

**MINUTES**  
**Board of Trustees' Meeting**  
October 12, 2021

5:00 PM - CLOSED SESSION; 6:00 PM - OPEN SESSION  
Zoom Webinar Link: <https://www.ovsd.org/boardmeeting>

**Trustees:**

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

**Administration:**

Carol Hansen, Ed.D., Superintendent  
Julianne Hoefer, Ph.D., Assistant Superintendent, Educational Services  
Keith Farrow, Assistant Superintendent, Administrative Services  
Reagan Headrick, Assistant Superintendent, Human Resources

**A. Call to Order**

The Regular Meeting of the Board of Trustees was called to order by President Patricia Singer at 5:00 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 October 12, 2021**

MOTION by Norm Westwell, seconded by Patricia Singer, and carried by the following vote to approve the agenda, to include the following correction to the Minutes: Page 9, Q. Future Agenda Items (As requested by Board Members) – “Trustee Westwell: - Academic Achievement pertaining to CAASPP vs i-Ready testing”:

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

## **D. Closed Session**

Clerk Clayton-Tarvin read aloud the items listed under Closed Session for consideration. There being no one present wishing to speak on these matters, the Board moved to Closed Session at 5:04 p.m.

**D.1. Government Code Section 54956.9(d)(2): Conference with Legal Counsel - Potential Litigation: One case**

**D.2. Government Code Section 54956.8 - Conference with Real Property Negotiators; Property: Approximately 1.91 acres of property (vacant parcel) located at 8251 Heil Avenue, Westminster, CA 92684; Agency Negotiators: Ocean View School District (Lessor) Real Property Negotiators: Keith Farrow, Assistant Superintendent, Administrative Services; Negotiating Parties: Ocean View School District (Lessor) and ActivCare (Lessee); Under Negotiation: Instruction to negotiators will concern both price and terms of payment associated with lease of the identified property.**

**D.3. Government Code Section 54957.6: Conference with Labor Negotiators - Agency designated representative: Reagan Headrick, Assistant Superintendent, Human Resources; Employee Organizations: CSEA; OVTA**

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

The Board of Trustees returned to Open Session at 6:01 p.m.

President Singer advised that prior to moving to Closed Session tonight, she entertained a motion and vote erroneously which needs to be corrected, so we will be returning to Agenda Item C - Agenda Adoption - Regular Board of Trustees' Meeting of October 12, 2021.

Motion by Gina Clayton-Tarvin and seconded by John Briscoe to approve the Agenda Adoption - Regular Board of Trustees' Meeting of October 12, 2021.

Trustee Westwell advised this motion is out of order since the Board already voted on this item. Trustee Westwell made a motion for reconsideration.

Discussion ensued regarding correct and clarifying motions.

At this time, Trustee Clayton-Tarvin made a motion to reconsider the agenda item.

Trustee Westwell raised a Point of Order, noting that Trustee Clayton-Tarvin cannot make the motion to reconsider as she was on the failing side of the previous vote; he asked for a parliamentary opinion regarding the proper way and who is eligible to make a motion.

After further discussion, a motion was made by Jack Souders, seconded by Norm Westwell, and carried by the following vote to take a ten minute recess:

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

The Board recessed at 6:03 p.m. and reconvened at 6:13 p.m.

Acting as Parliamentarian, Clerk Clayton-Tarvin reviewed what had taken place previously, and shared from Robert's Rules of Order that a motion to rescind would be in order. Therefore, she changed her earlier motion to reconsider to a motion to rescind.

Trustee Souders noted that Trustee Westwell made a motion to reconsider but a second to the motion was not requested.

At this time, President Singer asked if there is a second to Trustee Westwell's motion to reconsider, and Trustee Souders seconded the motion.

Vote on motion to reconsider:

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

Motion by Gina Clayton-Tarvin and a second by Jack Souders, to approve the agenda.

Trustee Westwell pulled Agenda Item M.1 (Administrative Services: Gifts to the District) from the Consent Calendar for individual consideration. President Singer moved this item for consideration before Agenda Item O. New Business.

Vote on motion to approve with Agenda Item M.1 pulled from the Consent Calendar for individual consideration:

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

**F. Pledge of Allegiance**

The Pledge of Allegiance was led by President Singer.

At this time and noted out of order, the following Closed Session action was reported out by Clerk Clayton-Tarvin:

MOTION by Trustee Briscoe, seconded by Trustee Souders, and carried by the following roll call vote to approve the settlement agreement to resolve special education anticipated litigation in the amount of \$20,000.00:

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

**G. Introductions:** None.

## **H. Minutes**

### **H.1. Regular Board of Trustees' Meeting, September 28, 2021**

MOTION by Norm Westwell, seconded by Jack Souders, and failed by the following vote to approve the Minutes with the correction on Page 9, Q. Future Agenda Items (As requested by Board Members) – “Trustee Westwell: - Academic Achievement pertaining to CAASPP vs i-Ready testing”:

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

MOTION by Gina Clayton-Tarvin, seconded by John Briscoe, and carried by the following vote to approve the Minutes as submitted:

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

## **I. Time Certain**

### **I.1. 6:05 p.m. Huntington Beach Kiwanis Club - President Recognition**

Mr. Shawn Wood, President of Kiwanis Club Huntington Beach, was presented a Certificate of Appreciation for his outstanding service and leadership throughout the past year, which has greatly benefitted the Ocean View community.

### **I.2. 6:10 p.m. Dual Language Immersion (DLI) Presentation**

Mrs. Francesca Ligman, Harbour View School Principal, explained that the Spanish Dual Language Immersion (DLI) program is in its second successful year at Harbour View. She shared the program's benefits and goals, program design, curriculum, and parent survey highlights. Students in kindergarten, first, and second grades performed a delightful song in Spanish for the Trustees and audience.

## **J. Public Comments**

Galen Pickett, community member and Physics professor at California State University, Long Beach, explained why he stands by the science regarding the safety and efficacy of mask wearing, even though his position is not politically correct with others.

Monica Cuadrado, parent, expressed her disappointment in the Board's recent actions involving student transportation; urged the Board to reinstate busing for District students at all school sites, as this is a vital resource for parents.

Gigi Nguyen, parent, commented on the need for affordable busing for all students in the District; discussed declining enrollment, budget mismanagement, discriminatory practices, reducing personnel expenses, and offering multiple bus routes to serve the community.

Heather Lenore, parent, expressed her frustration with the Board's handling of the transportation issue; questioned the ethical and moral values of certain Board members who appear to have a conflict of interest on some issues; talked about mismanagement of the budget resulting from excessive pay increases for staff and a top heavy administration; urged the Board to develop a budget that includes affordable busing for all Ocean View students.

Angela Zenzola, parent, appreciated the District's attempt to address the busing issue, but stated it does not go far enough, as the cost is too high and more routes need to be offered; questioned whether general education students could ride the same buses as special education students as a possible way to address the issue; mentioned a recent traffic accident that could have been tragic for our students, and asked the Board to come up with a solution to this problem.

Parisa Fishback, parent and community member, representing Moms on the Ground, spoke in opposition to the vaccine mandate; thanked Trustee Clayton-Tarvin for publicly stating she is against the vaccine mandate, and urged support across party lines in opposition to the mandate.

Melissa Crew, parent and community member, thanked Trustee Clayton-Tarvin for going on record against the vaccine mandate; commented on a parent's right to make these types of decisions for their children as opposed to a government mandate.

Rachel Ferrari, parent, spoke in favor of medical freedom, body autonomy, vaccine injuries, and parent choice for their children; urged the Board to use their important role to stand in opposition to the Governor's vaccine mandate.

Shruthi Anantharam, parent and staff member, commented on the waste of food she sees daily at the school sites as a result of students being required to take food from a specific food group at lunch time, as much of this food remains unopened and thrown in the trash; suggested something be done with the excess food to feed those in need.

Anoop Kashyap, Mesa View student, noted his troubles in eating the large oranges during his lunch time, as they are difficult and time consuming to peel by hand; discussed the share table concept which he has seen at some of the schools in which extra food is placed on the table for anyone to take and eat if they wish; suggested this concept be implemented at all school sites.

Angel Delainie, parent, spoke about salvaging the pre-packaged food and fruits that are discarded at the sites to give to students to take home if needed or to serve those hungry in the community.

Gretchen Bergantine, parent, spoke in opposition to the Governor's vaccination mandate and thanked President Singer and Trustee Clayton-Tarvin for vocalizing their opposition as well; urged the Board to allow parents to make the decisions for their children.



Amy Martin, parent, expressed her appreciation to President Singer and Trustee Clayton-Tarvin for opposing the Governor's vaccine mandate, and asked for the Board's support in being the voice for our children on this matter.

At this time, Trustee Westwell stated he would like to see if there is a consensus of the Board members to place the vaccine mandate issue on the agenda as a future agenda item. President Singer advised the request is inappropriate at this time, as we are currently hearing Public Comments, and suggested the request be brought up during the Trustee's comments.

## **K. Communications**

### **K.1. \*Written Communications to the Board**

President Singer advised that the following correspondence had been submitted online or via email:

1. Online comment from Anonymous, dated October 12, 2021, regarding masks;
2. Online comment from Heather N., dated October 12, 2021, regarding COVID tests and vaccine;
3. Online comment from Valeska Baldizon, dated October 12, 2021, regarding bus transportation;
4. Online comment from Michelle Sampson, dated October 12, 2021, regarding hiring process;
5. Online comment from Shruthi Anantharami, dated October 12, 2021, regarding share table; and
6. Email from Shannon Young, dated October 12, 2021, regarding CRT/masks/vaccine.

Copies of the above correspondence have been provided to the Board members, and are available for public review at the District Office.

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

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

Trustee Briscoe offered to supply a few spare masks for people who may want to enter the Board room but lack a mask, and suggested masks be supplied to the public if they are not already; talked about distribution and availability issues involving food shortages; urged the public to consider submitting an agenda item for placement on the Board agenda for a more thorough consideration of a topic.

President Singer advised that masks are available for the public if they need one, since mask wearing is a requirement for attending our indoor Board meeting.

Trustee Clayton-Tarvin noted the importance of mask wearing, especially to keep our unvaccinated students safe; reiterated her stance opposing mandated vaccines for students; troubled to hear that the police had to be called regarding a problem outside of our Board room tonight; acknowledged the impressive Dual Language Immersion (DLI) presentation and song by students, as well as the amazing work done by the Kiwanis Club led by President Shawn Wood this past year; attended the community meeting at

the Oak View gym where city officials discussed various improvements to the neighborhood.

Trustee Souders thanked the public speakers for attending tonight's meeting; asked about the future of streaming our Board meetings via Zoom online; expressed concern with the food issue brought up tonight and requested staff look into the matter; discussed the adverse effects that Facebook and other online social forums are having in our society, and questioned the District's presence on these forums.

Trustee Westwell referenced Administrative Regulation 9322 regarding placement by consensus of an item on the agenda, and noted the Board is violating this policy; urged the Board to follow the Board Bylaws as written; pleased to have the public back at open Board meetings; mentioned that the Ocean View Teachers' Association (OVTA) has been fined \$9,000 for campaign finance violations regarding the Measure R campaign fund; thanked the young man for speaking tonight about the food issue at schools.

President Singer welcomed everyone back to tonight's public meeting; clarified that OVTA and Ocean View School District (OVSD) are two different entities, and cautioned people who say things to get a reaction without sharing all of the information; discussed the timing of when her colleague asked for a consensus on an agenda item, noting it was an inappropriate request during Public Comments but could be brought up later when the matter is being discussed on the agenda or during the Trustee's comments, as per our Board Bylaws; stressed the importance of following all the rules, not just the ones with which you agree.

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

Dr. Hansen thanked the students and staff of Harbour View School for highlighting the Dual Language Immersion program tonight; commented on her visits to other sites where she saw students actively engaged in STEAM projects at Lake View, the VAPA program at Westmont, and the exclusive middle and elementary school GATE classes at Vista View and Star View, respectively; pleased to have these innovative programs and others available to our community and offered to host a tour of any of our sites to potential students and families; noted the Great California Shakeout will be held on October 21 at 10:21 a.m., which will give all sites the opportunity to practice drills in response to an emergency situation.

#### **K.5. PTA/PTO/PTSA/PTSO Presidents' Roundtable: None.**

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

Jason Bozarth, CSEA President, thanked Dr. Hansen for initiating the first interest-based discussions between administration and CSEA; shared his concern with having over 100 vacant classified positions in the District, and historic high turnover rates with low morale issues; stated that drastic action may be needed to address this situation.

Heidi Webb, OVTA President, thanked Marisa Joslyn for serving as OVTA President during the past two tumultuous years and congratulated her on her new position closer to her home; congratulated Bryan Leipper for accepting an administrative position at the District after serving as OVTA's bargaining chairperson for over a decade; welcomed

Meghan Balsillie as the new bargaining chairperson; commented on her recent PAL activities, including providing input on the use of ESSER funds; expressed excitement to continue with the PAL process and looks forward to a great year.

## **L. Reports**

### **L.1. Elementary and Secondary School Emergency Relief (ESSER) III Presentation and Board Input**

Dr. Hoefer provided the Board with budgetary information related to ESSER funding, including the background of the fund, plans for stakeholder input, proposed use of funds, and next steps. She requested Board input regarding allocation priorities.

The Board discussed the allocation of funds in the areas proposed in staff's report.

It was the majority consensus of the Board to approve funds for addressing the impact of lost instructional time (including necessary staff to maintain lower class size; extending instructional time through after school and summer programming; supplemental supports for English learners and students with special needs; and curriculum, materials, and educational technology); strategies for continuous and safe in-person learning (including subsidizing tuition-based child care and transportation; and utilizing incentives to recruit, hire, and retain difficult to fill positions and skilled workers); and use of any remaining funds (including heating, ventilation, and air conditioning improvements as needed.)

### **L.2. COVID-19 Protocol Update**

Dr. Hansen provided the Board with an update on COVID-19 protocols for students and staff, including close contact and COVID-19 testing processes. She shared information about Governor Newsom's recent announcement that COVID-19 vaccines will be mandatory for all staff and students once the vaccine receives full FDA approval. She noted, however, that no formal Executive Order or Legislative Action has occurred to make this a required mandate, and Ocean View School District has not changed its COVID-19 vaccine requirements (currently no COVID-19 vaccine is mandated).

## **M. Consent Calendar**

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

This Agenda Item was previously pulled from the Consent Calendar by Trustee Westwell for individual consideration.

Prior to the foregoing vote, Trustee Westwell expressed appreciation to the Marine View and Spring View parents for their generous donations that benefit our students, and the other Trustees concurred.

**Passed** with a motion by Norm Westwell and a second by Jack Souders.

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 from September 17, 2021, through September 30, 2021**

**Passed** with a motion by Gina Clayton-Tarvin and a second by Jack Souders.

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 September 11, 2021, through September 24, 2021**

**Passed** with a motion by Gina Clayton-Tarvin and a second by Jack Souders.

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

**M.4. Educational Services: Independent Contractor Agreement between Ocean School District of Orange County and Maxim Healthcare Staffing Services, Inc. (Renewal)**

**Passed** with a motion by Gina Clayton-Tarvin and a second by Jack Souders.

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 Gina Clayton-Tarvin and a second by Jack Souders.

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 - September 15, 2021, through September 28, 2021**

**Passed** with a motion by Gina Clayton-Tarvin and a second by Jack Souders.

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 - September 15, 2021, through September 28, 2021**

**Passed** with a motion by Gina Clayton-Tarvin and a second by Jack Souders.

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

**N. Old Business:** None.

**O. New Business**

**O.1. Administrative Services: Amendment No. 1 to the Agreement for HVAC Maintenance, Service and Repair (As Needed) Districtwide Between Ocean View School District of Orange County and Therma, LLC (Action)**

**Passed** with a motion by John Briscoe and a second by Jack Souders.

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

**O.2. Administrative Services: Resolution No. 12:2122 - Approval of Signatures for District Bank Accounts (Action)**

**Passed** with a motion by John Briscoe and a second by Jack Souders.

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

**O.3. Administrative Services: Resolution No. 13:2122 - Authorization of Approval of Vendor Claims/Orders (Action)**

**Passed** with a motion by John Briscoe and a second by Gina Clayton-Tarvin.

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

**O.4. Educational Services: Agreement for Non-Public School/Non-Public Agency Placement of a Special Education Student as Determined by Individualized Education Program (IEP) (Action)**

**Passed** with a motion by John Briscoe and a second by Jack Souders.

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

**O.5. Educational Services: Independent Contractor Agreement between Ocean View School District of Orange County and Anaheim Regional Medical Center for the New Lung Program (Action)**

**Passed** with a motion by John Briscoe and a second by Jack Souders.

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

**O.6. Educational Services: Independent Contractor Agreement between Ocean View School District of Orange County and Theresa Chimits for the Environmental Science Educator Services at Golden View School (Action)**

**Passed** with a motion by Gina Clayton-Tarvin and a second by Jack Souders.

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

**O.7. Educational Services: Resolution No. 11:2122 Proclaiming the Week of October 23-31, 2021, as Red Ribbon Week (Action)**

Trustee Westwell was away from the dais during the vote on this matter.

**Passed** with a motion by Gina Clayton-Tarvin and a second by John Briscoe.

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

**O.8. Human Resources: Certificated Substitute Teacher Temporary Pay Rate Increase (Action)**

**Passed** with a motion by John Briscoe and a second by Jack Souders.

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

**O.9. Human Resources: Williams Settlement Legislation Annual 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 a resolution banning Critical Race Theory

**R. Board of Trustees' Roundtable**

Trustee Briscoe recommended that Board members write their own agenda items if they wish to have a matter placed on the agenda; commented on another District's preparation packet for teacher substitutes, and suggested we follow this best practice as well.

Trustee Clayton-Tarvin spoke regarding the OVTA campaign violation, noting there was an erroneous social media post that implicated her in the matter; she clarified she is not part of OVTA in any way, as she explained the issue which led to the Association being fined for improperly reporting the matter to the Fair Political Practices Commission (FPPC); reiterated that it is OVTA's First Amendment right to spend funds on the 2016 Measure R Campaign, as it is her free speech right to be in photographs supporting Measure R, and there is no conflict of interest; mentioned that she does not support Critical Race Theory (CRT) and it is not taught in our District.

Trustee Souders repeated his previous comment regarding the problems stemming from social media posts and suggested that the District may want to disassociate with social media.

Trustee Westwell referenced Board Bylaw 9005 regarding taking collective responsibility for the Board of Trustees' performance, as he was singled out for a mistake he had committed tonight, and reminded the Board to take collective responsibility for the Board's actions.

President Singer concurred with Trustee Clayton-Tarvin's comments on Critical Race Theory (CRT), noting that misinformation is prevalent on social media about this subject; encouraged the audience to contact the District for answers as opposed to believing social media posts.

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

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

**U. Adjournment**

Time: 9:49 p.m.

**Passed** with a motion by John Briscoe and a second by Jack Souders.

Yes John Briscoe

Yes Gina Clayton-Tarvin

Yes Patricia Singer

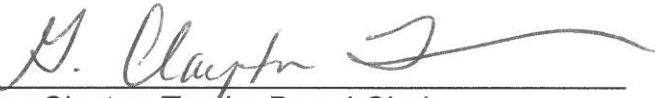
Yes Jack Souders

Yes Norm Westwell



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Carol Hansen, Ed.D., Superintendent



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Gina Clayton-Tarvin, Board Clerk

10/26/21

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Date