



HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT

MINUTES OF REGULAR BOARD MEETING
February 10, 2009

BOARD MEMBERS PRESENT:	Bonnie Castrey Brian Garland Susan Henry Matthew Harper Michael Simons
BOARD MEMBERS ABSENT:	None
ADMINISTRATIVE PERSONNEL PRESENT:	Van Riley, Superintendent Carol Osbrink, Asst. Superintendent, Educational Services Debbie Coleman, Asst. Superintendent, Human Resources Carole Thomas, Executive Assistant
ADMINISTRATIVE PERSONNEL ABSENT:	None
PLACE AND DATE OF MEETING:	District Office February 10, 2009
CALL TO ORDER:	The meeting was called to order at 6:30 p.m. by the Board President, Ms Castrey.

CLOSED SESSION: (I) The Board recessed to closed session at 6:31 p.m. to consider Public Employee Discipline/Dismissal/Release - Government Code section 54957 and Education Code sections 44943, 44896 and 44951, and Negotiations - Conference with Labor Negotiators concerning DEA, CSEA and HBPSA - Government Code section 54957.6. Present were Agency Negotiator Debbie Coleman and Dr. Van Riley.

RECONVENED: The meeting was reconvened at 7:42 p.m. by Ms Castrey who announced that in Closed Session the Board had voted unanimously to direct district staff to serve a certificated teacher with a notice of unprofessional conduct and/or unsatisfactory performance.

PLEDGE OF ALLEGIANCE: (II) The Pledge of Allegiance was led by Ms Castrey.

APPROVAL OF MINUTES: (III-A) It was moved by Dr. Simons, seconded by Mrs. Henry, to approve the minutes of the regular Board meeting held January 13, 2009.

Motion
unanimously carried.

BOARD COMMITTEE REPORTS AND ACTIVITIES: (III-B) Board members representing the district on various committees presented reports and discussed activities.

STUDENT BOARD REPRESENTATIVE REPORTS: (III-C) Cole Harrington, Student Representative to the Board from Marina High School, presented reports on campus activities.

SUPERINTENDENT'S
REPORT: (III-D)

Dr. Riley stated that at the recent Superintendents' Symposium which he attended, the biggest frustration was that there has been no resolution to the state budget and this is very disconcerting to staff members who are worrying about their futures. He encouraged legislators to do their job and pass a budget.

Dr. Riley indicated that district facilities projects are coming in under budget thanks to Nelson Cayabyab, Chief Facilities Official, and his team. Dr. Riley reported that after bidding out over an estimated \$230 million worth of projects, we are still \$13 million under budget.

Work is proceeding on the Adult Education COPS and it is hoped to bring a funding recommendation to the Board at the March meeting.

STAFF
PRESENTATION -
EHS: (III-E)

Edison High School Principal, D'liese Melendrez, and staff and students presented highlights of the World Exposition, "Greener House, Better House" event. Students in the ninth grade geography classes participate in the program.

STAFF
RECOGNITION: (III-F)

Classified staff members were recognized for their outstanding efforts in planning and organizing the January 26, 2009 Annual Districtwide Classified Staff Development Day.

STAFF
PRESENTATION -

Dr. Carol Osbrink, Assistant Superintendent, Educational Services, presented a report on the

MID-YEAR STRATEGIC PLAN REPORT: (III-G) district's five-year (2007-2012) Strategic Plan.

PUBLIC HEARING - DEA INITIAL CONTRACT PROPOSAL: (III-H) A public hearing was held to accept any input which may be considered by the Board. In compliance with collective bargaining regulations, the initial contract proposal from the District Educators Association to the district has been available for public review at the District Office since the posting of the Board of Trustees agenda on Friday, February 6, 2009. The Board President gaveled the hearing open. There being no input, the hearing was declared closed.

PUBLIC HEARING - CSEA INITIAL CONTRACT PROPOSAL: (III-I) A public hearing was held to accept any input which may be considered by the Board. In compliance with collective bargaining regulations, the initial contract proposal from the California School Employees Association to the district has been available for public review at the District Office since the posting of the Board of Trustees agenda on Friday, February 6, 2009. The Board President gaveled the hearing open. There being no input, the hearing was declared closed.

PUBLIC HEARING -HBPSA INITIAL CONTRACT PROPOSAL: (III-J) A public hearing was held to accept any input which may be considered by the Board. In compliance with collective bargaining regulations, the initial contract proposal from the Huntington Beach Pupil Services Association to the district has been available for public review at the District Office since the posting of the Board of Trustees agenda on Friday, February 6, 2009. The Board

President gaveled the hearing open. There being no input, the hearing was declared closed.

PUBLIC
COMMUNICATION TO
THE BOARD: (III-K)

Dave Eusantos, staff member, commented on the Westminster High School agriculture program.

CONSENT
CALENDAR: (IV)

It was moved by Dr. Simons, seconded by Mr. Garland, to approve the Consent Calendar as presented, with the exception of two Field Trip items (IV-D) which were pulled by Mr. Harper for separate consideration. Pulled were a Fountain Valley High School field trip to Ensenada, Mexico (page IV-D (5)); and a Fountain Valley High School trip to Orlando, Florida and the Bahamas (page IV-D (6)).

Motion
unanimously carried.

PURCHASE
ORDERS: (IV-A)

Purchase orders in the amount of \$2,671,442.70 were approved as presented.

PERSONNEL
REPORT: (IV-B)

Approval was granted for the Certificated and Classified Personnel Report No. 8 as presented.

PROFESSIONAL
AND OFFICIAL
BUSINESS
ACTIVITIES: (IV-C)

Approval was granted for the Professional and Official Business activities as presented.

FIELD TRIPS: (IV-D)

Approval was granted for Field Trips as presented, with the exception of two items which were pulled by Mr. Harper for separate consideration. Pulled were a Fountain Valley High School field trip to Ensenada, Mexico (page IV-D (5)); and a Fountain Valley High School trip to Orlando, Florida and the Bahamas (page IV-D (6)).

CONTRACTS AND CONSULTING AGREEMENTS: (IV-E)

The Governing Board determined that the listed individuals or contractors are specially trained, experienced, and competent to provide services and advice in the noted areas. Such services are not available free of charge from public agencies, and such services and advice are needed on a limited or occasional basis. Approval was granted for the consultants and/or contractors as presented.

NON-PUBLIC SCHOOL/AGENCY CONTRACTS/ADDENDA - WOCCSE: (IV-F)

Approval was granted to enter into the non-public school/agency contracts/addenda as presented, and the West Orange County Consortium for Special Education was authorized to receive invoices and process payment.

PART C RESPITE COSTS REIMBURSEMENT - WOCCSE - NO. 0550: (IV-G)

Approval was granted for the Huntington Beach Union High School District (WOCCSE) to reimburse designated parents for infant respite care in an amount not to exceed \$1,188 for the period November 16, 2008 to September 20, 2010. Respite care is determined to be an appropriate service under Part C criteria of the infant's Individual Family Service Plan (IFSP).

PART C RESPITE
COSTS
REIMBURSEMENT
- WOCCSE - NO.
0855: (IV-H)

Approval was granted for the Huntington Beach Union High School District (WOCCSE) to reimburse designated parents for infant respite care in an amount not to exceed \$1,134 for the period October 1, 2008 to July 31, 2010. Respite care is determined to be an appropriate service under Part C criteria of the infant's Individual Family Service Plan (IFSP).

APPLICATION FOR
CONSOLIDATED
CATEGORICAL
PROGRAMS: (IV-I)

Approval was granted to submit to the California Department of Education the Consolidated Application for Funding Categorical Programs, Part II, for the 2008-09 school year. Funds, estimated in excess of \$3.3 million for the district, will be used to supplement existing instructional programs and staff development activities. This application also reflects a transfer of \$18,243 from Title IV to Title V funds under the provisions of the No Child Left Behind Act to allow flexibility in implementing innovative programs to support student learning. No matching funds were required. Authorization to expend funds upon receipt was granted.

2008-09 WORK SITE
TRAINING
AGREEMENTS
BETWEEN
COMMUNITY DAY
SCHOOL AND
ORANGE COUNTY
YOUTH CENTERS:
(IV-J)

Approval was granted for 2008-09 Work Site Training Agreements between Community Day School and the Orange County Youth Centers which will allow Community Day School students to participate in the OCYC "Success Ladder Program." There is no cost to the district for this agreement.

HIGH SCHOOL
DIPLOMAS FOR
DESIGNATED

Approval was granted to grant high school diplomas to designated special education students in the class of

SPECIAL
EDUCATION
STUDENTS USING
MODIFICATIONS
ON THE CAHSEE:
(IV-K)

2008 (fifth year seniors), class of 2009 and the class of 2010 who have received the equivalent of a passing score on the California High School Exit Exam after taking the exam using modifications as outlined in the students' Individual Education Plans (IEP) and as defined in Education Code section 60851(c). The list of designated students is available in the Educational Services Division, Special Education office.

WAIVER REQUEST -
BILINGUAL TESTER
- EDUCATION
CODE SECTION
52164.1: (IV-L)

Approval was granted to submit a request to the state Department of Education to waive the requirement that bilingual assessment be conducted by persons who can speak and understand the pupil's primary language where the primary language is spoken by a small number of pupils. The effective period of the waiver request is January 1, 2009 through December 31, 2009.

ACCEPTANCE OF
GRANT FUNDS -
ENHANCING
EDUCATION
THROUGH
TECHNOLOGY
(EETT): (IV-M)

Approval was granted to accept Title II, Part D, Enhancing Education Through Technology (EETT) Formula Grant funding in the amount of \$11,522 from the California Department of Education for the 2008-09 fiscal year. This award, contingent upon the availability of state funds, will be used to provide a stipend for the technology resource teacher on each campus. No matching funds are required. Authorization to expend funds upon receipt was granted.

GRANT
APPLICATION -

Approval was granted for Edison High School to submit an application for a Target Field Trip grant in the amount

TARGET FIELD TRIP GRANT - EHS: (IV-N) of \$800. If awarded, the funds will be used to cover expenses for the Advanced Placement Biology students and staff to visit the University of California, Irvine. Students will observe the university's science research lab and explore science career opportunities. No matching funds were required. Authorization to expend funds upon receipt was granted.

EXPULSION PLAN BETWEEN ORANGE COUNTY DEPARTMENT OF EDUCATION AND HBUHSD: (IV-O) Approval was granted for the Expulsion Plan between Orange County Department of Education and the district. The Expulsion Plan was developed in conjunction with the twenty-eight school districts in Orange County and furnishes the framework for providing alternative educational programs and services for expelled students. The Plan will be sent to the Orange County Board of Education and then submitted to the California Department of Education by June 30, 2009.

CONTRACT CHANGE NOTICES: (IV-P) Approval was granted for the change notices to the contracts as presented which were previously awarded.

AWARD OF BID: (IV-Q) Approval was granted to award a bid to the successful bidder as presented. It was further moved that all other bids be rejected as being higher in cost or not meeting specifications. All bid results are available for review in the Purchasing Department.

SUBSTITUTION OF SUBCONTRACTORS Approval was granted for the substitution of subcontractors on

<p>- CONTRACT 0132: (IV-R)</p>	<p>Contract No. 0132 with PW Construction Company for Modernization No. 1 at Edison High School.</p>
<p>SUBSTITUTION OF SUBCONTRACTORS - CONTRACT 0300: (IV-S)</p>	<p>Approval was granted for the substitution of subcontractors on Contract No. 0300 with PW Construction Company for Modernization No. 2 at Edison High School.</p>
<p>SUBSTITUTION OF SUBCONTRACTOR - CONTRACT 0849: (IV-T)</p>	<p>Approval was granted for the substitution of a subcontractor on Contract No. 0849 with G-2000 Construction Inc. for Building E Modernization at Huntington Beach High School.</p>
<p>NOTICE OF COMPLETION - CONTRACT NO. 0601 FVHS: (IV-U)</p>	<p>Approval was granted to file a Notice of Completion on Contract No. 0601 for Sitework Renovations at Fountain Valley High School by MSH Construction Company, Inc., and to pay the five percent retention after filing.</p>
<p>NOTICE OF COMPLETION - DSA NO. 04-105547 OVHS: (IV-V)</p>	<p>Approval was granted to file a Notice of Completion for the Shade Structure at Ocean View High School by Shade Structures, Inc.</p>
<p>NOTICE OF COMPLETION - DSA NO. 04-107240 HBHS: (IV-W)</p>	<p>Approval was granted to file a Notice of Completion for the Aquatics Team Room at Huntington Beach High School.</p>
<p>AMENDMENT TO CONTRACT WITH SMC CONSTRUCTION COMPANY - HBHS: (IV-X)</p>	<p>Approval was granted for Amendment No. 2 to Contract No. 0348 with SMC Construction Company for work performed at Huntington Beach High School Modernization: Building C, Performing Arts Addition X and Building R in the amount of \$335,906.</p>

CONTRACT
AMENDMENT -
PEPSI BOTTLING
GROUP: (IV-Y)

Approval was granted to amend the contract with Pepsi Bottling Group, originally entered into on August 1, 2007, to remove sales tax and change from a varied commission rate to a flat commission rate.

PARTICIPATION IN
THE COOPERATIVE
PURCHASING OF
USDA COMMODITY
DONATED FOODS:
(IV-Z)

Approval was granted for the district to renew its participation in the cooperative purchasing of USDA Donated Commodity Foods and enter into an agreement with Santa Clarita Valley School Food Service Authority. The district's commodity foods will be assigned to the Santa Clarita Valley School Food Service Authority to act on behalf of the district. The district administrator of Food and Nutrition Services shall be authorized to sign and deliver all necessary requests and other documents in connection with and on behalf of the district.

AGREEMENT FOR
ACADEMY FOR
PERFORMING ARTS
AUDIT: (IV-AA)

Approval was granted to enter into an agreement with Vavrinek, Trine, Day & Co., LLP, to perform a student body business office review for the Academy for Performing Arts at a cost not to exceed \$1,100.

ENROLLMENT &
ADA: (IV-BB)

A report on enrollment and ADA for the period November 17 to December 12, 2008 was presented.

DECEMBER 2008
DISBURSEMENTS:
(IV-CC)

A recap of payments processed during the month of December 2008 was presented.

RESOLUTION -
TRANSFER OF

Approval was granted to adopt a resolution that authorizes the

FUNDS - VARIOUS
FUNDS: (IV-DD) transfers made within the approved
budgets of the various funds for
2008-09.

RESOLUTION
NO. 31: AYES: HARPER, HENRY,
GARLAND, SIMONS, CASTREY
NOES: NONE
ABSENT: NONE

Resolution
unanimously adopted.

RESOLUTION -
ADDITIONAL
INCOME AND
EXPENDITURES -
GENERAL FUND:
(IV-EE) The district has been notified of
increases and decreases in funding for
various categorical projects and other
funding sources. Approval was
granted to adopt a resolution
increasing income and expenditures
by the net amount of \$187,189 within
the General Fund for the fiscal year
2008-09.

RESOLUTION
NO. 32: AYES: HARPER, HENRY,
GARLAND, SIMONS, CASTREY
NOES: NONE
ABSENT: NONE

Resolution
unanimously adopted.

RESOLUTION -
ADDITIONAL
INCOME AND
EXPENDITURES -
ADULT EDUCATION
FUND: (IV-FF) The district has been notified of
increases and decreases in funding for
various categorical projects and other
funding sources. Approval was
granted to adopt a resolution
increasing income and expenditures
by the net amount of \$32,907 within
the Adult Education Fund for the fiscal
year 2008-09.

RESOLUTION
NO. 33: AYES: HARPER, HENRY,
GARLAND, SIMONS, CASTREY
NOES: NONE
ABSENT: NONE

Resolution

unanimously adopted.

RESOLUTION -
INCREASE/
DECREASE
INCOME &
RESERVES
-DEFERRED
MAINTENANCE
FUND, MEASURE C
BOND FUND,
COUNTY SCHOOL
FACILITIES FUND,
AND SPECIAL
RESERVE/COP
FUND: (IV-GG)

The district has projected increases and decreases in funding for various capital projects and other funding sources. Approval was granted to adopt a resolution decreasing income, expenditures and reserves by the net amount of \$3,809,933 in the Deferred Maintenance Fund, Measure C Bond Fund, County School Facilities Fund, and Special Reserve/COP Fund for the fiscal year 2008-09.

RESOLUTION
NO. 34:

AYES: HARPER, HENRY,
GARLAND, SIMONS, CASTREY
NOES: NONE
ABSENT: NONE

Resolution

unanimously adopted.

FIELD TRIP - FVHS
VOCAL MUSIC TO
ENSENADA, MEXICO:
(IV-D (5))

It was moved by Ms Castrey, seconded by Mrs. Henry, to approve this field trip as presented. Following much discussion, Dr. Riley confirmed that this approval is with the understanding that the students will not leave the ship in Ensenada.

Motion

carried 4-1.

Mr.

Harper voted no.

-
-
-
-
-
-

FIELD TRIP - FVHS
PERFORMING ARTS
STUDENTS TO
ORLANDO, FLORIDA
AND THE BAHAMAS:
(IV-D (6))

It was moved by Mrs. Henry, seconded
by Ms Castrey, to approve this field
trip as presented.

Motion

carried 4-1.

Mr.

Harper voted no.

RESOLUTION AND
WAIVER -
SETTLEMENT AND
RELEASE
AGREEMENT,
BEHAVIORAL
INTERVENTION PLAN
(HUGHES BILL)
MANDATED COST
CLAIM: (V-A)

It was moved by Mrs. Henry, seconded
by Ms Castrey, to adopt the resolution
and to submit the waiver of future
claims in accordance with the terms of
the Settlement and Release
Agreement, Behavioral Intervention
Plan (Hughes Bill) Mandated Cost
Claim. The resolution includes
approval of the funding which will
bring \$222,696.36 annually to the
district for the six-year period
beginning 2011-12 through 2016-17
for a total amount of \$1,372,178.14
based on our Average Daily
Attendance report for 2007-08.

RESOLUTION
NO. 35:

AYES: HARPER, HENRY,
GARLAND, SIMONS, CASTREY
NOES: NONE
ABSENT: NONE

Resolution

unanimously adopted.

RESOLUTION
SUPPORTING
EDUCATION
PROPOSALS IN THE
AMERICAN
RECOVERY AND
REINVESTMENT ACT
OF 2009: (V-B)

Tabled.

BOARD MEMBERS ON
DISTRICT
COMMITTEES: (V-C)

It was moved by Mrs. Henry, seconded by Mr. Harper, to appoint up to two Board member representatives to the following committees:

- **Property Use/Lease (all sites)**
- Michael Simons and Brian Garland
- **Westminster High School Stadium** - Matthew Harper
- **Huntington Beach High School Stadium** - Michael Simons and Brian Garland
- **Huntington Beach High School/Academy for the Performing Arts Theater Grand Opening Celebration Committee** - Bonnie Castrey
- Mrs. Henry will act as backup for all committees.

Motion

unanimously carried.

BUILDING INDUSTRY
REQUEST FOR
DEFERRAL OF
COLLECTION TIMING
FOR SCHOOL
FACILITIES
DEVELOPMENT
IMPACT FEES: (V-D)

The Board had requested that this item be agendaized for discussion and possible action. The Orange County Chapter of the Building Industry Association of Southern California had requested that districts postpone collection of developer fees until an occupancy permit is issued. After reviewing this request with staff, feeder district staff, and CBOs from all Orange County districts, it was recommended that our district continue to collect fees at the permitting stage. A temporary change would be very disruptive to our collaborative and would be difficult to manage. In addition, our district needs those funds for educational purposes such as the purchase of the additional portables. The Superintendent's recommendation was to continue with the current developer fee timeline and procedures.

Bryan Starr, representing the Building Industry of Orange County, spoke in support of a fee deferral.

Board members clarified the intent of the motion. Following discussion it was moved by Mr. Harper, seconded by Ms Castrey, to approve the Building Industry Association proposed economic stimulus plan and direct staff to propose language to enact this policy for the Huntington Beach Union High School District.

defeated 4-1.

Motion

Mr.

Harper voted yes.

CSBA DELEGATE
ASSEMBLY
ELECTIONS 2009: (VI-
A)

It was moved by Mrs. Henry, seconded
by Dr. Simons, to submit the following
eight names in the 2009 Delegate
Assembly election:

Bonnie Castrey - Huntington Beach
Union High School District
Judy Edwards - Fountain Valley School
District
Karin Freeman - Placentia-Yorba
Linda Unified School District
Matthew Harper - Huntington Beach
Union High School District
Celia Jaffe - Huntington Beach City
Elementary School District
Sue Kuwabara - Irvine Unified School
District
Robert Singer - Fullerton Joint Union
High School District
Elizabeth (Beth) Swift - Buena Park
Elementary School District

Motion
unanimously carried.

STUDENT
EXPULSIONS: (VII-A)

It was moved by Mrs. Henry, seconded
by Ms Castrey, that Student No.
365104 be expelled from the
Huntington Beach Union High School
District for the remainder of the
2008-09 school year and the first
semester of the 2009-10 school year
for violation of California Education
Code 48900(a)(1). It was further
moved that during the period of
expulsion, he attend an ACCESS
school. In January 2010, the student
will be notified of his right to request
reenrollment in the district.

Motion

unanimously carried.

It was moved by Dr. Simons, seconded by Mr. Harper, that Student No. 366777 be expelled from the Huntington Beach Union High School District for the remainder of the 2008-09 school year and the first semester of the 2009-10 school year for violation of California Education Code 48900(b). It was further moved that during the period of expulsion, he attend an ACCESS school. In January 2010, the student will be notified of his right to request reenrollment in the district.

Motion

unanimously carried.

It was moved by Mr. Garland, seconded by Mr. Harper, that Student No. 369866 be expelled from the Huntington Beach Union High School District for the remainder of the 2008-09 school year for violation of California Education Code 48900(b). It was further moved that the expulsion be suspended and that he be transferred to the District's Community Day School. In June 2009, the student will be notified of his right to request return to a comprehensive high school.

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Ms Castrey that having completed the term of expulsion ordered by the Anaheim Union High School District, student No. 370529 should complete the 2008-09 school year at ACCESS. In June 2009, the student will be notified of his right to request enrollment in a district comprehensive high school for the fall 2009 semester.

Motion

unanimously carried.

NEW BUSINESS:
(VIII)

Mr. Harper questioned the role of the Board Agenda Review meeting. Ms Castrey responded.

Mr. Harper asked for a trustee to attend the TBC meeting in his place on Thursday, February 19, 2009 as he will be out of town. Mr. Garland volunteered.

Mr. Garland expressed his views on the intent of the agenda review meeting.

Mrs. Henry encouraged Board members to attend the OCSBA/ ACSA joint dinner meeting on March 4.

Mrs. Henry asked if this was an appropriate time to discuss space, portables, and other areas. Dr. Riley stated he will bring a report back to the March Board meeting as Mr. Cayabyab has recently completed a classroom to classroom study.

Dr. Riley announced that the February 24, 2009 special Board meeting would not take place as there was not yet a State Budget.

ANY OTHER PUBLIC
COMMUNICATION TO
THE BOARD:

None.

ADJOURNMENT:

The meeting was adjourned, by the President, Ms Castrey, at 9:52 p.m. in memory of Michael Corbin, Assistant Principal at Ocean View High School

Clerk

Secretary