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 OCBF 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The motion was withdrawn by Bedell and the second was withdrawn by Williams.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 Ramírez, 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 litigation and approved the February legal fee statement by a vote of 2-1-1 (Williams, Barke voted Yes; Gomez voted No; Bedell Abstained; and Sparks Absent)

**PUBLIC COMMENTS**

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

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

PRESENTATIONS (continue)


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.


   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 Hamnett 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.

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.