



HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT

MINUTES OF REGULAR BOARD MEETING  
August 26, 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 August 26, 2008
CALL TO ORDER:	The meeting was called to order at 6:35 p.m. by the Board President, Dr. Simons.

CLOSED SESSION: (I) The Board recessed to Closed Session at 6:36 p.m. to consider Public Employee Performance Evaluation: Superintendent - Government Code section 54957; and Negotiations Update - Conference with Labor Negotiators concerning DEA, CSEA and HBPSA contracts - Government Code section 54957.6. Present were Agency Negotiators Debbie Coleman and Van Riley.

RECONVENE: The meeting was reconvened at 7:33 p.m. Dr. Simons stated that there was nothing to report.

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

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 July 22, 2008.

Motion  
unanimously carried.

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

SUPERINTENDENT'S  
REPORT: (III-C)

Dr. Riley reported that pre-school activities are underway and 16,000 students will be beginning classes tomorrow morning. He gave special commendation to Nelson Cayabyab and his staff for their hard work over the past four years, particularly the last three months, getting major projects accomplished. Dr. Riley indicated that it is possible that the district may not have as much declining enrollment as had been projected.

PUBLIC HEARING -  
PRELIMINARY  
ENVIRONMENTAL  
ASSESSMENT: (III-D)

A public hearing was held as part of the Preliminary Environmental Assessment approval process for submission to Department of Toxic Substance Control. The Board President gaveled the hearing open. There being no public input, the hearing was declared closed.

PRESENTATION -  
ANNUAL REPORT OF  
THE CITIZENS  
OVERSIGHT  
COMMITTEE FOR  
MEASURE C: (III-E)

Thomas Gierhart, Chair, Citizens Oversight Committee presented the Annual Report, 2007-2008. Mr. Garland thanked the committee on behalf of the Board.

PRESENTATION -  
ADULT EDUCATION/  
COAST HIGH SCHOOL  
FACILITY UPDATE:  
(III-F)

Dr. Van Riley presented a proposal for the future Adult Education program. The proposal is to build a new Adult Education/Coast High School facility on the Ocean View High School campus and two satellite Adult Education facilities, one at Marina High School and one at Westminster High School. The proposal will also provide a funding mechanism for purchasing additional classrooms at other high schools to accommodate student enrollment growth that has occurred over the past several years.

PRESENTATION -  
PERSONNEL  
COMMISSION  
ANNUAL REPORT:  
(III-G)

Mr. Lloyd Vierra, Commissioner, addressed the Board on behalf of the Personnel Commission. Dr. Trish Landau, Director, HR-Classified, presented highlights of the annual Personnel Commission Report, 2007-08

PUBLIC  
COMMUNICATION TO  
THE BOARD: (III-H)

Donna Alexander, parent, asked for permission to contact schools. Staff will follow up.

CONSENT  
CALENDAR: (IV)

-  
It was moved by Mr. Garland, seconded by Mrs. Henry, to approve the Consent Calendar as presented with two items of addenda to item IV-B, Personnel Report, and with the exception of item IV-L, Adult Education Courses of Study, which was pulled by Mr. Harper for separate consideration.

Motion  
unanimously carried.

PURCHASE  
ORDERS: (IV-A)

Purchase orders in the amount of \$8,422,375.01 were approved as presented.

PERSONNEL  
REPORT: (IV-B)

Approval was granted for Personnel Report No. 2 as presented, with two items of addenda.

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 the Field Trips 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 -  
WOCCE: (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.

PARENT  
REIMBURSEMENT  
FOR  
TRANSPORTATION

Approval was granted to reimburse a parent in an amount not to exceed a total of \$154.44 for transportation of a special education student for

OF A SPECIAL  
EDUCATION  
STUDENT -  
WOCCE -  
NO. 0747: (IV-G)

the period June 23, 2008 to July 25,  
2009.

PARENT  
REIMBURSEMENT  
FOR  
TRANSPORTATION  
OF A SPECIAL  
EDUCATION  
STUDENT -  
WOCCE -  
NO. 0750: (IV-H)

Approval was granted to reimburse a  
parent in an amount not to exceed a  
total of \$1,404 for transportation of  
a special education student for the  
period July 1, 2008 to June 30, 2009.

ACCEPTANCE OF  
FUNDING -  
EDUCATION FOR  
HOMELESS  
CHILDREN AND  
YOUTH: (IV-I)

Approval was granted to accept  
continued funding from the  
California Department of Education  
for the Education for Homeless  
Children and Youth Program. These  
funds in the amount of \$65,000 will  
be used to provide educational  
programs and services for identified  
homeless students during the  
2008-09 fiscal year. No district  
matching funds were required.  
Authorization to expend funds upon  
receipt was granted.

CONFIDENTIAL  
GENERAL RELEASE  
AND SETTLEMENT  
AGREEMENT -  
SPECIAL  
EDUCATION  
STUDENT, OAH  
CASE 2008070422:  
(IV-J)

Approval was granted for the  
confidential General Release and  
Settlement Agreement between  
Huntington Beach Union High  
School District, Orange County  
Department of Education and a  
special education student and parent  
related to the Office of  
Administrative Hearing Case  
Number 2008070422. Under the  
terms of the agreement, each party  
will pay a portion of the related  
costs, and the district's obligation is  
limited to \$10,000 reimbursement

for 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.

KINGSTON  
SCHOLARSHIP  
FUNDS: (IV-K)

Approval was granted to disburse the remaining balance of \$24,000 in the Kingston Scholarship fund. The scholarship award recipients have met the qualifications and criteria established by the benefactor and the Kingston Scholarship Committee. Funds will be sent to the designated colleges and universities to be used during the 2008-09 school year.

MEMORANDUM OF  
UNDERSTANDING  
WITH ORANGE  
COUNTY  
SUPERINTENDENT  
OF SCHOOLS FOR  
SPECIAL  
EDUCATION  
PROGRAMS:  
(IV-M)

Approval was granted for the Memorandum of Understanding with the Orange County Superintendent of Schools to provide special education programs during the 2008-09 school year for eligible district pupils with exceptional needs requiring intensive educational services. Students will be referred for services operated by OCDE by their Individualized Education Program (IEP) teams. The Special Education Local Plan area (SELPA) and/or the district agree to pay the average cost per pupil enrolled based on designated expenditure categories.

EXTENSION OF  
CONTRACT WITH  
CARAMEDIX:  
(IV-N)

Approval was granted for the extension of Contract No. 0196 on behalf of WOCCSE for transportation to non-public schools with Camedix, Inc., through November 30, 2008.

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

NOTICE OF COMPLETION - CONTRACT NO. 0096 - WHS: (IV-P) Approval was granted to file a Notice of Completion on Contract No. 0096 for New Classroom Building "W" at Westminster High School by Cavecche Engineering and Construction Co. Inc., and to pay the five percent (5%) retention after filing.

NOTICE OF COMPLETION - CONTRACT NO. 0226 - MHS: (IV-Q) Approval was granted to file a Notice of Completion on Contract No. 0226 for Modernization Building 500 and Building 300 Roof Replacement at Marina High School by Cavecche Engineering, and to pay the ten percent (10%) retention after filing.

NOTICE OF COMPLETION - CONTRACT NO. 0602 - MHS: (IV-R) Approval was granted to file a Notice of Completion on Contract No. 0602 for Back Flow Installation at Marina High School by Warvi Construction, Inc., and to pay the ten percent (10%) retention after filing.

NOTICE OF COMPLETION - CONTRACT NO. 0206 - HBHS, OVHS AND MHS: (IV-S) Approval was granted to file a Notice of Completion on Contract No. 0206 for the Gym Bleacher Installation at Huntington Beach, Ocean View and Marina high schools by Herk Edwards, Inc., and to pay the ten percent (10%) retention after filing.

NOTICE OF COMPLETION - CONTRACT NO. 0227 - HBHS AND FVHS: Approval was granted to file a Notice of Completion on Contract No. 0227 for Gym Team Lockers at Huntington Beach High School and Fountain Valley High School by Herk



<p>(IV-T)</p> <p>NOTICE OF COMPLETION - CONTRACT NO. 0134 - WHS: (IV-U)</p>	<p>Edwards, Inc., and to pay the ten percent (10%) retention after filing. Approval was granted to file a Notice of Completion on Contract No. 0134 for Modernization, General Works at Westminster High School by Day Construction, and to pay the five percent (5%) retention after filing.</p>
<p>NOTICE OF COMPLETION - CONTRACT NO. 0603 - D.O.: (IV-V)</p>	<p>Approval was granted to file a Notice of Completion on Contract No. 0603 for Back Flow Protection and Energy Management System at the District Office by Warvi Construction, Inc., and to pay the ten percent (10%) retention after filing.</p>
<p>REDUCTION OF RETENTION FOR CONTRACTOR - ANGELES CONTRACTOR, INC.: (IV-W)</p>	<p>Approval was granted to reduce the ten percent (10%) retention to five percent (5%) in accordance with Public contract Code Section 9203 on Contract No. 0064 with Angeles Contractor, Inc., for Modernization Buildings A, C and F at Fountain Valley High School.</p>
<p>REDUCTION OF RETENTION FOR CONTRACTOR - SCORPIO ENTERPRISES, INC.: (IV-X)</p>	<p>Approval was granted to reduce the ten percent (10%) retention to five percent (5%) in accordance with Public Contract Code Section 9203 on Contract No. 0349 with Scorpio Enterprises, Inc., for Westminster High School Modernization, General Works Package No. 2.</p>
<p>PURCHASE OF FURNITURE AND EQUIPMENT USING A CONTRACT OF THE COUNTY OF DUPAGE, ILLINOIS IN CONJUNCTION</p>	<p>Approval was granted for the purchase of furniture and equipment through National, Corporate Express and Corporate Express Business Interiors using a contract of the County of DuPage, Illinois, in conjunction with the National</p>

WITH THE  
NATIONAL  
INTERGOVERN-  
MENTAL  
PURCHASING  
ALLIANCE: (IV-Y)

Intergovernmental Purchasing  
Alliance.

PURCHASE OF  
FURNITURE AND  
EQUIPMENT USING  
A CONTRACT OF  
ROSEVILLE CITY  
SCHOOL DISTRICT:  
(IV-Z)

Approval was granted for the  
purchase of furniture and equipment  
through School Specialty using a  
contract of Roseville City School  
District.

SETTLEMENT  
AGREEMENT WITH  
DAY  
CONSTRUCTION  
COMPANY: (IV-AA)

Approval was granted for a  
Settlement Agreement and General  
Release with Day Construction  
Company for work performed at  
Westminster High School  
Modernization project in the amount  
of \$249,823.

SUBSTITUTION OF  
SUBCONTRACTOR:  
(IV-BB)

Approval was granted for the  
substitution of subcontractor on  
Contract No. 0348 with SMC  
Construction Company for  
Huntington Beach High School  
Buildings C, X and R.

AWARD OF BIDS:  
(IV-CC)

Approval was granted to award bids  
to the successful bidders 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.

INSTRUCTIONAL  
AND OFFICE  
SUPPLIES USING A  
CONTRACT OF  
SANTA ANA

Approval was granted for the  
purchase of instructional and office  
supplies using a contract of Santa  
Ana Unified School District awarded  
to Southwest School and Office

UNIFIED SCHOOL DISTRICT: (IV-DD)	Supply, School Specialty, Office Depot and Pioneer Stationers, Inc.
PRE-QUALIFIED BIDDERS - LIST NO. 17: (IV-EE)	Approval was granted for List No. 17 of pre-qualified bidders for upcoming school repair and rehabilitation projects.
JUNE AND JULY, 2008 DISBURSEMENTS: (IV-FF)	A recap of the payments processed during the months of June and July 2008 was presented.
INSURANCE AND LIABILITY CLAIM: (IV-GG)	Approval was granted to deny the claim for general and personal liability damages (No. WHS041008). Claim information is available in the Insurance Office.
STUDENT TEACHING AGREEMENTS: (IV-HH)	Approval was granted for student teaching agreements between the high school district and Concordia University from January 2009 through December 31, 2011; Chapman University from July 1, 2008 through June 30, 2009; and California State University at Dominguez Hills from August 31, 2008 through August 31, 2011. The agreements are similar to those previously approved for the training of student teachers of various institutions.
SUBMISSION OF PRELIMINARY ENVIRONMENTAL ASSESSMENT RESULTS - WHS: (IV-II)	Approval was granted to submit the Preliminary Environmental Assessment (PEA) to the Department of Toxic Substances and Control (DTSC). The PEA work plan contains the data from the sampling of soils for hazardous materials and is intended to support an action to

only mitigate by soil removal of 80 cubic feet of PCB soil contaminated area surrounding the existing transformer area.

HEALTH NET  
CONTRACT  
RENEWAL: (IV-JJ)

Approval was granted to renew the employee medical health benefit contract with Health Net from November 1, 2008 through October 31, 2009. The renewal includes an approximate 19.8 percent increase over the previous contract. The renewal of this contract complies with the current terms of all union contracts.

RESOLUTION -  
INCREASE/  
DECREASE  
INCOME,  
EXPENDITURES &  
RESERVES - SELF  
INSURANCE TRUST  
FUND: (IV-KK)

The district has projected increases in income and expenditures for the self insurance and foundation trust funds. Approval was granted to adopt a resolution increasing income and expenditures and adjusting reserves in the net amount of \$1,287,062 in the Self Insurance Fund for the fiscal year 2007-08.

RESOLUTION  
NO. 3:

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

Resolution

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

unanimously adopted.  
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 \$825,985 within the Adult Education Fund for the fiscal year 2007-08.

RESOLUTION  
NO. 4:

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

Resolution  
unanimously adopted.

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

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 \$782,886 within the General Fund for the fiscal year 2007-08.

RESOLUTION  
NO. 5:

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

Resolution  
unanimously adopted.

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

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 and reserves by the net amount of \$3,030,161 in the Measure C Bond Fund, Capital Facilities Fund, County School Facilities Fund and Special Reserve/COP Fund for the fiscal year 2007-08.

RESOLUTION  
NO. 6:

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

Resolution

unanimously adopted.

RESOLUTION-  
NEGATIVE  
DECLARATION -  
HBHS STADIUM:  
(IV-OO)

Approval was granted to adopt the  
resolution for a Negative Declaration  
which analyzes the potential  
environmental impacts associated with  
the proposed district stadium  
enhancement at Huntington Beach  
High School.

RESOLUTION  
NO. 7:

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

Resolution

unanimously adopted.

RESOLUTION-  
NEGATIVE  
DECLARATION -  
WHS STADIUM:  
(IV-PP)

Approval was granted to adopt the  
resolution for a Negative Declaration  
which analyzes the potential  
environmental impacts associated with  
the proposed district stadium  
enhancement at Westminster High  
School

RESOLUTION  
NO. 8:

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

Resolution

unanimously adopted.

ADULT EDUCATION  
COURSES OF  
STUDY: (IV-L)

It was moved by Mr. Harper, seconded  
by Ms Castrey, to adopt the proposed  
courses and classes offered through

Adult School for the 2008-09 school year.

Motion  
unanimously carried.

RESOLUTION -  
SENIOR  
MANAGEMENT  
POSITIONS: (V-A)

It was moved by Ms Castrey, seconded by Mr. Garland, to adopt a resolution which designates the classifications of Chief Business Official (CBO) and Chief Facilities Official (CFO) as senior management in the classified service.

RESOLUTION NO. 9:

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

Resolution  
unanimously adopted.

NOMINEE TO THE  
PERSONNEL  
COMMISSION: (V-B)

It was moved by Mrs. Henry, seconded by Ms Castrey, to announce the Board's intention to appoint Lloyd Vierra as the nominee to the Personnel Commission for a three-year term commencing December 1, 2008.

Motion  
unanimously carried.

EMPLOYMENT OF  
TEACHERS WITH  
EMERGENCY  
PERMITS: (V-C)

It was moved by Ms Castrey, seconded by Mrs. Henry, for the 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.

ADMINISTRATIVE  
EVALUATION  
COMPETENCY: (V-D)

It was moved by Mr. Harper, seconded by Mr. Garland, to certify Marina High School Principal, Paul Morrow, who has exhibited competency in administrative evaluation pursuant to Board Policy 4315.1.

Motion  
unanimously carried.

STUDENT  
EXPULSIONS: (VI-A)

It was moved by Mrs. Henry, seconded by Mr. Harper, that the expulsion imposed by Fountain Valley School District for student No. 369215 through December 5, 2008 be upheld by the Huntington Beach Union High School District. It was further moved that the expulsion be suspended and that the student be allowed to enroll at Huntington Beach High School.

Motion  
unanimously carried.

It was moved by Ms Castrey, seconded by Mr. Harper, that the expulsion imposed by Fountain Valley School District for student No. 369088 through December 5, 2008 be upheld by the Huntington Beach Union High School District. It was further moved that the expulsion be suspended and that a district IEP team determine placement in the District.

Motion  
unanimously carried.

It was moved by Dr. Simons, seconded by Ms Castrey, that the expulsion imposed by Fountain Valley School District for student No. 369149 through December 5, 2008 be upheld



by the Huntington Beach Union High School District. It was further moved that the expulsion be suspended and that the student be enrolled in the district's Community Day School for the 2008-09 fall semester.

Motion

unanimously carried.

It was moved by Mr. Garland, seconded by Mr. Harper, that having completed the term of expulsion by the Fountain Valley School District, student No. 368751 be enrolled at Fountain Valley High School for the 2008-09 fall semester.

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Ms Castrey, that the expulsion imposed by Fountain Valley School District for student No. 369147 through December 5, 2008 be upheld by the Huntington Beach Union High School District. It was further moved that the expulsion be suspended and that the student be enrolled at Edison High School.

Motion

unanimously carried.

NEW BUSINESS:

Mr. Harper thanked Dr. Riley for providing the memorandum concerning the Curriculum Committee. Mr. Harper had some questions and indicated he would correspond later in the week.

Mr. Harper mentioned concern that a residential sales sign had been erected at the corner of 17<sup>th</sup> Street for a Crystal Island property. Staff responded that they are aware of the situation.

Mr. Harper asked staff to make sure that we avoid damage being done to our renovated property by skateboarders.

Dr. Simons asked which Board members planned on attending the next OCSBA Dinner meeting. Trustees Garland, Simons and Henry stated they would. Mr. Harper was undecided.

Mrs. Henry commented on a recent newspaper article which reported incorrectly the district's math scores. Dr. Osbrink indicated that the district has asked for a retraction and we are waiting to see the correction.

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Dr. Riley stated that the tentative date of March 7 for the APA Grand Opening Gala needed to be put back because of construction deadlines, and suggested moving it to April or May.

Dr. Riley indicated that he was planning a Board Candidate information session similar to the one he presented in 2004. He asked for the Board's permission to present it immediately prior to the October 14, 2008 Board meeting, beginning at 5:00 p.m. Dr. Riley stated that information will be distributed to candidates prior to the meeting.

Ms Castrey asked if by delaying the APA Gala, it would impact their productions. Dr. Riley stated that the March 20, 2009 production would be okay as long as the grand opening was rescheduled to a later date.

ANY OTHER PUBLIC  
COMMUNICATION  
TO THE BOARD:  
(VIII)

None.

ADJOURNMENT:

The meeting was adjourned by the President, Dr. Simons, at 8:50 p.m.

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Clerk

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Secretary