

Beverly Hills Unified School District Minutes

Regular Board of Education Meeting

June 18, 2015, 7:00 PM
STC/Jon Cherney Lecture Hall
Beverly Hills High School
Beverly Hills, California 90212

CLOSED SESSION: Administrative Building

OPEN SESSION: STC/Jon Cherney Lecture Hall

Attendance Taken at 7:00 PM:

Present:

Shawn Ahdout
Dr. Brian Goldberg
Howard Goldstein
Lewis Hall
Lisa Korbatov
Noah Margo

I. OPEN SESSION-5:00 P.M.

II. PUBLIC COMMENT

III. CLOSED SESSION-5:00 P.M.

III.a. SETTLEMENT AGREEMENT-Student #14368

III.b. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (3
Cases)

III.c. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Beverly
Hills Unified School District v. Federal Transit Administration, et al., USDC Case No.
CV 12-9861-GW(SS)

III.d. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Section 54956.9):

Beverly Hills Unified School District v. Los Angeles County Metropolitan
Transportation Authority (LASC Case No. BS 137606)

III.e. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Section 54956.9):

Karen Christiansen v. Beverly Hills Unified School District Case No. BC 420456 Claim
of Strategic Concepts and Karen Christiansen

**III.f. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Section 54956.9):**

**Carter Paysinger v. The Beverly Hills Unified School District, a public school district,
Lewis Hall, individually(Case No. 2:14-CV-5509)**

**III.g. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Section 54956.9): Jeff Fisher v. Beverly Hills Unified School District,
et al., (Case No. SC121947)**

**III.h. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Subdivision (a) of Section 54956.9): Amy Golden v. The Beverly Hills Unified School
District, a public school district, Brian Goldberg, an individual; Lisa Korbatov, an
individual (Case No. BC573853)**

III.i. CONFERENCE WITH LABOR NEGOTIATORS

III.j. EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

III.k. PUBLIC APPOINTMENT/EMPLOYMENT

III.k.1. Certificated Personnel Report

III.k.2. Classified Personnel Report

IV. OPEN SESSION-CALL TO ORDER-FLAG SALUTE-7:00 P.M.

Minutes:

**Board President Dr. Goldberg called the meeting to order at 7:11 p.m. and asked Student
Board Member Shawn Ahdout to lead the audience in the Pledge of Allegiance.**

V. APPROVAL OF THE AGENDA

Motion Passed: A motion was made to approve the Agenda.

**A roll call vote was taken. Passed with a motion by Noah Margo and a second by Howard
Goldstein.**

Yes Shawn Ahdout

Yes Dr. Brian Goldberg

Yes Howard Goldstein

Absent Lewis Hall

Absent Lisa Korbatov

Yes Noah Margo

VI. REPORT OF CLOSED SESSION ACTION

Minutes:

**Superintendent Mr. Kessler reported from Closed Session that the Board approved the
Settlement Agreement for Student #14368.**

Mr. Ewing reported that the Board met with Counsel in Closed Session regarding pending litigation in one matter: Paysinger v. BHUSD et.al. The Board approved by unanimous vote a Settlement Agreement and mutual general release in the amount of \$685,000.00.

VII. AGENDA HEARING PERIOD/ADDRESSING THE BOARD

Minutes:

The following people addressed the Board:

Patricia Pepe

Colleen Knerr gave the report for the District Finance Committee:

The committee met May 21. As a result of our discussion, we make the following recommendations:

We strongly request that every effort be made by the board to curb expenditures in the proposed budget and to balance expenses in relation to reliable revenues.

We are requesting a meeting (face to face) with a representative of the county auditor or county assessor to explain the formula for the district property tax and basic aid distribution. We feel this will give the district a source for information and permit better planning in the future.

We are requesting an explanation or research; where are the proposition 98 dollars? Are we receiving what we are entitled to? We would like to see a check and balance regarding these funds.

We have suggested to the internal control auditor (Colleen Patterson) that she begin with a written one page objective and job description for the internal control manual. This item has been discussed during many meetings and we stress the importance of this manual.

We would like to see the district focus on generating revenue; we feel there is a need to replace the disappearing oil revenues.

Lastly, our committee suggests that the superintendent property (to be leased to the public) be limited to a year to year lease. This is an asset for negotiating contracts for future administrators.

**Respectfully submitted,
Colleen Knerr
Finance Committee**

VIII. PUBLIC HEARING

VIII.a. Public Hearing for the Proposed Local Control Accountability Plan (LCAP)

Minutes:

The public hearing on the draft Local Accountability Control Plan (LCAP) is now open at 7:21 p.m.

Beginning July 1, 2013, the State of California changed the funding formula for public education and requires school districts to develop a Local Control Accountability Plan

(LCAP). The LCAP is a plan that aligns the District's educational goals with financial resources.

Pursuant to Education Code Section 52060-52077, the governing board of each school district shall adopt a Local Control Accountability Plan (LCAP) using a template adopted by the state board on or before July 1, 2015. The LCAP shall be adopted with the district's annual budget. The LCAP is effective for a period of three years - updated on or before July 1 of each year.

We now invite members of the audience to address the Board of Education on the proposed draft LCAP.

The Board of Education has heard your comments and we thank you very much for your input.

The public hearing is now closed at 7:23 p.m.

VIII.a.1. Presentation of Local Control Accountability Plan (LCAP)

VIII.b. Public Hearing on the 2015-16 Budget

Minutes:

The public hearing regarding the 2015-2016 Adopted Budget is now open at 7:55 p.m.

A public hearing prior to the board discussion and acceptance of the 2015/2016 adopted budget is required.

Pursuant to Education Code Sections 42127, 42126, and 42103, the 2014/2015 adopted budget has been prepared, made available to the public for review and publicly advertised as required.

We now invite members of the audience to address the Board of Education on the 2015-2016 Adopted Budget.

The Board of Education has heard your comments and concerns and we thank you very much for your input.

The public hearing is now closed at 7:56 p.m.

IX. CONSENT CALENDAR*

Motion Passed: A motion was made to approve the Consent Calendar. Passed with a motion by Noah Margo and a second by Lisa Korbatov.

Yes Shawn Ahdout

Yes Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

IX.a. Approval Board Meeting Minutes

IX.a.1. Regular Board Meeting-05-26-15

IX.a.2. Emergency Board Meeting-05-29-15

IX.a.3. Special Board Meeting-6.15.15

IX.b. Personnel Reports

IX.b.1. Certificated Personnel Report

IX.b.1.1. Agreement For Employment Of Executive Director Special Education Between The Beverly Hills Unified School District And James Albanese, Jr.

IX.b.2. Classified Personnel Report

IX.c. Approval of Board Meeting dates from June 2015-May 2016

IX.d. Approval of Settlement Agreement, Release of All Claims, and Assignment of Rights

IX.e. Approval of 2015-2016 Consolidated Application and Reporting System (CARS) for Funding Categorical Aid Programs

IX.f. Approval-Professional Services Agreement-Dance Company Guest Choreographer Janet Roston

IX.g. Approval-Professional Services Agreement-Dance Company Guest Choreographer Damien Diaz

IX.h. Approval-Professional Services Agreement-Dance Company Guest Choreographer Sam Allen

IX.i. Approval of Williams Uniform Complaint Quarterly Report Summary - Fourth Quarter (March 31, 2015 - June 30, 2015)

IX.j. Approval of the Licensing Agreement with Document Tracking Services for 2015-16 School Plan

IX.k. Ratification of Purchase Order #22 for 2014/2015

IX.l. Cash Collection Report #22 for 2014/2015

IX.m. Approval of Warrant Report #22 for 2014/2015

X. REPORTS

X.a. Superintendent's Report

Minutes:

Superintendent reported on various things happening in the District.

X.b. Student Board Member Report

Minutes:

Good evening Board Members, staff members, parents, students and all members of the Beverly Hills community. I wanted to begin by thanking you all for coming to this meeting or watching from home. For those of you who don't know me, my name is Shawn Ahdout. I am an incoming senior at Beverly Hills High School and have been enrolled in this district since 1st grade when I walked into Mrs. Naiman's class at Hawthorne School. Since that point, a lot has changed, but one thing has remained constant: this school district has continued to guarantee a quality education for every student that walks through its doors. It has shaped me into the person I am today and its quality has been proven time and time again through the students that walk out of its doors and the various awards it has received.

Over three and a half years ago, on December 6, 2011, I, along with the other Student Body Presidents from each middle school, was invited to lead the flag salute for the Board Meeting. That was the first Board Meeting I had ever attended and as I sat there I saw that there was a position for a student to have their voice heard and realized almost immediately that I wanted to be that voice for the students. When I enrolled at the High School, I quickly learned more about the position and took the necessary actions to eventually get to this point. However, during my Sophomore year, the position was suspended and I wasn't quite sure what would happen. During that semester, I watched every Board meeting, reported to ASB, and emailed the then-Board President Manaster and the incoming-Board President Margo. Thankfully, the position was reinstated after its short one-semester hiatus when Board Member Margo became President and decided that student voice was necessary. This small role I played in reinstating the position inspired me to continue my quest to insure that student voice is heard.

This past year, I served as the Governmental Affairs Director, essentially the chief lobbyist, for the California Association of Student Councils, a student-run, student-led non-profit organization founded by the California Department of Education in 1947 with the goal of fostering student leadership and advocating for student rights throughout the state. During my time, I initiated two pieces of legislation that would increase student voice on a state wide scale. One bill, AB 1204, would add a student representative to the Instructional Quality Commission, which instructs the State Board of Education on matters related to textbooks and curriculum. The other bill, SB 532, would increase the ability for students to add student board members to districts that don't currently have them and strengthen the position as a whole. Additionally, I served as the sole student member on the Legislative Policy Committees for both the California School Boards Association and the Association of California School Administrators. At these meetings in Sacramento, we discussed education bills going through the state legislature, and decided whether to support or oppose these pieces of legislation. During my tenure, I learned a lot about our state's education system, but something even more important that I learned was the commitment that both school board members and administrators have to supporting their students. When decisions were made regarding bills, it wasn't about what benefitted the adults the most, but rather what would be the best for their students. This selflessness and determination to serve students is something I've seen time and time again at this school district and is something that helps our district thrive. My passion for student voice is something that courses deep within my veins and is something I hope to pass on to the students of Beverly Hills as a whole.

As Student Board Member, I hope to get more students involved in the decisions being made at the district level and ensuring that they are informed on those decisions. Too many students are unaware of decisions made that directly affect them. After all, the students are the largest stakeholders in their education system. I am only one student and cannot adequately represent the thousands of students who attend our schools, but I hope that by getting more students involved, the diversity of opinions on campus will be more adequately represented, and students will actually have opinions on the matters that we are discussing.

Finally, I'd like to thank Superintendent Kessler, the Board Members, and all of the teachers and staff who work for the district for their never-ceasing efforts to improve our school district. Your efforts do not go unnoticed by the students. I'm looking forward to having a great year as Student Board Member and to continue improving our school district.

XI. EDUCATIONAL SERVICES

XI.a. Discussion and Approval of Dual Enrollment Agreement

Motion Passed: A motion was made to approve Resolution #2014-2015-35. A roll call vote was taken. Passed with a motion by Noah Margo and a second by Lewis Hall.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XI.b. Approval of Los Angeles County Plan for Providing Education Services to Expelled Students

Motion Passed: A motion was made for approval of Los Angeles County Plan for Providing Education Services to Expelled Students. A roll call vote was taken. Passed with a motion by Noah Margo and a second by Lisa Korbatov.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XII. HUMAN RESOURCES

XIII. BUSINESS AND FINANCE

XIII.a. Resolution of the Board of Education of the Beverly Hills Unified School District Authorizing the Issuance of 2008 Election General Obligation Bond, Series 2015

Motion Passed: A motion was made to approve the Resolution of the Board of

Education of the Beverly Hills Unified School District Authorizing the Issuance of 2008 Election General Obligation Bond, Series 2015.

A roll call vote was taken. Passed with a motion by Lisa Korbатов and a second by Lewis Hall.

Yes Shawn Ahdout
No Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
No Noah Margo

XIII.b. Resolution Requesting the Board of Supervisors of the County of Los Angeles to Establish a Tax Rate for Bonds of Beverly Hills Unified School District Expected to be Sold During Fiscal Year 2015-16, and Authorizing Necessary Actions in Connection Therewith

Motion Passed: A motion was made to approve the Resolution Requesting the Board of Supervisors of the County of Los Angeles to Establish a Tax Rate for Bonds of Beverly Hills Unified School District Expected to be Sold During Fiscal Year 2015-16, and Authorizing Necessary Actions in Connection Therewith. A roll call vote was taken. Passed with a motion by Lisa Korbатов and a second by Lewis Hall.

Yes Shawn Ahdout
No Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
No Noah Margo

XIV. PLANNING AND FACILITIES

XIV.a. Approval to begin Advertisement, Qualification and Bid Process for the Abatement and Demolition of the Ceilings at the Peters Auditorium at Beverly Hills High School and the Auditoriums at El Rodeo School and Hawthorne School.

Motion Passed: A motion was made for Approval to begin Advertisement, Qualification and Bid Process for the Abatement and Demolition of the Ceilings at the Peters Auditorium at Beverly Hills High School and the Auditoriums at El Rodeo School and Hawthorne School. A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Howard Goldstein.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
Yes Noah Margo

XIV.b. Approval to begin Advertisement, Qualification and Bid Process for the Site Preparation Work for Interim Portables at Beverly Hills High School, El Rodeo School

and Hawthorne School.

Motion Passed: A motion was made for Approval to begin Advertisement, Qualification and Bid Process for the Site Preparation Work for Interim Portables at Beverly Hills High School, El Rodeo School and Hawthorne School. Passed with a motion by Howard Goldstein and a second by Lisa Korbatov.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XIV.c. Approval to Amend the Contract with Jamik Construction and Management for Additional Construction Scope due to unforeseeable conditions for SSMP related testing at Beverly Hills High School and Horace Mann School

Motion Passed: A motion was made for Approval to begin Advertisement, Qualification and Bid Process for the Site Preparation Work for Interim Portables at Beverly Hills High School, El Rodeo School and Hawthorne School. Passed with a motion by Lisa Korbatov and a second by Lewis Hall.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
No Noah Margo

XIV.d. Approval to Begin Advertisement and Bid Proposal for Selection of Buckling Restrained Braces and the Associated Engineering Support to the Structural Engineering Design Team Work for Beverly Hills High School Building "A" Design.

Motion Passed: A motion was made for Approval to Begin Advertisement and Bid Proposal for Selection of Buckling Restrained Braces and the Associated Engineering Support to the Structural Engineering Design Team Work for Beverly Hills High School Building "A" Design. Passed with a motion by Howard Goldstein and a second by Lisa Korbatov.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XIV.e. Approval to enter into an Agreement with Leighton Consulting Inc., for Shoring Design and Installation Observation at Beverly Hills High School

Motion Passed: A motion was made for Approval to enter into an Agreement with Leighton Consulting Inc., for Shoring Design and Installation Observation at Beverly

Hills High School. A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbatov.

Yes Shawn Ahdout
No Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
No Noah Margo

XIV.f. Ratification of approval to execute a "Piggyback" Agreement with William Scotsman utilizing the Los Alamitos Unified School District Agreement for Leasing of Relocatable Classrooms and Other Buildings for the Beverly Hills High School Modernization Projects

Motion Passed: A motion was made for Ratification of approval to execute a "Piggyback" Agreement with William Scotsman utilizing the Los Alamitos Unified School District Agreement for Leasing of Relocatable Classrooms and Other Buildings for the Beverly Hills High School Modernization Projects. Passed with a motion by Lisa Korbatov and a second by Lewis Hall.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XIV.g. Approval of 7 Change Orders with ProWest Constructors

Motion Passed: A motion was made for Approval of 7 Change Orders with ProWest Constructors. Passed with a motion by Howard Goldstein and a second by Lewis Hall.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbatov
Yes Noah Margo

XV. PROFESSIONAL AND OFFICIAL BUSINESS

XV.a. Approval of Resolution #2014-2015-033 To Order Governing Board Member Election-November 3, 2015

Motion Passed: A motion was made for Approval of Resolution #2014-2015-033 To Order Governing Board Member Election-November 3, 2015. Passed with a motion by Noah Margo and a second by Dr. Brian Goldberg.

Yes Shawn Ahdout
Yes Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall

Yes Lisa Korbato
Yes Noah Margo

XVI. COMMUNICATION FROM THE BOARD MEMBERS

XVII. FUTURE BOARD MEETINGS

XVII.a. Study Session-El Rodeo and Hawthorne-Future Development-Friday, June 19, 2015-4:00 PM-Administrative Office/Board Room, 255 South Lasky Drive, Beverly Hills, CA.

XVII.b. Regular Board Meeting-Tuesday, June 30, 2015-7:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVII.c. Regular Board Meeting-Tuesday, July 14, 2015-7:00 PM-STC/Jon Cherney Lecture Hall, Beverly Hills High School

XVIII. ADJOURNMENT

Minutes:

Dr. Goldberg announced the Future Board Meetings and adjourned the meeting at 9:15 p.m.