

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

 APPROVED

**Board of Trustees' Meeting - Minutes**

October 06, 2020

5:30 PM - CLOSED SESSION; 6:00 PM - OPEN SESSION

Zoom Webinar Link: <https://www.ovsd.org/boardmeeting>

**Trustees:**

Gina Clayton-Tarvin, President  
Patricia Singer, Vice President  
Jack Souders, Clerk  
John Briscoe, 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 Hoefer, 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 5:31 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 October 6, 2020**

**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

**D. Closed Session**

Board Clerk Jack Souders read aloud the item listed under Closed Session. As there was no one present wishing to speak on this matter, the Board moved to Closed Session at 5:34 p.m.

**D.1. Government Code Section 54956.9(d)(2): Conference with Legal Counsel - Anticipated Litigation: three (3) potential cases**

## **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 action was taken in Closed Session:

MOTION by John Briscoe, seconded by Patricia Singer, and carried by the following roll call vote to approve the settlement agreement to resolve special education anticipated litigation in the amount of \$42,000.00:

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**

For the audience's information, President Clayton-Tarvin advised that the following Board Members and District staff are participating in person and/or facilitating this meeting via Zoom Webinar:

Gina Clayton-Tarvin, President  
Patricia Singer, Vice President  
Jack Souders, Clerk  
John Briscoe, Member  
Norm Westwell, Member  
Dr. Carol Hansen, Superintendent  
Dr. Michael Conroy, Deputy Superintendent  
Felix Avila, Assistant Superintendent, Human Resources  
Dr. Julianne Hoefler, Assistant Superintendent, Educational Services  
Trish Montgomery, Public Information Manager  
Cindi Lee, Executive Assistant  
Phi Tran, Network Systems Specialist

## **H. Minutes**

### **H.1. Regular Board of Trustees' Meeting, September 15, 2020**

MOTION by John Briscoe and seconded by Patricia Singer to approve.

Trustee Westwell referenced page 3, section H-2 (Minutes, September 4, 2020, Special Meeting), as he stated that what was reported in the Minutes is incorrect, and requested that all his comments on this matter be included in the Minutes; he advised he will be voting no on this item.

Trustee Singer shared her recollection of what occurred at the meeting, which differed from Trustee Westwell's recalling of events.

After further discussion, the original motion to approve was carried by the following roll call vote:

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

## **H.2. Special Board of Trustees' Meeting, September 22, 2020**

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

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

**I. Time Certain:** None.

### **J. Public Comments**

John Salazar, parent, referenced a petition signed by Circle View parents who are in opposition of having students wear masks at schools, and highlighted studies and other information in support of his case.

The following summarized comments were read into the public record:

Claudia Martinez, parent, asked that parents and the community be informed when someone tests positive for COVID-19 at one of our schools.

Sara Maltby, parent, spoke in support of allowing early learners to return to the classroom setting full-time, as virtual learning is difficult at a young age.

President Clayton-Tarvin noted that Trustee Westwell left the building at approximately 6:32 p.m. and returned at 6:37 p.m.

### **K. Communications**

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

**K.2. Board/Committee Reports:** None.

### **K.3. Trustees' Communications**

Trustee Westwell commented on Mr. Salazar's remarks and his signed petition in opposition to students wearing masks at school; spoke about misinformation and non-transparency in the District, and the other Trustees' allegiance to the teachers' union.

Trustee Briscoe thanked all staff for their work in getting our schools up and running as we continue to follow the directives of the state government; pleased to report that retired teachers are watching the Board meeting broadcasts to keep updated on District matters.

Trustee Souders expressed his great appreciation to the entire staff for their efforts in returning students to school; introduced a resolution regarding censure of Trustee Norm Westwell, and distributed copies of the document to all Board members.

President Clayton-Tarvin discussed the seriousness of the current pandemic; explained how the stated mandated health orders from Governor Newsom dictate how and when the District will be allowed to open; agreed this is not the optimal situation, but we must follow the mandate, as we cannot take chances with the health of our children; reminded everyone that in about five weeks, the Board will reevaluate the situation, including review of the latest health updates, government mandates, and labor group negotiations before deciding on the next phase of reopening our schools; stated that the resolution introduced tonight regarding censure of Trustee Westwell will be brought before the Board at the next meeting.

### **K.4. Superintendent's Communication**

Dr. Hansen thanked the Board for their words of appreciation to the staff; commended all administrators, and certificated and classified staff for managing this difficult situation; pleased with the cooperation shown by parents as they bring their students to school, following the safety protocols established.

### **K.5. PTA/PTO/PTSA/PTSO Presidents' Roundtable**

Dr. Hansen advised that the next virtual Roundtable meeting is scheduled for Monday, October 12, 2020, at 3:00 p.m.

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

Jason Bozarth, CSEA President, updated the Board on the latest CSEA matters, including upcoming training opportunities and student debt reducer loans; stated that wearing masks protects everyone and thanked the Board for their regard for staff.

Marisa Joslyn, OVTA President, thanked the Virtual Academy Principals and Dr. Hoefer for their willingness to discuss and make beneficial changes to the Virtual Academy program; expressed appreciation to Mr. Avila and the Human Resources Division for their work in obtaining free COVID-19 testing for all staff; thanked Dr. Conroy and his Facilities staff for deep cleaning and safely maintaining the campuses on a daily basis; expressed appreciation to Dr. Hansen who, working in partnership with OVTA, is leading the way through this pandemic with strong accomplishments now and in the future.

## L. Reports

### L.1. School Reopening Update

Dr. Hansen provided the Board with an update on the reopening of our school campuses, noting that student health screenings and temperature checks are going smoothly, as well as effective use of classroom safety enhancements. She explained the protocols to be followed in both staff and student wellness checks. Should there be a positive COVID-19 case, the District would take swift action, collaborate with the Orange County Health Care Agency (OCHCA), follow specific protocols established, and provide transparent communication.

## M. Consent Calendar

### M.1. Administrative Services: Gifts to the District

**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

### M.2. Administrative Services: Purchase Orders for all Funds for September 4, 2020, through September 24, 2020

**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

### M.3. Administrative Services: School District Check Registers from August 29, 2020, through September 11, 2020

**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

**M.4. Educational Services: Listing of Conferences, Meetings, Workshops, and Consultants**

**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

**M.5. Human Resources: Certificated Employee Personnel Activity List - September 2, 2020, through September 15, 2020**

**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

**M.6. Human Resources: Classified Employee Personnel Activity List - September 2, 2020, through September 15, 2020**

**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

**N. Old Business**

**N.1. Superintendent's Office: Personnel Commissioner - Ocean View School District Board Appointee (Public Hearing)**

President Clayton-Tarvin opened the Public Hearing at 7:17 p.m. As there was no one present wishing to address the Board on this matter, the Public Hearing was closed at 7:19 p.m.

**N.2. Superintendent's Office: Personnel Commissioner - Ocean View School District Board Appointee (Action)**

MOTION by John Briscoe, seconded by Patricia Singer, and carried by the following vote to reappoint Mr. Lance Bidnick as the Board of Trustee's appointee to the Personnel Commission for a term of three years, commencing December 1, 2020, and expiring on November 30, 2023:

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

## O. New Business

### **O.1. Administrative Services: Contract Change Order for Wolverine Fence Company, Inc. for the 2020 Site Fencing Project - Phase II (Action)**

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

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

### **O.2. Administrative Services: Contract Change Orders for Various Contractors for the Marine View Modernization Project and the Interim Campus Locker Room Addition (Action)**

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

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

### **O.3. Administrative Services: File Notice of Completion: ACH Mechanical (Contractor) for the Westmont Elementary School Modernization Project #17-301 (Action)**

Prior to the vote on this matter, Dr. Conroy provided the Board with dramatic before and after pictures of the school office, school entrance, school street-side branding, classrooms, multi-purpose room, and outdoor learning court.

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

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

### **O.4. Educational Services: Agreement Extension for Independent Educational Evaluation (IEE) for a Student with Special Needs (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

**O.5. Educational Services: Amendment to Agreements for Non-Public School/Services for Special Education Students as Determined by Individualized Education Programs (IEPs) (Action)**

Prior to the vote on this matter, Trustee Westwell advised that he should have been called on first in discussion as he was the maker of the motion, per Robert's Rules of Order.

Trustee Souders, acting as Parliamentarian, read a portion of Robert's Rules of Order which concurred with Trustee Westwell's comment, in a normal situation.

President Clayton-Tarvin reiterated her past ruling on this matter, explaining that she calls on Trustees alphabetically for the benefit of the remote viewing public. She will continue to do so, noting we are not in a normal situation where this could be handled differently.

Trustee Briscoe asked for a parliamentarian opinion on a trustee indicating how they are going to vote before other trustees, and the public, have spoken on the matter. Discussion ensued regarding Trustee Briscoe's comment; and Trustee Souders, acting as Parliamentarian, indicated he would need to research the issue.

MOTION by Norm Westwell, seconded by Patricia Singer, and carried by the following vote to approve:

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

**O.6. Human Resources: Williams Settlement Legislation First Quarter Report 2020-2021 (Information)**

Received for information.

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

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

Trustee Westwell:

-Discussion on which modernized school will be closed first due to declining enrollment

President Clayton-Tarvin advised that she will not agendize this request, as we will not waste taxpayers' money by closing a modernized school.



## **R. Board of Trustees' Roundtable**

Trustee Westwell referenced the cancel culture of progressive socialists as he noted how he is consistently canceled, ignored, and censured for disagreeing with the Board or Administration; commented on the complaints he receives from parents who are fleeing the District due to the District's lack of transparency and false information; stated that the Board is attacking the messenger by censoring him.

Trustee Souders thanked parents and students for being patient and resilient throughout the entire process of reopening our schools; shares the frustration experienced by families during this time, but is confident we will get through this and be stronger for it.

Trustee Singer expressed her pride as a parent that she can send her child to school in our District, knowing that enhanced safety protocols are in place and being utilized on every campus; understands the frustration of parents during this difficult time, and commented on the importance of mask wearing as an essential step in moving forward; pleased that families have the option to attend school in the Hybrid model, or attend the Virtual Academy.

Trustee Briscoe spoke about the recent closure of modernized Perry Elementary School in the Huntington Beach City School District, and does not anticipate we will be doing this in our District; noted his plans to look into the equitable trade term discounts for all districts as he commended Dr. Conroy for his work in this area; continues to work with the California Department of Education in his quest to find students who live in our District and attend schools elsewhere.

President Clayton-Tarvin spoke regarding her recent visits to school sites where students were learning in classrooms; agreed that the situation we are in, due to the pandemic, is not optimal, but we are working toward returning all students to school in a safe manner; thanked Clerk Souders for serving Trustee Westwell with a resolution of censure; shared details of the censure resolution with the public, noting the matter will be brought before the Board at their next meeting in two weeks.

**S. Closed Session (if needed):** None.

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

## **U. Adjournment**

Time: 8:01 p.m.

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

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Patricia Singer

Yes Jack Souders

Yes Norm Westwell



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Carol Hansen, Ed.d., Superintendent



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Jack Souders, Board Clerk

October 20, 2020

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Date