



REGULAR MEETING
June 26, 2019
10:00 a.m.
Board Room
200 Kalmus Drive, Costa Mesa, CA

ORANGE COUNTY BOARD OF EDUCATION
AGENDA

WELCOME

CALL TO ORDER

STATEMENT OF PRESIDING OFFICER: For the benefit of the record, this Regular Meeting of the Orange County Board of Education is called to order.

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

INTRODUCTIONS

(*)AGENDA

Regular Meeting of June 26, 2019 - adoption

(*)MINUTES

PRESENTATIONS

1. Special Presentation and Reception – Renee Hendrick, Associate Superintendent, Administrative Services will facilitate the recognition of OCDE Employees of the Month for 2018-2019; Employees with 25 Years of Service or more, Academic Achievement, and 2018-2019 Retirees.

PUBLIC COMMENTS

(30 minutes)

STAFF RECOMMENDATIONS

- (*) 2. Approve Resolution #11-19 regarding the Education Protection Account Proposed Expenditures.
- (*) 3. Adopt the Alternative, Community, and Correctional Education Schools and Services Local Control and Accountability Plan 2017-2020, and approve actions and services for 2019-2020.

- (*) 4. Adopt College and Career Preparatory Academy Local Control and Accountability Plan 2017-2020, and approve actions and services for 2019-2020.
- (*) 5. Approve OCDE budget for the 2019-20 fiscal year by July 1, 2019 as required by State regulations.

CLOSED SESSION 1

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
 Orange County Board of Education v. Orange County Superintendent of Schools, Case No. 30-2018-01023385-CU-MC-CJC
 Government Code Section 54956.9(a) and (d)(1)

CLOSED SESSION 2

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
 Potential Initiation of litigation pursuant to (d) (2) of Government Code Section 54956.9 (One case)

CONSENT CALENDAR

- (*) 6. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
- (*) 7. Approve travel for CCBE Executive Committee and Delegate Assembly member as requested by Board Member.
- (*) 8. Approve registration and travel for Board Members to attend education related events/meetings sponsored by ACSA, CCBE, CCSA, CSBA, NSBA, OCSBA, CUBE, and National Alliance for Public Charter Schools, effective July 1, 2019 for the 2019-20 fiscal year.
- (*) 9. Approve Board conference attendance cash advances in compliance with department policy for the 2019-20 fiscal year.

BOARD RECOMMENDATIONS

- (*) 10. Approval of invoices in the amount \$102,723.06 as of June 7, 2019 from Special OCBE Legal Counsel. (Williams)
- (*) 11. Adopt resolution #12-19: Children Home Education Program (CHEP). (Williams)

CHARTER SCHOOLS

- 12. Charter Submissions
- 10:45 a.m. 13. Unity Middle College High School Update

TIME CERTAIN

14. Inter-district Appeal Hearing (closed) – Student #06262019001I– Buena Park School District to Fullerton School District
15. Inter-district Appeal Hearing (closed) – Student #06262019002I– Buena Park School District to Fullerton School District
16. Inter-district Appeal Hearing (closed) – Student #06262019003I– Buena Park School District to Fullerton School District

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

-ISAAC Update- changes in leadership

BOARD DISCUSSION

ANNOUNCEMENTS

-Superintendent
-Associate Superintendent

Legislative Updates

-CSBA Update
-CCBE Update
-NSBA Update
-Capitol News Update
-School Services Update

BOARD MEMBER COMMENTS

EXECUTIVE COMMITTEE REPORT

PUBLIC COMMENTS (15 minutes)

ADJOURNMENT



Nina Boyd
Assistant Secretary, Board of Education

Next Regular Board Meeting: Wednesday, July 17, 2019 at 10:00 a.m. The meeting will be in the Board Room at 200 Kalmus Drive, Costa Mesa, CA.

Individuals with disabilities in need of copies of the agenda and/or the agenda packet or in need of auxiliary aides and services may request assistance by contacting Darou Sisavath, Board Clerk at (714) 966.4012.

(*) Printed items included in materials mailed to Board Members



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Renee Hendrick, Associate Superintendent, Administrative Services
SUBJECT: Education Protection Account Proposed Expenditures

RECOMMENDATION:

Approve Resolution #11-19 regarding the Education Protection Account Proposed Expenditures.

RH:sh

Orange County Department of Education

Expenditures through: June 30, 2020

For Fund 01, Resource 1400 Education Protection Account

Description	Function Codes	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR			
Adjusted Beginning Fund Balance	0000	9791-9795	0.00
Revenue Limit Sources	0000	8010-8099	326,200.00
Federal Revenue	0000	8100-8299	0.00
Other State Revenue	0000	8300-8599	0.00
Other Local Revenue	0000	8600-8799	0.00
All Other Financing Sources and Contributions	0000	8900-8999	0.00
Deferred Revenue	0000	9650	0.00
TOTAL AVAILABLE			326,200.00
EXPENDITURES AND OTHER FINANCING USES			
(Functions 1000-9999)	Function Codes	Object Codes	
Instruction	1000-1999		0.00
Teacher Salary	1000	1110	234,488.00
STRS	1000	3101	0.00
PERS	1000	3201	48,539.00
Medicare	1000	3313	3,400.00
Medical	1000	3451	32,145.00
Dental	1000	3453	2,877.00
Vision	1000	3455	547.00
State Unemployment	1000	3501	117.00
Workers Compensation	1000	3601	3,939.00
Life Insurance	1000	3951	148.00
Service Contract Audit	1000	5857	0.00
Instruction-Related Services			
Instructional Supervision and Administration	2100-2150		0.00
AU of a Multidistrict SELPA	2200		0.00
Instructional Library, Media, and Technology	2420		0.00
Other Instructional Resources	2490-2495		0.00
School Administration	2700		0.00
Pupil Services			
Guidance and Counseling Services	3110		0.00
Psychological Services	3120		0.00
Attendance and Social Work Services	3130		0.00
Health Services	3140		0.00
Speech Pathology and Audiology Services	3150		0.00
Pupil Testing Services	3160		0.00
Pupil Transportation	3600		0.00
Food Services	3700		0.00
Other Pupil Services	3900		0.00
Ancillary Services	4000-4999		0.00
Community Services	5000-5999		0.00
Enterprise	6000-6999		0.00
General Administration	7000-7999		0.00
Plant Services	8000-8999		0.00
Other Outgo	9000-9999		0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES			326,200.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)			0.00

Orange County Department of Education

Expenditures through: June 30, 2019

For Fund 01, Resource 1400 Education Protection Account

Description	Function Codes	Object Codes	Amount
AMOUNT AVAILABLE FOR THIS FISCAL YEAR			
Adjusted Beginning Fund Balance	0000	9791-9795	0.00
Revenue Limit Sources	0000	8010-8099	369,800.00
Federal Revenue	0000	8100-8299	0.00
Other State Revenue	0000	8300-8599	0.00
Other Local Revenue	0000	8600-8799	0.00
All Other Financing Sources and Contributions	0000	8900-8999	0.00
Deferred Revenue	0000	9650	0.00
TOTAL AVAILABLE			369,800.00
EXPENDITURES AND OTHER FINANCING USES			
(Functions 1000-9999)			
Instruction	1000-1999		0.00
Teacher Salary	1000	1110	262,098.00
STRS	1000	3101	42,670.00
PERS	1000	3201	0.00
Medicare	1000	3313	3,800.00
Medical	1000	3451	51,208.00
Dental	1000	3453	4,209.00
Vision	1000	3455	575.00
State Unemployment	1000	3501	131.00
Workers Compensation	1000	3601	4,403.00
Life Insurance	1000	3951	150.00
Service Contract Audit	1000	5857	556.00
Instruction-Related Services			
Instructional Supervision and Administration	2100-2150		0.00
AU of a Multidistrict SELPA	2200		0.00
Instructional Library, Media, and Technology	2420		0.00
Other Instructional Resources	2490-2495		0.00
School Administration	2700		0.00
Pupil Services			
Guidance and Counseling Services	3110		0.00
Psychological Services	3120		0.00
Attendance and Social Work Services	3130		0.00
Health Services	3140		0.00
Speech Pathology and Audiology Services	3150		0.00
Pupil Testing Services	3160		0.00
Pupil Transportation	3600		0.00
Food Services	3700		0.00
Other Pupil Services	3900		0.00
Ancillary Services	4000-4999		0.00
Community Services	5000-5999		0.00
Enterprise	6000-6999		0.00
General Administration	7000-7999		0.00
Plant Services	8000-8999		0.00
Other Outgo	9000-9999		0.00
TOTAL EXPENDITURES AND OTHER FINANCING USES			369,800.00
BALANCE (Total Available minus Total Expenditures and Other Financing Uses)			0.00

**RESOLUTION OF THE BOARD OF EDUCATION
ORANGE COUNTY, CALIFORNIA**

EDUCATION PROTECTION ACCOUNT

WHEREAS, the voters approved Proposition 30 on November 6, 2012; and

WHEREAS, Proposition 30 added Article XIII, Section 36 to the California Constitution effective November 7, 2012; and

WHEREAS, the provisions of Article XIII, Section 36(e) create in the state General Fund an Education Protection Account (EPA) to receive and disburse the revenues derived from the incremental increases in taxes imposed by Article XIII, Section 36(f); and

WHEREAS, before June 30th of each year, the Director of Finance shall estimate the total amount of additional revenues, less refunds that will be derived from the incremental increases in tax rates made pursuant to Article XIII, Section 36(f) that will be available for transfer into the EPA during the next fiscal year; and

WHEREAS, if the sum determined by the State Controller is positive, the State Controller shall transfer the amount calculated into the EPA within ten days preceding the end of the fiscal year; and

WHEREAS, all monies in the EPA are hereby continuously appropriated for the support of school districts, county offices of education, charter schools and community college districts; and

WHEREAS, monies deposited in the EPA shall not be used to pay any costs incurred by the Legislature, the Governor or any agency of state government; and

WHEREAS, a community college district, county office of education, school district, or charter school shall have sole authority to determine how the monies received from the EPA are spent in the school or schools within its jurisdiction; and

WHEREAS, the governing board of the district shall make the spending determinations with respect to monies received from the EPA in open session of a public meeting of the governing board; and

WHEREAS, the monies received from the EPA shall not be used for salaries or benefits for administrators or any other administrative cost; and

WHEREAS, each community college district, county office of education, school district and charter school shall annually publish on its Internet website an accounting of how much money was received from the EPA and how that money was spent; and

WHEREAS, the annual independent financial and compliance audit required of community college districts, county offices of education, school districts and charter schools shall ascertain and verify whether the funds provided from the EPA have been properly disbursed and expended as required by Article XIII, Section 36 of the California Constitution; and

WHEREAS, expenses incurred by community college districts, county offices of education, school districts and charter schools to comply with the additional audit requirements of Article XIII, Section 36 may be paid with funding from the EPA and shall not be considered administrative costs for purposes of Article XIII, Section 36.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. The monies received from the EPA shall be spent as required by Article XIII, Section 36 and the spending determinations on how the money will be spent shall be made in open session of a public meeting of the governing board of the Orange County Department of Education;
2. In compliance with Article XIII, Section 36(e), with the California Constitution, the governing board of the Orange County Department of Education has determined to spend the monies received from the Education Protection Account as attached.

AYES:

NOES:


ABSENT:

STATE OF CALIFORNIA, COUNTY OR ORANGE

I, Dr. Ken L. Williams, President of the Board of Education of Orange County, California, hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the twenty-sixth day of June 2019 and passed by a vote of _____.

IN WITNESS THEREOF, I have hereunto set my hand and seal this twenty-sixth day of June 2019.

Dr. Ken L. Williams,
Orange County Board of Education



ORANGE COUNTY BOARD OF EDUCATION
BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Jeff Hittenberger, Ph.D., Chief Academic Officer
SUBJECT: Alternative, Community, and Correctional Education Schools and Services Local Control and Accountability Plan

BACKGROUND:

The Alternative, Community, and Correctional Education Schools and Services (ACCESS) Local Control and Accountability Plan (LCAP) for 2017-2020 was presented to the Board on June 12, 2019. As required by law the LCAP included student, parent and community partner input and was posted to the Orange County Department of Education website for public review.

RECOMMENDATION:

Adopt the Alternative, Community, and Correctional Education Schools and Services Local Control and Accountability Plan 2017-2020, and approve actions and services for 2019-2020.

LS:vc



ORANGE COUNTY BOARD OF EDUCATION
BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Laura Strachan, Assistant Superintendent, Alternative Education
SUBJECT: College and Career Preparatory Academy Local Control and
Accountability Plan

BACKGROUND:

The College and Career Preparatory Academy Local Control and Accountability Plan (LCAP) for 2017-2020 was presented to the Board on June 12, 2019. As required by law the LCAP included student, parent and community partner input and was posted to the Orange County Department of Education website for public review.

RECOMMENDATION:

Adopt College and Career Preparatory Academy Local Control and Accountability Plan 2017-2020, and approve actions and services for 2019-2020.

LS:vc

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Renee Hendrick, Associate Superintendent, Administrative Services
SUBJECT: Budget Approval for Fiscal Year 2019-20

As required by State regulations, the attached documents include the 2019-20 OCDE budget and the Criteria and Standards. The July budget reflects preliminary estimates of income and expenditures, based on information available from the Governor's May Revise.

RECOMMENDATION:

Approve OCDE budget for the 2019-20 fiscal year by July 1, 2019 as required by State regulations.

RH:sh



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 5, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Laura Strachan, Assistant Superintendent Alternative Education
Byron Fairchild, Director Alternative Education

SUBJECT: Granting of Diplomas

The students listed on the attached pages have been certified for graduation by the Custodian of Records or their designee for the Division of Alternative Education of the Orange County Department of Education. These students have met the standards of proficiency in basic skills prescribed by the governing board in accordance with Education Code 51412. It is requested that the Board approve the granting of a diploma to these students.

RECOMMENDATION:

Approve granting of a diploma to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

LS:sl

Page 13 removed (CONFIDENTIAL STUDENT INFORMATION)

ORANGE COUNTY DEPARTMENT OF EDUCATION

BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Darou Sisavath, Board Recording Clerk
SUBJECT: Board Travel

Permission is hereby requested for Board Member to attend the following meetings, not to exceed 10 nights.

(CCBE) California County Boards of Education (Total of 5 meetings)
San Diego and Sacramento, CA – July 1, 2019 thru June 30, 2020

John Bedell	Airfare, Taxi, Shuttle Parking, Mileage	705.00
(2 nights per trip) (Exec. Comm/Delegate Assembly)	Lodging and Meals TOTAL	<u>595.00</u> *\$1300.00

RECOMMENDATION:

Approve travel for CCBE Executive Committee and Delegate Assembly member as requested by Board Member.

NB:ds

*Note: Expenses are partially reimbursed by CCBE

All travel must be in accordance with OCDE's Policy and Procedures Manual, Business Services, Section III.



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Darou Sisavath, Board Recording Clerk
SUBJECT: Registration and Travel for Board Members

In accordance with specified statutory regulations, County Board Members are reimbursed for expenses incurred when attending education related events/meetings. In order to simplify these reimbursement procedures, it is requested that approval be given for advance payment of fees as required by meeting sponsor.

RECOMMENDATION:

Approve registration and travel for Board Members to attend education related events/meetings sponsored by Association of California School Administrators (ACSA), California County Boards of Education (CCBE), California Charter Schools Association (CCSA), California School Boards Association (CSBA), National School Boards Association (NSBA), Orange County School Boards Association (OCSBA), Council of Urban Boards of Education (CUBE), and National Alliance for Public Charter Schools, effective July 1, 2019 for the 2019-20 fiscal year.

NB:ds

**Orange County Board of Education
2019 – 2020 Conference Schedule**

June 30 – July 3, 2019

NCSC Annual National Charter Schools Conference – Las Vegas, NV

Registration Fee - \$625.00

September 13-15, 2019

CCBE Fall Conference – Monterey, CA

Registration Fee - \$349.00

September 26-28, 2019

NSBA CUBE Annual Conference, Miami, FL

Registration Fee - \$550

December 4-5, 2019

CSBA Delegate Assembly – San Diego, CA

No Registration Fee

December 5-7, 2019

CSBA Annual Education Conference – San Diego, CA

Registration Fee - \$550.00

February 2-4, 2020

NSBA Advocacy Institute – Washington, D.C.

Registration Fee - \$695 (approximate)

March 16-19, 2020

California Charter Schools Conference – Long Beach, CA

Registration Fee - \$525.00 (approximate)

April 4-6, 2020

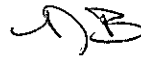
NSBA Annual Conference – Chicago, IL

Registration Fee - \$740 (approximate)

May 16-17, 2020

CSBA Delegate Assembly – Sacramento, CA

No Registration Fee



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 26, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Darou Sisavath, Board Recording Clerk

SUBJECT: Cash Advances for Board Members

RECOMMENDATION:

Approve Board conference attendance cash advances for the 2019-20 fiscal year. Cash advances must meet the same policy criteria as department employees and the following:

- Board travel must be pre-approved
- Request must be originated by the Board Member
- Advance amount is limited to no more than 75% of expenses the traveler estimates he/she will have to pay out of pocket while traveling

NB:ds

7/13

ORANGE COUNTY BOARD OF EDUCATION
BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Ken L. Williams, D.O., Board President
SUBJECT: Special OCBE Legal Counsel Invoices

RECOMMENDATION:

Approval of invoices for the total amount of \$102,723.06 as of June 7, 2019, from Special OCBE Legal Counsel.

AB

ORANGE COUNTY BOARD OF EDUCATION
BOARD AGENDA ITEM

DATE: June 26, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Ken L. Williams, D.O., Board President
SUBJECT: Resolution #12-19: Children Home Education Program (CHEP)

RECOMMENDATION:

Adopt resolution #12-19: Children Home Education Program (CHEP).

Resolution
Children Home Education Program (CHEP)

Whereas, the Orange County Department of Education (OCDE) is governed by two dutifully elected public offices, the Orange County Superintendent of Education (OCSE) and the Orange County Board of Education (OCBE) with differing roles and responsibilities; and

Whereas, the OCDE Alternative, Community, and Correctional Education Schools and Services (ACCESS) programs includes numerous alternative academic learning environments for students in Orange County, as well as academic environments for high risk youth, adjudicated, incarcerated students; and

Whereas, the California County Boards of Education (CCBE) promotes the ideals and concepts that county community schools are *"established and maintained by county boards and operated by county superintendents;* and

Whereas, examples of learning environments in ASSESS the OCBE is authorized by state Education Codes to provide for Orange County students, include the administration and operation of juvenile court schools (Education Code 48645.2), and community schools (Education codes 1983(e), 1983(g), 1984) ; and

Whereas, Children Home Education Program (CHEP) is a part of the OCDE ASSESS programs, and a county wide county community school that is a home schooling program serving the various needs of the county's children and families; and

Whereas, Education Code 1983 (e) states, *"The course of study of a county community school shall be adopted by the county board of education and shall enable each pupil to continue academic work leading to the completion of a regular high school program."*; and

Whereas, Education code 1983 (g) states, *"County boards of education operating county community schools shall ensure that appropriate services and programs designed to address the language needs of pupils identified as English learners are provided in compliance with all applicable state and federal laws and regulatory provisions."*; and

Whereas, Education Code 1984 states: *"For the purposes of establishing and maintaining a county community school, a county board of education shall be deemed to be a school district;"* and

Whereas, the OCBE was not aware of specific plans of CHEP site closures until a May 8 memo written by Chief Academic Officer, Jeff Hittenberger, and a follow-up memo from the OCSE dated May 13, 2019; and

Whereas, the OCBE determines the board did not consent to, or place on its regular board agenda a vote or opportunity for board members and the public to voice their concerns regarding CHEP closures; and

Whereas, public confidence and trust is critical for any government agency or elected official. The Brown Act requires governmental agencies to be open and transparent in its actions. Transparency and openness in a public forum was not provided prior to the announcement of CHEP site closures; and

Therefore, the Orange County Board of Education affirms it's constitutional, lawful and authorized authority, expressed in state Education codes and recognizes the dual governance structure and decision making process of ASSESS and community home and juvenile schools; and

Resolution
Children Home Education Program (CHEP)

Therefore, the Orange County Board of Education regards as extraordinary and lawfully prohibited, any unilateral decision to close CHEP sites, or other community schools without board input, public discussion, and public decision.

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA

COUNTY OF ORANGE

I, **Ken L. Williams, D.O.**, President to the Board of Education of Orange County, California hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 26th day of June 2019 and passed by a vote of said Board Members present.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 26th day of June 2019.

Ken L. Williams, D.O., President
Orange County Board of Education