographical Study of African leader	Research and technology Structural features of research paper Organization and delivery of oral communication
	Controversial Issues Facing Latin America, Middle East, and Africa	Structural form of informational material Organization and delivery of oral communication

VI. BASIC AND SUPPLEMENTARY INSTRUCTIONAL MATERIALS

- A. Ethics of World Religions, Arnold Hunt, Marie Crotty, Robert Crotty, Greenhaven Press, Inc., 1991
- B. TCI Materials

## VII. INSTRUCTIONAL METHODS AND/OR STRATEGIES

1. Lectures
2. Class discussions
3. Reading primary and secondary sources
4. Research projects (in written and oral form)
5. Group projects (in written and oral form)
6. Audio and visual presentations
7. Multi-media projector
8. Computer research and presentation
9. Wall and desk maps

## VIII. ASSESSMENT METHODS AND/OR TOOLS

1. Written tests and quizzes
2. Research projects – group and individual
3. Formative assessment of classroom work
4. Homework assignments

## SPECIAL PROGRAMS

COURSE TITLE/CODES:	L/Introduction to Geometry	2100
RECOMMENDED PREREQUISITES:	L/Algebra	
LENGTH OF COURSE/CREDITS:	Two trimesters	Five each trimester
GRADE LEVELS:	9, 10, 11, 12	

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### I. COURSE DESCRIPTION

This course is designed to teach students to apply skills taught in preceding Mathematics courses and to develop and strengthen new geometric skills. This course follows California content standards focusing on deductive reasoning and organized logical thinking patterns. This course will help prepare students in mainstream Geometry. Some standards that will be discussed in this course include the introduction to: the development of definitions, theorems, and corollaries dealing with points; the relationship between algebra to geometry; solving and graphing equations; lines, planes, angles, triangles, circles, polygons, and other figures. Students will use algebraic skills to solve problems. This course will allow students to earn elective credit as they continue to develop their mathematical skills.

### II. MAJOR OBJECTIVES

The students will:

- A. Apply basic rules to arithmetic as they relate to algebra and geometry
- B. Read and interpret data
- C. Study, create, and interpret data
- D. Learn about systems of linear equations
- E. Relate algebra to geometry
- F. Solve and graph quadratic equations
- G. Learn about points, lines, and angles in a plane
- H. Learn about points, lines, and angles in coordinate planes
- I. Learn about similarities and proportions in geometric shapes
- J. Learn how to imagine the ways geometric figures intersect in a plane and in space

### III. COURSE CONTENT

- A. The Rules of Arithmetic
- B. Applications of Algebra
- C. Data, Statistics, and Probability
- D. Points, lines, and angles in the planes
- E. Parallel lines and transversals
- F. Lines in the coordinate plane
- G. Congruent triangles and transformations
- H. Proportion and similarity
- I. Solid geometric figures and their measures

### IV. ADOPTED BASIC AND SUPPLEMENTARY TEXTS

- A. AGS Geometry, American Guidance Service, Inc., 2001

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: E-110

Staff Support: Theresa Kurtz

SUBJECT: APPROVAL OF RESOLUTION NO. 40-2010 ENTITLED "AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) CONTRACT FOR TRANSITION PARTNERSHIP PROGRAM AGREEMENT WITH CALIFORNIA DEPARTMENT OF REHABILITATION"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the Superintendent, or Deputy Superintendent as designee, be authorized to accept federal ARRA funds in the amount of \$48,533 for the fiscal years 2009-2010 and 2010-2011.

**DISCUSSION/PROGRAM:**

The Transition Partnership Program (TPP), a joint partnership with the State of California Department of Rehabilitation and the Poway Unified School District has been in existence for 19 years. Each year, TPP provides employment-training services to approximately 100 eleventh- and twelfth-grade students and recent graduates with permanent physical, mental, or learning disabilities.

Poway Unified's TPP program applied for and was recently awarded additional funds through the American Recovery and Reinvestment Act (ARRA) federal program. These funds are time-limited and intended to enhance employment-training services to individuals with disabilities. There is no requirement for the District to match with any financial contribution in order to receive these funds.

All funds must be expended by September 30, 2010.

LEGAL REFERENCE: N/A

FISCAL IMPACT: None

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

STATE OF CALIFORNIA  
**BOARD RESOLUTION**

DEPARTMENT OF REHABILITATION

DR 324 (Rev 8-2009)  
Poway Unified School District  
Resolution No. 40-2010  
TRANSITION PARTNERSHIP PROGRAM  
AGREEMENT WITH THE CALIFORNIA  
DEPARTMENT OF REHABILITATION

**p** Original  
1 Amendment # \_\_\_\_\_

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FULL Name of Corporation or Public Agency

**POWAY UNIFIED SCHOOL DISTRICT**

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WHEREAS, the Board of Directors or Board of Trustees of the above-named corporation or public agency has read the proposed agreement between State of California, Department of Rehabilitation (DOR), and above-named corporation or public agency and said Board of Directors or Board of Trustees acknowledges the benefits and responsibilities to be shared by both parties to said agreement.

NOW, THEREFORE, BE IT RESOLVED that said Board of Directors or Board of Trustees does hereby authorize the following person/position

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Title/Position of Person Authorized to Sign Agreement

**JOHN P. COLLINS, DEPUTY SUPERINTENDENT**

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of the above-named corporation or public agency on behalf of the corporation or public agency to sign and execute any and all documents required by DOR to effectuate the execution of contracts and/or amendments except to increase the financial liability of said corporation or public agency. This authorization shall remain in effect until the expiration of the contract and shall automatically expire at that time, unless earlier revoked or extended by the Board of Directors.

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**CERTIFICATION**

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I, the Secretary named below, hereby certify that the foregoing resolution was duly and regularly adopted by the Board of Directors or Board of Trustees of above-named corporation or public agency at a meeting of said Board regularly called and convened at which a quorum of said Board of Directors or Board of Trustees was present and voting, and that said resolution was adopted by a vote of the majority of all Directors or Trustees present at said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand as Secretary of said corporation or public agency.

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Address Where Board Meeting Held

**10925 MORNING CREEK DR S., SAN DIEGO, CA 92128**

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Date of Board Meeting	Signature of Secretary	Date Signed
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**MARCH 8, 2010**

Signature of Secretary

**?**

Date Signed

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TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Mel Robertson

AGENDA ITEM: E-111

Staff Support:

SUBJECT: APPROVAL/RATIFICATION OF OUT-OF-STATE FIELD TRIPS

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

That the out-of-state field trips be approved or ratified.

DISCUSSION/PROGRAM:

<u>Date</u>	<u>School</u>	<u>To</u>	<u>No. of Students</u>	<u>Purpose of Trip</u>	<u>Mode of Travel</u>	<u>Days Missed</u>
3/11/10 – 3/14/10	PHS	New York, NY	57	Die Lieder Choir to perform at Carnegie Hall	Commercial Air	2
3/30/10 – 4/3/10	PHS	Las Vegas, NV	35	Robotics Regional Competition	Private Auto	4
4/5/10 – 4/10/10	RBHS	Honolulu, HI	23	Orchestra participation in Hawaiian Music Festival	Commercial Air Charter Bus	0
4/7/10 – 4/11/10	MCHS	Breckenridge, CO	46	Choir Festival	Commercial Air	0
4/7/10 – 4/11/10	WHS	Pensacola, FL	40	Field Meet National Championship – JROTC	Navy Air	0
4/14/10 – 4/18/10	PHS	Atlanta, GA	25	First championship for Robotics	Commercial Air	3
4/15/10 – 4/18/10	MCHS	Portland, OR	9	Journalism Keynote Speaker and Competition	Commercial Air	2
4/15/10 – 4/18/10	WHS	Portland, OR	30	Journalism Keynote Speaker and Competition	Commercial Air	2
4/23/10 – 4/27/10	RBHS	Louisville, KY	10	DECA International Career Development Convention	Commercial Air	3

Activities are paid for by student fees or ASB funds.

LEGAL REFERENCE: California Education Code Section 35330

FISCAL IMPACT: As noted

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment

AGENDA ITEM: E-203

Staff Support: Tracy Hogarth

SUBJECT: APPROVAL OF CLINICAL FACILITIES AGREEMENT IN OCCUPATIONAL THERAPY ASSISTANT WITH GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the clinical facilities agreement in occupational therapy assistant, be approved as presented.

**DISCUSSION/PROGRAM:**

Poway Unified continues to be proactive in recruiting and securing certified Occupational Therapists as District employees. In that effort we have entered into an agreement with Grossmont-Cuyamaca Community College District to provide Occupational Therapy students an opportunity to participate in their clinical practicum in our school district. The practicum is part of the educational requirements for this profession. This experience takes place in a manner similar to student teaching and speech pathology practicum as a student is assigned to a certified Occupational Therapist in our District, and then participates in hours of observation and application in the profession.

Occupational Therapists are in high demand throughout the County of San Diego to fulfill the obligations that school districts have in meeting the IEP goals of Special Education students. The need is so great that most districts must use outside contracting agencies to provide the services needed to be in compliance.

The agreement with Grossmont-Cuyamaca Community College District is attached.

LEGAL REFERENCE: California Education Code Section 44227

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

AGREEMENT PROVIDING FOR THE  
USE OF  
CLINICAL FACILITIES

This Agreement is entered into this 14th day of August, 2009, by and between the **GROSSMONT-CUYAMACA COMMUNITY COLLEGE DISTRICT** (on behalf of GROSSMONT COLLEGE), 8800 Grossmont College Drive, El Cajon, CA 92020, hereinafter called the "District", and **POWAY UNIFIED SCHOOL DISTRICT**, 13626 Twin Peaks Road, Poway, CA 92064 hereinafter called "Facility".

District has received approval from its Governing Board to conduct programs in **OCCUPATIONAL THERAPY ASSISTANT** education. In order to properly conduct such programs, laboratory experiences are required. It is of mutual benefit to the parties that students in said program use the clinical facilities of the Facility for their learning experience.

NOW, THEREFORE, the parties agree as follows:

1. TERM OF THE AGREEMENT

The term of this Agreement shall extend from October 1, 2009 to September 30, 2014, unless either party hereto subscribing requests modification or serves notice of termination. Said requests or notice shall be established by written notification, sent by certified mail, three months prior to the termination date.

2. NONDISCRIMINATION

The Facility shall not discriminate against any student on the basis of race, religion, color, national origin, sex, handicap, medical condition, age, veteran status, or marital status, in the use of its facilities.

3. MAXIMUM NUMBER OF STUDENTS

The Facility agrees to accept, for clinical experiences, students of the District in a number to be agreed upon between District and Facility.

4. PHYSICAL REQUIREMENTS

(a) CPR Certification

The District shall require that the students successfully complete Cardiopulmonary Resuscitation (CPR) certification prior to their clinical participation at Facility.

(b) Physical Examination

The District shall require that the students undergo a physical examination within twelve (12) months prior to their clinical participation at Facility which includes the following: (1) PPD or Tine test which, if positive, will be followed with a chest x-ray to exclude the possibility of active tuberculosis; (2) Evidence of current immunizations, including measles and a positive titer to Rubella or vaccination against same.

5. INSTRUCTORS

The District will furnish a fieldwork coordinator or program director who will be accountable for the students while at the Facility and will also be responsible for planning and coordinating the activities of said students with the appropriate designated Facility fieldwork supervisor during the student's clinical fieldwork training.

6. STATUS OF STUDENTS

The students shall be considered learners and shall not replace Facility staff or give service to patients apart from its educational value. The students shall not be considered employees of the Facility for any purpose whatsoever.

During clinical assignment, the students have the responsibility to comply with the same administrative policies as Facility employees in matters relating to the welfare of patients.

The Facility may refuse educational access to the clinical area to any person from the District who does not meet the Facility's standards of safety, health or ethical behavior.

There is no liability of Facility for any acts or omissions of students or District.

7. MEALS:

If a cafeteria is on the premises, the students shall be given the privilege of eating in the Facility's cafeteria and to purchase their meals at employee prices.

8. SUPPLIES

The Facility shall make available, for educational purposes, rooms or areas where groups of students may hold discussions and receive clinical instructions.

The Facility shall permit the educational use of supplies and equipment commonly available for patient care, including sources of information for educational purposes.

9. LIABILITY STATUS

(a) The District shall carry commercial general liability insurance with a limit of liability of at least \$5,000,000 per occurrence covering faculty members and students of the District during assignment in the Facility. A certificate of insurance shall be provided to Facility as evidence of such coverage.

(b) The District shall carry Workers' Compensation insurance with a limit of liability of at least \$1,000,000 per occurrence covering faculty and students of the District during assignment in the Facility. A certificate of insurance shall be provided to Facility as evidence of such coverage.

(c) The student shall carry professional malpractice insurance with a limit of liability of at least \$1,000,000 per occurrence, and \$3,000,000 in the aggregate. The District will verify that the student has an insurance certificate on file.

10. INDEMNIFICATION

(a) Facility shall defend, indemnify and hold District, its officers, employees and agents harmless from and against any and all liability, loss, expense (including reasonable attorney's fees), or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of Facility, its officers, agents, or employees.

(b) District shall defend, indemnify and hold Facility, its officers, employees and agents harmless from and against any and all liability, loss, expense (including reasonable attorney's fees), or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorney's fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of District, its officers, agents, or employees.

(c) No acts or omissions of Facility with respect to students or District shall be a basis for indemnity by Facility or District.

11. COOPERATION AND DISPOSITION OF CLAIMS

District and Facility agree to cooperate with each other in the investigation and disposition of third party liability claims arising out of any services provided under this Agreement or in the operation of the program. It is the intention of the parties to fully cooperate in the disposition of all such claims. Such cooperation may include joint investigation, defense and disposition of claims of third parties arising from services performed under this Agreement. District and Facility agree to inform one another whenever an incident report is filed or when an investigation is initiated concerning any professional service performed under this Agreement. To the extent allowed by law, including without limitation any applicable privileges, District and Facility shall have reasonable access to the medical records and charts of the other relating to any such claim or investigation; provided, however, that nothing in this section shall require either District or Facility to disclose any peer review documents, records or communications which are privileged under Section 1157 of the California Evidence Code, under the attorney/client privilege or under the attorney/work product privilege.

12. CONFIDENTIALITY OF RELATIONSHIPS WITH PATIENTS

Prior to the commencement of clinical training pursuant to this Agreement, the District will instruct its students regarding the confidentiality of all communications with the patients and between the patients, their doctors, and Facility staff. In addition, they shall be instructed that it is a breach of ethics and contrary to State law to divulge to any person not directly connected with the program, the names of persons being treated at the Facility and the nature of their illness.

IN WITNESS WHEREOF, this Agreement is executed as of the date indicated above.

POWAY UNIFIED SCHOOL DISTRICT

GROSSMONT-CUYAMACA COMMUNITY  
COLLEGE DISTRICT

By: \_\_\_\_\_

By: Linda Bertolucci

Linda Bertolucci

Senior Director, Purchasing & Contracts

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: 9-25-2009

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment

AGENDA ITEM: E-204

Staff Support: Tracy Hogarth

SUBJECT: APPROVAL OF STUDENT TEACHING AGREEMENT WITH UNIVERSITY OF SAN DIEGO

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the student teaching agreement with University of San Diego be approved as presented.

**DISCUSSION/PROGRAM:**

Each year the District enters into contracts with teacher training institutions to provide student teaching experience in our schools. The contract with University of San Diego is attached.

LEGAL REFERENCE: California Education Code Section 44227

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_



### Affiliation Agreement

This **Affiliation Agreement** ("Agreement") is entered into by and between the University of San Diego ("USD") and Poway Unified School District (the "District").

WHEREAS, USD is a non-profit institution of higher education; and

WHEREAS, the School of Leadership and Education Sciences ("SOLES"), a school within USD, conducts a variety of programs at the undergraduate, master's and doctoral levels in learning and teaching, counseling and education administration, among other areas. USD desires to obtain teaching, counseling and education administration field experience for its enrolled students (the "USD students"); and

WHEREAS, the District recognizes the need for and desires to aid in the professional development of the USD students, and is willing to make its employees and premises available for such purposes;

NOW, THEREFORE, for good and valuable consideration, USD and the District agree as follows:

1. **Term.** The term of this Agreement shall begin on January 1, 2010, and end on June 30, 2015 unless terminated earlier pursuant to Paragraph 4 below. This Agreement may be extended or renewed only in a writing signed by authorized representatives of USD and the District.
2. **USD Responsibilities.**
  - a. USD will determine the eligibility of its students to participate in the program with the District established under this Agreement.
  - b. USD will assign students to the District.
  - c. USD will monitor and evaluate the progress of each USD student assigned to the District.
  - d. USD will determine the number of semester units provided to each USD student as a result of participation in the program described under this Agreement.
  - e. USD students who are assigned to the District under this Agreement shall not be considered agents or employees of the District.

- f. **\*\*This applies only to student teaching cooperating teachers.** USD will pay the District a sum of Two Hundred Dollars (\$200.00) for each student assigned to the District under this Agreement. In response to the District's request, the payment will be made directly to the District employee assigned to oversee the field placement of the USD student. The District employee will be responsible for the payment of any and all applicable taxes as a result of the payment. The District employee is and shall at all times be considered an employee of the District and not of USD.] If a student's assignment ends prematurely for any reason, USD shall make the payment in full, except that if the assignment ends before at least half of the originally contemplated assignment is completed, USD shall make the payment on a pro rata basis.

3. **District Responsibilities.**

- a. The District will provide educational learning experiences that are planned, organized and administered by qualified staff. The educational assignments provided by the District shall be designed to facilitate the USD student's professional growth.
- b. The District will provide to each assigned USD student teaching, counseling or education administration experience either through observation and participation or directed teaching, counseling or education administration experience. Each USD student assigned to the District will be given the opportunity to actively participate in the duties and functions associated with classroom teaching, counseling or administration.
- c. The District will assign one or more of its employees to supervise and instruct each USD student assigned to the District. The supervising District employee must hold valid credentials issued by the State Board of Education authorizing the supervising District employee to serve as a classroom teacher, counselor or administrator in the school in which the USD student is assigned.
- d. For good cause shown, the District may refuse to accept a USD student assigned to it. Similarly, for good cause shown, the District may request that a USD student assigned to it be withdrawn from the program, and USD will comply with the request. The District will notify USD in writing of a decision not to accept a USD student or to request that a USD student be withdrawn from the program. The written notice will describe the basis for the decision or request. If USD does not agree with the District's refusal to accept a student or request for withdrawal of a student, USD will provide the District with a written statement setting forth the basis for the disagreement within ten (10) working days of its receipt of the District's written notice.
- e. The District will ensure that the USD student does not replace or substitute for any District employee, and that the USD student does not perform any of the duties normally performed by an employee for the District, except those duties that are part of the training and performed by the student under the supervision of a District employee.
- f. **\*\* This applies only to student teaching cooperating teachers.** Within thirty (30) days following the close of each semester, the District will submit an invoice to USD for any payment(s) due under Paragraph 2 above.

4. **Termination.** Either party shall have the right to terminate this Agreement at any time and for any reason with thirty (30) days' advance written notice to the other.
5. **FERPA.** The District understands that the educational records of the USD student assigned to the District are protected by the Family Educational Rights and Privacy Act (FERPA). The parties agree to comply with the requirements of FERPA. As a result of this Agreement, the District is considered to be a school official of USD. The District agrees to protect the privacy of educational records concerning any USD student assigned to the District under this Agreement, and will not transmit, share or disclose any such records without the student's written consent, except to other school officials of USD who have a legitimate educational interest in the records.
6. **Commitment to Non-Discrimination.** USD and the District shall not discriminate in the selection of, acceptance of, or participation by any USD student in any program or services offered under this Agreement on the basis of the student's race, color, national origin, religion, sex, sexual orientation, disability, or any other characteristic protected by federal, state or local law.
7. **Indemnification.**
  - a. The District agrees to defend, indemnify and hold USD and its employees, students and agents harmless from any and all liability, claims, demands, suits, costs, charges and expenses, including without limitation attorneys' fees, arising out of or in any way related to the alleged negligent or willful acts or omissions of the District or any of its employees or agents in connection with the performance of this Agreement, including without limitation employment-related claims made by a District employee or agent, as well as claims arising out of or relating to the District's refusal to accept an assigned student or the District's request that an assigned student be withdrawn from the program.
  - b. USD agrees to defend, indemnify and hold the District and its employees harmless from any and all liability, claims, demands, suits, costs, charges and expenses, including without limitation attorneys' fees, arising out of or in any way related to the alleged negligent or willful acts or omissions of USD or any of its employees or students in connection with the performance of this Agreement.
8. **Insurance.**
  - a. At all times during the term of this Agreement, the District will maintain the following types and levels of insurance for its employees and agents who perform any services to fulfill the District's responsibilities under this Agreement: Commercial general liability insurance, workers' compensation insurance, and applicable errors and omissions liability insurance, each with a limit in an amount not less than \$1,000,000 per occurrence.
  - b. At all times during the term of this Agreement, USD will maintain the following types and levels of insurance for its employees and agents who perform any services to fulfill USD's responsibilities under this Agreement, as well as for USD students who are assigned to the District under this Agreement: Commercial general liability insurance,

workers' compensation insurance, and applicable errors and omissions liability insurance, each with a limit in an amount not less than \$1,000,000 per occurrence.

- c. Proof of the required insurance under this Agreement shall be provided by one party to the other upon request. Either party will provide the other with at least thirty (30) days' advance written notice before cancellation or any reduction or material change in coverage.
9. **Use of USD's Trademarks and Logos.** The District shall not use USD's trademarks, logos or insignia, or otherwise identify USD in any form of publicity, disclosure or sale without the advance written permission of USD.
10. **Independent Contractor.** It is expressly understood and agreed that, in the performance of the activities contemplated by this Agreement, the parties and their employees and agents will at all times act as independent contractors of one another, and not as employees or agents of one another. This Agreement does not constitute and shall not be construed as constituting a partnership, joint venture association, or other affiliation or like relationship between parties. Neither party shall have the right to obligate or bind the other in any manner whatsoever with respect to any third party, and nothing herein contained shall give or is intended to give any right to a third party. In no event will either party be liable for the debts or obligations of the other party, except as specifically provided herein.
11. **Entire Agreement.** The parties declare and represent that no promise, inducement or agreement not herein expressed has been made to them and that this Agreement contains the full and entire agreement between and among the parties relating to the subject matter herein, and that the terms of this Agreement are contractual and not a mere recital.
12. **Amendment/Severability.** This Agreement may not be amended, except through a writing signed by authorized representatives of USD and the District. If any provision of this Agreement, or part thereof, is held invalid, void or voidable as against public policy or otherwise, the invalidity shall not affect other provisions, or parts thereof, which may be given effect without the invalid provision or part. To this extent, the provisions, and parts thereof, of this Agreement are severable.
13. **Assignment and Subletting.** The rights and responsibilities granted in this Agreement are not assignable.
14. **Dispute Resolution.** This Agreement shall be governed by the laws of the State of California. Any dispute arising out of or relating to this Agreement shall be resolved through binding arbitration under the applicable rules of JAMS. The venue for the arbitration shall be in San Diego, California. Each party shall be responsible for its own costs and attorneys' fees incurred in connection with any such dispute.
15. **No Third Party Beneficiaries.** This Agreement shall be binding upon and inure to the benefit of and be enforceable only by the parties to this Agreement. No third party shall be a beneficiary of or have any right to enforce the terms of this Agreement.

16. **Authority.** By signing below, the representative from each party represents that he/she is duly authorized to sign the Agreement on behalf of either USD or the District.

**(Poway Unified School District)**

By: \_\_\_\_\_  
[Name]  
[Title]

Date: \_\_\_\_\_

**UNIVERSITY OF SAN DIEGO**

By: \_\_\_\_\_  
Julie H. Sullivan, Ph.D.  
Vice President for Academic Affairs & Provost

Date: \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment

AGENDA ITEM: E-205

Staff Support:

SUBJECT: APPROVAL OF RESOLUTION NO. 39-2010 ENTITLED  
"REVISION OF DATE FOR OBSERVANCE OF 'LINCOLN DAY'  
2011 AND 'WASHINGTON DAY' 2011"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

That Resolution No. 39-2010 be approved, and the Clerk of the Board be authorized to sign the Resolution for the Board.

**DISCUSSION/PROGRAM:**

California Education Code Section 37220 (e) provides that for any of the mandated holidays contained in statute, except Veterans Day, the Governing Board may revise the day upon which schools are closed in observance by adoption of a resolution.

Unless revised by such a resolution, the observance of "Lincoln Day" is to be the Monday or Friday in the week in which February 12 occurs. The observance of "Washington Day" is to be the third Monday in February; February 21, 2011. These two holidays fall in non-adjacent weeks. The 2010-2011 school calendar approved at the January 19, 2010, Board meeting contemplates observing both Washington and Lincoln Days within the same week to create a full week of District recess. The week-long break during February has shown to be fiscally beneficial with improved Average Daily Attendance (ADA) of students (projected at \$560,000 annually) and lower employee absences.

Therefore, it is being proposed to move "Lincoln Day" to Monday, February 14, 2011, and "Washington Day" to Friday, February 18, 2011, as shown on the attached calendars.

LEGAL REFERENCE: California Education Code Section 37220 (e)

FISCAL IMPACT: Positive Fiscal Impact through reduced absenteeism.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Board of Education of The  
Poway Unified School District

RESOLUTION NO. 39-2010

REVISION OF DATE FOR OBSERVANCE OF 'LINCOLN DAY' 2011  
AND 'WASHINGTON DAY' 2011

ON MOTION OF Member \_\_\_\_\_, seconded by Member

\_\_\_\_\_, the following resolution is adopted:

**WHEREAS**, the approved School Calendar for the 2010/2011 school year contemplates the observance of "Lincoln Day" on Monday, February 14, 2011, rather than Friday, February 11, 2011, and "Washington Day" on Friday, February 18, 2011, rather than Monday February 21, 2011.

**WHEREAS**, California Education Code 37220 (e) provides, "Except for Veterans Day... the governing board of a school district, by adoption of a resolution, may revise the date upon which the schools of the district close in observance of any of the holidays identified..."

**WHEREAS**, the observance of Lincoln Day in conjunction with Washington Day during the same week, with intervening days as District recess, will have beneficial educational impacts for student instruction and positive fiscal impacts for the District through mitigation of loss of student ADA and reduction in substitute teacher replacement costs.

**NOW, THEREFORE, IT IS RESOLVED THAT** the Board adopt this resolution to observe "Lincoln Day" on February 14, 2011, and "Washington Day" on February 18, 2011.

**PASSED AND ADOPTED** on March 8, 2010, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )

This is to certify that the foregoing document is a true copy of the Resolution of the Board of Education of the Poway Unified School District of San Diego County.

\_\_\_\_\_  
Jeff Mangum  
Clerk of the Board of Education

**POWAY UNIFIED SCHOOL DISTRICT STUDENT ATTENDANCE CALENDAR-2010/2011** (Revised 3/8/10)

						<b>NOTES</b>
<b>SCHOOL MONTH</b>	<b>MON</b>	<b>TUES</b>	<b>WED</b>	<b>THURS</b>	<b>FRI</b>	
	<b>Aug</b>	9	10	11	12	
<b>Aug</b>	16	17	18	19	20	
<b>Aug</b>	23	24	25	26	27	8/26 - Start of School
<b>Sept</b>	30	31	1	2	3	
<b>Sept</b>	6	7	8	19	10	9/6 - Labor Day Holiday
<b>Sept</b>	13	14	15	16	17	
<b>Sept</b>	20	21	22	23	24	
<b>Sept/Oct</b>	27	28	29	30	1	
<b>Oct</b>	4	5	6	7	8	
<b>Oct</b>	11	12	13	14	15	
<b>Oct</b>	18	19	20	21	22	
<b>Oct</b>	25	26	27	28	29	
<b>Nov</b>	1	2	3	4	5	
<b>Nov</b>	8	9	10	11	{12}	11/11 - Veteran's Day, 11/12 District Recess
<b>Nov</b>	15	16	17	18	19	
<b>Nov</b>	{22}	{23}	24	25	26	11/22, 11/23 - District Recess; 11/24 Admission Day; 11/25, 11/26 - Thanksgiving Holiday
<b>Nov/Dec</b>	29	30	1	2	3	
<b>Dec</b>	6	7	8	9	10	
<b>Dec</b>	13	14	15	16	17	
<b>Dec</b>	{20}	{21}	{22}	23	24	12/20 - 12/31 - Winter Break
<b>Dec</b>	{27}	{28}	{29}	30	31	12/31 - New Year's Day Observance
<b>Jan</b>	3	4	5	6	7	
<b>Jan</b>	10	11	12	13	14	
<b>Jan</b>	17	18	19	20	21	1/17 - Dr. Martin Luther King Jr. Day
<b>Jan</b>	24	25	26	27	28	1/18 - First day of second semester
<b>Jan/Feb</b>	31	1	2	3	4	
<b>Feb</b>	7	8	9	10	11	
<b>Feb</b>	14	{15}	{16}	{17}	18	2/14 - Lincoln's Birthday; 2/15, 2/16, 2/17 - District Recess; 2/18 Washington's Birthday
<b>Feb</b>	21	22	23	24	25	
<b>Feb/Mar</b>	28	1	2	3	4	
<b>Mar</b>	7	8	9	10	11	
<b>Mar</b>	14	15	16	17	18	
<b>Mar</b>	21	22	23	24	25	
<b>Mar/Apr</b>	28	29	30	31	1	
<b>Apr</b>	{4}	{5}	{6}	{7}	8	4/4 - 4/7 - Spring Break, 4/8 - Spring Holiday
<b>Apr</b>	11	12	13	14	15	
<b>Apr</b>	18	19	20	21	22	
<b>Apr</b>	25	26	27	28	29	
<b>May</b>	2	3	4	5	6	
<b>May</b>	9	10	11	12	13	
<b>May</b>	16	17	18	19	20	
<b>May</b>	23	24	25	26	27	
<b>May/June</b>	30	31	1	2	3	5/30 - Memorial Day Holiday
<b>June</b>	6	7	8	9	10	
<b>June</b>	13	14	15	16	17	6/15 - School Ends
<b>June</b>	20	21	22	23	24	
<b>June/July</b>	27	28	29	30	1	
<b>July</b>	4	5	6	7	8	7/4 - Independence Day Observance

Student Year = 180 days

- District Recess - { }
- Local Holiday
- Legal Holiday
- School Begins/Ends

MONTH	MON	TUE	WED	THU	FRI				Notes
July	5	6	7	1	2				07/05 - Independence Day Observance
July	12	13	14	15	16				
July	19	20	21	22	23				07/13 - First Quarter Begins/First Day of School
July	26	27	28	29	30				
August	2	3	4	5	6				
August	9	10	11	12	13				
August	16	17	18	19	20				
August	23	24	25	26	27				
Aug/Sept	30	31	1	2	3				
September	6	7	8	9	10				09/06 - Labor Day
September	13	14	15	16	17				
September	20	21	22	23	24				
Sept/Oct	27	28	29	30	1				
October	4	5	6	7	8				10/06 - Second Quarter Begins
October	11	12	13	14	15				
October	18	19	20	21	22				
October	25	26	27	28	29				
November	1	2	3	4	5				
November	8	9	10	11	12				11/11- Veteran's Day, 11/12 District Recess
November	15	16	17	18	19				
November	22	23	24	25	26				11/22 - District Recess; 11/23 - Admission Day; 11/24 - 11/26 Thanksgiving
Dec/Nov	29	30	1	2	3				
December	6	7	8	9	10				
December	13	14	15	16	17				
December	20	21	22	23	24				12/17 - 01/10 Winter Break
Dec/Jan	27	28	29	30	31				
January	3	4	5	6	7				
January	10	11	12	13	14				01/10 - Professional growth day/Non-student day
January	17	18	19	20	21				01/11 - Third Quarter Begins
January	24	25	26	27	28				01/17 - Martin Luther King Jr. Day
February	31	1	2	3	4				
February	7	8	9	10	11				
February	14	15	16	17	18				2/14 - Lincoln's Birthday; 2/15, 2/16, 2/17 - District Recess; 2/18 - Washington's Birthday
February	21	22	23	24	25				
March	28	1	2	3	4				
March	7	8	9	10	11				
March	14	15	16	17	18				
March	21	22	23	24	25				
March/April	28	29	30	31	1				03/23 - 04/13 Spring Break
April	4	5	6	7	8				
April	11	12	13	14	15				04/14 - Fourth Quarter Begins
April	18	19	20	21	22				
April/May	25	26	27	28	29				
May	2	3	4	5	6				
May	9	10	11	12	13				
May	16	17	18	19	20				
May	23	24	25	26	27				
May/June	30	31	1	2	3				05/30 - Memorial Day
June	6	7	8	9	10				06/16 - Last Day of School
June	13	14	15	16	17				
June	20	21	22	23	24				
June/July	27	28	29	30	1				
<b>TOTALS</b>									

- Intersessions 
- Legal/Local Holiday 
- School Days 
- District Recess 

**POWAY UNIFIED SCHOOL DISTRICT STUDENT ATTENDANCE CALENDAR-VALLEY-2010/2011 (Revised 3/8/10)**

						<b>NOTES</b>
<b>SCHOOL MONTH</b>	<b>MON</b>	<b>TUES</b>	<b>WED</b>	<b>THURS</b>	<b>FRI</b>	
	July	26	27	28	29	
Aug	2	3	4	5	6	8/2 - Start of School
Aug	9	10	11	12	13	
Aug	16	17	18	19	20	
Aug	23	24	25	26	27	
Aug/Sept	30	31	1	2	3	
Sept	6	7	8	9	10	9/6 - Labor Day Holiday
Sept	13	14	15	16	17	
Sept	20	21	22	23	24	
Sept/Oct	27	28	29	30	1	
Oct	/4/	/5/	/6/	/7/	/8/	10/4 - 10/8 - Fall Intersession
Oct	11	12	13	14	15	
Oct	18	19	20	21	22	
Oct	25	26	27	28	29	
Nov	1	2	3	4	5	11/11 - Veteran's Day, 11/12 - District Recess
Nov	8	9	10	11	{12}	
Nov	15	16	17	18	19	
Nov	{22}	{23}	24	25	26	11/22, 11/23 - District Recess; 11/24 Admission Day; 11/25, 11/26 - Thanksgiving Holiday
Nov/Dec	29	30	1	2	3	
Dec	6	7	8	9	10	12/20 - 12/31 - Winter Break
Dec	13	14	15	16	17	
Dec	{20}	{21}	{22}	23	24	
Dec	{27}	{28}	{29}	30	31	
Dec						12/31 - New Year's Day Observance
Jan	/3/	/4/	/5/	/6/	/7/	1/3 - 1/7 - Winter Intersession
Jan	10	11	12	13	14	
Jan	17	18	19	20	21	1/17 - Dr. Martin Luther King Jr. Day
Jan	24	25	26	27	28	1/18 - First day of second semester
Jan/Feb	31	1	2	3	4	2/14 - Lincoln's Birthday; 2/15, 2/16, 2/17 - District Recess; 2/18 - Washington's Birthday
Feb	7	8	9	10	11	
Feb	14	{15}	{16}	{17}	18	
Feb	21	22	23	24	25	
Feb	28	29	30	31		
Feb/Mar	28	1	2	3	4	
Mar	7	8	9	10	11	
Mar	14	15	16	17	18	
Mar	21	22	23	24	25	
Mar/Apr	28	29	30	31	1	
Apr	{4}	{5}	{6}	{7}	8	4/4 - 4/7 - Spring Break, 4/8 - Spring Holiday
Apr	/11/	/12/	/13/	/14/	/15/	4/11 - 4/15 - Spring Intersession
Apr	18	19	20	21	22	
Apr	25	26	27	28	29	
May	2	3	4	5	6	5/30 - Memorial Day Holiday
May	9	10	11	12	13	
May	16	17	18	19	20	
May	23	24	25	26	27	
May/June	30	31	1	2	3	
June	6	7	8	9	10	6/10 - School Ends
June	13	14	15	16	17	
June	20	21	22	23	24	
June/July	27	28	29	30	1	
July	4	5	6	7	8	7/4 - Independence Day Observance

Student Year = 180 days

District Recess - { }

Local Holiday



Legal Holiday



School Begins/Ends



TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment

AGENDA ITEM: E-206

Staff Support: Debby Wulff

SUBJECT: APPROVAL OF CHANGE TO CLASSIFICATION DESCRIPTION  
- SIGN LANGUAGE INTERPRETER

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the Board approve a change to the Classification Description of Sign Language Interpreter to incorporate the State-approved requirements for certification as presented

**DISCUSSION/PROGRAM:**

In 2008, the State Board of Education amended two sections of Title 4 of the California Code of Regulations to ensure that interpreters for pupils who are deaf or hard of hearing meet state-approved or state-recognized requirements for certification, licensing, and registration or other comparable requirements. All educational interpreters must meet the qualification standards. By July 1, 2009, all educational interpreters are to be certified by the national Registry of Interpreters for the Deaf (RID) or equivalent. In lieu of this certification an educational interpreter must have achieved a score of 4.0 or above on the Educational Interpreter Performance Assessment (EIPA), the Educational Sign Skills Evaluation – Interpreter (ESSE-I/R) or the National Association of the Deaf/American Consortium of Certified Interpreters (NAD/ACCI) assessment. The current job description of Sign Language Interpreter does not contain the State requirements for certification.

These changes are supported by the Exclusive Representative, California School Employees Association, and were approved at the Personnel Commission meeting on March 2, 2010.

LEGAL REFERENCE: California Education Code Section 45256

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

## SIGN LANGUAGE INTERPRETER

### BASIC FUNCTION:

Under the direction of an assigned supervisor, provide interpreting and other support services to deaf and hard of hearing individuals in a variety of settings in order to facilitate communication among peers, faculty, staff, parents and others; participate in meetings as a member of the educational team as assigned.

### REPRESENTATIVE DUTIES:

Provide expressive and receptive interpretation and transliteration in American Sign Language, manually coded signed English systems or oral interpreting for the deaf and hard of hearing students in a variety of settings related to the educational program; utilize the register appropriate to the language and intent of the speaker. *E*

Communicate with classroom teacher to identify special needs and make suggestions regarding environmental changes to enhance instruction for deaf and hard of hearing students; monitor and review progress of student with designated Deaf and Hard of Hearing Program personnel and classroom teachers. *E*

Tutor individual and small groups of Deaf and Hard of Hearing students to reinforce instructional concepts using tutorial strategies and techniques under the supervision of the teacher; monitor and review student progress. *E*

Assist the classroom teacher in the use of supplemental instructional materials and audio-visual aids and equipment including TTY, closed captioning equipment, computer and assigned software. *E*

Translate information simultaneously during classroom or other presentations or activities including assemblies, videos, tapes and story reading; interpret student questions and responses as assigned. *E*

Serve as a resource to school staff, parents and guardians regarding issues related to deafness; assist with orientations to hearing students and staff as directed. *E*

Attend and participate in training and staff development programs. *E*

Maintain current knowledge of District and program policies and procedures; assure compliance with related laws, rules, regulations and guidelines of assigned program. *E*

Perform related duties as assigned.

### KNOWLEDGE AND ABILITIES:

#### KNOWLEDGE OF:

American Sign Language and sign vocabulary used in an educational setting.

Code of Ethics for Interpreters and Translators.

Appropriate use of spoken and written English including spelling, vocabulary and grammar.

Deafness and its effect on language development in deaf and hard of hearing individuals.

Community resources available to the deaf and hard of hearing.

Basic concepts of child behavior, growth and development.

#### ABILITY TO:

Provide interpreting and other support services to deaf and hard of hearing individuals in a variety of settings in order to facilitate communication among peers, faculty, staff, parents and others.

Participate in meetings as a member of the educational team as assigned.

Sign and reverse sign rapidly and accurately using oral and manual forms of communication in order to make verbatim or paraphrased translations.

Convey abstract concepts and technical terminology in American Sign Language.

Work effectively with students, teachers, parents and others.

Speak clear, grammatically correct English.

Understand the special problems and needs of hearing impaired students and evaluate pupil progress.

Establish and maintain cooperative and effective working relationships with others.

Understand and follow oral and written instructions.

Operate various instructional and office equipment.

#### EDUCATION AND EXPERIENCE:

- passage of the PUSD examination for this classification  
**or**
- 48 college/university semester units or equivalent quarter units  
**and**
- completion of an interpreter training program issued by an authorized agency or community college or university
- one year experience working with deaf or hard of hearing individuals

#### LICENSES AND OTHER REQUIREMENTS:

Valid California driver's license.

*Valid certification by the National Registry of Interpreters for the Deaf or equivalent. In lieu of RID certification or equivalent, a score of 4.0 or above on the EIPA, ESSE-I/R or NAD/ACCI assessment.*

~~Valid certificate of proficiency issued by the Registry of Interpreters for the Deaf.~~

#### WORKING CONDITIONS:

##### ENVIRONMENT:

Indoor and occasional outdoor work environment.

##### PHYSICAL DEMANDS:

Dexterity of hands and fingers to interpret for the deaf and hard of hearing.

Continuous use of elbows, shoulders, neck, back, lips and/or jaw.

Sitting or standing for extended periods of time.

Hearing and speaking to exchange information and make presentations.

Seeing to monitor students in the classroom.

**HAZARDS:**

Contact with dissatisfied or abusive individuals.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment

AGENDA ITEM: E-207(a)

Staff Support: Nancy Chipps

SUBJECT: APPROVAL OF CERTIFICATED PERSONNEL REPORT NO. 10-2010

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the Certificated Personnel Report No. 10-2010 be approved as presented.

**DISCUSSION/PROGRAM:**

LEGAL REFERENCE: N/A

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: William R. Chiment

AGENDA ITEM: E-207(b)

Staff Support: Jeanne DeMeules

SUBJECT: APPROVAL OF CLASSIFIED PERSONNEL REPORT NO. 10-2010

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the Classified Personnel Report No. 10-2010 be approved as presented.

**DISCUSSION/PROGRAM:**

LEGAL REFERENCE: N/A

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: E-303

Staff Support: Janay Greenlee

SUBJECT: APPROVAL/RATIFICATION OF CONTRACTUAL SERVICES  
REPORT NO. 08-2010

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

That Contractual Services Report No. 08-2010 be approved and/or ratified.

**DISCUSSION/PROGRAM:**

The attached Contractual Services Report summarizes contracts in excess of \$15,000 which have been submitted subsequent to the last Board meeting and for which Board approval/ratification is now being sought.

LEGAL REFERENCE: California Education Code Sections 44880 and 45103  
Government Code Sections 7800 and 43060

FISCAL IMPACT: As noted on attached list

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_



TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: E-304

Staff Support: Janay Greenlee

SUBJECT: APPROVAL OF DISTRICT REVOLVING CASH FUND AND PURCHASE CARD TRANSACTIONS; RATIFICATION OF DISTRICT PURCHASE ORDERS

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the District revolving cash fund and purchase card transactions be approved; and that the District purchase orders be ratified.

**DISCUSSION/PROGRAM:**

The purchase order listings for the District's purchases during the period February 1 through February 28, 2010, are attached. The purchase order report identifies all purchases above \$5,000. This report is sorted by fund. A legend for describing the fund and location numbers appears at the end of the report.

All contracts which exceed \$15,000 are submitted for approval/ratification in a separate item (E-303) on this agenda. Contracts below \$5,000 are included in the summary total of all purchase orders issued during this period. We are requesting that these purchase orders be ratified.

District revolving cash fund and purchase card transactions are summarized, in total, at the end of the purchase order report. We are requesting that these also be ratified.

LEGAL REFERENCE: N/A

FISCAL IMPACT: As noted in attachments

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

**Poway Unified School District**  
February 2010 Board Report - Purchase Orders over \$5000

Item	PO	Date	Fund	Vendor	Loc	Description	Amount
1	54681	2/1/2010	03-00	All American/Riddell/Poway	007	Eqmt <\$500	\$ 5,065.35
2	54831	2/8/2010	03-00	Sharp Business Systems	625	Software \$5000 & Over	\$ 39,696.06
3	54839	2/8/2010	03-00	United of Omaha	222	SERP-Retirement Premium	\$ 2,231,987.00
4	54846	2/8/2010	03-00	San Diego City Treasurer	619	Oth Services & Contracts	\$ 24,818.68
5	54855	2/8/2010	03-00	Keenan Financial Services	222	SERP-Retirement Premium	\$ 89,279.50
6	54892	2/10/2010	03-00	Liberty Paper	625	Warehouse Stock	\$ 23,020.20
7	54898	2/10/2010	03-00	Medieval Times Dinner & Tour	037	Oth Services & Contracts	\$ 10,840.00
8	54901	2/10/2010	03-00	San Diego Maritime Museum	060	Oth Services & Contracts	\$ 10,504.00
9	54974	2/17/2010	03-00	U.S.P.S.	005	Postage	\$ 8,000.00
10	55003	2/17/2010	03-00	Digital Networks Group, Inc.	619	Oth Services & Contracts	\$ 6,879.38
11	55042	2/22/2010	03-00	Arey Jones Business Systems	329	Comp Hardware \$500-4999	\$ 12,854.93
12	55046	2/22/2010	03-00	Case # N2009120461	324	Oth Services & Contracts	\$ 18,050.00
<b>Fund 03-00 Total</b>							<b>\$ 2,480,995.10</b>
13	54704	2/4/2010	06-00	San Diego Cty. Supt. of Schools	090	Oth Services & Contracts	\$ 10,000.00
14	54830	2/8/2010	06-00	Hawthorne Machinery Co.	629	Cntr/Rep Bus Only	\$ 7,766.19
15	54993	2/17/2010	06-00	PCI Educational Publishing	342	Textbks	\$ 8,008.43
16	55045	2/22/2010	06-00	Aces, Inc.	324	Consult Non-Inst	\$ 6,250.00
17	55054	2/23/2010	06-00	New Haven School	324	Contracts/Private School	\$ 12,200.00
18	55072	2/24/2010	06-00	Club Z Tutoring, Inc.	334	Oth Services & Contracts	\$ 5,000.00
19	55122	2/25/2010	06-00	National Geographic	342	Textbks	\$ 17,568.48
<b>Fund 06-00 Total</b>							<b>\$ 66,793.10</b>
20	54854	2/8/2010	21-39	Datel Systems, Inc. - MBMS/TBK	329	Networking Equipment	\$ 6,290.10
21	54900	2/10/2010	21-39	School Con. Compliance - MCHS	619	Labor Compliance Costs	\$ 16,250.00
22	54950	2/12/2010	21-39	School Con. Compliance - PHS	619	Labor Compliance Costs	\$ 5,500.00
<b>Fund 21-39 Total</b>							<b>\$ 28,040.10</b>
23	55059	2/23/2010	35-00	Mackin Library Media	074	Lib Bks New School	\$ 8,025.05
<b>Fund 35-00 Total</b>							<b>\$ 8,025.05</b>
24	54709	2/3/2010	40-00	Cal. Bank and Trust - MBMS	619	Site Const. Improvements	\$ 175,000.00
25	54710	2/3/2010	40-00	Cal. Bank and Trust - VA	619	Site Const. Improvements	\$ 85,000.00
26	55038	2/22/2010	40-00	NTD Architiects - MBMS	619	Architect/Engineering Fees	\$ 10,000.00
<b>Fund 40-00 Total</b>							<b>\$ 270,000.00</b>

Purchase orders over \$5000    **\$ 2,853,853.35**

**Poway Unified School District**  
Financial Report Summary  
February-10

458	Total of all Purchase Orders	\$	3,229,585.66
<b>563</b>	<b>Purchase Card Transactions</b>	<b>\$</b>	<b>67,659.85</b>
	Revolving Cash Fund	\$	24,824.42
	<b>Special Ed. Reimbursements</b>	<b>\$</b>	<b>20,962.50</b>
	N2009120461	\$	18,050.00
	N2009100117/N2009100916	\$	700.00
	N2009040060	\$	2,212.50

Funds

03-00 Gen Fund Unrestricted	06-00 Gen Fund Restricted	21-39 Building Fund-Prop 39
11-00 Adult Education Fund	35-00 State School Fac. Fund	40-00 Special Reserve/Cap Proj

Locations

005 PHS	090 VAES	334 Alternative Programs
007 RBHS	222 Personnel	342 LSS Walton
037 OVMS	302 Career Tech & Adult Ed	619 M & O
060 MIDES	324 Special Ed.	625 Purchasing
074 WGES	329 Tech Support Service	629 Transportation

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: E-305

Staff Support: Doug Mann

SUBJECT: ACCEPTANCE OF PROJECT AS COMPLETE AND AUTHORIZATION TO FILE A NOTICE OF COMPLETION WITH ECHO PACIFIC CONSTRUCTION CO. FOR INSTALLATION OF ARTIFICIAL TURF AT VALLEY ELEMENTARY SCHOOL

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the project be accepted as complete; and that the Superintendent, or his designee, be authorized to file a Notice of Completion on the contract with Echo Pacific Construction Co. for the installation of artificial turf at Valley Elementary School.

**DISCUSSION/PROGRAM:**

The project with Echo Pacific Construction Co. for the installation of artificial turf at Valley Elementary School has been completed. Staff recommends that the project be accepted as complete. The total cost of the project was \$850,000.

LEGAL REFERENCE: Public Contract Code Sections 20110-20118 and 20118.4

FISCAL IMPACT: Reimbursed by the City of Poway

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: E-306

Staff Support: Janay Greenlee

SUBJECT: AWARD A CONTRACT FOR BID NO. 17B-2010 UNIFORMS TO G&K SERVICES, INC., AND REJECT NON-RESPONSIVE BID FROM SIGNATURE APPAREL

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That a contract be awarded for Bid No. 17B-2010 Uniforms to G&K Services, Inc., and the non-responsive bid from Signature Apparel be rejected.

**DISCUSSION/PROGRAM:**

The purchasing department solicited bids to provide uniforms for employees of the Food and Nutrition, Maintenance and Operations, Transportation, and Warehouse Departments.

Bid packages were provided to eleven vendors. Four vendors responded. The resulting contract will provide firm, fixed unit pricing for rental and purchase of the various types of garments and related service utilized by staff for the remainder of the fiscal year and includes the option for two annual extensions. Total bid pricing for comparison purposes is based on the combined department estimated annual usages that were included in the bid documents. Bid terms and conditions required vendors to bid on all products and services listed in the bid. The bid provided by Signature Apparel was non-responsive because it did not meet this requirement. The actual contract expense will be formulated on actual usage at the unit prices bid.

A bid summary is attached for the Board's review.

**LEGAL REFERENCE:** Public Contract Code Section 20111

**FISCAL IMPACT:** Approximately \$50,000 from Food and Nutrition, Maintenance and Operations, Transportation, and Warehouse General Funds

**MOVED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**VOTE:** GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

**Student Vote:** AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

**POWAY UNIFIED SCHOOL DISTRICT**  
**BID SUMMARY – BID NO. 17B-2010**  
**PURCHASE AND RENTAL OF UNIFORMS**

This bid summary is prepared for the Board Meeting of March 8, 2010. The following vendors submitted bids for this contract.

District's Cost Estimate: \$50,000
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<b>BIDDERS</b>	<b>BID TOTALS</b>
<b><i>G&amp;K Services, Inc.</i></b>	<b><i>\$49,960.87</i></b>
Prudential Overall Supply	\$82,137.59
Signature Apparel	Non-responsive
UniFirst Corporation	\$57,907.58

Recommend the award as shown.



Bid requests were sent to the following eleven vendors. Four responded.

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>AlSCO, Inc.</li> <li>Ameri Pride Uniform Services</li> <li>Aramark</li> <li>Cintas Corporation</li> <li>G&amp;K Services, Inc.</li> <li>Mission Linen Supply, Inc.</li> </ul> | <ul style="list-style-type: none"> <li>Proforma Grapevine Promotions</li> <li>Prudential Overall Supply</li> <li>Shirts Unlimited</li> <li>Signature Apparel</li> <li>UniFirst Corporation</li> </ul> |
|--|---|

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: E-307

Staff Support: Janay Greenlee

SUBJECT: AUTHORIZATION TO AWARD BID NO. 19B-2010 AND SIGN CONTRACT(S) TO PURCHASE FALL VARSITY ATHLETIC APPAREL

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

**RECOMMENDATION:**

That the Superintendent, or his designee, be authorized to Award Bid No. 19B-2010 and sign contract(s) on behalf of the Board to purchase fall varsity athletic apparel.

**DISCUSSION/PROGRAM:**

Bid No. 19B-2010 to purchase fall varsity athletic apparel is being developed for advertising at this time. The bid will be used primarily by the Del Norte High School to purchase the uniforms for the fall varsity sports. In order not to delay this project, staff is requesting the Board's permission to award a bid and sign the contract prior to the next Board meeting, with ratification to follow at a future Board meeting.

LEGAL REFERENCE: Public Contract Code Sections 20110-20118.4

FISCAL IMPACT: Approximately \$150,000 budgeted through new school start up

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: E-501

Staff Support: Sandi Burgoyne

SUBJECT: APPROVAL OF RESOLUTION NO. 38-2010 ENTITLED "INTENTION TO CONSIDER MODIFICATIONS TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES WITH RESPECT TO COMMUNITY FACILITIES DISTRICT NO. 10, IMPROVEMENT AREA F (TORREY HIGHLANDS - SUBAREA IV), THE FACILITIES AUTHORIZED TO BE FINANCED, AND THE AUTHORIZED BONDED INDEBTEDNESS"

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

That Resolution No. 38-2010, with respect to the proposed modifications to: (1) the Rate and Method of Apportionment of special taxes within Improvement Area F of Community Facilities District No. 10 (Torrey Highlands - Subarea IV); (2) the facilities authorized to be financed in Improvement Area F; and (3) the authorized bonded indebtedness of Improvement Area F, be approved; and that a public hearing on this issue be set for April 19, 2010.

DISCUSSION/PROGRAM:

The Poway Unified School District (the "School District") has received an application from DR Horton and TR II, LLC, the owners of the property located within Improvement Area F of Community Facilities District No. 10 ("CFD No. 10"), requesting that the School District initiate proceedings to consider modifications to the Rate and Method of Apportionment ("RMA") of special taxes authorized to be levied within Improvement Area F ("IA-F") and modification to the facilities authorized to be financed. The owners have requested that the RMA for IA-F be modified to allow for the financing over time of the One-Time Special Tax obligation currently imposed by the CFD No. 10 RMA of special taxes. The IA-F RMA will be modified to provide for the levy of a supplemental annual special tax that will be authorized to pay for debt service on bonds of CFD No. 10 IA-F to finance school facilities or to pay directly for such school facilities from such special tax revenues. The modifications will enable the School District to realize additional revenues designated for school facilities.

It is also necessary to modify the facilities authorized to be financed for IA-F to include school facilities and to increase the bond authorization for IA-F in order to finance such school facilities.

Continued...

LEGAL REFERENCE: Mello-Roos Community Facilities District Act of 1982 California Government Code Section 53311

FISCAL IMPACT: The owners have made a deposit of \$50,000 to pay for all costs incurred by the School District in undertaking these proceedings.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

This resolution initiates the proceedings to consider the modification of the IA-F RMA, the facilities authorized to be financed for IA-F, and the authorized bonded indebtedness of IA-F, and sets a public hearing on these issues at the Board's meeting on April 19, 2010.

District staff recommends adoption of this Resolution as a necessary step to modify IA-F as described above and as part of a proposed addendum to the Supplement to the Torrey Highlands Mitigation Agreement which will be brought to the Board at the April 19, 2010, meeting for approval.

*Resolution No. 38-2010 is attached. Exhibits relating to the Resolution have been provided to the Board electronically for their review and are available for review in the Planning Department and will also be available at the Board meeting.*

**POWAY UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 38-2010**

**INTENTION TO CONSIDER MODIFICATIONS TO THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAXES WITH RESPECT TO COMMUNITY FACILITIES DISTRICT NO. 10, IMPROVEMENT AREA F (TORREY HIGHLANDS - SUBAREA IV), THE FACILITIES AUTHORIZED TO BE FINANCED, AND THE AUTHORIZED BONDED INDEBTEDNESS**

**ON MOTION** of Member \_\_\_\_\_, seconded by

Member \_\_\_\_\_ the following Resolution is adopted:

**RESOLVED**, by the Board of Education (the "Board of Education") of the Poway Unified School District (the "School District"), acting in its capacity as the legislative body of Community Facilities District No. 10 (Torrey Highlands - Subarea IV), that:

**WHEREAS**, the School District and the owners of certain property located within the School District and Subarea IV, commonly known as Torrey Highlands, previously made and entered into, as of August 27, 2001, that certain Supplement to Subarea IV Torrey Highlands School Impact Mitigation Agreement, (the "Mitigation Agreement"), pursuant to which the District and such owners (identified in the Mitigation Agreement as the "CFD No. 10 Owners") agreed to form a community facilities district to include such property, and to establish a method of providing certain public facilities to mitigate the impact of development of their property on the School District; and

**WHEREAS**, the Mitigation Agreement provided that the mitigation of the impact of development of the property located within the area of the proposed community facilities district on the School District would be provided through the establishment of a community facilities district and the designation of certain improvement areas therein by the School District and the authorization for the levy of special taxes within the community facilities district and within each of the improvement areas and issuance of bonds for the community facilities district and each of the improvement areas to be secured by the levy of such special taxes for the purpose of financing, among others, certain school facilities; and

**WHEREAS**, the Board of Education did previously conduct proceedings to form and did form a community facilities district pursuant to the terms and provisions of the "Mello-Roos Community Facilities Act of 1982," (Government Code section 53311 and following) (the "Act"), such Community Facilities designated as Community Facilities District No. 10 (Torrey Highlands - Subarea IV) (the "Community Facilities District") for the purpose of financing public school facilities and related infrastructure required by the School District as a result of the development of the properties within the Community Facilities District, as well as certain additional public improvements to be owned by the City of San Diego (the "City Improvements") and which are required to serve such properties and the school facilities to be located within Torrey Highlands of the City of San Diego; and

**WHEREAS**, the qualified electors of the Community Facilities District voted to approve the levy of special taxes pursuant to the rate and method of apportionment thereof (the "CFD No. 10

Rate and Method”) and the issuance of bonds to be secured by such special taxes for such purpose; and

**WHEREAS**, as a part of such proceedings, the District also designated the improvement areas, including Improvement Area F, for the purpose of financing the City Improvements and the qualified electors of Improvement Area F voted to approve the levy of special taxes (the “Improvement Area F Special Taxes”) pursuant to the rate and method of apportionment thereof (the “Existing Rate and Method of Apportionment for Improvement Area F”) and the issuance of bonds for Improvement Area F for such purpose; and

**WHEREAS**, the CFD No. 10 Rate and Method provides for the levy of both a One-Time Special Tax and an Annual Special Tax (each such special tax as defined in the CFD No. 10 Rate and Method) on Taxable Property (as defined in the CFD No. 10 Rate and Method) within CFD No. 10, and the CFD No. 10 Rate and Method provides that the One-Time Special Tax shall be levied and collected for each Assessor’s Parcel (as defined in the CFD No. 10 Rate and Method) on or before the date a building permit is issued for such Assessor’s Parcel; and

**WHEREAS**, the owners of the property within Improvement Area F (the “Owners”) have requested that the Existing Rate and Method of Apportionment for Improvement Area F be modified to provide for and authorize the levy of a Supplemental Annual Special Tax (as defined in the First Amended Rate and Method of Apportionment for Improvement Area F which is defined in Section 1 below) in lieu of and to replace and supersede the levy of the One-Time Special Tax; and

**WHEREAS**, representatives of the District and the Owner’s have been and are in the process of negotiating the terms and conditions of an addendum to the supplement of the Mitigation Agreement (the “Addendum”) to provide for the modification of the Existing Rate and Method of Apportionment for Improvement Area F to provide for and authorize the levy of such Supplemental Annual Special Tax, to modify the facilities authorized to be financed from the Improvement Area F Special Taxes (the “Existing Authorized Facilities”), to authorize the financing of school facilities from the Supplemental Annual Special Tax, to modify the authorized bonded indebtedness for Improvement Area F (the “Existing Bond Authorization”), to permit the issuance of special tax bonds for Improvement Area F to be secured by the Supplemental Annual Special Tax to finance such school facilities, and to authorize the cessation of the CFD No. 10 One-Time Special Tax obligation for all Taxable Property within Improvement Area F; and

**WHEREAS**, this Board of Education desires to declare its intention to consider modifications to the Existing Rate and Method of Apportionment for Improvement Area F to provide for the levy of the Supplemental Annual Special Taxes, the Authorized Facilities to authorize the financing of school facilities from the proceeds of the Supplemental Annual Special Taxes and the Existing Bond Authorization to provide for the issuance of bonds to be secured by such Supplemental Annual Special Taxes to finance such school facilities.

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED** that:

**Section 1.** The above recitals are all true and correct.

**Section 2.** This Board of Education hereby declares its intention to consider modifications to: (a) the Existing Rate and Method of Apportionment for Improvement Area F to authorize the levy of Supplemental Annual Special Tax within Improvement Area F pursuant to the First Amended Rate and Method of Apportionment of Special Taxes set forth in Exhibit "A" (the "First Amended Rate and Method of Apportionment for Improvement Area F"), attached hereto and incorporated herein by this reference; (b) Existing Authorized Facilities to authorize the financing of school facilities from the proceeds of the Supplemental Annual Special Tax; and (c) to Existing Bond Authorization to increase such authorization from \$3,500,000 to \$6,000,000 to authorize the issuance of bonds for Improvement Area F for the purpose of financing school facilities to be secured by the levy of the Supplemental Annual Special Taxes (the "Improvement Area F School Facilities Bonds").

**Section 3.** Notice is hereby given that on April 19, 2010, at the hour of 6 p.m., in the regular meeting place of the Board of Education located at the Morning Creek Elementary School, 10925 Morning Creek Drive South, San Diego, California 92128, this Board of Education will conduct a public hearing at which time it will consider the proposed modifications to the Existing Rate and Method of Apportionment for Improvement Area F, the Existing Authorized Facilities, and the Existing Bond Authorization as described herein and all other matters as set forth in this Resolution. At the above-mentioned time and place for such public hearing, any persons interested, including taxpayers and property owners, may appear and be heard. The testimony of all interested persons for or against the proposed modifications will be heard and considered. Any protests may be made orally or in writing; however, any protests pertaining to the regularity or sufficiency of the proceedings shall be in writing and clearly set forth the irregularities and defects to which such objection is made. All written protests shall be filed with the Clerk of the Board of Education on or before the time affixed for the public hearing. Written protests may be withdrawn in writing at any time before the conclusion of the public hearing.

**Section 4.** If a written majority protest is filed against the proposed modifications of the Existing Rate and Method of Apportionment for Improvement Area F, the Existing Authorized Facilities or the Existing Bond Authorization, these proceedings shall be abandoned.

**Section 5.** If, following the public hearing described in the preceding paragraph, this Board of Education determines to approve the proposed modifications of the Existing Rate and Method of Apportionment for Improvement Area F, the Existing Authorized Facilities and the Existing Bond Authorization as described herein, this Board of Education shall then submit the proposed modifications to the qualified electors of Improvement Area F. If at least twelve (12) persons, who need not necessarily be the same twelve (12) persons, had been registered to vote within Improvement Area F for each of the ninety (90) days preceding the close of the public hearing, the vote shall be by the registered voters of Improvement Area F, with each voter receiving one (1) vote. Otherwise, the vote shall be by the landowners of Improvement Area F who were the Owners of record at the close of the subject public hearing, with each landowner or the authorized representative thereof having one (1) vote for each acre or portion of an acre of land owned within Improvement Area F.

**Section 6.** The secretary is hereby authorized and directed to give notice of such public hearing by causing a Notice of Public Hearing to be published pursuant to Government Code section 6061 in a legally designated newspaper of general circulation with such publication to be completed at least seven (7) days prior to the date set for such hearing.

**Section 7.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** on March 8, 2010, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

STATE OF CALIFORNIA    )  
COUNTY OF SAN DIEGO   )

This is to certify that the foregoing document is a true copy of the Resolution of the Board of Education of the Poway Unified School District of San Diego County.

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Jeff Mangum, Clerk of the Board of Education

**EXHIBIT A**

**FIRST AMENDED RATE AND METHOD OF APPORTIONMENT  
FOR IMPROVEMENT AREA F OF COMMUNITY FACILITIES DISTRICT  
NO. 10 OF THE POWAY UNIFIED SCHOOL DISTRICT**

*[ATTACH COPY OF FIRST AMENDMENT]*

**FIRST AMENDED  
RATE AND METHOD OF APPORTIONMENT FOR  
IMPROVEMENT AREA F  
OF COMMUNITY FACILITIES DISTRICT NO. 10  
OF THE POWAY UNIFIED SCHOOL DISTRICT**

An Annual Special Tax shall be levied on and collected in Improvement Area ("IA") F of Community Facilities District ("CFD") No. 10 of the Poway Unified School District ("School District") in each Fiscal Year, in an amount determined through the application of the rate and method of apportionment described below. All of the real property in IA F of CFD No. 10, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent, and in the manner herein provided.

**SECTION A  
DEFINITIONS**

The terms hereinafter set forth have the following meanings:

**"Acre" or "Acreage"** means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final map, parcel map, condominium plan, or other recorded County parcel map.

**"Act"** means the Mello-Roos Community Facilities Act of 1982 as amended, being Chapter 2.5, Division 2 of Title 5 of the Government Code of the State of California.

**"Administrative Expenses"** means any ordinary and necessary expense of the School District to carry out its duties as the legislative body of IA F of CFD No. 10.

**"Affordable Unit"** means any Unit subject to deed restrictions, resale restrictions, and/or regulatory agreements recorded in favor of the City or County providing for affordable housing.

**"Annual Special Tax"** means the Special Tax levied in each Fiscal Year on an Assessor's Parcel as set forth in Section G.

**"Annual Special Tax Requirement"** means the amount required in any Fiscal Year to pay: (i) the debt service on all Non-School Bonds or other periodic costs on the Non-School Bonds, (ii) the Administrative Expenses of IA F of CFD No. 10, (iii) any costs associated with the release of funds from an escrow account in association with the Non-School Bonds, (iv) any amount required to establish or replenish any reserve funds established in association with the Non-School Bonds, less (v) any amounts on deposit in any fund or account which are available to pay for items (i) through (v) above pursuant to any applicable fiscal agent agreement, bond indenture, or trust agreement. In arriving at the Annual Special Tax Requirement the Board shall take into account the reasonably anticipated delinquent Special Taxes based on the delinquency rate for Special Taxes levied in previous Fiscal Year.

**"Assessor's Parcel"** means a parcel of land in IA F of CFD No. 10 which is designated on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

**"Assessor's Parcel Map"** means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

**"Assessor's Parcel Number"** means that number assigned to an Assessor's Parcel by the County Assessor for purposes of identification.

**"Assigned Annual Special Tax"** means the Special Tax of that name as set forth in Section D. In each Fiscal Year, Assigned Annual Special Tax revenues shall be used in the following order of priority; (i) to satisfy the Annual Special Tax Requirement and (ii) to pay for the acquisition, construction, rehabilitation, and improvement of School Facilities.

**"Assigned Annual Special Tax Present Value of Taxes"** means the present value of Assigned Annual Special Tax applicable to such Assessor's Parcel in the current Fiscal Year not yet received by the School District for IA F of CFD No. 10, plus the expected Assigned Annual Special Tax applicable to such Assessor's Parcel in each remaining Fiscal Year until the termination date specified in Section I using as the discount rate the (i) Bond Yield after Non-School Bond issuance or (ii) the most recently published Bond Index prior to the Non-School Bond issuance. The duration used to calculate the Assigned Annual Special Tax Present Value of Taxes prior to the issuance of the first series of Non-School Bonds shall be the lesser of (i) thirty-four (34) years and (ii) the number of Fiscal Year remaining until Fiscal Year 2050/2051.

**"Deputy Superintendent"** means the Deputy Superintendent of the School District or his/her designee.

**"Backup Annual Special Tax"** means the Special Tax of that name described in Section F below.

**"Board"** means the Board of Education of the School District or its designee.

**"Bonds"** means any obligation to repay a sum of money, including obligations in the form of bonds, notes, certificates of participation, long-term leases, loans from government agencies, or loans from banks, other financial institutions, private businesses, or individuals, or long-term contracts, or any refunding thereof, to the repayment of which Special Taxes of IA F of CFD No. 10 are pledged.

**"Bond Index"** means the National Bond Buyer Revenue Index, commonly referenced as the 25-Bond Revenue Index. In the event the Bond Index ceases to be published, the index used shall be based on a comparable index for revenue bonds maturing in 30 years with an average rating equivalent to Moody's A1 and S&P's A-plus, as reasonably determined by the Board.

**"Bond Yield"** means the yield on the last series of Non-School Bonds issued by or on behalf of IA F of CFD No. 10, as calculated at the time such Non-School Bonds are issued, pursuant to Section 148 of the Internal Revenue Code of 1986, as amended, for the purpose of the non-arbitrage certificate or other similar bond issuance document.

**"Building Permit"** means a permit for the construction of one or more Units issued by the City, or another public agency in the event the City no longer issues permits for the construction of Units within IA F of CFD No. 10. For purposes of this definition, "Building Permit" shall not include permits for construction or installation of commercial/industrial structures, parking structures, retaining walls, utility improvements, or other such improvements not intended for human habitation.

**"Building Square Footage"** or **"BSF"** means the square footage of internal living space of a Unit, exclusive of garages or other structures not used as living space, as determined by reference to the building permit application for such Unit or other applicable records of the City.

**"Calendar Year"** means any period beginning January 1 and ending December 31.

**"City"** means the City of San Diego.

**"County"** means the County of San Diego.

**"Developed Property"** means all Assessor's Parcels for which Building Permits for the construction of Units were issued on or before May 1 of the prior Fiscal Year, provided that such Assessor's Parcels were created on or before January 1 of the prior Fiscal Year and that each such Assessor's Parcel is associated with a Lot, as determined reasonably by the Deputy Superintendent.

**"Exempt Property"** means the property designated as Exempt Property in Section J.

**"Final Subdivision Map"** means a final tract map, parcel map, condominium plan lot line adjustment, or functionally equivalent map or instrument that creates individual Lots, recorded in the Office of the Recorder of the County.

**"Fiscal Year"** means the period commencing on July 1 of any year and ending the following June 30.

**"Index"** means the Marshall & Swift Western Region Class D Wood Frame Index, or if the Marshall & Swift Western Region Class D Wood Frame Index ceases to be used by the State Allocation Board, a reasonably comparable index used by the State Allocation Board to estimate changes in school construction costs, or in the absence of such an index, the Engineering News Record, Construction Cost Index (Los Angeles Area) published by McGraw-Hill, Inc.

**"Inflator"** means the greater of (i) the annual percentage change in the Index, as calculated for the twelve (12) months ending December 31 of the prior Calendar Year and (ii) two percent (2.00%).

**"Lot"** means an individual legal lot created by a Final Subdivision Map for which a Building Permit for a Unit has been or could be issued, provided that land for which one or more building permits have been or could be issued for the construction of one or more model Units shall not be construed as a Lot until such land has been subdivided by a Final Subdivision Map.

**"Minimum Taxable Acreage"** means the applicable Acreage set forth in Section J.

**"Non-School Bonds"** means any Bonds which are not School Bonds.

**"Prepayment Amount"** means the dollar amount required to prepay all of the Annual Special Tax obligation on any Assessor's Parcel, determined pursuant to Sections H.

**"Proportionately"** means that the ratio of the actual Annual Special Tax levy to the applicable Assigned Annual Special Tax is equal for all applicable Assessor's Parcels.

**"Reserve Fund Credit"** means the lesser of: (a) the expected reduction in the applicable reserve requirements, if any, associated with the redemption of outstanding bonds as a result of the prepayment, or (b) the amount derived by subtracting the new reserve requirements in effect after the redemption of outstanding bonds as a result of the prepayment from the balance in the applicable reserve funds on the prepayment date. Notwithstanding the foregoing, if the reserve fund requirement is satisfied by a surety bond or other instrument at the time of the prepayment, then no Reserve Fund Credit shall be given. Notwithstanding the foregoing, the Reserve Fund Credit shall in no event be less than 0.

**"School Bonds"** means any Bonds allocable to proceeds used or to be used to fund the acquisition, construction, rehabilitation, or improvement of School Facilities.

**"School Facilities"** means any public facilities owned or to be owned by the School District.

**"Senior Citizen Unit"** means a Unit designated as senior citizen housing, part of a residential care facility for the elderly, or part of a multi-level care facility for the elderly as referred to in California Government Code Section 65995.1. For purposes hereof, it shall be sufficient to designate a Unit as a Senior Citizen Unit if Senior Citizen Restrictions have been affected with respect to such Unit.

**"Senior Citizen Restriction"** means (i) a restriction limiting the use of Units to senior citizen housing under a specific plan, a final map or other governmental entitlements, or a declaration of covenants, conditions and restrictions or any similar recorded instrument or (ii) licensing from appropriate agencies received for residential care facilities for the elderly or multi-level care facilities as those terms are defined in Health and Safety Code Section 1569.2 and Government Code Section 15432(d)(9), respectively.

**"Special Tax"** means any of the special taxes authorized to be levied in IA F of CFD No. 10 under the Act.

**"Supplemental Annual Special Tax"** means the Special Tax of that name as set forth in Section E. In each Fiscal Year, Supplemental Annual Special Tax revenue shall be used to pay for the acquisition, construction, rehabilitation, and improvement of School Facilities.

**"Supplemental Annual Special Tax Present Value of Taxes"** means the present value of Supplemental Annual Special Tax applicable to such Assessor's Parcel in the current Fiscal Year not yet received by the School District for IA F of CFD No. 10, plus the expected Supplemental Annual Special Tax applicable to such Assessor's Parcel in each remaining Fiscal Year until the termination date specified in Section I using as the discount rate the (i) Bond Yield after Non-School Bond issuance or (ii) the most recently published Bond Index prior to Non-School Bond issuance. The duration used to calculate the Supplemental Annual Special Tax Present Value of Taxes prior to the issuance of the first series of Non-School Bonds shall be the lesser of (i) thirty-four (34) years and (ii) the number of Fiscal Years remaining until Fiscal Year 2050/2051.

**"Taxable Property"** means all Assessor's Parcels which are not Exempt Property.

**"Undeveloped Property"** means all Assessor's Parcels which are not Developed Property.

**"Unit"** means each separate residential dwelling unit which comprises an independent facility capable of conveyance separate from adjacent residential dwelling units.

## **SECTION B ASSIGNMENT OF ASSESSOR'S PARCELS**

For each Fiscal Year, beginning with Fiscal Year 2010/2011, each Assessor's Parcel shall be classified as Taxable Property or Exempt Property. Furthermore, each Assessor's Parcel of Taxable Property shall be classified as Developed Property or Undeveloped Property. Developed Property shall be further classified based on the Building Square Footage of the Unit. The classification of Exempt Property shall take into consideration Minimum Taxable Acreage as determined pursuant to Section J.

## **SECTION C MAXIMUM SPECIAL TAX**

### **1. Developed Property**

The Maximum Special Tax for each Assessor's Parcel classified as Developed Property in any Fiscal Year shall be the sum of (i) the greater of (a) the Assigned Annual Special Tax and (b) the Backup Annual Special Tax and (ii) the Supplemental Annual Special Tax.

### **2. Undeveloped Property**

The Maximum Special Tax for any Assessor's Parcel classified as Undeveloped Property in any Fiscal Year shall be the Assigned Annual Special Tax.

**SECTION D  
ASSIGNED ANNUAL SPECIAL TAXES**

**1. Developed Property**

The Assigned Annual Special Tax for each Assessor's Parcel of Developed Property in Fiscal Year 2010/2011 shall be the amount determined by reference to Table 1 below.

**TABLE 1**

**ASSIGNED ANNUAL SPECIAL TAX FOR  
DEVELOPED PROPERTY FOR  
FISCAL YEAR 2010/2011**

<b>Building Square Footage</b>	<b>Assigned Annual Special Tax</b>
< 1,750	\$1,521.71 per Unit
1,750 – 1,900	\$1,648.16 per Unit
1,901 – 2,050	\$1,774.78 per Unit
2,051 – 2,200	\$1,869.58 per Unit
> 2,200	\$1,964.54 per Unit

Each July 1, commencing July 1, 2011, the Assigned Annual Special Tax for each Assessor's Parcel of Developed Property shall be increased by two percent (2.00%) of the amount in effect in the prior Fiscal Year.

**2. Undeveloped Property**

The Assigned Annual Special Tax for an Assessor's Parcel of Undeveloped Property in Fiscal Year 2010/2011 shall be \$18,367.51 per acre of Acreage. On each July 1, commencing July 1, 2011, the Assigned Annual Special Tax for each Assessor's Parcel of Undeveloped Property shall be increased by two percent (2.00%) of the amount in effect in the prior Fiscal Year.

**SECTION E  
SUPPLEMENTAL ANNUAL SPECIAL TAXES**

**1. Developed Property**

The Supplemental Annual Special Tax for each Assessor's Parcel of Developed Property in Fiscal Year 2010/2011 shall be the amount determined by reference to Table 2 below.

**TABLE 2**

**SUPPLEMENTAL ANNUAL SPECIAL TAX FOR  
DEVELOPED PROPERTY FOR  
FISCAL YEAR 2010/2011**

<b>Building Square Footage</b>	<b>Assigned Annual Special Tax</b>
< 1,750	\$651.00 per Unit
1,750 – 1,900	\$705.10 per Unit
1,901 – 2,050	\$759.26 per Unit
2,051 – 2,200	\$799.82 per Unit
> 2,200	\$840.44 per Unit

Each July 1, commencing July 1, 2011, the Supplemental Annual Special Tax applicable to an Assessor's Parcel in the first Fiscal Year in which such Assessor's Parcel is classified as Developed Property shall increase by the Inflator.

Each July 1, commencing the July 1 immediately following the Fiscal Year in which an Assessor's Parcel was first classified as Developed Property, the Supplemental Annual Special Tax for each Assessor's Parcel of Developed Property shall be increased by two percent (2.00%) of the amount in effect in the prior Fiscal Year.

**2. Undeveloped Property**

No Supplemental Annual Special Tax shall apply to Undeveloped Property.

## **SECTION F BACKUP ANNUAL SPECIAL TAX**

Each Fiscal Year, each Assessor's Parcel of Developed Property shall be subject to a Backup Annual Special Tax. The Backup Annual Special Tax rate for an Assessor's Parcel of Developed Property within a Final Subdivision Map shall be the rate per Lot calculated according to the following formula in Fiscal Year 2010/11 or such later Fiscal Year in which such Final Subdivision Map is created, subject to increases as described below:

$$B = (Z \times A) / L$$

The terms above have the following meanings:

- B = Backup Annual Special Tax per Lot for the applicable Fiscal Year
- Z = Assigned Annual Special Tax per Acre of Undeveloped Property in the Fiscal Year the calculation is performed
- A = Acreage of Taxable Property expected to exist in such Final Subdivision Map at the time of calculation, as determined by the Board pursuant to Section J
- L = Number of Lots in the applicable Final Subdivision Map at the time of calculation

Each July 1, commencing July 1 following the initial calculation of the Backup Annual Special Tax rate for an Assessor's Parcel of Developed Property within a Final Subdivision Map, the Backup Annual Special Tax for each Lot within such Final Subdivision Map shall be increased by two percent (2.00%) of the amount in effect the prior Fiscal Year. No Backup Annual Special Tax shall be applied to Affordable Units or Senior Citizen Units.

Notwithstanding the foregoing, if the Final Subdivision Map(s) described in the preceding paragraph is subsequently changed or modified, then the Backup Annual Special Tax for each Assessor's Parcel of Developed Property in such Final Subdivision Map area changed or modified shall be a rate per square foot of Acreage calculated as follows:

1. Determine the total Backup Annual Special Tax revenue anticipated to apply to the changed or modified area of the Final Subdivision Map prior to the change or modification.
2. The result of paragraph 1 above shall be divided by the Acreage of Taxable Property of the Final Subdivision Map that is anticipated to be changed or modified, as reasonably determined by the Board.

3. The result of paragraph 2 above shall be divided by 43,560. The result is the Backup Annual Special Tax per square foot of Acreage per square foot of Acreage that shall be applicable to Assessor's Parcels of Developed Property in such changed or modified area of the Final Subdivision Map for all remaining Fiscal Years in which the Special Tax may be levied. Each July 1, commencing the July 1 following the change or modification to the Final Subdivision Map, the amount determined by this Section shall be increased by two percent (2.00%) of the amount in effect the prior Fiscal Year.

## **SECTION G METHOD OF APPORTIONMENT OF THE ANNUAL SPECIAL TAX**

Commencing Fiscal Year 2010/2011, and for each subsequent Fiscal Year, the Board shall levy an Annual Special Tax as follows:

**Step One:** The Board shall levy an Annual Special Tax on each Assessor's Parcel of Developed Property in an amount equal to the sum of the (i) Assigned Annual Special Tax and (ii) Supplemental Annual Special Tax applicable to each such Assessor's Parcel.

**Step Two:** If the sum of the Assigned Annual Special Taxes levied on Assessor's Parcels in the first step above is less than the Annual Special Tax Requirement, then the Annual Special Tax shall be levied Proportionately on each Assessor's Parcel of Undeveloped Property up to the Assigned Annual Special Tax applicable to such Assessor's Parcel to satisfy the Annual Special Tax Requirement.

**Step Three:** If the sum of the Assigned Annual Special Taxes levied on Assessor's Parcels in the first and second steps above is less than the Annual Special Tax Requirement, then the Annual Special Tax on each Assessor's Parcel of Developed Property whose Maximum Special Tax includes the application of the Backup Annual Special Tax shall be increased Proportionately from the Assigned Annual Special Tax up to the Backup Annual Special Tax to satisfy the Annual Special Tax Requirement.

**SECTION H**  
**PREPAYMENT OF ANNUAL SPECIAL TAXES**

The Annual Special Tax obligations of an Assessor's Parcel of Developed Property or an Assessor's Parcel of Undeveloped Property for which a Building Permit has been issued may be prepaid, provided that there are no delinquent Special Taxes, penalties, or interest charges outstanding with respect to such Assessor's Parcel at the time the Annual Special Tax obligation would be prepaid. However, the Supplemental Annual Special Tax obligation of an Assessor's Parcel may be prepaid only after or concurrently with the prepayment of the Assigned Annual Special Tax obligation for such Assessor's Parcel. An owner of an Assessor's Parcel intending to prepay the Assigned Annual Special Tax and Supplemental Annual Special Tax obligation shall provide IA F of CFD No. 10 with written notice of intent to prepay. Within thirty (30) days of receipt of such written notice, the Board shall reasonably determine the prepayment amount of such Assessor's Parcel and shall notify such owner of such Prepayment Amount. The Prepayment Amount shall be calculated according to the following formula:

$$AP = APVT - RFC + PAF \text{ or } SP = SPVT - RFC + PAF$$

The terms above have the following meanings:

AP	=	Assigned Annual Special Tax Prepayment Amount
SP	=	Supplemental Annual Special Tax Prepayment Amount
APVT	=	Assigned Annual Special Tax Present Value of Taxes
SPVT	=	Supplemental Annual Special Tax Present Value of Taxes
RFC	=	Reserve Fund Credit
PAF	=	Prepayment Administrative Fees

Notwithstanding the foregoing, no prepayment will be allowed unless the amount of Assigned Annual Special Taxes that may be levied on Taxable Property, net of Administrative Expenses, shall be at least 1.1 times the regularly scheduled annual interest and principal payments on all currently outstanding Non-School Bonds in each future Fiscal Year and such prepayment will not impair the security of all currently outstanding Non-School Bonds, as reasonably determined by the Board. Such determination shall include identifying all Assessor's Parcels that are expected to become Exempt Property or be developed with Senior Citizen Units or Affordable Units.

With respect to any Assessor's Parcel that is prepaid, the Board shall indicate in the records of IA F of CFD No. 10 that there has been a prepayment of the Annual Special Tax obligation and shall cause a suitable notice to be recorded in compliance with the Act to indicate the prepayment of the Annual Special Tax obligation and the release of the Annual Special Tax lien on such Assessor's Parcel, and the obligation of such Assessor's Parcel to pay such Annual Special Tax shall cease.

**SECTION I  
TERMINATION OF SPECIAL TAX**

The Annual Special Tax shall be levied for a term of thirty-four (34) Fiscal Years after the issuance of Non-School Bonds by IA F of CFD No. 10, but in no event shall the Annual Special Tax be levied later than Fiscal Year 2050/2051.

**SECTION J  
EXEMPTIONS**

The Deputy Superintendent shall classify as Exempt Property (i) Assessor's Parcels owned by the State of California, Federal or other local governments, (ii) Assessor's Parcels which are used as places of worship and are exempt from *ad valorem* property taxes because they are owned by a religious organization, (iii) Assessor's Parcels used exclusively by a homeowners' association, (iv) Assessor's Parcels with public or utility easements or other restrictions making impractical their utilization for other than the purposes set forth in the easement or the restriction, (v) Assessor's Parcels for which building permits were issued on or before May 1 of the prior Fiscal Year for the construction of Affordable Units and/or Senior Citizen Units exclusively, and (vi) other types of Assessor's Parcels, at the reasonable discretion of the Deputy Superintendent, provided that no such classification would reduce the Acreage of all Taxable Property to less than 6.87 acres of Acreage. Assessor's Parcels which cannot be classified as Exempt Property because such classification would reduce the Acreage of all Taxable Property to less than 6.87 acres of Acreage will continue to be classified as Taxable Developed Property or Taxable Undeveloped Property, as applicable, and will continue to be subject to Special Taxes accordingly.

**SECTION K  
APPEALS**

Any property owner claiming that the amount or application of any Special Tax is not correct may file a written notice of appeal with the Deputy Superintendent not later than twelve (12) months after having paid the Special Tax that is disputed. The Deputy Superintendent shall promptly review the appeal, and if necessary, meet with the property owner, consider written and oral evidence regarding the amount of the Special Tax, and rule on the appeal. If the Deputy Superintendent's decision requires that the Special Tax for an Assessor's Parcel be modified or changed in favor of the property owner, a cash refund shall not be made (except for the last year of levy or in other special cases, as determined by the Deputy Superintendent), but an adjustment shall be made to the Special Tax on that Assessor's Parcel in the subsequent Fiscal Year(s).

**SECTION L**  
**MANNER OF COLLECTION**

The Annual Special Tax shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes, provided, however, that IA F of CFD No. 10 may collect Annual Special Taxes at a different time or in a different manner if necessary to meet its financial obligations.

S:\CLIENTS\POWAY UNIFIED SD\FINANCE\CFDS\AMENDEMENT TO IA F CFD  
10\FIRST\_AMENDED\_RMA\_FN\_02262010.DOCX

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips

AGENDA ITEM: E-601

Staff Support: Sharon Raffer

SUBJECT: APPROVAL OF REVISED BOARD POLICY SECTION 1.13 - STUDENT BOARD MEMBERS

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

That the revision of Board Policy Section 1.13, Student Board Members, be approved.

DISCUSSION/PROGRAM:

The Poway Unified School District Board of Education is pleased to have student representatives from each of PUSD's six high schools. Each high school will continue to send a student representative to monthly Board of Education meetings to update the Board about high school academics and activities.

In addition, a Poway Unified high school student will be selected by the Board of Education to serve as the PUSD Student Board member. The term of office shall be the junior or senior year of the student selected. Interested sophomores and juniors will apply for the position each spring for the following school year.

The Student Board member will remain during the entire Board meeting and participate in discussions about student-related Board items. The student selected will be given preferential voting privileges under California Education Code Section 35012.

The proposed revisions to the policy were presented as a first reading on February 8, 2010, and are being submitted for Board approval this evening. Applicable administrative procedures and application process will be developed to support the policy.

LEGAL REFERENCE: California Education Code Section 35012

FISCAL IMPACT: None

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

ARTICLE: 1.0 GOVERNING BOARD

SECTION 1.13 STUDENT BOARD MEMBERS

The Poway Unified School District Board of Education believes it is important to seek out and consider students' ideas, viewpoints, and reactions to the *District's* educational program. In order to provide student input and involvement, the Board shall include a student board member ~~representing each PUSD high school~~ *in accordance with the procedures approved by the Superintendent.*

The term of student Board members shall be one ~~ealendar school~~ *year*, commencing with the student's appointment by the ~~PUSD Board of Education Associated Student Body of each high school~~. *An application and interview process will be conducted in the spring of the school year prior to appointment. Student members shall have the right to attend all Board meetings except closed sessions.*

~~The Student Board members shall be seated with regular Board members. They~~ may participate in discussing all issues except items related to *discipline*, personnel, and employer-employee relations. The student board members ~~are~~ *is* also encouraged to *seek and* share the views of the students they represent on issues concerning the educational program. *The student member shall attend all Board meetings except closed sessions.*

~~The Student Board members~~ may cast *a* preferential votes on items of general student interest. Superintendent's Office staff will be available to answer questions and provide further information to the students on these items. Preferential votes shall be cast prior to the official Board vote and shall not affect the final numerical outcome of a vote. Preferential votes shall be recorded in the Board meeting minutes.

Student Board Member Guidelines

Duties of Student Board Member:

- ~~1. To provide information about high school activities and events.~~
- ~~2.1. To p~~ Provide continuing input for board deliberations.
- ~~3.2. To s~~ Strengthen communications between the Board and district students.
- ~~4.3. To r~~ Represent all students and facilitate the discussion of all sides of issues. This duty does not preclude the student Board member from stating his/her individual opinion.

Selection and Term:

1. The ~~Board of Education Associated Student Body~~ shall select the student Board member.
2. The term of office shall be in *the junior or senior year of the student selected.* ~~accordance with the term of office of the Associated Student Body officers.~~
3. If the position of student Board member becomes vacant, another student Board member shall be elected following the steps listed above.

**TO: BOARD OF EDUCATION**

**MEETING DATE:** March 8, 2010

**FROM:** Donald A. Phillips  
Staff Support:

**AGENDA ITEM:** F

**SUBJECT: FIRST READING ITEMS**

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

**RECOMMENDATION:**

First Reading.

**DISCUSSION/PROGRAM:**

There are no First Reading agenda items.

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: John P. Collins

AGENDA ITEM: G-308

Staff Support: Malliga Tholandi

SUBJECT: ENROLLMENT REPORT NO. 6/2009-2010

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

Information only.

DISCUSSION/PROGRAM:

The sixth month enrollment report for the period ending February 5, 2010, is attached for the Board's review.

Current school year enrollment comparison:

Month 1 to Month 5

Elementary schools	Increase by 70
Middle schools	No change
High schools	Decrease by 159
Poway Academy of Learning	Decrease by 1
Special Education Non-Public Schools (NPS)	Increase by 1

The District's total enrollment at the end of the sixth month was 33,736 and represents a net loss of 89 students from month one of this year. The attendance rate for month six is 96.38 percent and represents a decrease of 1.63 percent from month one of this year.

LEGAL REFERENCE: N/A

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

Poway Unified School District  
2009-2010 Enrollment Report Month 6  
Jan 11, 2009 - Feb 5, 2010

K-5 Enrollment

<i>School</i>	Month 1	Kind	Grade 1	Grade 2	Grade 3	Grade 4	Grade 5	Sub -Total	Sp Ed Total	Total	Difference
	2009-10										
Adobe Bluffs	404	58	55	49	58	83	83	386	13	399	(5)
Canyon View	488	77	85	92	81	81	73	489		489	1
Chaparral	860	152	159	132	107	135	163	848	16	864	4
Creekside	722	106	117	126	108	114	138	709	8	717	(5)
Deer Canyon	517	60	78	87	94	86	101	506	11	517	0
Del Sur	295	84	47	53	39	39	33	295		295	0
Garden Road	468	93	67	69	72	71	71	443	21	464	(4)
Highland Ranch	716	118	107	117	119	101	127	689	30	719	3
Los Penasquitos	524	72	73	84	81	103	109	522		522	(2)
Midland	604	128	110	90	86	102	100	616		616	12
Monterey Ridge	832	166	140	142	113	116	122	799	32	831	(1)
Morning Creek	690	118	120	107	109	119	94	667	35	702	12
Painted Rock	548	96	87	88	86	101	101	559	10	569	21
Park Village	720	114	101	119	106	125	135	700	20	720	0
Pomeroado	492	83	82	71	95	80	84	495		495	3
Rolling Hills	362	72	58	57	63	57	59	366		366	4
Shoal Creek	609	93	94	105	93	99	89	573	33	606	(3)
Stone Ranch	1,057	198	185	157	177	164	186	1,067		1,067	10
Sundance	485	91	84	64	67	77	79	462	26	488	3
Sunset Hills	417	47	40	67	57	67	84	362	52	414	(3)
Tierra Bonita	498	47	70	84	77	94	91	463	33	496	(2)
Turtleback	525	112	82	70	96	86	77	523	5	528	3
Valley	667	117	110	113	109	107	116	672		672	5
Westwood	739	120	110	130	141	118	127	746		746	7
Willow Grove	711	138	173	107	116	86	80	700	18	718	7
New Directions	25	3	5	1	6	5	5	25		25	0
<b>TOTAL ELEMENTARY</b>	<b>14,975</b>	<b>2,563</b>	<b>2,439</b>	<b>2,381</b>	<b>2,356</b>	<b>2,416</b>	<b>2,527</b>	<b>14,682</b>	<b>363</b>	<b>15,045</b>	<b>70</b>

### 6 - 8 Enrollment

<b>School</b>	Month 1							<b>Sub-Total</b>	<b>Sp Ed Total</b>	<b>Total</b>	<b>Difference</b>
	2009-10	Grade 6	Grade 7	Grade 8	N/A	N/A	N/A				
Bernardo Heights	1,399	437	439	491	N/A	N/A	N/A	1,367	47	1,414	15
Black Mountain	1,286	435	405	427	N/A	N/A	N/A	1,267	30	1,297	11
Meadowbrook	1,231	385	390	425	N/A	N/A	N/A	1,200	28	1,228	(3)
Mesa Verde	1,310	421	438	429	N/A	N/A	N/A	1,288	23	1,311	1
Oak Valley	1,230	450	393	347	N/A	N/A	N/A	1,190	25	1,215	(15)
Twin Peaks	1,259	400	393	428	N/A	N/A	N/A	1,221	14	1,235	(24)
New Directions	37	14	16	22	N/A	N/A	N/A	52		52	15
<b>TOTAL MIDDLE</b>	<b>7,752</b>	<b>2,542</b>	<b>2,474</b>	<b>2,569</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>7,585</b>	<b>167</b>	<b>7,752</b>	<b>0</b>

### 9 - 12 Enrollment

<b>School</b>	Month 1							<b>Sub-Total</b>	<b>Sp Ed Total</b>	<b>Total</b>	<b>Difference</b>
	2009-10	Grade 9	Grade 10	Grade 11	Grade 12	N/A	N/A				
Del Norte	795	504	257			N/A	N/A	761	7	768	(27)
Mt. Carmel	2,178	442	519	572	558	N/A	N/A	2,091	42	2,133	(45)
Poway High	2,660	578	641	697	614	N/A	N/A	2,530	53	2,583	(77)
Rancho Bernardo	2,546	530	598	707	652	N/A	N/A	2,487	47	2,534	(12)
Westview	2,363	573	578	577	584	N/A	N/A	2,312	45	2,357	(6)
New Directions & TPP	120	6	32	37	72	N/A	N/A	147		147	27
<b>TOTAL COMP. H.S.</b>	<b>10,662</b>	<b>2,633</b>	<b>2,625</b>	<b>2,590</b>	<b>2,480</b>	<b>N/A</b>	<b>N/A</b>	<b>10,328</b>	<b>194</b>	<b>10,522</b>	<b>(140)</b>
Abraxas	322		3	61	184	N/A	N/A	248	55	303	(19)
<b>TOTAL HIGH SCHOOL</b>	<b>10,984</b>	<b>2,633</b>	<b>2,628</b>	<b>2,651</b>	<b>2,664</b>	<b>N/A</b>	<b>N/A</b>	<b>10,576</b>	<b>249</b>	<b>10,825</b>	<b>(159)</b>
Poway Academy of Learning	16	N/A	N/A	N/A	N/A	N/A	N/A	0	15	15	(1)
Non Public Schools	98	N/A	N/A	N/A	N/A	N/A	N/A	0	99	99	1

**Total District Mo. 1/2009-10**    **33,825**

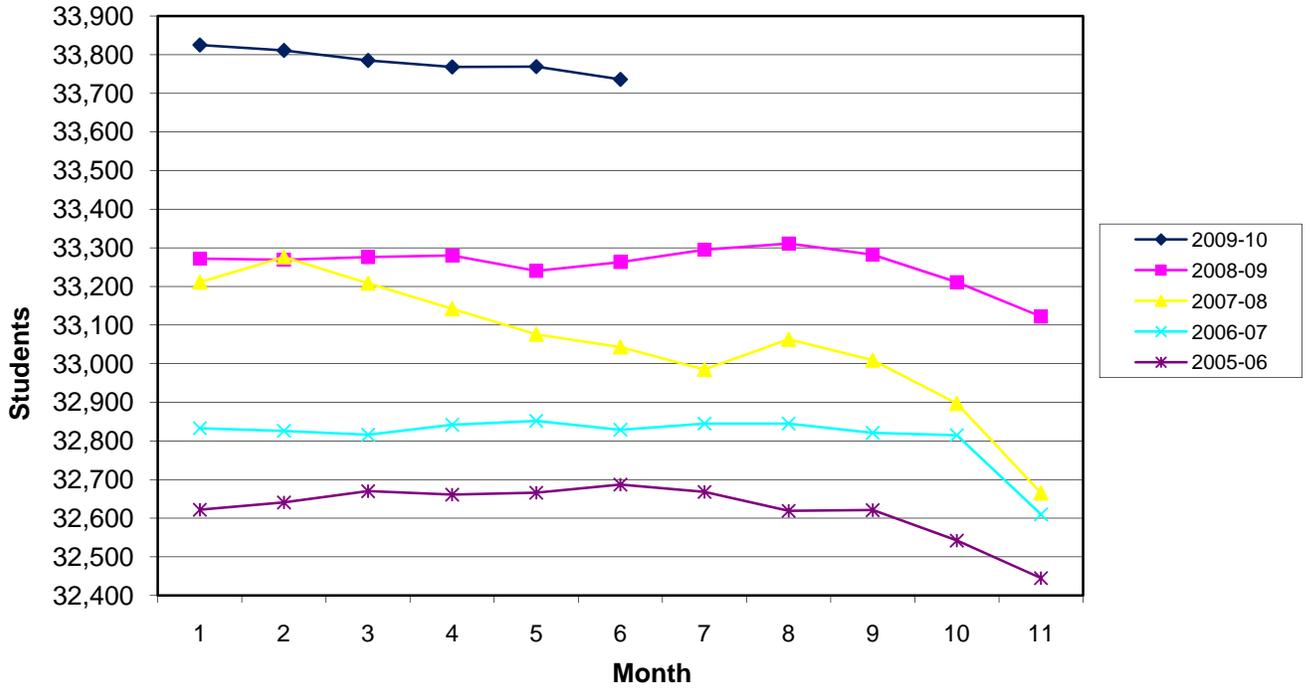
**TOTAL DISTRICT**    **33,736**    **(89)**

Adult Ed. - To Date	6,515
ROP - To Date	5,830

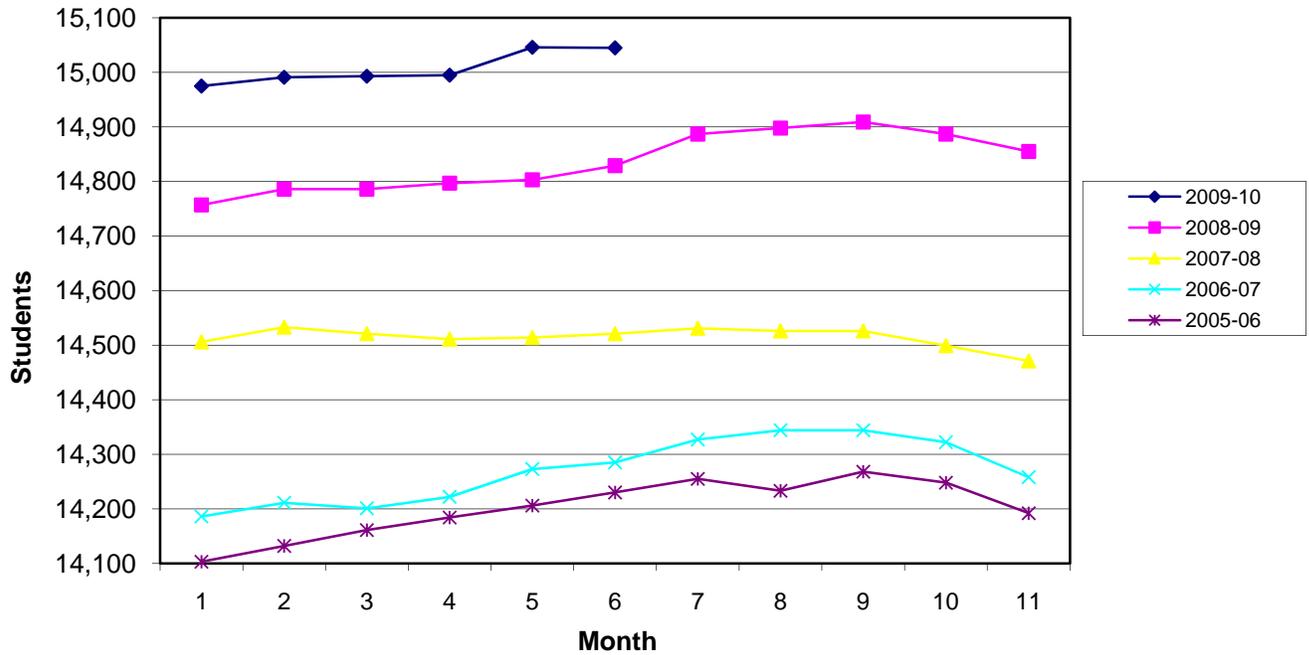
2004-05 CBEDS*	32,915
2005-06 CBEDS*	32,645
2006-07 CBEDS*	32,873
2007-08 CBEDS*	33,282
2008-09 CBEDS*	33,305
2009-10 CBEDS	33,720

\* Certified

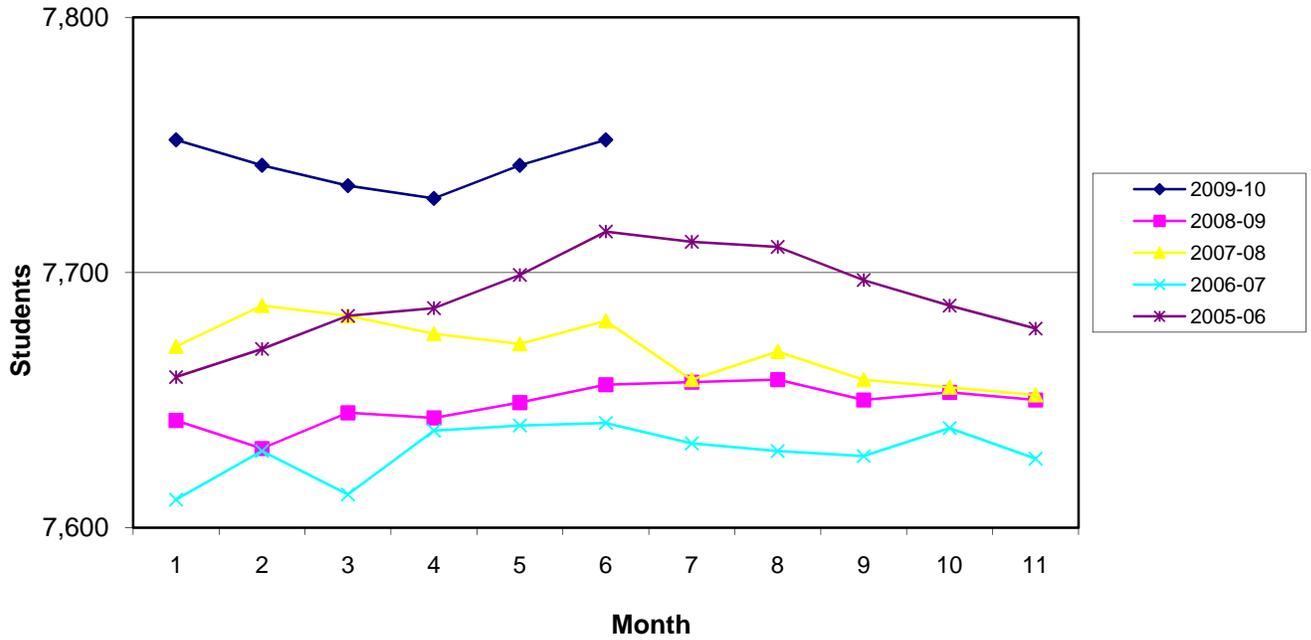
### POWAY UNIFIED SCHOOL DISTRICT TOTAL STUDENT ENROLLMENT



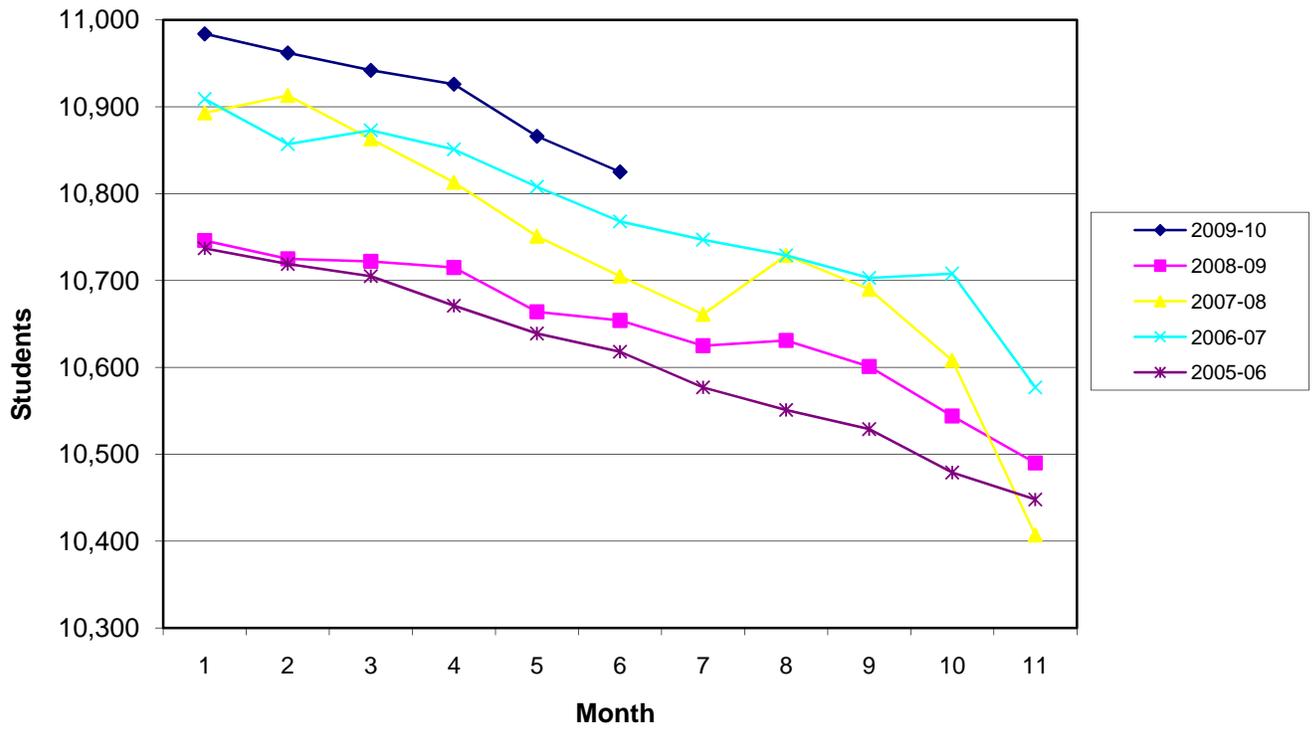
### POWAY UNIFIED SCHOOL DISTRICT ELEMENTARY SCHOOL ENROLLMENT



### POWAY UNIFIED SCHOOL DISTRICT MIDDLE SCHOOL ENROLLMENT



### POWAY UNIFIED SCHOOL DISTRICT HIGH SCHOOL ENROLLMENT



TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: H

SUBJECT: NEW BUSINESS - BOARD MEMBERS

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

RECOMMENDATION:

Information.

DISCUSSION/PROGRAM:

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: I

SUBJECT: CORRESPONDENCE

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote  
Required

RECOMMENDATION:

Information.

DISCUSSION/PROGRAM:

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: J

SUBJECT: CLOSED SESSION

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

Action/Information.

DISCUSSION/PROGRAM:

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

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

Closed Session: CONFERENCE WITH AND/OR RECEIPT OF ADVICE FROM LEGAL COUNSEL – ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Subdivision (b)(1) of Government Code Section 54956.9.

Closed Session: STUDENT DISCIPLINE  
Consideration and/or deliberation of student discipline matters

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)

LEGAL REFERENCE: As Listed

FISCAL IMPACT: N/A

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_

TO: BOARD OF EDUCATION

MEETING DATE: March 8, 2010

FROM: Donald A. Phillips  
Staff Support:

AGENDA ITEM: K

SUBJECT: ADJOURNMENT / NEXT MEETING

- Action
- Consent Calendar
- First Reading
- Information
- Presentation
- Public Hearing
- Roll Call Vote Required

RECOMMENDATION:

Information.

DISCUSSION/PROGRAM:

ADJOURNMENT

NEXT MEETING

The next regularly scheduled Board Meeting will be held on Monday, April 19, at 6:00 p.m. at Morning Creek Elementary School, 10925 Morning Creek Drive South, San Diego.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

VOTE: GUTSCHOW \_\_\_\_\_ MANGUM \_\_\_\_\_ PATAPOW \_\_\_\_\_ RANFTLE \_\_\_\_\_ VANDERVEEN \_\_\_\_\_

Student Vote: AHS \_\_\_\_\_ DNHS \_\_\_\_\_ MCHS \_\_\_\_\_ PHS \_\_\_\_\_ RBHS \_\_\_\_\_ WHS \_\_\_\_\_