

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

 APPROVED

Board of Trustees' Meeting – Minutes
January 07, 2020
5:15 PM - CLOSED SESSION; 6:00 PM - OPEN SESSION

Trustees:

Gina Clayton-Tarvin, President
Patricia Singer, 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 Gina Clayton-Tarvin at 5:15 p.m.

B. Roll Call

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

Trustee John Briscoe arrived at 5:19 p.m.

C. Agenda Adoption - Regular Board of Trustees' Meeting of January 7, 2020

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

Trustee Westwell pulled Agenda Item M.1. (Addition of National Science Teachers Association Membership to the Annual Professional Organization Memberships Listing 2019-2020) from the Consent Calendar for discussion.

Substitute Motion by Gina Clayton-Tarvin, seconded by Norm Westwell, and carried by the following vote to move Agenda Item M.1. after N.1. (Old Business) for consideration, and approve the remainder of the Agenda as submitted:

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

D. Closed Session

President Clayton-Tarvin read aloud the items listed under Closed Session.

The Board of Trustees moved to Closed Session at 5:20 p.m.

D.1. Government Code Section 54956.9: Conference with Legal Counsel - Existing Litigation, pursuant to Government Code Section 54956.9(d)(1): OAH Case No. 2019100178 and OAH Case No. 2019100993

D.2. Government Code Section 54957.6: Conference with Labor Negotiators - Agency designated representative: Felix Avila, Assistant Superintendent, Human Resources; Employee Organizations: CSEA and OVTA

E. Return to Open Session/Report of Closed Session Action

The Board of Trustees returned to Open Session at 6:00 p.m.

The following actions were taken in Closed Session:

Motion by Gina Clayton-Tarvin, seconded by John Briscoe, and carried by the following vote to approve the settlement agreement to resolve special education due process matter OAH Case No. 2019100178 in the amount of \$19,500.00:

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

Motion by Gina Clayton-Tarvin, seconded by Patricia Singer, and carried by the following vote to approve the settlement agreement to resolve special education due process matter OAH Case No. 2019100993 in the amount of \$16,480.00:

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

F. Pledge of Allegiance

President Clayton-Tarvin led the Pledge of Allegiance.

G. Introductions: None.

H. Minutes

H.1. Regular Board of Trustees' Meeting, December 10, 2019

Motion by Patricia Singer and seconded by John Briscoe to approve as submitted.

Substitute Motion by Norm Westwell to add the following language into the Minutes for the last meeting:

"President Tarvin stated, the Board President has the right to pretty much do as they wish during a Board meeting, I have to be honest, per Robert's Rules;
President Tarvin stated, I believe he did the right thing;
President Tarvin stated, so just like the Ed Code that comes to us, we are allowed to do some sorts of changes and amendments, so I believe that this is the same with the Government Code;
President Tarvin stated, my point is that nobody is not following the rules;
President Tarvin stated, this will be added language for you to consider at the next meeting;
Trustee Westwell asked President Tarvin, so you're inserting language without the consensus of the Board agreeing with you, is that what's going on here;
President Tarvin stated, no I'm not, Trustee;
Trustee Westwell stated, because you said you were inserting this language for the next reading;
President Tarvin stated it would be a proposed insertion, I'm allowed to do that;
Trustee Westwell asked, do we have consensus of the Board for that insertion;
President Tarvin stated, I don't think I need consensus to do that sir, it's just my statement;
Trustee Westwell asked, so will my suggestions be put in there;
President Tarvin stated, only if I decide to put them in there;
President Tarvin stated, you will be recognized when I choose to recognize you;
President Tarvin stated, as you know, I will be placing this into the policy for the Board to take up for debate. This is about the time limitation;
President Tarvin stated, we have all discussed this, I believe, as much as we can;
President Tarvin stated, we have listened to all the statements that need to be made, it's time to move on;
President Tarvin stated, your point to be recognized is not well taken;
President Tarvin stated, I am the Chair and I have ruled we are going to move on;
President Tarvin stated, I have the floor and do not recognize your point of information;
Trustee Briscoe stated, there is no such thing as Robert's Rules, Rules of Order that are all-guiding."

Motion died for lack of a second.

Vote on original motion to approve as submitted:

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

I. Time Certain

I.1. 6:05 p.m. *Annual Financial Audit Report

Mr. Royce Townsend, from the auditing firm of Eide Bailly LLP, presented information regarding the District's Annual Financial Audit Report. He advised there were no audit findings related to the District's Annual Financial Audit Report.

Mr. Townsend responded to questions from the Board of Trustees.

I.2. 6:10 p.m. *Building Fund (Measure R) Financial and Performance Audits Report

Mr. Royce Townsend, from the auditing firm of Eide Bailly, LLP, shared information with the Board regarding the Building Fund (Measure R) Financial and Performance Audits Report. He advised there were no findings related to the financial audit or the performance audit for the fiscal year ending June 30, 2019.

Mr. Townsend responded to questions from the Board of Trustees.

I.3. 6:20 p.m. Guide Dogs of America Presentation

Holly Sjogren, teacher at Hope View School, provided information about the history of Guide Dogs of America and the training path of the dogs she has recently worked with at Hope View School. She introduced Keeper, the newest puppy in training; Harry, the latest puppy in training who will be leaving soon to attend formal training; Luka, trained puppy who is now a therapy dog; and Vargo, a working guide dog.

Amanda Stine shared her personal story about how her guide dog, Vargo, assists her in everyday life.

Trustee Westwell asked to be recognized, and President Clayton-Tarvin did so. He asked a Parliamentary Inquiry regarding how he is addressed on the Board and if the Chair must answer his Parliamentary Inquiries.

President Clayton-Tarvin advised Trustee Westwell that the Parliamentarian would look into his inquiries and get back to the Board with his findings.

J. Public Comments

Dennis Anderson, parent, spoke regarding the verbal assault his wife and children endured at the last Board meeting by Trustee Westwell, stating this behavior should not be tolerated; urged the public to be informed and involved to ensure the District has a Board that works respectfully with others, and for the best interests of the students.

Katelynn Anderson, Hope View student, commented about what she saw and heard at the last Board meeting involving her mother and Trustee Westwell that made her and her brother scared and sad; asked the Board President to talk to Trustee Westwell and ask him not to be rude.

K. Communications

K.1. *Written Communications to the Board: None.

K.2. Board/Committee Reports: None.

K.3. Trustees' Communications

Trustee Souders thanked everyone for attending tonight's meeting.

Trustee Singer attended various District and site events, including the Grand Opening of the new Central Kitchen; Hope View's holiday program; Oak View's holiday visit with Santa; Circle View's first grade holiday performance; Vista View's PBIS assembly; Mesa View's holiday concert; and the District's Toys for Tots Culmination Event; thanked everyone for attending the meeting.

Trustee Westwell spoke regarding the lack of accountability in this District; the violation of his rights by the Board President, resulting in his inability to effectively participate on the Board; and the Board Bylaws and Robert's Rules of Order that continue to be violated by the Board President.

Trustee Briscoe commented on neighboring Huntington Beach City School District's potential return of their transfer students from other districts, and urged a vigorous campaign to garner these students by highlighting our innovative programs and schools; advised staff of a homeless person who appears to be camping at or near Westmont School; proud that our students are learning note-taking skills; mentioned there is no violation until one is ruled upon; noted the minimum required content in meeting minutes per California law.

President Clayton-Tarvin explained the role of the Chair of the meeting, per Robert's Rules of Order, and requested her fellow colleagues not disrupt the meeting any further; concurred with Trustee Briscoe's comment that there are no violations until one is ruled as such; attended Hope View's holiday concert and worked at Hope View's Holiday House; attended Shop with a Cop annual event; attended Grand Opening of the new Central Kitchen.

K.4. Superintendent's Communication

Dr. Hansen hoped everyone had a nice holiday break, and wished everyone a healthy 2020.

K.5. PTA/PTO/PTSA/PTSO Presidents' Roundtable: No report.

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

Jason Bozarth, CSEA President, shared important new laws, effective January 1, 2020, including CSEA SB 126 - Charter School Policy Equality, Bill AB 1767 - Age Appropriate Suicide Prevention Policy Update, and AB 272 - Smart Phone Use; noted he will join Cabinet members and OVTA in presenting at the upcoming SEAC (School Employers Association of California) conference in Cerritos to share information about the District's PAL (Project with Administration and Labor) process.

Marisa Joslyn, OVTA President, wished everyone a happy new year; pleased with the successful Toys for Tots toy drive, and thanked staff, colleagues, and the Board for supporting this event.

L. Reports

L.1. California School Dashboard - State Indicators

Dr. Hoefer narrated a detailed PowerPoint presentation that provided information from the California School Dashboard. She explained how the state indicators reflect data in the areas of Chronic Absenteeism, Suspension Rate; English Language Arts; and Mathematics. Comparisons between 2019 and 2018 indicators were discussed.

Dr. Hoefer and Dr. Hansen responded to questions from the Board members, and will provide additional specific information as requested by the Trustees.

Trustee Westwell asked if his previous Point of Order had been reviewed by the Parliamentarian.

Clerk Souders, acting as Parliamentarian, read from Robert's Rules of Order regarding options in recognizing a Board member, and Parliamentary Inquiry response from the Chair.

President Clayton-Tarvin ruled that a member must be recognized to be able to speak.

Trustee Westwell raised a Point of Order, regarding the need to be recognized to make a Parliamentary Inquiry.

President Clayton-Tarvin stated his Point of Order was not well taken, and reiterated her ruling that a member must be recognized before speaking.

Trustee Westwell raised a Point of Order; however, he was not recognized by the President.

Trustee Westwell raised a Point of Order, stating that the Chair must give a reason why his Point of Order was not well taken.

President Clayton-Tarvin ruled that Trustee Westwell was disrupting the meeting, as she had the floor, and will be moving forward on the agenda.

L.2. Construction Update

Dr. Conroy narrated a PowerPoint presentation that provided information regarding the interior floor design and exterior paint design planned for College View; the Central Kitchen Marquee, and the Marquees at Harbour, Hope, Lake, and Oak View Schools. Staff is seeking Board direction in establishing a Districtwide standard for marquee hours of operation.

Discussion ensued regarding community comments on the marquee displays; possible times to have the marquees turned on and off; and gathering community input on the proposed times for marquee operation.

After further discussion, it was the majority consensus of the Board to have the marquees at Harbour, Hope, Lake, and Oak View Schools operate during the hours of 7:00 a.m. to 5:00 p.m., while staff contacts the affected parents and community to seek feedback before determining a permanent marquee time schedule to best serve our school and neighbors.

M. Consent Calendar

M.1. Administrative Services: Addition of National Science Teachers Association Membership to the Annual Professional Organization Memberships Listing 2019-2020

This Agenda item was previously pulled by Trustee Westwell and taken out of order.

Motion by Gina Clayton-Tarvin, seconded by John Briscoe, and carried by the following vote to approve:

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

M.2. Administrative Services: Gifts to the District

Passed with a motion by Norm Westwell and a second by John Briscoe.

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

M.3. Administrative Services: Purchase Orders for all Funds for December 3, 2019, through December 12, 2019

Passed with a motion by Norm Westwell and a second by John Briscoe.

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

M.4. Administrative Services: School District Check Registers from November 16, 2019, through December 6, 2019

Passed with a motion by Norm Westwell and a second by John Briscoe.

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

M.5. Educational Services: Listing of Conferences, Meetings, Workshops, and Consultants

Passed with a motion by Norm Westwell and a second by John Briscoe.

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

M.6. Human Resources: Certificated Employee Personnel Activity List - November 20, 2019, through December 10, 2019

Passed with a motion by Norm Westwell and a second by John Briscoe.

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

M.7. Human Resources: Classified Employee Personnel Activity List - November 20, 2019, through December 10, 2019

Passed with a motion by Norm Westwell and a second by John Briscoe.

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

N. Old Business

N.1. Superintendent's Office: Review of Board Bylaw and Administrative Regulation 9323 - Meeting Conduct (Second Reading) (Information)

Received for information.

Motion by Trustee Westwell to review this Agenda item by paragraph, as suggested by Robert's Rules of Order.

Motion died for lack of a second.

In response to Trustee Westwell's Parliamentary Inquiry regarding the normal method for revising Board Bylaws, Clerk Souders, acting as Parliamentarian, stated that review by paragraph can be done, per Robert's Rules of Order; however, the motion to do so died for lack of second.

President Clayton-Tarvin advised that no action is being taken on this Agenda item, and this is not a debatable issue. She ruled that this item is not subject to what was cited in Robert's Rules of Order.

Trustee Westwell made suggested language changes to the proposed Board Bylaw.

After ten minutes of speaking, Trustee Westwell made a motion to extend time.

Motion died for lack of a second.

Motion by Norm Westwell to strike out the improperly inserted unnecessary second paragraph under Parliamentary Procedure, beginning with, "Each member of the Board of Trustees, upon obtaining" to the end of the sentence; replace words in number 5 and number 9 under Public Participation, replacing the word "President" with "Presiding Officer"; replace the words in number 1 under Public Participation, "start of open session" and change it to "Pledge of Allegiance"; strike in number 10, "persistent disruption by an individual or group shall be grounds for the Chair (which should be Presiding Officer) to terminate the privilege of addressing the Board of Trustees"; replace words in number 10 with the words "Chair" and "Board President" with the word "Presiding Officer"; change language in number 10, line 5 from "if order cannot be restored by the removal of individuals, the Board of Trustees may" and change that language to "Only the Board of Trustees may order the meeting room cleared if order cannot be restored by the removal of individuals"; strike words in number 10 "by majority consensus"; change word in 2nd paragraph of number 10 to replace "shall" with "may"; change words in number 11, replacing "may" with "shall".

President Clayton-Tarvin advised this motion was made improperly, and noted that Trustee Westwell's comments will be taken under advisement.

O. New Business

O.1. Administrative Services: Request by Marine View VAPA (Visual and Performing Arts) Guild to Form a School-Connected Organization at Marine View Middle School (Action)

Passed with a motion by John Briscoe and a second by Patricia Singer.

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

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

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

Trustee Singer:

-List of electives offered in our middle schools, by middle school, and who funds these electives

Trustee Briscoe:

-Better understanding of the intersection in our middle schools of the GATE program and the elective wheel

Trustee Westwell raised a Point of Order, noting the Chair is violating Board Bylaw 9121 by interrupting him.

President Clayton-Tarvin stated his Point of Order is not well taken.

Trustee Westwell raised a Point of Order, asking for the reason his previous Point of Order was not well taken.

President Clayton-Tarvin referenced Robert's Rules of Order, giving the Chair the right to refuse recognizing a member who is making dilatory motions, and stated that is her reason that the Point of Order was not well taken.

Trustee Westwell:

-Conduct a Superintendent search to see if there are superintendents out there available to us who are eager to follow the bylaws

R. Board of Trustees' Roundtable

Trustee Briscoe attended the District's Toys for Tots Culmination Event, as well as the holiday presentation at Westmont School; will be working with staff and the Board to implement a common courtesy curriculum component in the District's anti-bullying/PBIS efforts; reiterated the importance of student note-taking skills.

Trustee Westwell stated his rights are being trampled upon by the Board President, and she is not following the Board Bylaws; listed his rights under Robert's Rules of Order that are being violated.

Trustee Singer commented on the stressful meeting, noting that common courtesy goes a long way; encouraged her colleague to visit the sites to see the positive things occurring at the schools.

President Clayton-Tarvin explained her role as the meeting Chair, which includes the responsibility of conducting an orderly meeting and making rulings; asked her colleagues to follow the rules and not disrupt the flow of the meeting.

S. Closed Session (if needed): None.

T. Return to Open Session/Report of Closed Session Action: n/a

U. Adjournment

Time: 9:28 p.m.

Passed with a motion by John Briscoe and a second by Patricia Singer.

Yes John Briscoe

Yes Gina Clayton-Tarvin

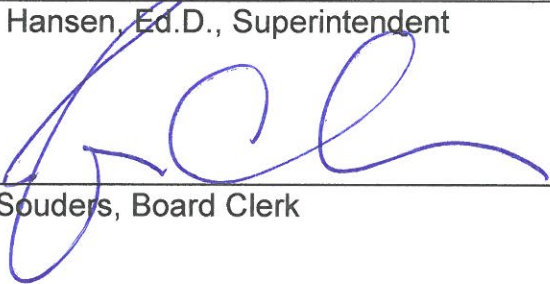
Yes Patricia Singer

Yes Jack Souders

Yes Norm Westwell



Carol Hansen, Ed.D., Superintendent



Jack Souders, Board Clerk



Date