

MINUTES  
Regular Meeting  
April 10, 2019

ORANGE COUNTY BOARD OF EDUCATION  
MINUTES

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order by Board President Williams at 9:05 a.m., April 10, 2019 in the Board Room, 200 Kalmus Drive, Costa Mesa, California.

INVOCATION

Ahmed Soboh, DDS

PLEDGE OF ALLEGIANCE

Ken L. Williams, D.O., Board President

ROLL CALL

Present:

Lisa Sparks, Ph.D.  
Mari Barke  
Ken L. Williams, D.O.  
Rebecca "Beckie" Gomez  
John W. Bedell, Ph.D.

INTRODUCTION

None

AGENDA

Motion by Bedell, seconded by Barke, and carried by a vote of 5-0, to approve the agenda of the April 10, 2019 Board meeting with an amendment:

- Indicate that Closed Session 4 is regarding public records request.

MINUTES

Motion by Gomez, seconded by Barke, and carried by a vote of 5-0, to approve the minutes of the March 6, 2019 Board meeting with the following amendments:

- Note that Trustee Gomez was not present for the Closed Session items one through four.
- Correct the spelling of Richard Hansberger's name and move it from item #12 to item #13, as he is a representative for Vista Global Academy.

BOARD RECOMMENDATIONS

1. Motion by Williams, seconded by Barke, to adopt resolution #09-19: Resolution to Pay Special OCBE Legal Counsel.

Subsidiary motion by Bedell, seconded by Williams to waive the attorney-client privilege on legal invoices going forward.

The motion was withdrawn by Bedell and the second was withdrawn by Williams.

Subsequent subsidiary motion by Bedell, seconded by Williams, and carried by a vote of 4-1 (Williams, Barke, Sparks, and Bedell voted Yes; Gomez voted No) to allow the entire Board to review and discuss the unredacted invoices in closed session prior to publishing the redacted version.

Motion by Williams, seconded by Barke, and carried by a roll call vote of 3-2 (Williams, Barke, and Sparks voted Yes; Gomez and Bedell vote No), to adopt resolution #09-19: Resolution to Pay Special OCBE Legal Counsel.

#### PUBLIC COMMENTS FOR ITEM #2

- Michelle Anderson- Support OCBE Resolution #08-19
- Natalie South- Support OCBE Resolution #08-19
- Martha Fluor- Oppose OCBE Resolution #08-19
- Barbara Schulman- Oppose OCBE Resolution #08-19
- Carlo Crane- Oppose OCBE Resolution #08-19
- Lynne Riddle- Oppose OCBE Resolution #08-19
- Kapil Mathur- Support OCBE Resolution #08-19

#### BOARD RECOMMENDATIONS (continue)

2. Motion by Barke, seconded by Sparks, and carried by a vote of 3-2 (Williams, Barke, and Sparks voted Yes; Gomez and Bedell voted No) to adopt resolution #08-19: In Opposition to Assembly Bill 1505 – Charter Schools.

Trustee Sparks departed the meeting at 10:17 a.m.

#### PRESENTATIONS

3. Outsourcing Charter School Reviews by School Works presented by Kim Wechtenhiser, President and David Hartman, Managing Director of Accountability.

The Board took a recess from 11:02 a.m. to 11:12 a.m.

4. National Board Certified Teachers – Christine Olmstead, Associate Superintendent, Educational Services Division, facilitated the presentations to Cristina Brown and acknowledged the two recipients that could not be present, Bernard Jain and Timothy McFadden.
5. 2019 Orange County Classified School Employees of the Year - Nicole Savio Newfield, Administrator, Educational Services Division,

facilitated the presentations to Maria Mejia, Noah Valadez, Deborah Watkins, Kelly Prouty, Gabriel Ramirez, and Anna López.

The Board took a recess from 11:32 a.m. to 12:12 p.m. to join the reception, followed by closed sessions.

CLOSED SESSION 2

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

Anaheim Union High School District and Anaheim Elementary School District v. Orange County Board of Education and Orange County Department of Education, Case No. 30-2016-00891539-CU-PT-CJC  
Government Code section 54956.9(a)

Mr. Rolan reported the board voted 4-0 (Sparks absent) to post a statement concerning the result of the litigation.

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION: Freedom From Religion Foundation, Inc. v. Chino Valley Unified School District Board of Education (Ninth Circuit Appeals No. 16-55425) with regard to Orange County Board of Education's Motion to Intervene as Defendant-Appellant

Mr. Rolan reported no resolutions were passed and no actions taken.

CLOSED SESSION 4

CONFERENCE WITH LEGAL COUNSEL- Matter of anticipated litigation pursuant to government code 54965.9

Mr. Rolan reported the Board received information and discussed responses to the public records requests. No actions were made.

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)

Mr. Brenner reported the Board received an update on the status of the litigation and approved the February legal fee statement by a vote of 2-1-1 (Williams, Barke voted Yes; Gomez voted No; Bedell Abstained; and Sparks Absent)

PUBLIC COMMENTS

- Al Holguin- Invocations
- Ruth Sanchez Kobayashi- General

- Joyce McNabb- General
- Cyndie Borcoman- General
- Brenda Lebsack- Human Rights
- Inhee Kim- Human Rights
- Phuong Baker- Teacher Views
- Luis Olan- Civil Rights
- Maria Olan- Civil Rights
- Saga Zhou- Civil Rights
- Andrea Tapia- Civil Rights
- Araceli Justiniani- Civil Rights
- Linda Cone- Parent Support
- Jessica Geyer- Health Framework
- Emily Park- General
- Jenny Chung- Civil Rights
- Joy Park- Civil Rights
- Grace Chiu- Parent Rights
- Mindy Lee- Parent Rights
- John Korszyk- General
- Pastor John De Leon- General
- Adrian Crawford- Community Home Education Program
- Alma E. Pedroza-Nieto- AB 329
- Olivia Mendez- Discrimination
- Yovanna Medina- Parental Rights
- Jorge Carmona- General
- Gabriela Mullen- General

The Board took a recess from 1:35 p.m. to 1:41 p.m.

### CONSENT CALENDAR

6. Motion by Barke, seconded by Gomez, and carried by a vote of 4-0 (Sparks Absent), to approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

### STAFF RECOMMENDATIONS

7. Motion by Bedell, seconded by Barke, and carried by a vote of 4-0 (Sparks Absent), to approve the material revisions to Vista Condor Global Academy's charter concerning admissions preferences.

### CHARTER SCHOOLS

8. Charter School Submissions- None
9. Public Hearing/Charter School Material Revision- Samueli Academy – Aracely Chastain, Coordinator, Charter Schools facilitated the public hearing.

- Samueli Academy- Anthony Saba, Executive Director; Lee Fleming, Head of School; and Chris Simonsen, CEO of Orangewood Foundation

PRESENTATIONS (continue)

3. Outsourcing Charter School Reviews by School Works- The Board continued with Board questions for School Works representatives.

TIME CERTAIN (continue)

10. Public Hearing – Renee Hendrick, Associate Superintendent, Division of Administrative Services, conducted a public hearing on CSEA’s Initial Proposal to Superintendent. The hearing was opened at 2:09 p.m. There being no input from the audience, the hearing was closed at 2:10 p.m.
11. Public Hearing – Renee Hendrick, Associate Superintendent, Division of Administrative Services, conducted a public hearing on Superintendent’s Initial Proposal to CSEA. The hearing was opened at 2:10 p.m. There being no input from the audience, the hearing was closed at 2:11 p.m.

Items #12 and #14- Case resolved prior to the Board meeting.

13. Inter-district Appeal Hearing (closed) – 04102019003I – Orange Unified School District to Placentia-Yorba Linda Unified School District

The Board went into closed session from 2:44 p.m. to 2:56 p.m.

Motion by Barke, seconded by Williams, and carried by a vote of 2-2 (Barke and Williams voted Yes, Gomez and Bedell voted No, Sparks Absent) to grant the appeal. The decision of the Orange Unified School District was upheld and the appeal was denied.

Donna Sievers, Interim CWA/SARB Coordinator, Educational Services facilitated the hearing.

INFORMATION ITEMS

ANNOUNCEMENTS

Associate Superintendent

- Next Board meeting- May 8, 2019 at 10:00 a.m. with Budget Study session starting at 9:00 a.m.; Submission deadline is April 24, 2019.

EXECUTIVE COMMITTEE REPORT

- Trustee Williams- Jack Hammett Award and Freedom Foundation in May

ANNOUNCEMENTS (continue)

Superintendent

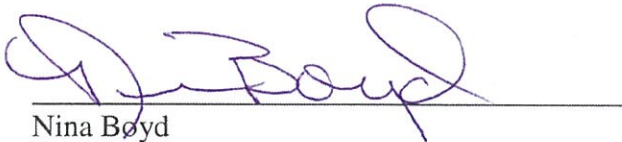
- Friday, April 5<sup>th</sup>- Distinguished Schools Award Ceremony at Disneyland Hotel

BOARD DISCUSSION

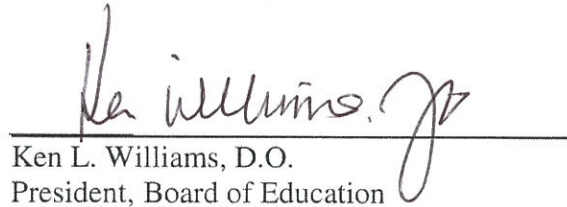
- Charter School Policy Update (Board Policy 400-12)- discussed
- Charter School Ad Hoc Committee- discussed
- Draft Notice of Violation- discussed
- Charter Schools Status Update- Kelly Gaughran, Director, Charter Schools, provided an update to the Board.

ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of April 10, 2019, adjourned at 3:36 p.m.



Nina Boyd  
Assistant Secretary, Board of Education



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

Next Special Board Meeting, Wednesday, May 8, 2019 at 10:00 a.m. (Budget Study Session at 9:00 a.m.)  
- The meeting will be held 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.