

REGULAR MEETING
May 8, 2019
9:00 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.

ROLL CALL

(*)AGENDA

Regular Meeting of May 8, 2019 – adoption

(*)MINUTES

Regular Meeting of April 10, 2019 – approval

TIME CERTAIN

9:05 a.m.

1. Budget Study Session- Renee Hendrick, Associate Superintendent, Administrative Services will conduct the budget study session.

SPECIAL PRESENTATION

10:00 a.m.

Sunburst Youth Academy Color Guard Presentation of Flags

PLEDGE OF ALLEGIANCE

Robert M. Hammond, Lance Corporal (Retired)
Former member, Orange County Board of Education

INVOCATION

Pastor Frank Orzio

Welcome remarks to special guests (Williams)

INTRODUCTIONS

PRESENTATIONS

2. Education Awards - Freedom Foundation Reception recognizing the recipients. Lt. Scott Williams (ret), President, Freedom Committee of Orange County
3. Special Awards Presentations – Laura Strachan, Assistant Superintendent, will facilitate the presentation of awards to the Fifth Annual Jack R. Hammett Memorial Day Essay Contest participants and winners.

Reception

Reception recognizing the recipients.

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 and receipt of Public Records requests. Significant
exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of
section 54956.9 (4 cases).

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

CLOSED SESSION 4

CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED
LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of
subdivision (d) of Section 54956.9: The Board has received a legal request
concerning a confidential student matter. (1 case)

CONSENT CALENDAR

- | | | |
|-----|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (*) | 4. | Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division. |
|-----|----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|

BOARD RECOMMENDATIONS

- | | | |
|-----|----|--------------------------------------------------------------------------------------------------------------------------------------------------|
| (*) | 5. | Adopt Resolution #10-19 to recognize May 27, 2019 as Memorial Day. |
| (*) | 6. | Approve registration and travel for Board Members to attend the National Charter Schools Conference, June 30 – July 3, 2019, Las Vegas. (Bedell) |
| (*) | 7. | Accept Executive Summary: Forum on the California Healthy Youth Act. (Sparks) |

STAFF RECOMMENDATIONS

- | | | |
|-----|----|------------------------------------------------------------------------------------------------------------------------------------------|
| (*) | 8. | Approve the material revision for the addition of grades seven and eight beginning in Fall 2020 to the Samueli Academy charter petition. |
| (*) | 9. | Accept the Third Quarter Report on Williams Uniform Complaints for OCDE student programs for the period of January 1 to March 31, 2019. |

- (*) 10. Adopt the annual updated Orange County Department of Education Investment Policy.

PUBLIC COMMENTS (30 minutes)
12:00 p.m.
CHARTER SCHOOLS

11. Charter Submissions

INFORMATION ITEMS

ANNOUNCEMENTS

- Superintendent
- Associate Superintendent

Legislative Updates

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

BOARD MEMBER COMMENTS

EXECUTIVE COMMITTEE REPORT

- Board Policy 100-18 Draft Review
- Charter School Subcommittee
- Charter School Outsourcing
- Public Comments Board Policy 100-5
- Correspondence received on Inter-District Appeal Student #04102019003I

PUBLIC COMMENTS (15 minutes)

ADJOURNMENT



Nina Boyd
Assistant Secretary, Board of Education

Next Special Board Meeting: Wednesday, June 12, 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



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. Rolen 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. Rolen 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. Rolen 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 ligation 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- Samuelli 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 5th- 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.

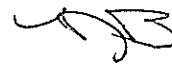


Nina Boyd
Assistant Secretary, Board of Education

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.

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ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 17, 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

Pages 11-12 removed (CONFIDENTIAL STUDENT INFORMATION)

YB

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 8, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Darou Sisavath, Recording Clerk
SUBJECT: Resolution #10-19
Recognize May 27, 2019 as Memorial Day

RECOMMENDATION:

Adopt Resolution #10-19 to recognize May 27, 2019 as Memorial Day.

ORANGE COUNTY BOARD OF EDUCATION
Resolution Honoring MEMORIAL DAY - May 27, 2019

WHEREAS, the U.S. Congress, by a Joint Resolution, approved May 11, 1950, as amended (36 U.S.C. 116), requests the President of the United States to issue a proclamation calling on the people of the this country to observe each Memorial Day as a day of prayer for permanent peace, and designating a period on that day when the people of the United States may unite in prayer. The Congress, by Public Law 106-579, has designated 3:00 p.m. local time on that day as a time for all Americans to observe, in their own way, the National Moment of Remembrance; and

WHEREAS, the California Constitution affirms in Article IX, Section 1, "A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement"; and

WHEREAS, school boards, educators, teachers, school administrators and staff play a significant role in the education of our children; and

WHEREAS, Memorial Day is a national celebration whereby students, parents, veterans service organizations, and elected officials celebrate with patriotic and memorial ceremonies at monuments, civic centers, parks, schools, and cemeteries in Orange County and throughout this great nation; and

WHEREAS, since our Nation's founding, America's sons and daughters have given their lives in service to our country, from Concord and Gettysburg, to Marne and Normandy, from Inchon and Khe Sanh, to Baghdad and Kandahar; and they laid down their lives as the greatest sacrifice for a cause greater than themselves; and

WHEREAS, the instruction and inculcation of American history and the knowledge of military veterans fighting for American liberties and freedoms, is an essential component of our American education process because it passes this remembrance and knowledge unto subsequent generations of American children in our schools; and

WHEREAS, we honor the service and sacrifice of our disabled veterans, prisoners of war, those Americans missing in action who should never be forgotten. As educators and leaders in education in Orange County we acknowledge the sacrifice and sorrow of parents who lost sons or daughters, spouses, and children due to the war and terrorism; and

WHEREAS, citizens and their elected government should encourage educating America's children in our schools about American patriotism and the relevance of Memorial Day by having the opportunity of participating in a symbolic act to respectfully honor the memory and actions of America's heroes, and

WHEREAS, on May 27th of this year our students, parents, and citizens will recognize Memorial Day by honoring over one million American men and women who gave their lives in service to our country in defense of our treasurable freedoms.

NOW, THEREFORE, be it resolved that the Governing Board of the Orange County Department of Education recognizes May 27th, 2019, as Memorial Day and expresses its support of this moment in the Month of May. We likewise encourage our students to participate in Memorial Day events and learn more of American history.

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, **Ken L. Williams, D.O.**, President, 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 8th day of May 2019.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 8th day of May 2019.

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



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 8, 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 the National Charter Schools Conference, June 30 – July 3, 2019, Las Vegas.

NB:ds



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 8, 2019

TO: Nina Boyd, Associate Superintendent

FROM: Lisa Sparks, Ph.D., Trustee, Area 5

SUBJECT: Executive Summary: Forum on the California Healthy Youth Act.

RECOMMENDATION:

Accept Executive Summary: Forum on the California Healthy Youth Act.

Executive Summary

Forum on the California Healthy Youth Act (CHYA)
September 26, 2018



Introduction & Background

The state Education Code 51933 gives governing board guidelines on implementation of sex education programs and states all “instruction and materials are age appropriate...factually and medically correct and objective.”

In the spring and summer of 2018, the Orange County Board of Education (OCBE) heard at its regular meetings over 100 public comments regarding the implementation of the California Healthy Youth Act (CHYA) and state approved sex education curricula. The board heard comments about the age appropriateness, medical accuracy, and scientific evidence related to adoption of CHYA as well as parental rights to opt out their children from this “new” approach to sex education in California state education codes, namely Comprehensive Sexual Education (CSE).

Public opinion and concerns regarding CHYA were heard by the board during the public comment portion of the OCBE meetings. A legal opinion rendered by Orange County Department of Education (OCDE) general counsel, Ron Wenkert, dated September 14, 2017 concluded that CHYA, “*does not allow a parent to excuse their child from instruction that discusses gender, gender identity, gender expression and sexual orientation...*” As such, community members urged board members to hold a public community forum in order to gain a better understanding of CHYA and legal requirements involved and implementation of CHYA in our Orange County school districts.

The trustees of the Orange County Department of Education (OCDE) voted in favor of holding a special forum on September 26, 2018, for the Orange County community to examine the various complex issues surrounding the implementation of the California Healthy Youth Act (CHYA), Assembly Bill 329, codified as state Education Codes 51930-51939, which went into effect January 1, 2016.

Goals of Forum

This special community forum invited experts to provide testimony, evidence-based scientific data and information on the legal implementation of CHYA. The forum format was designed to have opening and closing statements by the experts, with two rounds of board questions. The meeting was moderated by Maggie Chidester, education attorney-at-law and special board counsel.

The primary purpose of the forum:

1. Educate parents, board members, and community members about changes in mandates regarding comprehensive sexual education (CSE) and the California Healthy Youth Act (CHYA) implementation in school districts.
2. Review state approved adopted curricula for primary, middle and high school health education.
3. Provide clear guidelines regarding parental choices for student participation.
4. Explain how to provide and create safe schools and prevent bullying by focusing on “how to best serve” the medical, physical, and psychological needs of the children.
5. Discuss subject material in a scholarly, objective manner with medical facts, evidence, and scientific literature informing dialogue.

Expert Panel Participants*

The Executive Committee of the Orange County Board of Education invited numerous experts from inside and outside the community to provide expert testimony on various aspects of CHYA. In an effort to provide as much information and research on the topic for our community members to better understand CHYA implementation and opt-out provisions, OCBE invited experts supporting the implementation of CHYA, and experts expressing concerns about CHYA and the state approved CSE curricula. The intent of the forum was to provide an opportunity for parents, teachers, board members, administrators, and community members with evidence-based information to enable them to make an informed choice on how to most effectively work with their districts and schools.

The final panel of expert panel participants and their full biographies:

Stan Weed, PhD.

Academic Commentary and Examining the Evidence for Comprehensive Sex Education in Schools

Deborah Reisdorph

Defining a Safe School Environment for All Children

Nada Higuera, J.D.

Parental Rights and Legal Issues- A Constitutional Perspective

Brenda Lebsack

CHYA State Approved Curricula, e.g. Teen Talk), and Inaccurate Medical Information. Perspective from A California Certified Teacher and Trustee, Orange Unified School District

Laura Haynes, Ph.D.

Mental Health and Psychological Repercussions of Exposure to Content and Age Inappropriate Curricula- Unintended Consequences of Sexual Orientation and Gender Identity Affirmative Curricula

Duaa Alwan

Defining Safe and Inclusive Schools for All Children Including Religious Minority Youth and Community

*NOTE: Additional experts were invited to provide their expertise and research related to the CHYA curricula mandate, but either declined to participate or had to cancel due to other commitments.

Summary of the California Health Youth Act Community (CHYA) Forum

This brief executive summary is generated from official board typewritten transcripts and audio. The public statements by expert testimony does not necessarily reflect board approval or disapproval.

Full text of the forum:

<http://www.ocde.us/Board/Documents/2018 Minutes and Transcripts/Special Board Meeting Transcription 9-26-18.pdf>

Full audio of the forum:

<http://www.ocde.us/Board/Pages/Board-Minutes.aspx>

ORANGE COUNTY BOARD OF I
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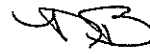
DATE: April 15, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Kelly Gaughran, Administrator, Charter Schools
Aracely Chastain, Coordinator, Charter Schools
SUBJECT: Samueli Academy – Material Revision Decision

DESCRIPTION:

On March 6, 2019, Orange County Board of Education accepted the submission for a material revision to the Samueli Academy charter educational program to add grades seven and eight to the school.

RECOMMENDATION:

Approve the material revision for the addition of grades seven and eight beginning in Fall 2020 to the Samueli Academy charter petition.



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 8, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Stacy Deeble-Reynolds, Director
Student Achievement and Wellness
SUBJECT: Acceptance of 3rd Quarter Report on Williams Uniform Complaints
for the Period of January 1 to March 31, 2019 for OCDE Student Programs

California Education Code section 35186(d) requires that school districts and county operated programs report summarized data on the nature and resolution of all Williams Uniform Complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.

The enclosed report indicates no complaints were filed for the Orange County Department of Education student programs in the Divisions of Alternative Education and Special Education Services for the period of January 1 to March 31, 2019.

RECOMMENDATION:

Accept the 3rd Quarter Report on Williams Uniform Complaints for OCDE student programs for the period of January 1 to March 31, 2019.

SDR:ag

4385040819



ORANGE COUNTY DEPARTMENT OF EDUCATION
Third Quarter Report on Williams Uniform Complaints
January 1 – March 31, 2019

Education Code section 35186(d) requires that school districts and county operated programs report summarized data on the nature and resolution of all Williams Uniform complaints on a quarterly basis to the County Superintendent of Schools and their governing board. This report includes the number of complaints filed, if any, by general subject area and identifies the number of resolved and unresolved complaints.

Division of Alternative Education

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancies or Misassignments	0		
Facility Conditions	0		
TOTALS	0		

Division of Special Education Services

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancies or Misassignments	0		
Facility Conditions	0		
TOTALS	0		

CSB

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 8, 2019
TO: Nina Boyd, Associate Superintendent
FROM: Dean West, CPA, Associate Superintendent, Business Services DW
SUBJECT: Orange County Department of Education Investment Policy

In accordance with Government Code Section 53646, government agencies may annually render an investment policy to be considered at a public meeting. This policy is for the investment of funds held by the Orange County Department of Education (the "Department") and also governs the issuance of debt by the Department. The policy is based upon federal, state, and local laws, and prudent money management practices. The only changes from the previous policy are the date of the Board meeting on the cover and the date in Section VIII. The primary goals of this policy are:

- To assure compliance with all federal, state, and local laws governing the investment of monies and the issuance of debt;
- To protect the principal deposits of the Department; and
- To generate investment income within the parameters of this policy.

RECOMMENDATION:

Adopt the annual updated Orange County Department of Education Investment Policy.

DW: ts

ORANGE COUNTY DEPARTMENT OF EDUCATION

INVESTMENT POLICY

I. PURPOSE:

To establish a policy for investment of funds held by the Orange County Department of Education (the "Department"). The policy also governs the issuance of debt by the Department. This policy is based upon federal, state, and local laws, and prudent money management practices. To the extent that this policy conflicts with applicable law, the applicable law shall prevail. The primary goals of this policy are:

- To assure compliance with all federal, state and local laws governing the investment of monies and the issuance of debt;
- To protect the principal deposits of the Department; and
- To generate investment income within the parameters of this policy.

II. POLICY:

The Department's primary investment objective shall be to maintain the safety and liquidity of its funds. Safety of principal is the foremost objective of the Department. The investment factors the Department shall consider, in order of descending importance, are the following:

- Safety of invested funds;
- Sufficient liquidity to meet future cash flow requirements; and
- Attain maximum yield consistent with the aforementioned requirements.

In addition, the Department shall adopt measures as set forth herein to ensure that the issuance of debt by the Department complies with all applicable state and federal laws, including federal and state securities laws.

The County Superintendent of Schools ("County Superintendent"), or his designee, under the direction of the Board of Education, shall have the responsibility for all decisions and activities performed under the Department's investment policy. The County Superintendent shall have the ability to allocate resources or delegate responsibility as necessary to optimize the safety and liquidity of the investment portfolio and to implement this investment policy.

III. LEGAL CONSTRAINTS:

Pursuant to California Education Code Section 41001, the Department shall deposit all funds received or collected from any source into the Orange County Treasury, to be placed to the credit of the proper fund of the Department, except as otherwise provided herein. Pursuant to California Education Section 41015, the Department may invest all or part of funds deposited in a Special Reserve Fund or any surplus monies not required for the immediate necessities of the Department in any of the investments specified in California Government Code Sections 16430 or 53601. Special Reserve Funds are defined as those funds which the Board of Education has designated for capital outlay or other purposes where an accumulation over a period of fiscal years is desired.

IV. AUTHORIZED INVESTMENTS:

The Department shall make investments in the context of the “Prudent Investor Rule” (Probate Code Section 16045 et seq.), which in substance states that:

Investment shall be made with the judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence, exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The Department shall deposit all funds received or corrected from any source into the Orange County Treasury, except as provided for through the California Education Code. Those funds maintained in a Special Reserve Fund or any surplus funds not required for the immediate necessities of the Department shall be available for investment (“funds available for investment”) under the conditions set forth in the policy.

1. The Orange County Investment Pool(s) established by the Orange County Treasurer for the benefit of local agencies and/or schools. The Department may invest up to one-hundred percent (100%) of its funds available for investment in the Orange County Investment Pool(s).
2. The Local Agency Investment Fund (LAIF) established by the California State Treasurer for the benefit of local agencies. The Department may invest up to ~~one-hundred percent (100%)~~ the current LAIF limit of sixty-five million dollars (\$65,000,000) of its funds available for investment in the Local Agency Investment Fund.

3. To the extent that the Department directs the investment of its funds to specific securities, those securities shall be limited to the securities identified in California Government Code Section 53601. However, the Department will not, under any circumstances, direct the investment of its funds to reverse repurchase agreements unless such transactions are matched to maturity.

Monies received from the sources, or for the purposes, listed below may be deposited in a bank or other financial institution. Monies so deposited shall be in a fully-insured or collateralized account(s) or instrument(s). Bank accounts maintained outside the County Treasury shall be limited to the following purposes:

- (a) Cash Clearing Account
Purpose: To deposit accounts receivable checks then write check to County Superintendent once checks have cleared.
- (b) Revolving Cash
Purpose: Emergency transactions and accounts payable.
- (c) Payroll Revolving Cash
Purpose: Emergency transactions for payroll.
- (d) County Superintendent of Schools – Golden West Adult Transition Program
Purpose: This account was created to help with a special education program that is funded from the Medi-Cal Health Collaborative.
- (e) TRANS Proceeds
Purpose: In the event that Tax Revenue Anticipation Notes (TRANS) are issued, the proceeds would be deposited into this account.

V. COMPLIANCE WITH STATE AND FEDERAL SECURITIES LAWS:

The Department will take reasonable steps to ensure that any debt offerings issued by the Department comply fully with all applicable state and federal securities laws. In connection with all debt offerings issued by the Department, the Department will retain bond counsel and disclosure counsel to review the offering materials prepared in connections with the debt offering to ensure that disclosures contained in offering materials comply with federal and state securities laws. The Associate Superintendent for Business shall be responsible for reviewing the offering materials regarding the accuracy of information disclosed in such materials.

VI. DEPOSIT OF PROCEEDS FROM THE ISSUANCE OF DEBT:

The Department shall not issue debt, for the sole purpose of generating funds for investment. The Department shall limit the issuance of debt for the purposes of meeting short-term cash flow needs to fund capital projects.

When depositing proceeds from the issuance of debt into the County Treasury, the Department shall limit such investments to those authorized investment identified in this policy. Should a trust agreement of a particular debt issued by the Department be more restrictive than the Department's policy on authorized investments, then the trust agreement will take precedence.

VII. INVESTMENT REVIEW:

The Associate Superintendent for Business will review monthly reports on investment performance, with the objectives of safety, liquidity and yield.

VIII. CHANGES TO INVESTMENT POLICY:

This pPolicy dated May 8, 2019, has been submitted to the Board of Education for review and approval. This policy will be reviewed at least annually to ensure its consistency with the objectives of income, growth and safety, and changes in applicable laws and financial trends. Any proposed amendments to the Investment Policy will require approval by the Board of Education.

IX. FINANCIAL PROFESSIONAL'S COMPLIANCE WITH INVESTMENT POLICY:

All outside investment advisors/managers, attorneys and other financial professionals employed or retained by the Department and/or its representatives, including without limitation financial advisors, underwriters, bond counsel, and disclosure counsel, must review this policy and sign a statement of compliance confirming that they have reviewed this investment policy and will fully comply with these policies. A copy of this Statement of Compliance is attached as Exhibit "A."

EXHIBIT “A”

STATEMENT OF COMPLIANCE WITH INVESTMENT POLICIES

ADOPTED BY THE ORANGE COUNTY DEPARTMENT OF EDUCATION

The undersigned has been retained to perform services for the Orange County Department of Education. The undersigned has been provided with a copy of the Orange County Department of Education Investment Policies and has reviewed the Investment Policy thoroughly. In providing services to the Department, the undersigned agrees to comply fully with all of the policies and procedures set forth in the Investment Policies.

Date: _____

BY: _____