



HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT

MINUTES OF REGULAR BOARD MEETING

October 14, 2008

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
October 14, 2008

CALL TO ORDER:

The meeting was called to order at
6:32 p.m. by the Board President, Dr.
Simons.

CLOSED SESSION: (I) The Board recessed to Closed Session at 6:33 p.m. to consider Superintendent/Board Relations - Government Code section 54957; Existing Litigation pursuant to Government Code section 54956.9 - OAH Cases Nos. N2008050612 and N2008080643; and Negotiations - Government Code section 54957.6. Present were Agency Negotiators Van Riley and Deborah Coleman

RECONVENE: The meeting was reconvened at 7:39 p.m. Dr. Simons stated that the Board had met to consider the three items noted above but that no action was taken. Dismissal/Release, the Board took action in closed session to terminate a public employee.

PLEDGE OF ALLEGIANCE: (II) The Pledge of Allegiance was led by Donna Alexander.

APPROVAL OF MINUTES: (III-A) It was moved by Mrs. Henry, seconded by Mr. Garland, to approve the minutes of the regular Board meeting held September 9, 2008.

Motion
carried 4-0.

Ms
Castrey abstained due to her
absence.

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 reported that State Superintendent of Public Instruction, Jack O'Connell, had stopped by Westminster High School yesterday. Mr. O'Connell was invited to come back when the construction is finished. Dr. Riley stated that enrollment was up in October over last year. Facilities projects are moving forward and there are positive comments from both teachers and parents. Dr. Riley pointed out a sample of the theatre chair which is going into the Huntington Beach High School auditorium. We are very pleased with the custom design.

Dr. Riley reported that a candidate for the High School Board had contacted teachers through their school email addresses for purposes of a political nature. He stated that the candidate had misquoted him in the email. Dr. Riley also wanted staff members to know that this activity was not supported or condoned by him or any district staff member.

PUBLIC HEARING -
SUFFICIENCY OF
TEXTBOOKS AND
INSTRUCTIONAL
MATERIALS FOR
2008-09: (III-E)

A public hearing was held to accept input regarding the sufficiency of textbooks and instructional materials for the 2008-09 school year in the subject areas of Mathematics, Science, History-Social Science, English/ Language Arts (including English Language Development), Foreign Language and Health that are consistent with the content and cycles of the curriculum frameworks adopted

by the California State Board of Education. This public hearing is required by Education Code section 60119. Dr. Simons gavelled the hearing open. There being no input, the hearing was declared closed.

STAFF
PRESENTATION -
HBHS: (III-F)

Huntington Beach High School Principal, Janie Hoy, staff and students highlighted several outstanding programs including their Culinary Class, Link Crew, Engineering and Commercial Recording Artists Department (CRAD).

STAFF
PRESENTATION -
ACCOUNTABILITY
AND ASSESSMENT
REPORT: (III-G)

Carol Osbrink, Assistant Superintendent, Educational Services; Connie Mayhugh, Director of Curriculum; and Marlene Kline, Coordinator of Assessment and Accountability, presented the district's Accountability and Assessment Report for 2008. The data for the Academic Performance Index (API) and the Adequate Yearly Progress (AYP) was provided. Reports were also provided on Program Improvement and the current district programs and resources to prepare tenth grade students for the CAHSEE census testing.

PUBLIC
COMMUNICATION TO
THE BOARD: (III-H)

John Briscoe, community member, commented on articulation with feeder districts.

Jeff Larson, President of the District Educators Association, commented on the candidate communication sent to teachers at Fountain Valley High School.

CONSENT
CALENDAR: (IV)

Dr. Simons recommended pulling item IV-EE for special consideration. It was moved by Ms Castrey, seconded by Mrs. Henry, to approve the Consent Calendar as presented, with the exception of items IV-N, High School Diplomas for Designated Special Education Students Using Modifications on the CAHSEE, which was pulled by Mr. Harper for separate consideration, and IV-EE - Resolution, Classified Personnel Reduction - Agricultural Specialist.

Motion

unanimously carried.

PURCHASE
ORDERS: (IV-A)

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Purchase orders in the amount of \$11,337,270.71 were approved as presented.

PERSONNEL
REPORT: (IV-C)

Approval was granted for the Certificated and Classified Personnel Report No. 4 as presented.

PROFESSIONAL
AND OFFICIAL
BUSINESS
ACTIVITIES: (IV-D)

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

CONTRACTS AND
CONSULTING
AGREEMENTS:
(IV-E)

The 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.

APPLICATION FOR
FUNDING -
CAHSEE
INTENSIVE
INSTRUCTION
AND SERVICES:
(IV-G)

Approval was granted to submit the CAHSEE Intensive Instruction and Services Application to the California Department of Education. Funding under AB 1802 has been allocated to assist schools in providing instruction and services for students in the class of 2009 who have not yet passed the California High School Exit Exam.

Anticipated amount for the district is \$181,447 based on \$529 per eligible 12th grade student. Any remaining state funds, in an amount to be determined, may be allocated to support students in the class of 2010 who have not yet passed the CAHSEE.

CONFIDENTIAL
GENERAL
RELEASE AND
SETTLEMENT
AGREEMENT -
SPECIAL
EDUCATION
STUDENT, OAH
CASE 2008050612:
(IV-H)

Approval was granted for the confidential General Release and Settlement Agreement between Huntington Beach Union High School District and a special education student and parent related to the Office of Administrative Hearing Case Number 2008050612. Under the terms of the agreement the district agrees to reimburse the parent in the amount of \$174,000 for all outstanding educational claims and attorney fees incurred by the family. The petitioners agree to dismiss their due process action with prejudice with the Office of Administrative Hearings.

CONFIDENTIAL
GENERAL
RELEASE AND

Approval was granted for the confidential General Release and Settlement Agreement between

SETTLEMENT
AGREEMENT -
SPECIAL
EDUCATION
STUDENT, OAH
CASE 2008080643:
(IV-I)

Huntington Beach Union High School District, Orange County Department of Education and a special education student and the parent related to the Office of Administrative Hearing Case Number 2008080643. Under the terms of the agreement the district agrees to reimburse the parent in the amount of \$10,500 for all outstanding educational claims and attorney fees incurred by the family. The petitioners agree to dismiss their due process action with prejudice with the Office of Administrative Hearings.

CONFIDENTIAL
GENERAL
RELEASE AND
SETTLEMENT
AGREEMENT -
SPECIAL
EDUCATION
STUDENT NO.
4045795560: (IV-J)

Approval was granted for the confidential General Release and Settlement Agreement between Huntington Beach Union High School District, a special education student and the parent. Under the terms of the agreement the district agrees to reimburse the parent for private educational services in an amount not to exceed \$20,000 for the period September 2, 2008 through September 1, 2009.

MEMORANDUM
OF
UNDERSTANDING
WITH CALIFORNIA
PARTNERSHIP FOR
ACHIEVING
STUDENT
SUCCESS (Cal-
PASS): (IV-K)

Approval was granted for the district to enter into a Memorandum of Understanding with other educational institutions and California Partnership for Achieving Student Success (Cal-PASS). Cal-PASS collects, analyzes, and shares student data in order to track performance and improve success from elementary school through university. To that end, Ca-PASS will coordinate the process of consortium member educational institutions sharing academic performance data concerning students who have attended or who are

attending their institutions by facilitating the transfer of data from the member educational institutions, ensuring the confidentiality of records and their consistency with FERPA (Family Education Rights and Privacy Act) guidelines, and providing technical assistance to member educational institutions. The educational institutions will share student data on a reciprocal basis so that they may evaluate and analyze their respective educational programs.

GRANT
APPLICATION –
CARL PERKINS
CAREER AND
TECHNICAL
EDUCATION
(CTE): (IV-L)

Approval was granted for the district's Carl Perkins Career and Technical Education (CTE) five-year application for funding. The 2008-09 funding amount is estimated to be \$280,446. The same level of funding is expected for each year through 2012. This funding supports the sequenced programs of study meeting Perkins guidelines as described in the State Career and Technical Education Plan in the areas of agriculture, business education, consumer/family education and industrial technology.

CROP
INTERAGENCY
AGREEMENT AND
CLASSES FOR
2008-09: (IV-M)

Approval was granted for the Interagency Agreement number 0789 with Coastline Regional Occupational Program (CROP) for the purpose of providing instruction in designated occupational programs and classes using district facilities and staff during the 2008-09 school year.

CONTRACT
CHANGE
NOTICES: (IV-O)

Approval was granted for the change notices to the contracts as presented which were previously awarded.

EXTENSION OF
CONTRACT AND
RATE CHANGE
FOR CARAMEDIX,
INC.: (IV-P)

Approval was granted to grant an extension and rate change for Contract No. 0196 with Caramedix, Inc., for transportation services for special education students on behalf of the West Orange County Consortium for Special Education (WOCCSE) through November 30, 2009.

REDUCTION OF
RETENTION FOR
CONTRACTOR -
MSH
CONSTRUCTION
COMPANY NO.
0490: (IV-Q)

Approval was granted to reduce the ten percent retention to five percent in accordance with Public Contract Code Section 9203 on Contract No. 0490 with MSH Construction Company for Valley Vista High School Modernization.

REDUCTION OF
RETENTION FOR
CONTRACTOR -
MSH
CONSTRUCTION
COMPANY NO.
0601: (IV-R)

Approval was granted to reduce the ten percent retention to five percent in accordance with Public Contract Code Section 9203 on Contract No. 0601 with MSH Construction Company for Sitework Renovations at Fountain Valley High School.

AWARD OF BID:
(IV-S)

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.

RESCIND AWARD
OF BID: (IV-T)

Approval was granted to rescind line items 18, 19, 27 and 28 in the amount of \$10,720.07 from LA Gym Equipment for Bid No. 1030 for Strength Building Equipment as the contractor has failed to deliver these line items.

NOTICE OF
COMPLETION -
CONTRACT NO.

Approval was granted to file a Notice of Completion on Contract No. 0732 for the Gym Floor Resurfacing at Fountain Valley High School by Geary

0732 - FVHS: (IV-U) Floors, and to pay the 10 percent retention after filing.

AUGUST 2008 DISBURSEMENTS: (IV-V) A recap of the payments processed during the month of August 2008 was presented.

AGREEMENT WITH ORANGE COUNTY DEPARTMENT OF EDUCATION RE: AB430 ADMINISTRATIVE TRAINING PROGRAM: (IV-W) Approval was granted to continue participation in the AB430 Administrative Training Program sponsored by the California State Department of Education from July 1, 2008 through June 30, 2010. The program for the two-year period will cost approximately \$3,800 per administrator, and participants will be responsible for any fees above what is reimbursed by the grant. All training will be conducted by the Orange County Department of Education.

COMPENSATION TO CAREERSTAFF UNLIMITED: (IV-X) Approval was granted to reimburse CareerStaff Unlimited a finder's fee of \$5,000 for their referral of a candidate to fill a speech and language pathologist position within the district.

QUARTERLY REPORT ON WILLIAMS UNIFORM COMPLAINTS: (IV-Y) The quarterly report on Williams Uniform Complaints is presented for the first quarter of the fiscal year 2008-09.

RESOLUTION AND CERTIFICATION - SUFFICIENCY OF TEXTBOOKS AND INSTRUCTIONAL Following a public hearing, approval was granted for the adoption of the resolution and for the certification declaring that, for the 2008-09 school year, students were provided with sufficiency of textbooks and

MATERIALS FOR
2008-09: (IV-Z)

instructional materials that are aligned with the standards of the curriculum frameworks adopted by the State Board of Education in the four core areas of English/language arts, mathematics, history/social science, and science; and in health and foreign language courses; and 9-12 science laboratory equipment. In order to receive state funding for textbooks, this resolution and certification are required by Education Code sections 60119 and 60422.

RESOLUTION
NO. 14:

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

Resolution
unanimously carried.

RESOLUTION -
ELECTRONIC
VENDOR
PAYMENTS:
(IV-AA)

Approval was granted to adopt a resolution authorizing the designated district employees to approve vendor payments electronically effective October 14, 2008.

RESOLUTION
NO. 15:

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

Resolution
unanimously carried.

RESOLUTION -
TRANSFER OF
FUNDS - VARIOUS
FUNDS: (IV-BB)

Approval was granted to adopt a resolution that authorizes the transfers made within the approved budget of various funds for 2007-08.

RESOLUTION
NO. 16:

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

Resolution
unanimously carried.

RESOLUTION -
TRANSFER OF
FUNDS - VARIOUS
FUNDS: (IV-CC)

Approval was granted to adopt a
resolution that authorizes the transfers
made within the approved budget of
various funds for 2008-09.

RESOLUTION
NO. 17:

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

Resolution
unanimously carried.

RESOLUTION -
ADDITIONAL
INCOME AND
EXPENDITURES -
GENERAL FUND:
(IV-DD)

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 \$1,517,209 within
the General Fund for the fiscal year
2008-09.

RESOLUTION
NO. 18:

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

Resolution
unanimously carried.

HIGH SCHOOL
DIPLOMAS FOR
DESIGNATED
SPECIAL
EDUCATION
STUDENTS USING
MODIFICATIONS
ON THE CAHSEE:
(IV-N)

It was moved by Ms Castrey, seconded by Mr. Harper, grant a high school diploma to a designated special education student in the class of 2008 who has received the equivalent of a passing score on the California High School Exit Exam after taking the exam using modifications as outlined in the student's Individual Education Plan (IEP) and as defined in Education Code section 60851(c). The name of the designated student will be available in the Educational Services Division, Special Education office.

Motion
unanimously carried.

RESOLUTION -
CLASSIFIED
PERSONNEL
REDUCTION:
(IV-EE)

It was moved by Ms Castrey, seconded by Mrs. Henry, to adopt a resolution for the reduction of specific classified services as presented.

The following people spoke concerning the recommendation to reduce the position of Agricultural Specialist at Westminster High School: Norman Nakanishi, community member; Dave Eusantos, staff member; Sheila Bourne, parent; Jerry Gragson, staff member; Don Nishikawa, community member, and Dianna Marquez, parent.

Discussion followed and concern was expressed that the Board had not yet seen the plan concerning changes to the farm program. Dr. Riley described the background.

Motion to Table:

It was moved by Mr. Harper, seconded by Mr. Garland, to table the main

motion until after the plan has been reviewed by the Board.

Motion
unanimously carried.

MAINTENANCE AND
OPERATIONS
RESTRUCTURING
PLAN: (V-A)

The Superintendent discussed issues related to restructuring of the Maintenance and Operations Department with the goal of providing better support to ensure that modernized facilities remain in like-new condition. This discussion included increasing the Director of Maintenance and Operations position to include two individuals in order to cover the entire school day and the need for additional support in the future.

FUNDING FOR
MERITS: (V-B)

It was moved by Mr. Harper, seconded by Ms Castrey, to increase the discretionary funding for MERITS by \$8,000 per year for a three-year commitment of \$10,000 beginning this year. After three years, the funding would end unless specifically approved to continue by the Board at that time.

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Motion
unanimously carried.

TEACHERS' SALARY
SCHEDULE 2008-09:
(VI-A)

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It was moved by Ms Castrey, seconded by Mrs. Henry, to revise the salary schedules for 2008-09 for Teachers, Hourly Teachers, Coast High School/ Home Teaching, and Adult Education Hourly Teachers, to include the .70 percent increase retroactive to July 1,

2008 as previously negotiated in the
DEA bargaining contract.

Motion

carried 4-1.

Mr.

Harper voted no.

CLASSIFIED SALARY
SCHEDULE 2008-09:
(VI-B)

It was moved by Mrs. Henry, seconded
by Ms Castrey, to revise the salary
schedules for 2008-09 for Classified
Personnel to include the .70 percent
increase retroactive to July 1, 2008 as
previously negotiated in the CSEA
bargaining contract.

Motion

carried 4-1.

Mr.

Harper voted no.

PUPIL PERSONNEL
SERVICES SALARY
SCHEDULE 2008-09:
(VI-C)

It was moved by Ms Castrey, seconded
by Mr. Garland, to revise the salary
schedules for 2008-09 for Pupil
Personnel Services staff to include the
.70 percent increase retroactive to July
1, 2008 as previously negotiated in the
HBPSA bargaining contract.

Motion

carried 4-1.

Mr.

Harper voted no.

PROPOSED SALARY
INCREASE FOR
2008-09 FOR
CERTIFICATED
ADMINISTRATORS,
CLASSIFIED
MANAGEMENT AND
CONFIDENTIAL
EMPLOYEES: (VI-D)

It was moved by Mr. Garland,
seconded by Mrs. Henry, to grant a .70
percent salary increase for 2008-09 to
all certificated administrators,
classified management and
confidential employees retroactive to
July 1, 2008.

Motion

carried 4-1.

Mr.

Harper voted no.

PROPOSED SALARY
INCREASE FOR
2008-09 FOR
CLASSIFIED SERVICE
EXEMPT
EMPLOYEES: (VI-E)

It was moved by Ms Castrey, seconded by Mrs. Henry, to grant a .70 percent increase for 2008-09 for all classified service exempt employees for work performed on or after July 1, 2008.

Motion

carried 4-1.

Mr.

Harper voted no.

EMPLOYMENT OF
TEACHERS WITH
EMERGENCY
PERMITS: (VI-F)

It was moved by Mr. Garland, seconded by Mrs. Henry, to approve teachers employed on the basis of an emergency permit (Provisional Internship Permit or Short-Term Staff Permit) during the 2008-09 school year.

Motion

unanimously carried.

BOARD POLICY:
(VII-A)

It was moved by Ms Castrey, seconded by Mrs. Henry, to approve the following Board Policy for first reading in the continued revision of existing policies and administrative regulations:

BP 1312.3 - Community Relations
Uniform Complaint Procedures

Motion

unanimously carried.

BOARD POLICY:
(VII-B)

It was moved by Ms Castrey, seconded by Mrs. Henry, to approve the following Board policy for first reading in the continued revision of existing

policies and administrative regulations:

BP 1312.4 - Community Relations
Williams Uniform Complaint
Procedures

Motion

unanimously carried.

BOARD POLICY:
(VII-C)

It was moved by Ms Castrey, seconded by Mrs. Henry, to approve the following Board policy for first reading in the continued revision of existing policies and administrative regulations:

BP 6146.1 - Instruction
High School Graduation Requirements

Motion

unanimously carried.

BOARD POLICY:
(VII-D)

It was moved by Ms Castrey, seconded by Mrs. Henry, to approve the following Board policy for first reading in the continued revision of existing policies and administrative regulations:

BP 6146.11 - Instruction
Certificate of Proficiency/High School
Equivalency
Adult School Graduation Requirements

Motion

unanimously carried.

STUDENT
EXPULSION: (VIII-A)

It was moved by Mrs. Henry, seconded by Ms Castrey, that having completed the term of expulsion ordered by the Westminster School District, Student

No. 370720 be enrolled in the Huntington Beach Union High School District and that a district IEPT determine his eligibility for special education services as well as his school placement.

Motion
unanimously carried.

NEW BUSINESS: (IX) Mr. Harper commented on earlier remarks concerning public office.

ANY OTHER PUBLIC COMMUNICATION TO THE BOARD: (X) None.

ADJOURNMENT: The meeting was adjourned by the President, Dr. Simons, at 10:27 p.m.

Clerk

Secretary