



HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT

**MINUTES OF REGULAR BOARD MEETING  
May 11, 2010**

BOARD MEMBERS PRESENT:	Bonnie Castrey Susan Henry Matthew Harper Brian Garland 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 May 11, 2010
CALL TO ORDER:	The meeting was called to order at 5:30 p.m. by the Board President, Mr. Garland.
CLOSED SESSION: (I)	The Board recessed to Closed Session at 5:31 p.m. to discuss Parent Appeals - Education Code sections 35146 and 48260.
CALL BACK TO ORDER:	The meeting was called back to order at 7:11 p.m.
STAFF RECOGNITION - RETIREES: (I-B)	The Board recognized both classified and certificated employees who were retiring from the district.

STAFF RECOGNITION  
- TEACHERS OF THE  
YEAR 2009-10: (I-C)

The Board recognized the district's Teachers of the Year, Andy Brown from Westminster High School, and Jamie Knight, from Huntington Beach High School/Academy for the Performing Arts. Mr. Garland presented plaques to each teacher.

STAFF RECOGNITION -  
NELSON CAYABYAB:  
(I-D)

The Board recognized Nelson Cayabyab, Chief Facilities Official, for all the work he has done to improve our facilities. A plaque was presented to Mr. Cayabyab.

RECEPTION: (I-E)

The Board recessed to a reception at 7:27 p.m. in honor of retirees, Teachers of the Year and Nelson Cayabyab.

CALL BACK TO ORDER:

The meeting was called back to order at 7:47 p.m. by President Garland.

PLEDGE OF  
ALLEGIANCE: (II)

The Pledge of Allegiance was led by Donna Alexander.

CLOSED SESSION  
ANNOUNCEMENT:

Mr. Garland announced two actions out of closed session:

**Records Appeal:** The Board granted the records appeal 5-0 and directed staff to draft written findings which should be brought back for Board adoption at the next closed session on June 29, 2010.

**Expulsion Appeal:** The Board took action as a result of a closed session appeal 5-0 not to expel Student No. 370524 and further directed staff to hold a district IEPT for this student.

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 April 13, 2010.

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-D)

Dr. Riley commented on Ocean View Elementary District Trustee John Briscoe's payment of a bill to the district in coin.

Dr. Riley displayed a large replica of a check signifying the dollar amount of time contributed by parent volunteers, which was presented at the Volunteers in Public Service Breakfast. The monetary value was \$3.9 million.

STAFF PRESENTATION  
- VVHS: (III-E)

Valley Vista High School Principal, Kerry Clitheroe, gave a brief overview of the efforts of key staff members and students who are responsible for the first Valley Vista High School yearbook.

PUBLIC  
COMMUNICATION TO  
THE BOARD: (III-f)

Dr. Ralph Bauer, community member, made general comments. Daniel Kippen, Jake Kiser, Madison Johnson, Sierra Madrigal, Cade Hernandez, Craig Johnson and Maria Hernandez, spoke in support of Coach Kyle Murphy. Troy Visser, staff member, spoke concerning reduction in services. John Ortiz, staff member, spoke on behalf of CAUSE (California Advocates United to Save Education).

STUDENT BOARD  
REPRESENTATIVE  
REPORTS: (III-C)

Benjamin Simons, Student Representative to the Board from Huntington Beach High School, presented reports on campus activities. Mr. Garland presented Benjamin with a plaque.

CONSENT CALENDAR:  
(IV)

It was moved by Ms Castrey, seconded by Ms Henry, to approve the Consent Calendar as presented with addendum to item IV-B, Personnel Report.

Motion unanimously  
carried.

PURCHASE  
ORDERS: (IV-A)

Purchase orders in the amount of \$1,070,138.24 were approved as presented.

PERSONNEL REPORT: (IV-B)	Approval was granted for the Personnel Report No. 11 as presented, with addendum.
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 - 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.
PARENT REIMBURSEMENT FOR TRANSPORTATION OF A SPECIAL EDUCATION STUDENT - WOCCSE - NO. 1218: (IV-G)	Approval was granted to reimburse the parent in an amount not to exceed a total of \$150 for transportation of a special education student for the period July 1, 2009 to June 30, 2010.
CONFIDENTIAL GENERAL RELEASE AND SETTLEMENT AGREEMENT -	Approval was granted for the General Release and Settlement Agreement between Huntington Beach Union High School District and a special education student and the parents. Under the terms of the

SPECIAL  
EDUCATION  
STUDENT NO.  
369086, OAH CASE  
2010031131: (IV-H)

agreement, the district will reimburse the parents \$6,500 for costs associated with the placement of the student in a residential treatment center and attorney fees rendered by the parent. All parties have agreed to the terms of the agreement.

CONFIDENTIAL  
GENERAL RELEASE  
AND SETTLEMENT  
AGREEMENT -  
SPECIAL  
EDUCATION  
STUDENT NO.  
361119, OAH CASE  
2009090685: (IV-I)

Approval was granted for the general Release and Settlement Agreement between Huntington Beach Union High School District and a special education student and the parents. Under the terms of the agreement, the district will reimburse the parents \$3,500 for costs associated with attorney fees. All parties have agreed to the terms of the agreement.

CONFIDENTIAL  
GENERAL RELEASE  
AND SETTLEMENT  
AGREEMENT -  
SPECIAL  
EDUCATION  
STUDENT NO.  
364720, OAH CASE  
2010031611: (IV-J)

Approval was granted for the General Release and Settlement Agreement between Huntington Beach Union High School District and a special education student and the parents. Under the terms of the agreement, the district will reimburse the parents \$58,000 for costs associated with the placement of the student in a residential treatment center. All parties have agreed to the terms of the agreement.

WAIVER  
APPLICATION FOR  
LOCAL  
EDUCATIONAL  
AGENCY (LEA),  
TITLE I, PART A -  
AMERICAN  
RECOVERY AND  
REINVESTMENT  
ACTS (ARRA):  
(IV-K)

Approval was granted to submit to the California Department of Education specific waivers pertaining to the Title I, Part A of the Elementary and Secondary Education Acts (ESEA) given the significant funding for programs provided by the American Recovery and Reinvestment Acts (ARRA) allocation for 2009-2010.

APPLICATION FOR FUNDING - INDIAN EDUCATION GRANT: (IV-L)	Approval was granted to submit an application to the U.S. Department of Education for Indian Education grant funding in the amount of \$228,007 for the 2010-2011 school year. This is submitted on a yearly basis to ensure funding. These federal grant funds will be used to continue to provide eligible American Indian/Native American students with after-school tutoring and study skills, counseling, and cultural activities unique to their heritage. No matching funds are required. Authorization to expend funds upon receipt was granted.
CANDIDATES FOR GRADUATION - CLASS OF 2010: (IV-M)	Approval was granted for the list of candidates for graduation, Class of 2010. This list will be available for review in the Educational Services Division.
DESTRUCTION OF PUPIL RECORDS: (IV-N)	Approval was granted to destroy pupil records held for three years or more in compliance with guidelines of the California Code of Regulations, section 437, Retention and Destruction of Pupil Records.
DESIGNATION OF CIF LEAGUE REPRESENTATIVES FOR 2010-2011: (IV-O)	Approval was granted to designate the principals of the six comprehensive high schools to serve as their respective school's California Interscholastic Federation (CIF) league representatives for the 2010-2011 school years. The designation is required by Education Code section 33353(a)1.
AGREEMENT WITH THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS FOR FOUNTAIN VALLEY HIGH SCHOOL STUDENT PARKING: (IV-P)	Approval was granted for the amendment to the Agreement with The Church of Jesus Christ of Latter-Day Saints to allow Fountain Valley High School students parking in the church's Bushard Meeting House located at 17500 Bushard Street in Fountain Valley. The agreement allows 169 parking stalls to be utilized by Fountain Valley High School students to park during the school day for the 2010-11 school year. There are no costs associated with the agreement.
NOTICE OF COMPLETION -	Approval was granted to file a Notice of Completion on Contract No. 0870 for Marina High School

CONTRACT NO. 0870 - MHS: (IV-Q)	Tennis Courts by CS Legacy Construction, Inc., and to pay the five percent retention after filing.
NOTICE OF COMPLETION - CONTRACT NO. 1068 - VVHS: (IV-R)	Approval was granted to file a Notice of Completion on Contract No. 1068 for Valley Vista High School Low Voltage by Floyd Auten Electrical, and to pay the ten percent retention after filing.
NOTICE OF COMPLETION - CONTRACT NO. 1106 - DISTRICT- WIDE: (IV-S)	Approval was granted to file a Notice of Completion on Contract No. 1106 for District-Wide CCTV Security Camera System by Datatel Wiring Products, Inc., and to pay the ten percent retention after filing.
NOTICE OF COMPLETION - CONTRACT NO. 1107 - DISTRICT- WIDE: (IV-T)	Approval was granted to file a Notice of Completion on Contract No. 1107 for District-Wide Lunch Box Point of Sale Cabling by Moore Electrical Contracting, Inc., and to pay the ten percent retention after filing.
NOTICE OF COMPLETION - CONTRACT NO. 1139 - VVHS: (IV-U)	Approval was granted to file a Notice of Completion on Contract No. 1139 for Valley Vista High School Reclad Exterior Stucco by Church & Larsen, Inc., and to pay the ten percent retention after filing.
PRE-QUALIFIED BIDDERS - LIST NO. 20: (IV-V)	Approval was granted for List No. 20 of pre-qualified bidders for upcoming school repair and rehabilitation projects.
PRE-QUALIFIED BIDDERS - LIST NO. 21: (IV-W)	Approval was granted for List No. 21 of pre-qualified bidders for upcoming school repair and rehabilitation projects.
SURPLUS OF DISTRICT VEHICLES OR EQUIPMENT: (IV-X)	Approval was granted to dispose of the listed surplus/obsolete district vehicles or equipment by public auction through Inter Schola, 1004 O'Reilly Avenue, Third Floor, San Francisco, CA 94129.
CONTRACT CHANGE NOTICE: (IV-Y)	Approval was granted for the change notice to the contract as presented which was previously awarded.

AWARD OF BIDS: (IV-Z)	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.
REDUCTION OF RETENTION FOR CONTRACTOR CS LEGACY CONSTRUCTION, INC.: (IV-AA)	Approval was granted to reduce the ten percent retention to five percent in accordance with Public Contract Code Section 9203 on Contract No. 0870 with CS Legacy Construction, Inc., for the Tennis Courts project at Marina High School.
LCP ANNUAL REPORT: (IV-BB)	Approval was granted for the 2009-2010 Annual Report as prepared by 3QC, formerly WCS/CA Incorporated. This reporting is required by the district's Labor Compliance Program under the provisions of Labor Code 1771.7 pertaining to use of funds from the Kindergarten-University Public Facilities Bond Act of 2002 or 2004.
SETTLEMENT AGREEMENT WITH DAY CONSTRUCTION COMPANY: (IV-CC)	Approval was granted for a Settlement Agreement and General Release with Day Construction Company for work performed at Huntington Beach High School Modernization No. 2 in the amount of \$371,073.
RECLASSIFICATION AND DESTRUCTION OF RECORDS: (IV-DD)	Approval was granted for the listed records to be classified as Class 3 records and their destruction was authorized.
ENROLLMENT & ADA: (IV-EE)	A report on enrollment and ADA for the period March 1 through March 26, 2010 was presented.
MARCH 2010 DISBURSEMENTS: (IV-FF)	A recap of payments processed during the month of March 2010 was presented.
RESOLUTION - ACQUISITION OF SURPLUS STATE OR	Approval was granted to adopt a resolution which empowers selected district administrators to authorize the acquisition of surplus federal or



FEDERAL  
PROPERTY: (IV-GG)

state property from the California State Agency  
for Surplus Property.

RESOLUTION  
NO. 56:

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

Resolution unanimously  
adopted.

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

Approval was granted to adopt a resolution that  
authorizes the transfers made within the  
approved budgets of the various funds for  
2009-10.

RESOLUTION  
NO. 57:

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

Resolution unanimously  
adopted.

RESOLUTION -  
INCREASE/  
DECREASE  
INCOME,  
EXPENDITURES  
AND RESERVES -  
GENERAL FUND:  
(IV-II)

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 decreasing  
income, expenditures and reserves by the net  
amount of \$309,328 within the General Fund for  
the fiscal year 2009-10.

RESOLUTION  
NO. 58:

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

Resolution unanimously  
adopted.

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

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 \$26,054 within the Adult Education Fund for the fiscal year 2009-10.

RESOLUTION  
NO. 59:

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

Resolution unanimously  
adopted.

RESOLUTION -  
INCREASE  
INCOME,  
EXPENDITURES &  
RESERVES -  
MEASURE C BOND  
FUND & COUNTY  
SCHOOL  
FACILITIES FUND:  
(IV-KK)

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 income, expenditures and reserves by the amount of \$15,634 in the Measure C Bond Fund and County School Facilities Fund for the fiscal year 2009-10.

RESOLUTION  
NO. 60:

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

Resolution unanimously  
adopted.

STADIUM USE: (V-A)

During this first year, non-district use of the two newly renovated district stadiums was limited. With the amount of district use, the Superintendent recommended continuing with this process for future years. This recommendation was supported by all site principals and athletic directors. Non-district

use would be allowed for one-time special events only. Discussion took place about the impact of constant use of the fields, particularly if outside groups were also to use them. Some Board members expressed concern that outside groups not be allowed to use the fields but it was stressed that the use of the fields is already at capacity. It was stressed that some restrictive outside use be allowed.

It was moved by Ms Castrey, seconded by Mrs. Henry to continue our current practice with a sense of generosity.

Motion

unanimously carried.

DECLARATION OF  
NEED FOR FULLY  
QUALIFIED  
EDUCATORS: (VI-A)

In accordance with Title 5 regulations, the district is required to annually file a Declaration of Need for Fully Qualified Educators to the Commission on Teacher Credentialing. The declaration will provide the district with the ability to employ or assign persons who are not appropriately credentialed and file waivers as needed. It was moved by Ms Castrey, seconded by Mrs. Henry, to file the Declaration of Need for Fully Qualified Educators form for the 2010-11 school year.

Motion

unanimously carried.

NATIONAL SCHOOL  
BOARDS  
ASSOCIATION: (VI-B)

The district has been a member of both the California and National Schools Boards Associations for many years. Board members regularly take advantage of various CSBA resources and activities. However, it has been some time since the district has been in the financial position to attend any NSBA conferences or take advantage of any NSBA resources. It is important for the Board and district to continue to support such organizations as NSBA. However, with the district's enrollment climbing over 15,000,

annual dues to NSBA have increased from \$5,625 to a projected \$9,100 for 2010-11. Since this is a large increase in a time of financial scrutiny, continued membership in NSBA needed to be discussed and acted upon by the Board.

It was moved by Mr. Harper, seconded by Mrs. Henry, to discontinue membership in NSBA for the 2010-11 school year and revisit it next year.

Motion carried

3-2.

Garland and

Castrey voted no.

CONVERSION TO  
POSITIVE WORK YEAR  
FOR PRINCIPALS:  
(VII-A)

The Principals currently work 246 days including 26 days of paid vacation. It was moved by Ms Castrey, seconded by Mrs. Henry, to change the working calendar for Principals to a positive work year of 220 days effective July 1, 2010.

Motion

unanimously carried.

BOARD POLICY:  
(VIII-A)

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 6145 - Instruction  
Cocurricular Activities

Motion carried

4-0.

Mr. Harper was

absent.

STUDENT  
EXPULSIONS: (IX-A)

It was moved by Mrs. Henry, seconded by Ms Castrey, that Student No. 376259 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(b). It was further moved that the student attend an ACCESS school during the period of expulsion.

Motion

unanimously carried.

It was moved by Mrs. Henry, seconded by Dr. Simons, that Student No. 361607 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(a-1). It was further moved that the expulsion be suspended and that the student complete this semester on home teaching.

Motion

unanimously carried.

It was moved by Ms Castrey, seconded by Mrs. Henry, that Student No. 370254 not be expelled from the Huntington Beach Union High School District.

Motion

unanimously carried.

It was moved by Dr. Simons, seconded by Ms Castrey, that Student No. 375174 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(a-1). It was further moved that the expulsion be suspended and that the student be

transferred to Valley Vista High School; and that the student not be reenrolled at Westminster High School when the period of suspended expulsion is ended.

Motion

unanimously carried.

It was moved by Dr. Simons, seconded by Ms Castrey, that Student No. 366305 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(c). It was further moved that the expulsion be suspended and that a district IEPT meeting be held to determine an appropriate educational placement for the student.

Motion

unanimously carried.

It was moved by Dr. Simons, seconded by Ms Castrey, that Student No. 365782 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(c). It was further moved that the expulsion be suspended and that the student be transferred to the district's Community Day School.

Motion

unanimously carried.

It was moved by Ms Castrey, seconded by Mr. Harper, that Student No. 372905 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(c). It was further moved that the student attend an ACCESS school during the period of expulsion.

Motion

unanimously carried.

It was moved by Ms Castrey, seconded by Mr. Harper, that Student No. 363512 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year for violation of California Education Code 48900(a-1 and a-2). It was further moved that the student complete his credits for graduation through an ACCESS school.

Motion

unanimously carried.

It was moved by Ms Castrey, seconded by Mr. Harper, that Student No. 363278 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(c). It was further moved that the expulsion be suspended and that a district IEPT be held to determine the student's educational placement.

Motion

unanimously carried.

It was moved by Ms Castrey, seconded by Mr. Harper, that Student No. 360332 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(a-1 and a-2). It was further moved that the student attend an ACCESS school during the period of expulsion.

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Mrs. Henry, that Student No. 376049 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(c). It was further moved that the student attend an ACCESS school during the period of expulsion.

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Mrs. Henry, that Student No. 354412 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year for violation of California Education Code 48900(a-1 and a-2). It was further moved that the student complete his credits for graduation through an ACCESS school.

Motion

unanimously carried.



It was moved by Mr. Harper, seconded by Dr. Simons, that Student No. 359808 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(a-1). It was further moved that the expulsion be suspended and that a district IEPT determine an appropriate alternative placement for the student.

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Dr. Simons, that Student No. 364525 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year for violation of California Education Code 48900(a)(1). It was further moved that the expulsion be suspended and that the student complete his credits at the Adult School or an OCDE alternative school (ACCESS).

Motion

unanimously carried.

It was moved by Mr. Harper, seconded by Dr. Simons, that Student No. 370694 be expelled from the Huntington Beach Union High School District for the remainder of the 2009-10 school year and the first semester of the 2010-11 school year for violation of California Education Code 48900(a-1 and a-2). It was further moved that the student attend an ACCESS school during the period of expulsion.

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 and adoption in the continued revision of existing policies and administrative regulations:

BP 6145 - Instruction  
Co-curricular Activities

-

Motion

unanimously carried.

NEW BUSINESS:

Mr. Harper asked about the installation of solar panels.

Mrs. Henry thanked Dr. Riley for sharing comments regarding Trustee Briscoe, stating that the rest of the Board shares his frustration.

ANY OTHER PUBLIC  
COMMUNICATION TO  
THE BOARD: (IX-A)

Donna Alexander, community member, made general comments.

Dr. Riley suggested keeping the June 15, 2010 date free for a Study Session pending the May Revise. The next regular Board meeting is Tuesday, June 29, 2010.

ADJOURNMENT:

The meeting was adjourned by the President, Mr. Garland, at 9:37 p.m.

---

Clerk

---

Secretary