

Ocean View School District
17200 Pinehurst Lane, Huntington Beach, CA 92647

 APPROVED

Board of Trustees' Meeting - Minutes
February 19, 2019
6:00 PM - OPEN SESSION

Trustees:

John Briscoe, President
Gina Clayton-Tarvin, Vice President
Jack Souders, Clerk
Patricia Singer, Member
Norm Westwell, Member

Administration:

Carol Hansen, Ed.D., Superintendent
Michael Conroy, Ed.D., Deputy Superintendent, Administrative Services
Felix Avila, Assistant Superintendent, Human Resources
Julianne Hoefler, Ph.D., Assistant Superintendent, Educational Services

A. Call to Order

The Regular meeting of the Board of Trustees was called to order by President John Briscoe at 6:00 p.m.

B. Roll Call

Members present: John Briscoe, Gina Clayton-Tarvin, Patricia Singer, Jack Souders, Norm Westwell

C. Agenda Adoption - Regular Board of Trustees' Meeting of February 19, 2019

Passed with a motion by Patricia Singer and a second by Jack Souders.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

D. Pledge of Allegiance

The Pledge of Allegiance was led by President Briscoe.

E. Introductions: None.

F. Minutes

F.1. Regular Board of Trustees' Meeting, February 5, 2019

MOTION by Gina Clayton-Tarvin and seconded by Patricia Singer to approve as submitted.

Trustee Westwell raised his hand to be recognized to speak on the matter, but President Briscoe did not recognize him due to the manner in which his hand was raised.

Trustee Westwell raised a Point of Order, confirming that the President will not recognize his hand raise and verbal request to discuss the Minutes. President Briscoe stated that, as indicated at the last Board meeting, he will only be recognizing Board members to speak during discussion if they fully raise their hand above their head or stand up.

Trustee Westwell raised a Point of Order, regarding the President's duty to recognize people who wish to speak per Board Bylaw 9121.4, and requested a Parliamentary ruling. President Briscoe reiterated that he would recognize a Board member with a fully-extended hand raise or by standing up.

Trustee Westwell raised a Point of Order, citing Board Bylaw 9005 regarding permitted conduct and governing within the adopted policies and procedures. He asked for a Parliamentary ruling, as he stated that his speech is being stopped.

Motion by Gina Clayton-Tarvin and seconded by Patricia Singer to Call for the Question.

Trustee Westwell raised a Point of Order, stating that he has not heard a Parliamentary ruling. President Briscoe advised that the Call for the Question takes precedence.

Trustee Westwell stated that his speech is being diminished and stopped, and the Bylaws are not being followed.

Vote on Call for the Question:

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
No Norm Westwell

Vote on original motion to approve:

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
No Norm Westwell

G. Time Certain: 6:05 p.m. College View Student Presentation: Mrs. Keller's fifth grade class will be performing two songs from the play, "Alice's Adventures with Idioms."

The students performed the songs, "White Rabbits" and "Tweedledee and Tweedledum."

H. Public Comments: None.

I. Communications

I.1. *Written Communications to the Board

Trustee Westwell indicated there is a problem with his District email account in that he cannot access it, so he does not know if he has received any written communications. He requested the Board President work with the Superintendent to make sure his District email account is functioning properly.

Dr. Hansen advised that she was just informed tonight by Trustee Westwell that he was having problems with his email, and she would look into the matter tomorrow.

Trustee Clayton-Tarvin raised a Point of Order, reading from Robert's Rules of Order, Decorum in Debate, regarding refraining from speaking adversely on a prior action not pending, and recommended that President Briscoe not allow this type of discussion to continue.

President Briscoe thanked Trustee Clayton-Tarvin for clarifying this matter.

I.2. Board/Committee Reports: None.

I.3. Trustees' Communications

Trustee Singer thanked the College View students and staff for their presentation; visited Lake View during their 100 days of school celebration; mentioned her daughter participates in basketball, and she hopes to attend her game later tonight; pleased to see so many parents, staff, and community members show support for the District by attending the Orange County Board of Education's meeting regarding Sycamore Charter School; noted she supports parent choice but the Sycamore Charter School is not a sound educational program.

Trustee Westwell stated he is disturbed at how his speech is being shut down, and the Board Bylaws are not being followed; commented on the Minutes of the last Board meeting regarding Trustee Clayton-Tarvin's remarks about alleged events occurring in Closed Session that involved him; expressed his concern that nearly half of our students are not meeting the state standards.

Trustee Souders welcomed everyone to the meeting; thanked the students for their performance tonight that showcased education through the arts; apologized for any kind of poor behavior the audience may have witnessed tonight; noted that Board Bylaw 9323 states that Robert's Rules of Order shall govern the meeting, and accordingly, the President may decide how he will recognize Board members who wish to speak.

Trustee Westwell raised a Point of Order, and President Briscoe advised he will recognize him at the end of the Trustees' comments.

Trustee Clayton-Tarvin visited Hope View where she volunteered in her son's classroom; attended the Sycamore Charter School appeal hearing at the Orange County Board of Education (OCBE) meeting; discussed the effects on our District should the appeal be granted, specifically, the Charter's Prop 39 request that would require the District to

provide facilities for their school; noted that as a result, our community's tax dollars would be supporting a school for students who live mostly out of this area; requested that everyone email OCBE members Dr. Ken Williams, Dr. Lisa Sparks, and Mari Barke to let them know they are opposed to the approval of the Sycamore Charter School appeal and their pandering to the Charter lobby that has financially supported certain OCBE members; read from Robert's Rules of Order regarding refraining from attacking a member's motives, and asked President Briscoe to uphold this rule.

Trustee Westwell raised a Point of Order, and President Briscoe advised he will be recognized at the end of the Trustees' comments.

President Briscoe submitted a Resolution of Censure of Trustee Norm Westwell to Trustee Westwell in compliance with statutory notification requirements, and indicated the Board would take further action thereafter; attended the Charter School appeal hearing at the Orange County Board of Education's meeting and was greatly disappointed in the demeanor, tone, and bias of the Board members; stated he will continue his support for our District and its facilities; recognized Trustee Westwell's Point of Order at this time.

Trustee Westwell pointed out the hypocrisy of these rulings, asked the Board President to govern within the adopted policies and procedures.

I.4. Superintendent's Communication

Dr. Hansen congratulated the following employees selected as the District's 2019 Classified School Employees of the Year in their respective categories: Noah Valadez, Flooring Repair Worker in Maintenance, Operations, and Facilities; Cynthia Smith, School Office Manager in Office and Technical; Julissa Aleman, Instructional Assistant in Para-Educator and Instructional Assistant; and Jill Earnest, Lead Food Service Worker in Child Nutrition; noted these individuals will be recognized at an upcoming Board meeting; commented on her attendance at the recent Orange County Board of Education's meeting, where over 40 people associated with Ocean View School District were present to show support of our Board's decision to deny the Sycamore Charter School petition; pleased with the stakeholder engagement and partnerships that led to this show of support; shared details regarding recent and upcoming family information nights about the Visual and Performing Arts (VAPA) Program at Westmont and Environmental Science Program at Golden View; along with CSEA President Jason Bozarth and OVTA President Margaret Friedmann, presented at the School Employees Association of California (SEAC) Collective Bargaining Certificate Program on the topic of collaborative leadership practices.

I.5. PTA/PTO/PTSA/PTSO Presidents' Roundtable: None.

I.6. Employee Associations' Communications (CSEA, OVTA)

Jason Bozarth, CSEA President, commended his Executive Board who attended the Orange County Board of Education (OCBE) meeting in support of Ocean View School District's Board's denial of the Sycamore Charter School petition; commented on the disappointing responses from the OCBE members during that meeting, and hoped that times will change for the better.

Bryan Leipper, OVTA Bargaining Chair, started the collective bargaining process by sunshining contract articles involving hours, class size, salaries, health and welfare benefit program, term, and calendar; read Board Policy regarding the Board's charge to maintain civil behavior.

J. Reports

J.1. Construction Update

Jim Choate, Director, Facilities, narrated a brief PowerPoint presentation that provided updated information regarding the Oak Gym/MPR project. Mr. Choate responded to questions from the Board members.

K. Consent Calendar

K.1. Administrative Services: Gifts to the District

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

K.2. Administrative Services: Payroll Check Registers from January 11, 2019, through February 10, 2019

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

K.3. Administrative Services: Purchase Orders for all Funds for January 24, 2019, through February 7, 2019

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

K.4. Administrative Services: School District Check Registers from January 19, 2019, through February 5, 2019

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

K.5. Educational Services: Listing of Conferences, Meetings, Workshops, and Consultants/Presentations

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

K.6. Human Resources: Certificated Employee Personnel Activity List - January 23, 2019, through February 5, 2019

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

K.7. Human Resources: Classified Employee Personnel Activity List - January 23, 2019, through February 5, 2019

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

L. Old Business: None.

M. New Business

M.1. Administrative Services: Acceptance of Apparent Bid Results and Award of Contract for the Wide Area Networks (WAN) Fiber Optics ERATE Project (Action)

MOTION by Jack Souders and seconded by Patricia Singer to approve as submitted.

Trustee Westwell raised a Point of Order, noting his hand is raised but he is not being recognized by the President. President Briscoe advised he will recognize a trustee who fully raises his or her hand or stands up, and will not recognize Trustee Westwell in the manner in which he is raising his hand.

Trustee Westwell stood up to be recognized, and was acknowledged by President Briscoe.

Trustee Westwell questioned the use of the flagpole at the District Office for communications, and why such cost savings had not been realized sooner when he brought up this matter a few years ago.

Dr. Hansen responded by referencing a recent Board Update regarding details about the flagpole which is no longer being used for communication purposes.

Trustee Clayton-Tarvin raised a Point of Order, reading from Robert's Rules of Order regarding Decorum in Debate, and speaking adversely on prior actions not pending.

As there was no further discussion on the matter, President Briscoe called for the vote:

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Patricia Singer

Yes Jack Souders

Yes Norm Westwell

M.2. Administrative Services: Acceptance of Apparent Bid Results and Award of Contracts for the Central Kitchen Project (Action)

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Patricia Singer

Yes Jack Souders

Yes Norm Westwell

M.3. Administrative Services: Good Governance and Program Advisory Services Agreement Between School Innovations & Achievement and Ocean View School District of Orange County (Action)

Passed with a motion by Jack Souders and a second by Patricia Singer.

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Patricia Singer

Yes Jack Souders

Yes Norm Westwell

M.4. Educational Services: Agreement between Orange County Department of Education and Ocean View School District of Orange County for Restorative Practices Training (Action)

Passed with a motion by Patricia Singer and a second by Gina Clayton-Tarvin.

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Patricia Singer

Yes Jack Souders

Yes Norm Westwell

M.5. Educational Services: Fee Increase for the Ocean View Preparatory Preschool (OVPP) Program (Information)

Received for information.

Dr. Hansen shared how an inconsistent fee structure for preschool attendance had been used in the past, noting the recommended increases are a way to continue the program which currently encroaches on the General Fund.

Trustee Westwell asked questions regarding the equity of the fee increase across all full and part day options, and expressed frustration that he was not getting answers to his questions.

President Briscoe and Dr. Hansen discussed the detailed information regarding this matter that was sent to the Board in the last Board Update, which possibly Trustee Westwell did not receive due to his email problems he reported tonight. President Briscoe suggested the Board Update be mailed to Trustee Westwell, and asked Trustee Westwell if he would desire this service.

Trustee Clayton-Tarvin raised a Point of Order, noting this matter is not before the Board for consideration tonight. President Briscoe concurred, and deferred discussion to another time.

Trustee Clayton-Tarvin raised a Point of Order involving Decorum in Debate; specifically, she read from Robert's Rules of Order about refraining from attacking a member's motives; and requested the President rule remarks of this type out of order. President Briscoe thanked Trustee Clayton-Tarvin for this information.

Trustee Souders requested further information regarding parity of the fee increases.

Dr. Hoefer discussed staffing and comparable program option difficulties due to the a la carte nature of the program offerings in the past.

Trustee Singer noted that although the fees will remain the same for the full day, 2 days-a-week program and the part day, 5 days-a-week program, the option to choose which days to attend is being eliminated.

Trustee Westwell noted that his questions have been answered, and thanked Trustee Souders for asking on his behalf.

M.6. Human Resources: Proposed Ocean View School District Calendar For 2019-2020 (Action)

MOTION by Patricia Singer and seconded by Jack Souders to approve as submitted.

Prior to the motion, Trustee Westwell raised a Point of Order, noting that per Robert's Rules of Order, the President must first recognize the maker of a motion and second, and asked that this be done for consistency. President Briscoe concurred with Trustee Westwell, and recognized Trustees Singer and Souders after they fully raised their hand.

Vote on motion to approve:

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell

M.7. Human Resources: Public Hearing on the Proposed Openers for Contract Negotiations Between Ocean View School District of Orange County and Ocean View Teachers' Association for the 2018-2019 School Year

President Briscoe opened the Public Hearing at 7:22 p.m.

Trustee Westwell questioned whether this was the appropriate time for the Board to discuss this matter.

Trustee Clayton-Tarvin raised a Point of Order, noting that if someone wishes to approach the microphone and address the Board of Trustees, they may do so. President Briscoe agreed, and advised Trustee Westwell of this option. Trustee Westwell asked when the Board would have the opportunity to discuss this matter at the dais.

There being no one wishing to address the Board on this matter, the Public Hearing was closed at 7:23 p.m.

Dr. Hansen advised that this Board item would be returned at the next meeting for action, at which time the Board may discuss the matter prior to voting.

M.8. Human Resources: Public Hearing on the Initial Openers Between Ocean View Teachers' Association and Ocean View School District of Orange County for the 2018-2019 School Year

President Briscoe opened the Public Hearing at 7:24 p.m.

Trustee Westwell questioned whether this was the appropriate time for the Board to discuss this matter.

President Briscoe replied that Trustee Westwell could approach the podium as a member of the public to speak.

Trustee Westwell asked whether the Board would have the opportunity to discuss this matter when it comes back before the Board, similar to the prior Agenda item.

Dr. Hansen clarified the Board does not vote on the union's proposal; it is brought before the Board for information and public hearing purposes only.

Prior to Dr. Hansen's response, Trustee Westwell raised a Point of Order, requesting the speaker be recognized by the President. President Briscoe recognized Dr. Hansen after she fully raised her hand.

There being no one wishing to address the Board on this matter, President Briscoe closed the Public Hearing at 7:25 p.m.

M.9. Human Resources: Williams Settlement Legislation Second Quarter Report 2018-2019 (Information)

Received for information.

M.10. Superintendent's Office: *2019 California School Boards Association (CSBA) Delegate Assembly Election (Action)

The Board discussed the manner in which to consider this item. As a motion is in order prior to discussion, Trustee Briscoe asked for a motion and second.

Trustee Westwell raised a Point of Order, asking what the motion would be since this is a nomination. President Briscoe clarified this is an election with a ballot, and a motion and second is required prior to discussion.

Motion by Patricia Singer and seconded by Gina Clayton-Tarvin to vote for the following people on the 2019 Delegate Assembly Ballot: Gina Clayton-Tarvin; Ian Collins, Jackie Filbeck, Elizabeth A. Gonzalez; Al Jabbar; Chester Jeng; Charlene Metoyer; Xavier Nguyen; and Suzie R. Swartz.

Trustee Westwell asked Trustee Singer if she would accept the name of David A. Boyer, and she declined.

Vote on motion to approve names as stated by Trustee Singer:

Yes John Briscoe
 Yes Gina Clayton-Tarvin
 Yes Patricia Singer
 Yes Jack Souders
 No Norm Westwell

N. Any Other Public Comments to the Board of Trustees: None.

O. Future Agenda Items (As requested by Board Members)

Trustee Westwell:

- Discussion to seek a judge's approval to record and seal all Closed Session meetings in the future for four years;

- Discussion on how we can better collaborate with our teachers' union leadership to tie student achievement with salaries and benefits in some manner;
- Discussion on following the Board Bylaws consistently.

P. Board of Trustees' Roundtable

Trustee Westwell spoke regarding this District's lack of attention to detail and not following the Board Bylaws; referenced Board Bylaw 9000 regarding setting a direction for the District, providing organizational structure, and ensuring accountability; commented on the union-backed Board and lack of accountability to the parents and students of the District; stated the Superintendent and staff should be held responsible for the failures of our District; emphasized that the Board is failing our District when nearly 50 percent of the students are not meeting state standards.

Trustee Singer reminded her colleagues about the recent meeting where the Board discussed governance, specifically working collaboratively and being respectful and courteous, and noted a certain trustee chose not to attend; stated the importance of being involved in the District, such as participating on committees and visiting schools to see what is occurring at sites, noting that a certain trustee had mentioned he does not have time to be on the LCAP Committee, nor is he seen at the school sites; noted that realistically, it takes time to achieve higher test scores, and commended staff for the hard work they do every day in the classroom as they focus on student achievement.

Trustee Souders echoed Trustee Singer's comments regarding working together; stated that we should not overlook the work done on a daily basis in the classroom to educate the whole child, as test scores are only a part of education and reflect a snapshot in time; mentioned that relationships students have with teachers and other staff are just as important as test scores; stressed the need to embrace and learn from our failures as we move forward; thanked everyone for attending tonight's meeting.

Trustee Clayton-Tarvin mentioned the negative and disruptive behavior of a certain trustee occurs at every Board meeting, and it needs to stop; thanked President Briscoe for presenting his censure resolution and recommended that a censure resolution be presented at every Board meeting if this behavior continues, until the next school board election.

President Briscoe spoke about an upcoming community meeting regarding the homeless situation and invited everyone to attend on February 21, 2019, at the Community Methodist Church; discussed the different categories of homelessness, noting he will stand up for all those in homeless situations, including those families living in cars and motels.

Q. Adjournment

Time: 7:45 p.m.

Passed with a motion by Gina Clayton-Tarvin and a second by Patricia Singer.

Yes John Briscoe
Yes Gina Clayton-Tarvin
Yes Patricia Singer
Yes Jack Souders
Yes Norm Westwell



Carol Hansen, Ed.D., Superintendent



Jack Souders, Board Clerk

March 5, 2019

Date