REGULAR MEETING
July 12, 2017
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 July 12, 2017 - adoption
(*).MINUTES
Regular Meeting of June 28, 2017 – approval
PUBLIC COMMENTS
(30 minutes)

TIME CERTAIN

10:05 a.m.
1. Election of Officers – President Linda Lindholm will preside for the
election of President of the Board. The new Board President will preside
for the election of the Vice President of the Board

(*)
2. Nominate and approve board member assignments for the 2017-18 fiscal
year

CONSENT CALENDAR

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

(*)
4. Approve disbursement of funds for Orange County Board of Education
professional organizations membership dues for 2017-18 fiscal year
5. Approve travel for CCBE Executive Committee and Delegate Assembly member as requested by Board Member

6. 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, 2017 for the 2017-18 fiscal year

7. Approve Board conference attendance cash advances for the 2017-18 fiscal year

STAFF RECOMMENDATIONS

8. Approve the material revisions to Ednovate – USC College Prep Charter School Bylaws

BOARD RECOMMENDATIONS

9. Board inter-district appeals process (Lindholm/ Wenkart)

10. Approve the amended Board policy #300-2 regarding the inter-district attendance appeal hearings

TIME CERTAIN (continue)

11. Inter-district Appeal Hearing (closed) – Student #07122017001I – Savanna School District to Westminster School District

Mayu Iwatani/ Chris Davis, Instructional Services Division, will facilitate the hearing.

12. Inter-district Appeal Hearing (closed) – Student #07122017002I – Savanna School District to Tustin Unified School District

Mayu Iwatani/ Chris Davis, Instructional Services Division, will facilitate the hearing.

13. Expulsion Appeal Hearing (closed session) – Student #07122017003E, Santa Ana Unified School District

July 12, 2017
Mayu Iwatani/ Chris Davis, Instructional Services Division, will facilitate the hearing.

CLOSED SESSION

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)

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION
-Status report on charter schools

BOARD DISCUSSION ITEMS

ANNOUNCEMENTS
-Superintendent
-Associate Superintendent

COMMUNICATION/INFORMATION/DISCUSSION
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, August 16, 2017 at 1:00 p.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

July 12, 2017
MINUTES
Regular Meeting
June 28, 2017

ORANGE COUNTY BOARD OF EDUCATION
MINUTES

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order at 10:04 a.m., June 28, 2017 in the Board Room, 200 Kalmus Drive, Costa Mesa, California.

INVOCATION

John W. Bedell, Ph.D., Vice President of Orange County Board of Education

Good morning. For the benefit of the record, the regular meeting of the Orange County Board of Education is called to order. I'd like to begin with a few comments, of an invocation. As you know, the word invocation has as one of its meanings call for aid and the call for guidance. As we look to today's agenda, specifically the budget, LCAP and LCFF, I respectfully request that we reflect on a few quotes: Let me begin with Ben Franklin who said, "An investment in knowledge pays the best interest." Where are we at OCDE? We know in the banking world, interest is something you pay for the use of the bank's dollars, but it also means the albeit low amount currently the bank pays you for letting them use your dollars. For me, the Franklin interest in education metaphor means we put in our efforts in education today and it pays benefits tomorrow. We give up things today and we get a big return later! Just what could that deferred return be? Perhaps it's a better tomorrow. Malcolm X said, "Education is the passport to the future, for tomorrow belongs to those who prepare for it today." Where is OCDE on this?

Our students learn skills they will use in their careers as well as in their personal lives. They write, they collaborate, they calculate, they network, they evaluate, they play, they read. If you read, if you play, if you evaluate, if you network, if you calculate, if you collaborate, and if you write, you are prepared for tomorrow because you have learned!! And what does learning have to do with anything? Well, Anthony D'Angelo might help us here. "Develop a passion for learning. If you do, you never will cease to grow."

We as educational leaders must model the behavior we want to see. If we want our teachers to be cutting edge and passionate about learning and growing, so must we. If we want our administrators to lead, be transparent, and be passionate about
learning and growing, so must we. If we want all of our staff to be efficient and compassionate to students and their families, to enhance student learning and growth, so must we. But is just learning enough? Martin Luther King did not think so when he said, “The function of education is to teach one to think intensively and to think critically. Intelligence plus character—that is the goal of education.” Where is OCDE on this? We joined others in implementing the Common Core so our students who returned to their home districts would be in step with their district peers. We implemented technology so our students would be able to do their assignments, and use technology to enhance their critical thinking skills. When we enforce discipline fairly, when we reward positive behavior equitably and when we hold everyone accountable, including and especially ourselves, we develop character, including and especially our own. Thank you.

PLEDGE OF ALLEGIANCE

Chris Davis, Program Specialist, Instructional Services, OCDE

ROLL CALL

Present:
  David Boyd
  John W. Bedell, Ph.D.
  Rebecca “Beckie” Gomez
  Ken Williams, D.O.

Absent:
  Linda Lindholm

INTRODUCTIONS

There were no introductions.

AGENDA

Motion by Boyd, seconded by Gomez, and carried by a vote of 4-0-0 (Lindholm absent), to approve the agenda of the June 28, 2017 board meeting

MINUTES

Motion by Boyd, seconded by Williams, and carried by a vote of 4-0-0 (Lindholm absent), to approve the minutes from the June 7, 2017 Regular board meeting

PUBLIC COMMENTS

- Allison Carey - Teacher, OCDE

CONSENT CALENDAR

2. Motion by Gomez, seconded by Boyd, and carried by a vote of 4-0-0 (Lindholm 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

3. Motion by Gomez, seconded by Boyd, and carried by a vote of 4-0-0 (Lindholm absent) to approve apportionment of Federal Forest Reserve receipts in the amount of $58,668.75

4. Motion by Boyd, seconded by Bedell, and carried by a vote of 3-0-0 (Gomez recused herself, Lindholm absent) to approve Special Schools exchange of space agreement for Robert P. Heideman Elementary, Tustin Unified School District

5. Motion by Boyd, seconded by Gomez, and carried by a vote of 4-0-0 (Lindholm absent) to adopt Orange County Department of Education Local Control Accountability Plan 2017-2020

6. Motion by Gomez, seconded by Boyd, and carried by a vote of 4-0-0 (Lindholm absent) to adopt College and Career Preparatory Academy Local Control and Accountability Plan 2017-2020

TIME CERTAIN

1. Special Presentation and Reception – Renee Hendrick, Associate Superintendent, Administrative Services facilitated the recognition of OCDE Employees of the Month for 2016-2017; Employees with 25 Years of Service or more, Academic Achievements, and 2016-2017 Retirees

Reception

The Board took a break to attend the reception from 11:02 a.m. to 11:19 a.m.

STAFF RECOMMENDATIONS

7. Motion by Boyd, seconded by Gomez, and carried by a vote of 4-0-0 (Lindholm absent) to approve OCDE budget for the 2017-18 fiscal year by July 1, 2017 as required by State regulations

BOARD RECOMMENDATIONS

8. Board inter-district appeals process (Lindholm/ Wenkart) – carryover to the July 12, 2017 board meeting

CLOSED SESSION

Ron Wenkart, General Counsel provided background regarding the 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

The Board did not go into closed session. There was no new information to update.
INFORMATION ITEMS

ANNOUNCEMENT
Associate Superintendent
- Next board meeting- July 12, 2017; submission deadline is June 28, 2017
- CSBA Annual Conference- Nov. 30th – Dec. 2nd, San Diego, RSVP to Darou
- CCBE Annual Conference- Sept. 8th – 10th, Monterey, RSVP to Darou
- Reminders: Election of officers and board assignments at the July 12th meeting
- 2017 Summer at the Center- July 28th, deadline to RSVP to Darou is July 14th

Superintendent
- Dalai Lama- June 20th at Island Hotel
- CCSESA- LCAP
- Latino Youth Leadership Orange County- 1 week at Vanguard University
- Graduations

BOARD MEMBER COMMENTS
- David Boyd - National Charter Schools Conference, June 11-14
- John W. Bedell - North AU 101 graduation at Plummer Auditorium, June 29th

Break

The Board took a recess from 11:44 a.m. to 12:18 p.m.

TIME CERTAIN (continue)

9. Inter-district Appeal Hearing (closed) – Student #06282017001 – Brea Olinda Unified School District to Placentia Yorba Linda Unified School District

The Board went into closed session from 12:31 p.m. to 12:38 p.m.

Motion by Boyd, seconded by Gomez, and carried by a vote of 3-0-0 (Lindholm and Williams absent) to deny the appeal and uphold the decision of the school district

Chris Davis, Program Specialist, Instructional Services Division, facilitated the hearing.

Trustee Williams was absent from the meeting from 12:18 p.m. to 12:48 p.m.
10. Expulsion Appeal Hearing (closed) – Student #06282017002E, Capistrano Unified School District

The Board went into closed session from 1:51 p.m. to 2:12 p.m.

Motion by Williams, seconded by Bedell, and carried by a vote of 3-1-0 (Boyd voted no, Lindholm absent) to remand the expulsion back to the school district

For the record, Boyd supports the family.

Chris Davis, Program Specialist, Instructional Services Division, facilitated the hearing.

11. Expulsion Appeal Hearing (closed) – Student #06282017003E, Fullerton Joint Union High School District

The Board went into closed session from 2:51 p.m. to 2:57 p.m.

Motion by Williams, seconded by Boyd, and carried by a vote of 4-0-0 (Lindholm absent) to deny the appeal and uphold the decision of the district

Chris Davis, Program Specialist, Instructional Services Division, facilitated the hearing.

**ADJOURNMENT**

On a motion duly made, and seconded, the Board meeting of June 28, 2017, was declared ended at 2:58 p.m.

Nina Boyd
Assistant Secretary, Board of Education

John W. Bedell, Ph.D.
Vice President, Board of Education

Next Regular Board Meeting, Wednesday, July 12, 2017, 10:00 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.
## ORANGE COUNTY BOARD OF EDUCATION
### 2017-18
#### BOARD MEMBER ASSIGNMENTS

<table>
<thead>
<tr>
<th>Assignment</th>
<th>2016-17 Fiscal Year</th>
<th>2017-18 Fiscal Year</th>
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<tbody>
<tr>
<td>Executive Committee <em>(monthly)</em></td>
<td>Lindholm</td>
<td>Bedell</td>
</tr>
<tr>
<td>CCBE Board of Directors <em>(3 meetings)</em></td>
<td>Bedell</td>
<td></td>
</tr>
<tr>
<td>CSBA Delegate Assembly *(2 year term/elected by OCDE for CCBE/ Bedell- term expires 2017) <em>(2 meetings)</em></td>
<td>Bedell</td>
<td></td>
</tr>
<tr>
<td>Political Action Group Effort (PAGE)/Legislative <em>(3 meetings)</em></td>
<td>Williams</td>
<td></td>
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<tr>
<td>OCSBA <em>(3 ACSA/OCSBA dinner meetings; 4 Board of Directors Meetings; 3 Fiscal Seminars)</em></td>
<td></td>
<td>Gomez</td>
</tr>
<tr>
<td>PTA Liaison <em>(4 meetings)</em></td>
<td>Boyd</td>
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</tbody>
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### RECOMMENDATION:
Nominate and approve Board member assignments for the 2017-18 fiscal year
DATE: June 29, 2017

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 the basic skills prescribed by the governing board in accordance with Education Code 51412. It is requested that the Board approve the granting of diplomas to these students.

RECOMMENDATION:

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

LS: vc
Pages 11-18 removed (CONFIDENTIAL STUDENT INFORMATION)
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: July 12, 2017
TO: Nina Boyd, Associate Superintendent
FROM: Darou Sisavath, Board Recording Clerk
SUBJECT: Board Memberships – 2017-2018

ACS A Educational Institution Service $880.00
California Charter Schools Association $500.00

California School Boards Association
CSBA Membership dues $9,515.00
Ed. Legal Alliance dues $2,379.00
California County Boards of Education $4,064.00

$15,958.00

National School Boards Association (CUBE included) $8,250.00

Orange County School Boards Association $125.00

2017-18 PTA Membership $50.00

TOTAL $25,763.00

RECOMMENDATION:

Approve disbursement of funds for Orange County Board of Education professional organizations membership dues for 2017-18 fiscal year

NB: ds
ORANGE COUNTY DEPARTMENT OF EDUCATION

BOARD AGENDA ITEM

DATE: July 12, 2017

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)
Sacramento, CA – July 1, 2017 thru June 30, 2018

John Bedell
Airfare, Taxi, Shuttle Parking, Mileage 705.00
(2 nights per trip)
Lodging and Meals 595.00
(Exec. Comm/Delegate Assembly) TOTAL *$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.
DATE: July 12, 2017

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), Nation 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, 2017 for the 2017-18 fiscal year.

NB:ds
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: July 12, 2017

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 2017-18 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
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 22, 2017

TO: Nina Boyd, Associate Superintendent

FROM: Kelly Gaughran, Administrator, Charter Schools

SUBJECT: Ednovate – USC College Prep Charter School – Material Revision

DESCRIPTION:

On February 10, 2016, the Orange County Board of Education approved Ednovate – USC College Prep. On June 22, 2017, a request was submitted by the petitioners of Ednovate – USC College Prep for a material revision as follows:

- Eliminates the requirement that USC hold 49% of Ednovate board seats.
- Revises wording to affirm videoconferencing will be provided for all regular and special board meetings to ensure families and community have equal access.
- Includes additional language regarding compensation committee membership, explicitly referencing the Political Reform Act.

RECOMMENDATION:

Approve the material revisions to Ednovate – USC College Prep Charter School Bylaws

Enclosures
AMENDMENT TO
THIRD AMENDED AND RESTATED BYLAWS
OF
EDNOVATE, INC.

a California nonprofit public benefit corporation

The undersigned, Oliver Sicat and Elliot Sainer, certify that:

ONE: They are the Chief Executive Officer and Secretary, respectively, of Ednovate, Inc. (the “Corporation”), a California nonprofit public benefit corporation.

TWO: The Third Amended and Restated Bylaws, as amended, of the Corporation shall be amended with reference to the followings:

1. Section 4.4 is hereby amended in its entirely as follows:

   **4.4 Authorizer-Appointed Director.** In addition to the number of directors authorized pursuant to Section 4.2(a), at all times that the Corporation has a charter to operate a school granted by a board of education (the “Authorizer”) in accordance with the Charter Schools Act, the governing board of the Authorizer shall have the right, at any time and from time to time, to appoint one director (the “Authorizer Director”) pursuant to California Education Code Section 47604(b).

2. Section 4.7(a) is hereby amended in its entirely as follows:

   **4.7 Directors’ Meetings.**

   (a) **Place of Meetings.** Regular or special meetings of the Board may be held at any place within California that the Board may designate such that it is in compliance with the Ralph M. Brown Act (the “Brown Act”), California Government Code Sections 54950 through 54963, or, if not so designated, meetings shall be held at the Corporation’s principal office, currently 350 S. Figueroa St., Suite 250, Los Angeles, CA 90071. A regular or special meeting of the Board may be held at any place within the boundaries of the authorizer’s jurisdiction consented to in writing by all Board members, either before or after the meeting. If such consents are given, they shall be filed with the minutes of the meeting. To ensure parent and community access and participation, videoconferencing shall be provided at the authorized charter school locations where the meeting is not held, whether the meeting is a regular or special meeting of the Board. Such videoconferencing will enable participation in the Board meeting by attendees at the authorized charter school locations where the meeting is not held.

3. Sections 4.9(c), 4.9(d), and 4.9(e) are hereby amended in their entirely as follows:
4.9 Committees.

(c) Compensation Committee. The Corporation shall have a compensation committee of at least two directors and no one who is not a director. Directors who are or have been in the previous twelve months employees or officers of the Corporation or who receive, directly or indirectly, any consulting, advisory or other compensatory fees from the Corporation may not serve on the compensation committee. Pursuant to Government Code section 12586(g) and the applicable provisions of federal law, the compensation committee shall review the compensation of the president, chief executive officer, treasurer, and such other officers of the Corporation the compensation committee determines appropriate annually and whenever a modification in compensation is proposed. The review shall include an evaluation of the performance of the officers and an analysis of appropriate comparability data. Based on its review, the compensation committee shall recommend just and reasonable compensation amounts for the officers to the Board. At the request of the president or the Board, the compensation committee shall review any issue involving staff compensation and benefits, including but not limited to health and retirement plans.

(d) Executive Committee. Pursuant to Section 4.7(a) of these Bylaws, the Board may appoint two or more directors of the Corporation to serve as the executive committee of the Board, subject to the Political Reform Act and other applicable conflict of interest laws. The executive committee, unless limited by resolution of the Board, shall have and may exercise all the authority of the Board in the management of the business and affairs of the Corporation between meetings of the Board; provided, however, that the executive committee shall not have the authority of the Board in reference to those matters enumerated in Section 4.7(a). All actions of the executive committee shall be reported to and ratified by the full Board at the next duly scheduled Board meeting.

(e) Ad Hoc Committees. In addition to the standing committees of the Board, the Board also may from time to time appoint one or more ad hoc committees, each consisting of two or more directors and may include nonvoting advisors, to serve at the pleasure of the Board, subject to the Political Reform Act and other applicable conflict of interest laws. Unlike a standing committee, an ad hoc committee shall have a specific task to accomplish and shall be disbanded upon the accomplishment of such task.

***

THREE: The foregoing Amendment to The Third Amended and Restated Bylaws have been approved by the Board of Directors.

FOUR: The Corporation has no members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.
Executed in Los Angeles, California, on May 23, 2017.

Oliver Sicat, Chief Executive Officer

Elliot Sainer, Secretary
AMENDMENT TO
THIRD AMENDED AND RESTATE BYLAWS
OF
EDNOVATE, INC.
a California nonprofit public benefit corporation

The undersigned, Oliver Sicat and Elliot Sainer, certify that:

ONE: They are the Chief Executive Officer and Secretary, respectively, of Ednovate, Inc. (the “Corporation”), a California nonprofit public benefit corporation.

TWO: The Third Amended and Restated Bylaws, as amended, of the Corporation shall be amended with reference to the followings:

1. Section 4.4 is hereby amended in its entirety as follows:

   4.4 Authorizer-Appointed Director. In addition to the number of directors authorized pursuant to Section 4.2(a), at all times that the Corporation has a charter to operate a school granted by a Board of Education (the “Authorizer”) in accordance with the Charter Schools Act, the governing board of the Authorizer shall have the right, at any time and from time to time, to appoint one director (the “Authorizer Director”) pursuant to California Education Code Section 47604(b).

2. Section 4.7(a) is hereby amended in its entirety as follows:

   4.7 Directors’ Meetings.

      (a) Place of Meetings. Regular or special meetings of the Board may be held at any place within California that the Board may designate such that it is in compliance with the Ralph M. Brown Act (the “Brown Act”), California Government Code Sections 54950 through 54963, or, if not so designated, meetings shall be held at the Corporation’s principal office, currently 350 S. Figueroa St., Suite 250, Los Angeles, CA 90071. A regular or special meeting of the Board may be held at any place within the boundaries of the Authorizer’s jurisdiction consented to in writing by all Board members, either before or after the meeting. If such consents are given, they shall be filed with the minutes of the meeting. To ensure parent and community access and participation, videoconferencing shall be provided at the authorized charter school locations where the meeting is not held, whether the meeting is a regular or special meeting of the Board. Such videoconferencing will enable participation in the Board meeting by attendees at the authorized charter school locations where the meeting is not held.

3. Sections 4.9(c), 4.9(d), and 4.9(e) are hereby amended in their entirety as follows:
4.9 Committees.

(c) **Compensation Committee.** The Corporation shall have a compensation committee of at least two directors and no one who is not a director. **Directors who are or have been in the previous twelve months employees or officers of the Corporation or who receive, directly or indirectly, any consulting, advisory or other compensatory fees from the Corporation may not serve on the compensation committee.** Pursuant to Government Code section 12586(g) and the applicable provisions of federal law, the compensation committee shall review the compensation of the president, chief executive officer, treasurer, and such other officers of the Corporation the compensation committee determines appropriate annually and whenever a modification in compensation is proposed. The review shall include an evaluation of the performance of the officers and an analysis of appropriate comparability data. Based on its review, the compensation committee shall recommend just and reasonable compensation amounts for the officers to the Board. At the request of the president or the Board, the compensation committee shall review any issue involving staff compensation and benefits, including but not limited to health and retirement plans.

(d) **Executive Committee.** Pursuant to Section 4.7(a) of these Bylaws, the Board may appoint two or more directors of the Corporation to serve as the executive committee of the Board, **subject to the Political Reform Act and other applicable conflict of interest laws.** The executive committee, unless limited by resolution of the Board, shall have and may exercise all the authority of the Board in the management of the business and affairs of the Corporation between meetings of the Board; provided, however, that the executive committee shall not have the authority of the Board in reference to those matters enumerated in Section 4.7(a). All actions of the executive committee shall be reported to and ratified by the full Board at the next duly scheduled Board meeting.

(e) **Ad Hoc Committees.** In addition to the standing committees of the Board, the Board also may from time to time appoint one or more ad hoc committees, each consisting of two or more directors and may include nonvoting advisors, to serve at the pleasure of the Board, **subject to the Political Reform Act and other applicable conflict of interest laws.** Unlike a standing committee, an ad hoc committee shall have a specific task to accomplish and shall be disbanded upon the accomplishment of such task.

* * *

THREE: The foregoing Amendment to The Third Amended and Restated Bylaws have been approved by the Board of Directors.

FOUR: The Corporation has no members.

We further declare under penalty of perjury under the laws of the State of California that the matters set forth in this certificate are true and correct of our own knowledge.
Executed in Los Angeles, California, on May 23, 2017.

Oliver Sicat, Chief Executive Officer

Elliot Sainer, Secretary
June 22, 2017

Ms. Kelly Gaughran
Administrator, Charter Schools
Orange County Department of Education
200 N. Kalmus Drive | Costa Mesa, CA 92626

Dear Ms. Gaughran,

Ednovate - USC College Prep Santa Ana respectfully submits this letter requesting materials revision to the school's bylaws per request of the Orange County Department of Education. Included please find the following:

1. Amended Bylaws - Redlined
2. Amended Bylaws - Final Version
3. 5/23 Board Meeting Minutes with Bylaws Approved

We look forward to continued partnership with the Orange County Department of Education to provide excellent high school options to the students of Orange County. Please feel free to contact me if you have any questions.

Best,

[Signature]

Lauryn Fullerton
Chief of Schools, Ednovate
MINUTES OF THE MEETING
OF THE BOARD OF DIRECTORS OF
EDNOVATE, INC.
a California nonprofit public benefit corporation

Tuesday, May 23, 2017

The Board of Directors of Ednovate, Inc. (the “Corporation” or “Ednovate”) held a regular meeting on Tuesday, May 23, 2017 at the USC Hybrid High School (“USC HH”) located at 350 S. Figueroa Street, Suite 250, Los Angeles, California 90071.

The following Directors, constituting a quorum of the Board of Directors, were present in person:

Karen Symms Gallagher
Elliot Sainer
Marcia Aaron
Kate Hirsh

The following Directors were also present via conference call:
Alex Hernandez
Maria Ott

Also present were the following officers of the Corporation, staff and advisors who attended at the request of the Board:

Oliver Sicat Ednovate CEO/President
John Fino Reed Smith LLP
Deisy Castro Reed Smith LLP
Reid Phillips Ednovate COO
Lauryn Fullerton Ednovate Chief of Schools
Katie Hart Ednovate Director of Strategic Partnerships
Rachel Yang Reed Smith LLP
Monika Holser Reed Smith LLP
Olivia Yates Brakeley Briscoe
Susan Rice Brakeley Briscoe
Alexa Smith Ednovate
Josh Kinoshita Ednovate Director of Technology
Lisa Shapiro USC Development
Rachel Beal USC Development
Dean Karen Symms Gallagher served as the Chair of the meeting and Katie Hart served as Secretary of the meeting.

**Welcome and Opening Remarks**

The meeting was called to order at 4:21 p.m. by Dean Gallagher who welcomed the attendees.

**Public Comment**

Dean Gallagher asked if there were any public comments. There were none.

**Consent Agenda**

1. Approval of Consent Agenda: Approval of Nomination of Kate Hirsh as Board Member; Approval of Minutes of the February 21, 2017 Board of Directors Meeting and April 10, 2017 Special Meeting of the Board of Directors; Approval of the Amendment to the Third Amended and Restated Bylaws of Ednovate, Inc.; Approval of Prop. 51 Resolution; Approval of Bond Reimbursement Resolution; Approval of Sublease Agreement Between Bright Star Schools and Ednovate, Inc. for USC Brio College Prep. At 600 S. Lafayette Park Place, Los Angeles, CA 90057

Mr. Sainer requested the Approval of the Sublease Agreement be pulled off the Consent Agenda and reserved for further discussion.

Upon motion duly made by Ms. Aaron, seconded by Mr. Sainer and unanimously carried following a roll call for approval, the Board approved the consent agenda minus the Approval of the Sublease Agreement.

Ms. Hirsch, having been duly nominated and approved to the Board, joined the Board. Regarding the Approval of the Sublease Agreement, Mr. Sainer asked about the implications with a potential increase in SB 740. Reid Phillips, Ednovate COO, responded that the lease is FSG, which should maximize this benefit. Mr. Phillips also explained the arrangement regarding the co-location of USC Brio College Prep. with Bright Stars Schools.

Upon motion duly made by Mr. Sainer, seconded by Ms. Aaron and unanimously carried, following a roll call vote, the Board approved the Sublease Agreement Between Bright Star Schools and Ednovate, Inc. for USC Brio College Prep., at 600 S. Lafayette Park Place, Los Angeles, CA 90057.

**Administrative Update**

1. **CEO’s Report**

Mr. Sicat stated that it was another great year at Hybrid High and that tomorrow is college-signing day. He said that regarding the strategic plan goals, they are 35.6% on ACRIs. They are one facility away from having all sites secured for next year. He stated that talent has
still been challenging. They are try to wrap up hiring for next year by May 1st, but are only 58% of the way complete for next year. They are constantly finding candidates and interviewing, but are still working hard to find the right talent. Most of the challenge is in staffing the new schools versus staff retention. Also, Hybrid High is graduating advisories and those advisors are starting to move on or take on new roles. Santa Ana is adjusting schedules for students on a week-by-week basis to provide better personalization. The Office Assistant at Hybrid High is implementing a great process for PMC Hours.

Mr. Sicat also stated that, during the next Board meeting, the Board will receive the updated handbook. There is one important update for the culture system. They are creating their own Ednovate definition of high expectation: “affirming and accountable.” They are always ensuring there is a positive interaction between staff and students in order for students to see their better self. For students that have earned many detentions, they can enter into a positive change contract. The focus is on alternatives to suspensions and restorative practices. Much of the language is aligned to LAUSD School Climate Bill of Rights 2015. They are adjusting promotion so that students will not have to take any class that they have already passed.

Dean Gallagher asks how students would see a change. Mr. Sicat explains that normally 13 detentions means summer schools, but with the behavior change contract, if that student exhibited a positive behavior change then some of the detentions will be removed and not lead to summer school. They are encouraging behaviors that we want to see and rewarding them. Ms. Aaron comments regarding rolling out restorative practices and developing training. She notes that the focus is on overall school culture so small things do not become big things.

With regard to the Growth Strategy Update – What does Ednovate look like after Phase 2 of growth, Mr. Sicat stated that they started a subcommittee in September/October to come up with this plan. Next year is a pause year in which they will not grow but rather prepare for next phase of growth. For the next three years, they will open two schools per year to get to eleven schools total. He explains that the executive summary analyzes their readiness and pause via an academic model, talent, market analysis, community support, facilities, development, finance, and organizational growth.

Mr. Sicat introduces Michael Buerger and Judy De Leon Chavez, from Abacus Education Partners, LLC, via conference call. They are the consulting team for the Growth Strategy. Mr. Sainer states that much time was spent on the strategy and extensive input was sought from throughout the organization and they did a really good job. Ms. Aaron stated that the team has been really engaged throughout the process and gave good input and that it is so impressive that Ednovate has been able to achieve its Phase 2 growth. She adds that hopefully the future of growth in LAUSD will be a little bit easier over the next 5 years and that they do not want to miss that opportunity.

Mr. Buerger stated that they have a robust plan with savvy members on the subcommittee who are clear on what they want to accomplish. He stated that it is aggressive but, based on current achievement, it is not impossible. Ms. De Leon Chavez stated that, regarding talent, it is clear that there are high expectations of staff as evident throughout the growth process. She commended the level of interaction and advocacy for the Ednovate students. Dean
Gallagher acknowledged the Development team from USC and their work in the Phase 2 growth fundraising. She introduced the Development team: Susan Rice and Olivia Yates. They have developed a 12-month plan as part of the growth strategy to ensure that the $60 million goal for fundraising is met. Ednovate Support team members will be going to executive fundraising courses.

With regard to the relationship with USC moving forward, such as development, Dean Gallagher stated that any existing grants that USC has helped with, they will continue to cycle through. They are moving to a donor centric model where donors can choose whether they want to contribute to USC or Ednovate based on their interests, such as student scholarships, teacher training, operations, etc. If USC brings in a big donor, the funds will go through Rossier. There will be constant communication so they are not stepping on each other’s donor relationships. Mr. Sicat mentioned how remarkable the partnership has been with Ednovate and USC regarding fundraising and that there is a living and vibrant prospect pool, which is great.

2. Approval of Strategic Plan 2018

Mr. Sicat presented the Strategic Plan 2018 to the Board. He explained that this is the 5th year of a 5-year strategic plan: Phase 1 - Launch of Hybrid High; Phase 2 – Build out to 5 schools; Phase 3 - Growth beyond 5 schools. This August they will fulfill Phase 2. Two areas that have since changed are (1) supporting our Operations Managers and track it as a network and (2) update to the culture snapshot. The focus is on preparing for Phase 3 growth since next year will be a pause year.

Dean Gallagher asked for explanation regarding the “90% or higher” on network operational excellence indicators. Mr. Sicat explained that they are going to track 5 main buckets: finance, facilities, school nutrition, compliance and enrollment/attendance. Dean Gallagher also asked if these are the same metrics for LA and OC, which Mr. Sicat confirmed. Ms. Hirsch asked if they will have a cumulative look at how they operated as compared to the SY17 Strategic Plan. Mr. Sicat explained that the charts sent out in the weekly Board email show the progress of each goal.

Upon motion duly made by Ms. Aaron, seconded by Mr. Sainer, and unanimously carried following a roll call vote, the Board approved the Strategic Plan 2018.

3. Approval of March 2017 Financial Package for Ednovate, Inc., and USC Hybrid High School, USC East College Prep, and USC College Prep, Santa Ana

Mr. Phillips presented the Board with the financial statements for the month of March, noting that that they are exceeding network projections for the year. It is a strong year regarding enrollment/ADA: 833 vs. 800 budget and 95.8% ADA vs. 94% budget. Regarding income projections, Mr. Phillips explained that they are just over $1 million net income of where they were predicting, which was due to higher ADA and receiving more network grants than were budgeted. There is 100 days of cash on hand as of March and 60 days projected for the end of the year in order to meet their goals. Net assets are projected to be around $4 million. Mr.
Sainer asked for a reconciliation report to better vet the check registry. Dean Gallagher mentioned that the line of credit is being paid down.

Upon motion duly made by Mr. Sainer, seconded by Ms. Aaron, and unanimously carried following a roll call vote, the Board adopted the following resolution:

RESOLVED, that the March 2017 financial report, including the balance sheet as of 03/31/2016, the income statement for the period ending 03/31/2016, the check register from 03/01/2017 through 03/31/2017 and the credit card register from 02/28/2017 to 03/31/2017, attached hereto as Document 1, is hereby approved.

4. Approval of The Second Interim Financial Report

Mr. Phillips presented the Board with the financial report that was prepared after the February 21, 2017 Board Meeting and but which reflects financial information through January 31, 2017. He explained that this is the template that is reported to authorizers.

Upon motion duly made by Ms. Aaron, seconded by Mr. Sainer and unanimously carried following a roll call vote, the Board adopted the following resolution:


Acknowledgements and Closing Remarks

As there was no further business to come before the Board, a motion to adjourn the meeting was made by Ms. Aaron, seconded by Mr. Sainer, and unanimously carried. The meeting was adjourned at 6:06 p.m.

Karen Symms Gallagher
Chair of the Meeting

ATTEST:

Katie Hart
Acting Secretary
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: June 7, 2017

TO: Nina Boyd, Associate Superintendent

FROM: Linda Lindholm, Board President, Trustee Area 5

SUBJECT: Inter-District Appeals Process

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RECOMMENDATION:

Discussion regarding Board Inter-district appeals process
ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: July 12, 2017

TO: Nina Boyd, Associate Superintendent

FROM: Linda Lindholm, Trustee Area 5

SUBJECT: Amended Board Policy #300-2 regarding the Inter-District Attendance Appeal Hearings

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RECOMMENDATION:

Approve the amended Board policy #300-2 regarding the inter-district attendance appeal hearings
The person having legal custody of a pupil may file a formal appeal to the Orange County Board of Education after the failure or refusal of the governing board of either school district to issue a permit, or to enter into an agreement allowing the attendance.

The Orange County Board of Education shall, after the formal appeal is filed, determine whether the pupil should be permitted to attend in the district in which the pupil desires to attend and the applicable period of time.

The Orange County Superintendent of Schools or the Orange County Superintendent of Schools’ designee shall establish procedures and timelines that will meet the Education Code requirements regarding interdistrict attendance appeal hearings.

The Orange County Board of Education will consider a number of issues when hearing an interdistrict appeal, including, but not limited to, the following:

1. The best interests of the child based on the facts presented to the Orange County Board of Education.
2. The transportation needs of the family.
3. The child care needs of the family.
4. Other siblings in the family.
5. The continuity of the child’s current educational program (e.g. completion of elementary school, middle school or high school).
6. Whether the specialized academic classes, programs or other educational opportunities offered by the school district of residence are demonstrably equivalent (e.g. during class hours and not after school, similar course offerings, similar number of courses) to the specialized academic classes, programs, or other educational opportunities offered by the school district requested (e.g. Magnet programs, technology, or STEM or STEAM programs, music or art programs).
7. The parents’ place of employment.
8. Other relevant issues that impact the child’s attendance at school.

Reference: Education Code Section 46601

Adopted: 06/18/1996
Revised: