

Beverly Hills Unified School District Minutes

Regular Board of Education Meeting

March 10, 2015, 7:00 PM
STC/Jon Cherney Lecture Hall
Beverly Hills High School
Beverly Hills, California 90212

CLOSED SESSION will take place at the Administrative Building

OPEN SESSION will take place in the STC/Jon Cherney Lecture Hall at Beverly Hills High School

Attendance Taken at 7:13 PM:

Present Board Members:

Howard Goldstein
Lewis Hall
Lisa Korbatov
Noah Margo
Joshua Schenk

Absent Board Members:

Dr. Brian Goldberg

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

II. PUBLIC COMMENT

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

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

III.b. 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.c. 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.d. 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.e. 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.f. Conference with Labor Negotiators

III.g. Employee Discipline/Dismissal/Release

III.h. Safety and Security Plan

III.i. Superintendent's Evaluation

III.j. Settlement Agreement #14512

III.k. Settlement Agreement Student Perm ID #2001103

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

Discussion:

Board Vice-President Howard Goldstein called the meeting to order at 7:13 p.m. and asked coach Jarvis Turner to lead the audience in the Pledge of Allegiance.

The following statement from Dr. Goldberg was read by Dr. Woods:

"As you all are now no doubt aware, I was involved in an incident involving my neighbor. This incident has triggered an investigation by the BHPD. I am completely confident that I will be cleared of any wrongdoing. Nevertheless, I regret that the recent incident may be causing a distraction from the important work of BHUSD. For this reason I will be stepping down as President in order to help keep the focus on the Board's business. I have been advised to make no further comment on the investigation. I thank everyone for their support and faith in me."

Hon. Brian David Goldberg, PhD

V. APPROVAL OF THE AGENDA

Motion Passed: A motion was made to approve the Agenda. Passed with a motion by Lewis Hall and a second by Noah Margo.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Absent Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

VI. REPORT OF CLOSED SESSION ACTION

Discussion:

Dr. Woods reported that the Board voted in Closed Session to approve the Settlement Agreement of Student #14512. The Board approved the Settlement Agreement of Student id #2001103.

General Counsel Vince Ewing reported from Closed Session that no reportable action was taken but direction was given.

VII. AGENDA HEARING PERIOD/ADDRESSING THE BOARD

Discussion:

The following people addressed the Board:

Nilo Khalili, Stephen Macht, Robert Tanenbaum and AJ Willmer.

VIII. STAFF PRESENTATIONS

Discussion:

Dr. Woods congratulated Coach Jarvis Turner and the BHHS Boys Varsity Basketball Team for winning the CIF-SS Division III Championship. The team will play in the first round of the State Championship on Wednesday, March 11th. Mr. Turner thanked the Superintendent and the Board for all of their support.

VIII.a. School Site Plan Update-Horace Mann

Discussion:

Horace Mann Principal Steve Kessler gave an update of his School Site Plan to the Board.

VIII.b. School Site Plan Update-Beverly Vista

Discussion:

Beverly Vista Principal Christian Fuhrer gave an update of his School Site Plan to the Board.

VIII.c. School Site Plan Update-Hawthorne

Discussion:

Hawthorne Principal Kathy Schaeffer gave an update of her School Site Plan to the Board.

IX. CONSENT CALENDAR*

Motion Passed: A motion was made to approve the Consent Calendar minus items b.1., g. and o. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

IX.a. Approval Board Meeting Minutes

IX.a.1. Regular Board Meeting-February 24, 2015

IX.a.2. Special Board Meeting February 26, 2015

IX.b. Personnel Reports

IX.b.1. Certificated Personnel Report

Motion Passed: This item was pulled for further discussion. A motion was made to approve the Certificated Personnel Report with the following amendment: line 18 should read Spring Coaching not Fall. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

IX.b.2. Classified Personnel Report

IX.c. Approval of Out-of-County Activities

IX.c.1. BHHS Model United Nations Conference at Northwestern University in Evanston, IL from April 8-12, 2015

IX.c.2. BHHS KBEV and Culinary Arts Skills USA State Competition in San Diego, CA from April 9-12, 2015

IX.d. Approval-Amendment to the Professional Services Agreement for Vernon Jordan

IX.e. Approval-Amendment to the Professional Services Agreement-Damien Diaz

IX.f. Approval of Professional Services Agreement: Ron Finley

IX.g. Approval of Professional Services Agreement: Literacy Partners

Motion Passed: This item was pulled for further discussion by Mrs. Korbatov. A motion was made to approve the PSA: Literacy Partners. Passed with a motion by Lisa Korbatov and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

IX.h. Approval of an additional Master Contract

IX.i. Acceptance of BHEF Charitable Pledge Agreement

IX.j. Acceptance of Donations

IX.k. Cash Collection Report #16 for 2014/2015

IX.l. Approval of Warrant Report #15 FOR 2014/2015

IX.m. Ratification of Purchase Order #16 for 2014/2015

IX.n. Approval of Agreement and Addendum with Hemit Unified School District for Transportation Services

IX.o. Approval for High Speed Internet Service Provider

Motion Passed: This item was pulled for further discussion A motion was made to approve option #1 on the attached High Speed Internet Service Provider. Passed with a motion by Noah Margo and a second by Lisa Korbatov.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

IX.p. Approval of Agreement with San Joaquin Office of Education Program, SSTOnline

X. REPORTS

X.a. Superintendent's Report

Discussion:

Dr. Woods gave a general report.

X.b. Student Board Member Report

Discussion:

Student Board Member Josh Schenk reported on various activities at the high school.

X.c. Citizens Oversight Committee Report

Discussion:

Dr. Woodrow Clark and Joe Safier presented the COC report.

X.d. District Finance Committee Report

Discussion:

The report was submitted into the records.

Board President Goldberg, Vice President Goldstein and members of the Board,

Thank you for the opportunity to provide this month's board report in written form. As Chair of the Finance Committee I want to extend a thank you to Dr. Goldberg for placing these monthly

updates on the Board's Agenda and for scheduling the 2 hour study session last week with the Finance Committee. The finance committee had five recommendations that we wanted to share with the Board.

1) The Finance Committee requested that at least one board member be appointed to serve as a liaison to the Finance Committee. Board direction was given to establish liaison positions from the Board and Dr. Goldberg has already informed me that he has appointed Vice President Goldstein and Board-member Margo to serve in this capacity.

2) The Finance Committee supports the hiring of the Internal Auditor and creating an internal control manual. The Board continues to support this suggestion and the Finance Committee was pleased the district has hired Colleen Patterson as the Internal Auditor.

3) The Finance Committee believes that the District's OPEB obligations should be pre-funded in a rational and sustainable manner by funding benefits for district employees over their careers.

An effective funding program should follow three principles: Adequacy, Intergenerational Equity, and Cost Stability/ Predictability. The Board has stated they are in favor of our recommendation and has directed staff to hire consultants to analyze actuarial alternatives and make recommendations.

4) The Finance Committee recommends that the Board include professional negotiators including legal counsel to all union negotiations. The Finance committee also believes that Interest Based Bargaining is not in the best interest of the District and is overly burdensome on the district and staff and recommends looking at more traditional forms of bargaining. The Board Direction was to speak to General Counsel about these recommendations and was supportive of these recommendations.

5) The Finance Committee recommends a return to priority based budgeting. We recognize that Dr. Goldberg has been a proponent of this budgeting process from the beginning and we support returning to this process ASAP. We once again appreciate the Board's role as a policy maker and our role as an advisory group. We also appreciate the Board taking the time to listen to our concerns and advise on how to better manage the District's finances.

**Sincerely,
Bob Sternsheim, Chair, District Finance Committee**

X.e. Hackathon

Discussion:

Programmers, designers and engineers come together for 24 hours to build an app. Mentors are brought in to teach students how to code. The Board is invited to attend on March 19-20th. There are some logistical problems that need to be worked out but there is Board direction to get this done.

XI. EDUCATIONAL SERVICES

Motion Passed: A motion was made at 10:30 p.m. to extend the meeting to 11:00 p.m. Passed with a

motion by Noah Margo and a second by Lisa Korbatov.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

No Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

XI.a. Discussion and Approval of Middle School Math 6-8 Courses

Motion Passed: A motion was made to table this item. Passed with a motion by Howard Goldstein and a second by Noah Margo.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

XI.b. Discussion and Approval of Middle School Math Summer programs

Motion Passed: A motion was made to approve the two middle school math summer courses. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

XII. HUMAN RESOURCES

XII.a. Approval - RehabWest Return to Work Services Inc.- San Marcos, CA

Motion Passed: A motion was made to approve RehabWest Return to Work Services. Passed with a motion by Noah Margo and a second by Lisa Korbatov.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

XIII. BUSINESS AND FINANCE

XIII.a. Approval of Contract Extension for Independent Audit Services for 2014-15 Fiscal Year.

Motion Passed: A motion was made to approve a one year contract extension with the audit firm Moss Levy Hartzheim. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbato

Yes Noah Margo

Yes Joshua Schenk

XIII.b. 2014-2015 Second Interim Budget

Motion Passed: A motion was made to approve the 2nd Interim Budget with a positive certification. Passed with a motion by Lewis Hall and a second by Noah Margo.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbato

Yes Noah Margo

Yes Joshua Schenk

XIII.c. Fund 17 Endowment Fund Discussion

Discussion:

Direction: The Board directed Mr. Ewing to revise the language in paragraph 5 and bring it back to the Board.

XIII.d. Discussion - Resolution of the Board of Education of the Beverly Hills Unified School District, Authorizing the issuance of Beverly Hills Unified School District 2008 Election General Obligation Bonds, Series 2015 and actions related thereto

Discussion:

Mr. AJ Willmer wished to speak on this subject.

This is a discussion item only. The Board is still vetting out all of the construction costs and collecting information from many sources.

XIV. PLANNING AND FACILITIES

XIV.a. Approval - to enter into a Agreement with Environmental Audit, Inc. (EAI) for Abatement monitoring services for District wide needs for SSMP submittals.

Motion Passed: A motion was made to approve to enter into an Agreement with Environmental Audit, Inc. (EAI) for Abatement monitoring services for District wide needs for SSMP submittals. Passed with a motion by Lewis Hall and a second by Lisa Korbato.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbato

No Noah Margo

Yes Joshua Schenk

XIV.b. Approval - to enter into an Agreement with Environmental Audit, Inc. (EAI) for Department of Toxic Substance Control (DTSC) consulting services at Beverly Hills High School.

Motion Passed: A motion was made to approve to enter into an Agreement with Environmental Audit, Inc. (EAI) for Department of Toxic Substance Control (DTSC) consulting services at Beverly Hills High School. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbатов

No Noah Margo

Yes Joshua Schenk

XIV.c. Approval of a Change Order with ProWest Constructors to Delete the Installation of Temporary Basketball Courts at Horace Mann School

Motion Passed: A motion was made to approve a XIV.c. Change Order with ProWest Constructors to Delete the Installation of Temporary Basketball Courts at Horace Mann School, XIV.d. a Change Order with ProWest Constructors for the Removal of the Street Trees Along Robertson Boulevard, XIV.e. a Change Order with ProWest Constructors for the Increase of Hauling Fees, and XIV.f. a Change Order with ProWest Constructors for Deletion of Concrete Add Mixtures. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbатов

Yes Noah Margo

Yes Joshua Schenk

XIV.d. Approval of a Change Order with ProWest Constructors for the Removal of the Street Trees Along Robertson Boulevard

Motion Passed: A motion was made to approve a XIV.c. Change Order with ProWest Constructors to Delete the Installation of Temporary Basketball Courts at Horace Mann School, XIV.d. a Change Order with ProWest Constructors for the Removal of the Street Trees Along Robertson Boulevard, XIV.e. a Change Order with ProWest Constructors for the Increase of Hauling Fees, and XIV.f. a Change Order with ProWest Constructors for Deletion of Concrete Add Mixtures. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbатов

Yes Noah Margo

Yes Joshua Schenk

XIV.e. Approval of a Change Order with ProWest Constructors for the Increase of Hauling Fees

Motion Passed: A motion was made to approve a XIV.c. Change Order with ProWest Constructors to Delete the Installation of Temporary Basketball Courts at Horace Mann School, XIV.d. a Change Order with ProWest Constructors for the Removal of the Street Trees Along Robertson Boulevard, XIV.e. a Change Order with ProWest Constructors for the Increase of Hauling Fees, and XIV.f. .a Change Order with ProWest Constructors for Deletion of Concrete Add Mixtures. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

XIV.f. Approval of a Change Order with ProWest Constructors for Deletion of Concrete Add Mixtures

Motion Passed: A motion was made to approve a XIV.c. Change Order with ProWest Constructors to Delete the Installation of Temporary Basketball Courts at Horace Mann School, XIV.d. a Change Order with ProWest Constructors for the Removal of the Street Trees Along Robertson Boulevard, XIV.e. a Change Order with ProWest Constructors for the Increase of Hauling Fees, and XIV.f. .a Change Order with ProWest Constructors for Deletion of Concrete Add Mixtures. Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

XIV.g. Approval of a Not To Exceed Cost for Replacement of Waterproofing at Adjacent Commercial Building

Motion Passed: Passed with a motion by Noah Margo and a second by Lewis Hall.

Absent Dr. Brian Goldberg

Yes Howard Goldstein

Yes Lewis Hall

Yes Lisa Korbatov

Yes Noah Margo

Yes Joshua Schenk

Motion Passed: A motion was made to approve a Not To Exceed Cost for Replacement of Waterproofing at Adjacent Commercial Building. Passed with a motion by Noah Margo and a

second by Lewis Hall.
Absent Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
Yes Noah Margo
Yes Joshua Schenk

XV. BOARD POLICIES

XV.a. Second Reading and Approval of Board Policy, Administrative Regulation and Exhibit 6163.4, Student Use of Technology

Motion Passed: A motion was made to approve the Second Reading and Approval of Board Policy, Administrative Regulation and Exhibit 6163.4, Student Use of Technology. Passed with a motion by Noah Margo and a second by Lisa Korbатов.

Absent Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
Yes Noah Margo
Yes Joshua Schenk

XVI. PROFESSIONAL AND OFFICIAL BUSINESS

XVI.a. Approval - Executive Search Firm - Hazard, Young, Attea & Associates (HYA)

Motion Passed: Dr. Joseph Farley and Dr. Darline Robles discussed the search process. There are four management positions involved in the search. They will work with staff on timelines and will conduct a rigorous and confidential search. A motion was made to approve an Agreement with Hazard Young Attea (HYA) for Executive Search Services. A roll call vote was taken. Passed with a motion by Lewis Hall and a second by Lisa Korbатов.

Absent Dr. Brian Goldberg
Yes Howard Goldstein
Yes Lewis Hall
Yes Lisa Korbатов
No Noah Margo
Yes Joshua Schenk

Discussion:

Hazard Young & Attea HYA having knowledge of the District from a prior search and the Educational Management leadership Base has been chosen to provide Executive Search Services to the District. HYA has designated, Dr. Joseph Farley and Dr. Darline Robles as the Search advisors.

XVII. COMMUNICATION FROM THE BOARD MEMBERS

XVIII. FUTURE BOARD MEETINGS

**XVIII.a. Regular Board Meeting-Tuesday, March 31, 2015-7:00 PM-STC/Jon Cherney
Lecture Hall, Beverly Hills High School**

**XVIII.b. Regular Board Meeting-Tuesday, April 14, 2015-7:00 PM-STC/Jon Cherney Lecture
Hall, Beverly Hills High School**

XIX. ADJOURNMENT

Discussion:

**Mr. Goldstein announced the Future Board Meetings and adjourned the meeting to Closed Session at
11:00 p.m.**