



HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT

MINUTES OF REGULAR BOARD MEETING  
November 18, 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 November 18, 2008
CALL TO ORDER:	The meeting was called to order at 6:30 p.m. by the Board President, Dr. Simons.
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 section 44934; Parent Appeals - Education Code sections 35146 and 48260; and Public Employee Performance Evaluation/Contract Extension: Superintendent - Government Code section 54957

RECONVENE:	The meeting was reconvened at 7:30 p.m. Dr. Simons stated that the Board had met to consider the three items noted above. The Board voted unanimously to suspend a classified employee; voted unanimously to accept the recommendation of the hearing panel regarding the parent appeal; and considered the Superintendent's Performance Evaluation/Contract Extension.
PLEDGE OF ALLEGIANCE: (II)	The Pledge of Allegiance was led by Matthew Harper.
APPROVAL OF MINUTES: (III-A)	It was moved by Ms Castrey, seconded by Mrs. Henry, to approve the minutes of the regular Board meeting held October 14, 2008.
	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 thanked Dr. Simons for suggesting that hand sanitizers be installed throughout the district. This installation is now complete. He expressed appreciation for staff's work on CAHSEE classes at the sites.
STAFF PRESENTATION - OVHS: (III-E)	Principal, Karen Gilden, presented highlights of Ocean View High School's

“Week of Welcome” freshmen orientation program.

STAFF RECOGNITION  
- WORKABILITY  
PROGRAM AT WHS:  
(III-F)

Dr. Van Riley, Superintendent, recognized Wendy Schwartz and the WorkAbility staff from Westminster High School for receiving the Outstanding Contributions to Education Award from the Orange County Department of Education.

STAFF PRESENTATION  
- PLAN FOR CAREER  
AND TECHNICAL  
EDUCATION:  
(III-G)

Dr. Carol Osbrink and representatives from the Career and Technical Education Committee presented the district’s Plan for Career and Technical Education. This five-year Plan will guide the district in providing sequenced programs of study, based on relevant academic standards and technical training, to prepare students for high school graduation and the challenges of postsecondary education, careers and lifelong learning.

STAFF PRESENTATION  
- TITLE III  
ACCOUNTABILITY  
REPORT: (III-H)

Dr. Connie Mayhugh, Director of Curriculum, presented a report on the evaluation of the district’s Title III programs for English Language Learners. The annual Title III Accountability report is required by federal regulations.

PUBLIC  
COMMUNICATION TO  
THE BOARD: (III-I)

Christiane Garisek, staff member, presented certificates to three original members of the TBC Committee.

CONSENT  
CALENDAR: (IV

It was moved by Mrs. Henry, seconded by Ms Castrey, to approve the Consent Calendar as presented with addenda to item IV-B, Personnel Report, and a replacement page (1) to item IV-M, Change Notices. Additionally, one item was removed from item IV-C, page 2, Lisa Simpson, which had been included in error, and Mr. Harper pulled item IV-Y, Orange County Sanitation District Fees for separate consideration.

Motion

unanimously carried.

PURCHASE  
ORDERS: (IV-A)

Purchase orders in the amount of \$10,442,732.23 were approved as presented.

PERSONNEL  
REPORT: (IV-C)

Approval was granted for the Certificated and Classified Personnel Report No. 5 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/

Approval was granted to enter into the non-public school/agency contracts/addenda as presented, and the West

ADDENDA -  
WOCCSE: (IV-F)

Orange County Consortium for Special Education was authorized to receive invoices and process payment.

PARENT  
REIMBURSEMENT  
FOR  
TRANSPORTATION  
OF A SPECIAL  
EDUCATION  
STUDENT -  
WOCCSE: (IV-G)

Approval was granted to reimburse parents for transportation of special education students, as students require transportation to non-public schools located outside district boundaries per their IEP.

GRANT  
APPLICATION -  
SCHOOLS FIRST  
EDUCATION  
FOUNDATION  
GRANT (WHS):  
(IV-H)

Approval was granted for Westminster High School to submit an application to Schools First Federal Credit Union for 2008-09 Education Foundation Grant funding in the amount of \$4,919.65. The funds will be used by the school's science department to implement Project Genetic Survey with the goal of engaging students in authentic research on DNA for statistical analysis on possible genotypes. No matching funds are required. Authorization to expend funds upon receipt was granted.

ACCEPTANCE OF  
GRANT FUNDING -  
TOSHIBA AMERICA  
FOUNDATION  
(WHS): (IV-I)

Approval was granted to accept grant funding in the amount of \$4,868.27 from the Toshiba America Foundation. The funds will be used by Westminster High School science department during the 2008-09 school year to implement Project Gel Electrophoresis with the goal of students gaining real-world experience in extracting DNA and applying research skills to verify its identity and molecular diagnosis. No matching funds are required. Authorization to expend funds upon receipt was granted.

FINANCIAL  
OBLIGATION  
AGREEMENT -  
SPECIAL  
EDUCATION  
STUDENT, OAH  
CASE NO.  
N2008070422:  
(IV-J)

Approval was granted for the confidential Financial Obligation Agreement between the Huntington Beach Union High School District and the Orange County Department of Education related to the special education Settlement Agreement, Office of Administrative Hearing, Case N2008070422. Under the terms of the Financial Obligation Agreement, the district will pay \$13,000 to the parent's attorney, and the OCDE will reimburse the district \$3,000 for their portion of the obligation.

AGREEMENT  
WITH VANGUARD  
UNIVERSITY FOR  
STUDENT  
ATHLETIC  
TRAINING  
FIELDWORK  
EXPERIENCE  
(MHS): (IV-K)

Approval was granted for the affiliation agreement with Vanguard University to allow the university to place athletic training students at Marina High School for unpaid fieldwork experience during the 2008-09 school year. The university students will be supervised at all times by the Certified Athletic Trainer at the high school and will observe injury assessments and perform basic athletic training skills as directed during practice and game coverage. There is no cost to the district for this agreement.

KINGSTON  
SCHOLARSHIP  
FUNDS: (IV-L)

Approval was granted to disburse the remaining balance in the Kingston Scholarship fund. The funds will be awarded to a scholarship recipient who has met the qualifications and criteria established by the Kingston Scholarship Committee. The check will be sent to the college to be used by the student during the 2008-09 school year.

CONTRACT  
CHANGE  
NOTICES:  
(IV-M)

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

<p>AMENDMENT TO CONTRACT WITH SMC CONSTRUCTION COMPANY: (IV-N)</p>	<p>Approval was granted for an Amendment to Contract No. 0348 with SMC Construction Company for work performed at Huntington Beach High School Modernization Building "C" and Performing Arts Addition X and Building "R" in the amount of \$288,238.</p>
<p>REDUCTION OF RETENTION FOR CONTRACTOR - DAY CONSTRUCTION COMPANY: (IV-O)</p>	<p>Approval was granted to reduce the ten percent retention to five percent in accordance with Public Contract Code section 9203 on Contract No. 0225 with Day Construction for Modernization: Administration, Classrooms, Gym, Locker Rooms, and Maintenance Buildings at Ocean View High School.</p>
<p>REDUCTION OF RETENTION FOR CONTRACTOR - MSH CONSTRUCTION COMPANY: (IV-P)</p>	<p>Approval was granted to reduce the ten percent retention to five percent in accordance with Public Contract Code Section 9203 on Contract No. 0646 with MSH Construction Company for Demo/Reconstruct Shower Area in Boys' and Girls' Locker Rooms at Marina High School.</p>
<p>NOTICE OF COMPLETION - CONTRACT NO. 0706 - MHS: (IV-Q)</p>	<p>Approval was granted to file a Notice of Completion on Contract No. 0706 for Building 200 HVAC Modifications for Marina High School by All Star Air Systems, and to pay the ten percent retention after filing.</p>
<p>NOTICE OF COMPLETION - CONTRACT NO. 0733 - HBHS &amp; WHS: (IV-R)</p>	<p>Approval was granted to file a Notice of Completion on Contract No. 0733 for Stadium Demolition at Huntington Beach High School and Westminster High School by Miller Environmental, and to pay the ten percent retention after filing.</p>
<p>NOTICE OF COMPLETION - CONTRACT NO. 9768 - FVHS: (IV-S)</p>	<p>Approval was granted to file a Notice of Completion on Contract No. 9768 for Fountain Valley High School Modernization: Seismic, Phases 5, 7 and 8 by Washington Iron Works, and to pay the ten percent retention after filing.</p>

NOTICE OF  
COMPLETION -  
CONTRACT NO.  
9769 - FVHS:  
(IV-T)

Approval was granted to file a Notice of Completion on Contract No. 9769 for Fountain Valley High School Modernization: HVAC Package, Phases 1 through 8 by Coutts Heating and Cooling, Inc., and to pay the ten percent retention after filing.

SETTLEMENT  
AGREEMENT  
WITH CORPORATE  
EXPRESS: (IV-U)

Approval was granted for the ratification of the Settlement Agreement and General Release with Corporate Express for classroom desks and chairs at Edison High School in the amount of \$383,810.05.

PRE-QUALIFIED  
BIDDERS - LIST  
NO. 18: (IV-V)

Approval was granted for List No. 18 of pre-qualified bidders for upcoming school repair and rehabilitation projects.

REJECTION OF  
BID: (IV-W)

Approval was granted to reject Bid No. 1059 for Huntington Beach High School Building E Modernization which was funded by Measure C on the basis the bids received are substantially over budget for the project.

GASB 45  
ACTUARIAL  
SERVICES: (IV-X)

Approval was granted for the agreement with Demsey, Filliger, & Associates for the provision of actuarial services in connection with Governmental Accounting Standards Board (GASB) standard 45.

ENROLLMENT &  
ADA: (IV-Z)

A report on enrollment and ADA for the period August 27 to September 19, 2008 was presented.

SEPTEMBER 2008  
DISBURSEMENTS:  
(IV-AA)

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

INSURANCE AND  
LIABILITY CLAIM:  
(IV-BB)

Approval was granted to deny the claim for personal injury and property damages (No. MHS04232008). Claim information is available in the Insurance Office.



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. 19:

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

Resolution  
unanimously adopted.

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 \$99,614 within the General Fund for the fiscal year 2008-09.

RESOLUTION  
NO. 20:

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

Resolution  
unanimously adopted.

RESOLUTION -  
ADDITIONAL  
INCOME AND  
EXPENDITURES -  
ADULT  
EDUCATION  
FUND: (IV-EE)

The district has been notified of increases 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 \$22,472 within the Adult Education Fund for the fiscal year 2008-09.

RESOLUTION  
NO. 21:

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

Resolution  
unanimously adopted.

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

The district has projected increases and decreases in funding for various capital projects and other funding sources. Approval was granted to adopt a resolution increasing/decreasing income, expenditures and reserves by the net amount of \$20,055,410 in the Measure C Bond Fund, Deferred Maintenance Fund and County School Facilities Fund for the fiscal year 2008-09.

RESOLUTION  
NO. 22:

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

Resolution  
unanimously adopted.

ORANGE COUNTY  
SANITATION  
DISTRICT FEES:  
(IV-Y)

It was moved by Ms Castrey, seconded by Mrs. Henry, for the district to contribute its proportionate share (based on 2006-07 Annual ADA/FTE) of \$2,500 to pay for the cost of an initial determination of the legality of fees charged to the school district by Orange County Sanitation District, and that the Orange County Superintendent of Schools and a delegation of CBO's from the districts be authorized to negotiate a tentative agreement on the districts behalf regarding the calculation of capital facilities due to the OCSD.

Motion

carried 4-1.

Mr. Harper

voted no.

BUDGET UPDATE:  
(V-A)

The Superintendent updated the Board on the State budget. He stated that under the Governor's proposal, the district will need to cut \$5.8 million mid-year. The impact is significant for the district. Dr. Riley stated that the cuts will be made further from the classroom than in many other districts. In order to be proactive he has placed a freeze on purchases from state funded accounts. In addition, all vacancies will be reviewed in Superintendent's Cabinet prior to filling. He is not transferring or removing funds from any accounts at this time, only asking that staff cease purchases with the exception of emergency and/or safety needs. He stressed that staff is on top of the situation and will keep communicating with the Board. If reductions are needed, a similar process to last year will take place. In the meantime, he distributed copies of last year's actions and recommended actions so that the Board might have a starting point.

Discussion ensued and Ms Castrey asked about establishing a parcel tax as the community is very concerned about the education of their students. Dr. Riley will investigate this suggestion.

2009 CSBA  
DELEGATE  
ASSEMBLY  
NOMINATIONS:  
(VI-A)

Mrs. Henry nominated Ms Castrey for re-election. There was no need for a second. Mr. Harper placed his name in nomination. Ms Castrey also nominated Sue Kawubara, Irvine Unified School District, and Robert Singer, Fullerton

Joint Union High School District. This item will be reagendaized for the December meeting.

BOARD POLICY:  
(VIII-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 6158 - Instruction  
Independent Study

Motion  
unanimously carried.

BOARD POLICY:  
(VIII-B)

It was moved by Ms Castrey, seconded by Mr. Garland, to approve the following Board policy for second reading and adoption in the continued revision of existing policies and administrative regulations:

BP 1312.3 - Community Relations  
Uniform Complaint Procedures

Motion  
unanimously carried.

BOARD POLICY:  
(VIII-C)

It was moved by Mr. Garland, seconded by Ms Castrey, to approve the following Board policy for second reading and adoption in the continued revision of existing policies and administrative regulations:

BP 1312.4 - Community Relations

Williams Uniform Complaint Procedures

Motion

unanimously carried.

BOARD POLICY:  
(VIII-D)

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

BP 6146.1 - Instruction  
High School Graduation Requirements

Motion

unanimously carried.

BOARD POLICY:  
(VIII-E)

It was moved by Ms Castrey, seconded by Dr. Simons, to approve the following Board policy for second reading and adoption in the continued revision of existing policies and administrative regulations:

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

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Motion

unanimously carried.

STUDENT  
EXPULSIONS: (IX-A)

It was moved by Mrs. Henry, seconded by Ms Castrey, that Student No. 358722 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(c). It was further moved that during the period of expulsion he attend the District's Community Day School. In June 2009, the student will be notified of his right to request transfer to a comprehensive high school.

Motion

unanimously carried.

It was moved by Ms Castrey, seconded by Mr. Harper, that Student No.369729 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(a-1). It was further moved that the expulsion be suspended and that he be transferred to another comprehensive high school in the district.

Motion

unanimously carried.

It was moved by Dr. Simons, seconded by Mr. Harper, that Student No. 354276 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(a-1)(a-2). It was further moved that a district IEPT determine his educational placement during the period of expulsion. In June 2009, the student will be notified of his right to request reenrollment in the district through an IEPT meeting.

Motion

unanimously carried.

It was moved by Mr. Garland, seconded by Ms Castrey, that Student No. 360499 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(a-1)(a-2). It was further moved that the expulsion be suspended and that a district IEPT determine the student's placement.

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Ms Castrey, that Student No. 366581 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(a-1)(a-2). It was further moved that during the period of expulsion, he attend an ACCESS school. In June 2009, the student will be notified of his right to request reenrollment into the District.

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Dr. Simons, that student No. 366684 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(c). It was further moved that during the period of expulsion he attend the district's Community Day School. In June 2009, the student will

be notified of his right to request transfer to a comprehensive high school.

Motion

unanimously carried.

NEW BUSINESS: (X)

Mr. Harper complimented the district for obtaining reports from McCarthy on the capital improvement projects.

He suggested that military careers, i.e. the ROTC program, be included in career and technical education.

Mr. Harper requested that the report by Bergman and Dacey concerning Orange County Sanitation District Fees be obtained.

Mr. Harper also asked for staff to follow up on the makeup and relationship between the Board and the Curriculum Committee at some future meeting.

Dr. Simons asked if Measure C funds could be put aside for the future in the Repair and Reserve Fund, rather than use the maintenance fund.

Dr. Riley commented that at a recent meeting he had shared a letter from the Business Industry Council requesting the postponement of the collection of developer fees. The letter had indicated that County members felt it was better to keep the present program and not change the collection date. Mr. Harper had articulated his support but was the only Board member doing so, and it was not reflected in the minutes of the meeting. Dr. Riley thought that was the end of it but Mr. Harper had brought it back. He explained that developer fees are divided by a



percentage with the elementary districts; therefore a condition would have to be that we get agreement with the elementary districts in order to move forward. He asked if there were two Board members who wished this item be brought back as an agenda item at a future meeting. There were not. Mrs. Henry indicated that she would be curious if Anaheim UHSD planned on adopting this. Dr. Riley will follow up.

ANY OTHER PUBLIC  
COMMUNICATION TO  
THE BOARD: (XI)

Donna Alexander thanked the Board for its integrity and responsibility. She also indicated that she had met with the Huntington Union Council and they are beginning to lobby at the federal level in getting a response from our legislators concerning budget issues.

ADJOURNMENT:

The meeting was adjourned by the President, Dr. Simons, at 9:27 p.m.

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Clerk

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Secretary