

MINUTES  
Regular Meeting  
August 7, 2018

ORANGE COUNTY BOARD OF EDUCATION  
MINUTES

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order by President Williams at 1:07 p.m., August 7, 2018 in the Board Room, 200 Kalmus Drive, Costa Mesa, California.

INVOCATION

Brenda Lebsack, Board Member, Orange Unified School District

PLEDGE OF ALLEGIANCE

Linda Cone

ROLL CALL

Present:

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

INTRODUCTION

None

AGENDA

Motion by Barke, seconded by Sparks, and carried by a vote of 5-0, to approve the agenda of the August 7, 2018 Board meeting.

MINUTES

Motion by Sparks, seconded by Bedell, and carried by a vote of 5-0, to approve the minutes from the July 11, 2018 Regular Board meeting.

Motion by Bedell, seconded by Sparks, and carried by a vote of 4-0-1 (Gomez abstained), to approve the minutes from the July 26, 2018 Special Board meeting with the following amendments:  
-Item #3, note that the Board discussed Special Legal Counsel cost estimates and cap to contract including expenses in a range from \$12,000 to \$500,000.  
-Closed Session 1, clearly note that Trustee Gomez did not participate in the Closed Session by putting (Gomez absent) after each time the Board is mentioned.

PUBLIC COMMENTS

- Al Holguin – Invocation
- Joe Imbriano – General

- Brenda Lebsack for Letty Jacoby – CHYA
- Michelle New – CHYA & Safe Zone Schools
- Gheorghe Rosca – CHYA
- Shannon Tilley – CHYA
- Samantha Eden – CHYA
- Dr. Priya Shah – CHYA
- Laura Kanter - CHYA

### CHARTER SUBMISSIONS

1. National University Academy – Teresa Johnson, Coordinator, Charter Schools facilitated.
  - Kimberleigh Kopp, National University Academy Charter School

### CONSENT CALENDAR

- Motion by Bedell, seconded by Barke, and carried by a vote of 5-0, to approve Consent Calendar items #2, #3, and #4.
2. Nominate and approve board member assignments for the 2018-19 fiscal year.
  3. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
  4. Accept the 4th Quarter Report on Williams Uniform Complaints for OCDE student programs for the period of April 1 – June 30, 2018.

### STAFF RECOMMENDATIONS

5. Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve the material revision for Scholarship Prep Charter School.
6. Motion by Bedell, seconded by Gomez, and carried by a vote of 5-0 to approve apportionment of Federal Forest Reserve receipts in the amount of \$4,222.45.

### BOARD RECOMMENDATIONS

7. Motion by Sparks, seconded by Williams, for approval to retain outside counsel, the Law offices of Maggie Chidester, to provide legal advice and representation to the Board pending the appointment of a General Counsel to the Board in conformity with California Education Code Section 35014.5.

Subsidiary motion by Barke, seconded by Williams, and carried by a vote of 3-2 (Sparks, Williams, and Barke voted Yes; Bedell and Gomez voted No) for approval to retain outside counsel, the Law offices of Maggie Chidester, to provide legal advice and representation to the Board pending the appointment of a General Counsel to the Board in conformity with California Education Code Section 35014.5, with one amendment, adding “possibly” before “the Law offices of Maggie Chidester”.

The Board took a recess from 2:12 p.m. to 2:17 p.m.

TIME CERTAIN (Closed Hearings)

10. Inter-district Appeal Hearing (closed) – Student #08072018004I – Buena Park School District to Centralia School District.

The Board went into closed session from 2:53 p.m. to 3:25 p.m.

Motion by Gomez, seconded by Bedell, and carried by a vote of 3-2 (Gomez, Bedell, and Williams voted Yes; Barke and Sparks voted No) to deny the appeal and uphold the decision of the school district.

Mayu Iwatani, Coordinator, Instructional Services Division, facilitated the hearing.

11. Inter-district Appeal Hearing (closed) – Student #08072018001I – Garden Grove Unified School District to Los Alamitos Unified School District.

The Board went into closed session from 3:59 p.m. to 4:09 p.m.

Motion by Bedell, seconded by Gomez, and carried by a vote of 3-1-1 (Gomez, Bedell, and Sparks voted Yes; Williams voted No; Barke abstained) to deny the appeal and uphold the decision of the school district.

Mayu Iwatani, Coordinator, Instructional Services Division, facilitated the hearing.

12. Inter-district Appeal Hearing (closed) – Student #08072018002I - Long Beach Unified School District to Los Alamitos Unified School District.

The Board went into closed session from 4:33 p.m. to 4:37 p.m.

Motion by Bedell, seconded by Gomez, and carried by a vote of 5-0, to approve the appeal and allow the student to attend the Los Alamitos Unified School District for the period of one academic year (2018-19)

Mayu Iwatani, Coordinator, Instructional Services Division, facilitated the hearing.

#### TIME CERTAIN (Open Hearings)

14. Public Hearing – Textbooks and Instructional Materials, Renee Hendrick, Associate Superintendent, Administrative Services facilitated the public hearing. The hearing was opened at 4:37 p.m. There being no input from the audience, the hearing was closed at 4:38 p.m.
15. Motion by Gomez, seconded by Barke, and carried by a vote of 5-0, to adopt Resolution #17-18 stating that each pupil of the county office has available textbooks and instructional materials in each subject that are consistent with the content and cycles of the curriculum framework adopted by the State Board and in accordance with the procedures as established. Adopted resolution will be posted on the Orange County Department of Education website and will be distributed as requested.

#### TIME CERTAIN (Closed Hearings)

13. Inter-district Appeal Hearing (closed) – Student #08072018003I – Orange Unified School District to Tustin Unified School District.

The Board went into closed session from 5:01 p.m. to 5:26 p.m.

Motion by Williams, seconded by Barke, and carried by a vote of 5-0, to deny the appeal and uphold the decision of the Tustin Unified school district.

Mayu Iwatani, Coordinator, Instructional Services Division, facilitated the hearing.

#### CLOSED SESSION 1

#### CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Potential Initiation of litigation pursuant to (d) (4) of Government Code Section 54956.9 (One case)

The Board went into closed session from 5:07 p.m. to 5:34 p.m.

Board Attorney Mr. Abrahms provided updates to Board members. No action was taken.

## 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)

The Board did not go into closed session for this item.

## BOARD RECOMMENDATIONS

8. Motion by Williams, seconded by Bedell, and carried by a vote of 5-0 to table item #8: The Executive Committee recommends that the Superintendent liaison serve as a facilitator for the board and except in circumstances where state statutes, laws, or board policies prevail, the liaison will assist in and follow instructions and decisions from the Executive Committee for developing the board agenda. (Williams)
9. Motion by Sparks, seconded by Williams, and carried by a vote of 3-1-1 (Sparks, William, and Barke voted Yes; Gomez voted No; Bedell abstained) to approve the Executive Committee's recommendation that the Superintendent liaison serve as a facilitator for the Board and insert the July 26th statement on the listed url web page and to be read into the record at the current meeting. (Williams)

The statement was read by Trustee Sparks.

## INFORMATION ITEMS

### ANNOUNCEMENT

#### Superintendent

- Professional Learning Institute in Sacramento
- Children's Hospital of Orange County (CHOC)

#### Associate Superintendent

- Next board meeting- September 12 at 9:00 a.m.; submission deadline is August 29, 2018
- California County Boards of Education (CCBE) Annual Conference - September 14-16
- Esplanade – September 12<sup>th</sup> Board meeting
- Music Implementation
- Trustee Area Maps
- Charter School Update – September or October Board meeting

BOARD DISCUSSION

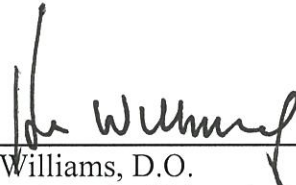
- Selection of media representative – tabled
- Community Forum on California Healthy Youth Act – September 26, 2018 – Discussed/ Board to take action on draft statement regarding the forum at the next meeting
- General role of the Superintendent liaison to the Board and specifically in creating the Board agenda - Discussed

ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of August 7, 2018, adjourned at 6:07 p.m.



Nina Boyd  
Assistant Secretary, Board of Education



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

Next Regular Board Meeting, Wednesday, September 12, 2018, 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.