

MINUTES
Regular Meeting
July 1, 2020

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 3:08 p.m., July 1, 2020 in the Board Room, 200 Kalmus Drive, Costa Mesa, California and via virtual meeting/ teleconference.

ROLL CALL

Present:
Mari Barke
Rebecca “Beckie” Gomez
Tim Shaw
Lisa Sparks, Ph.D.
Ken L. Williams, D.O.

(*)AGENDA

Motion by Williams, seconded by Sparks and carried by a roll call vote of 5-0 to approve the agenda of the Regular Meeting of July 1, 2020.

INVOCATION

Padmini Srinivasan

PLEDGE OF ALLEGIANCE

Shannon Shaw

INTRODUCTIONS

Tim Shaw, New Trustee for Area 4

ORGANIZATIONAL MEETING

ORGANIZATIONAL MEETING

1. Oath of Office – Dr. Al Mijares, Orange County Superintendent of Schools, administered the oath of office to Rebecca “Beckie” Gomez, Trustee Area 1.
2. Oath of Office – Mari Barke, Board President, administered the oath of office to Ken Williams, D.O., Trustee Area 3.
3. Oath of Office – Bob Huff, Retired Senator, administered the oath of office to Tim Shaw, Trustee Area 4.

The Board took a recess to go into closed session to conduct inter-district appeal hearings from 3:20 p.m. to 6:39 p.m.

4. Inter-district Appeal Hearing (closed) – 07012020005I – Buena Park School District to ABC Unified School District

Motion by Barke, seconded by Sparks, and carried by a roll call vote of 4-1 (Barke, Shaw, Sparks, and Williams voted Yes; Gomez voted No) to approve the appeal and allow the student to attend the ABC Unified School District for the 2020-21 academic year.

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

5. Inter-district Appeal Hearing (closed) – 07012020006I – Placentia-Yorba Linda Unified School District to Fullerton Joint Union High School District

Motion by Williams, seconded by Gomez, and carried by a roll call vote of 5-0 to deny the appeal and uphold the decision of the Placentia-Yorba Linda Unified School District.

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

6. Inter-district Appeal Hearing (closed) – 07012020007I – Placentia-Yorba Linda Unified School District to Fullerton Joint Union High School District

Motion by Williams, seconded by Gomez, and carried by a roll call vote of 5-0 to deny the appeal and uphold the decision of the Placentia-Yorba Linda Unified School District.

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

7. Inter-district Appeal Hearing (closed) – 07012020008I – Capistrano Unified School District to Saddleback Valley Unified School District

Motion by Barke, seconded by Williams, and carried by a roll call vote of 4-1 (Barke, Williams, Shaw, and Sparks voted Yes; Gomez voted No) to approve the appeal and allow the student to attend the Saddleback Valley Unified School District for the 2020-21 academic year.

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

ORGANIZATIONAL MEETING

8. Election of Officers

Motion by Barke, seconded by Sparks, and carried by a roll call vote of 5-0, to elect Trustee Williams as Board President.

Board President Williams presided over the election of a new Vice President of the Board.

Motion by Williams, seconded by Sparks, and carried by a vote of 4-0-1 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez Abstained) to elect Trustee Barke as Board Vice President.

Motion by Williams, seconded by Barke, and carried by a vote of 4-1 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez voted No) to elect Trustee Sparks as Board Clerk.

9. Motion by Williams, seconded by Barke, and carried by a vote of 5-0 to table the nomination and approval of board member assignments for the 2020-2021 fiscal year to the August board meeting.

10. Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve board meeting dates for August 2020 through June 2021.

Nina announced a second meeting in September is required to meet LCAP deadlines.

PUBLIC COMMENTS

- Lynne Riddle
- Amy Muir for Sarah Korc
- Brooke Harper
- Patricia Simmons
- Heather Kroeger
- Libby Frolichman
- Paval Avellan
- Irene Zamora
- Dr. Kambiz Shoarinejad
- William Mynster

MINUTES

Motion by Barke, seconded by Sparks, and carried by a roll call vote of 4-0-1 (Williams, Barke, Sparks, and Gomez voted yes; Shaw Abstained) to approve the minutes of the June 17, 2020 Regular Board Meeting.

CONSENT CALENDAR

11. Motion by Barke, seconded by Gomez, and carried by a roll call vote of 5-0 to approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

CHARTER SCHOOLS

12. Charter Schools Submissions - None
13. Aracely Chastain facilitated the presentation.
 - Dr. Collin Felch, Principal, Vista
 - Dr. Don Wilson, Superintendent, Vista

Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve the Vista Heritage Global Academy material revision request to add grades 9-12 beginning in the 2021-2022 academic year.

BOARD RECOMMENDATIONS

14. Approve travel and name new representative for CCBE Board of Directors and Delegate Assembly.

Motion by Williams, seconded by Sparks to nominate Trustee Barke as the new representative for the California County Board of Education (CCBE) Board of Directors and Delegate Assembly.

The original Motion was withdrawn.

Substitute motion by Williams, seconded by Barke, and carried by a vote of 5-0 to table item #14 to the August meeting.

15. Approve disbursement of funds for Orange County Board of Education professional organizations membership dues for 2020-2021 fiscal year.

Motion by Gomez, seconded by Barke to approve item #15.

Substitute motion by Barke, seconded by Williams, and carried by a vote of 4-1 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez voted No) to approve the disbursement of funds for Orange County Board of Education professional organizations membership dues for 2020-2021 fiscal year, excluding NSBA and ACSA membership fees.

16. Motioned, seconded, and carried by a roll call vote of 5-0 to 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, 2020 for the 2020-21 fiscal year.
17. Motion by Barke, seconded by Shaw, and carried by a roll call vote of 4-1 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez voted No) to approve Resolution on Payment for Special Interim Legal Counsel.
18. Motion by Barke, seconded by Sparks to hire outside Counsel related to anticipated litigation.

The motion was withdrawn by Barke and item moved to be taken after the closed session.

TIME CERTAIN

19. Public Hearing - Renee Hendrick, Associate Superintendent, Administrative Services conducted the public hearing regarding the Orange County Department of Education budget for 2020-2021 fiscal year. The hearing was opened at 7:52 p.m. There being no input from the public, the hearing was closed at 7:53 p.m.

STAFF RECOMMENDATIONS

20. Motion by Barke, seconded by Williams, and carried by a roll call vote of 5-0 to approve the Annual County School Services Fund Budget of the County Superintendent of Schools.

INFORMATION ITEMS

BOARD DISCUSSIONS

ANNOUNCEMENTS

Superintendent

- Reopening of schools
- Governor's Budget

Associate Superintendent

- Next board meeting is August 5th, 4:00 p.m. – Submission deadline is July 22nd.

BOARD MEMBER COMMENTS

- Trustee Gomez requests the June 24th minutes reflect all comments submitted that were not read during the meeting and to add public comments process to the August agenda.
- Trustee Barke- resolution to support law enforcement

PUBLIC COMMENTS

- David Whitley

PUBLIC COMMENTS

Related to Closed Session Only - None

The Board took a recess from 8:06 p.m. to 9:18 p.m. to conduct closed session.

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

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

Report Out

Mr. Brenner reported for Closed Session #3, the Board received an update and resolved to retain the law firm of Tyler Bursch as lead counsel regarding the Freedom From Religion Foundation anticipated litigation, and to retain Greg Rolen and Haight Brown & Bonesteel to provide counsel and support. The Board passed the resolution 5-0.

18. Mr. Brenner reported, in closed session, the Board approved by a vote of 5-0 to hire outside Legal Counsel related to anticipated litigation. The resolution included a subsidiary motion to retain Greg Rolen and Haight Brown & Bonesteel to provide support counsel, along with Tyler Bursch.

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-EXISTING LITIGATION

Orange County Board of Education v. OC Superintendent of Schools, Al Mijares, and State Superintendent of Public Instruction, Tony Thurmond Case No 30-2019-01112665-CU-WM-CJC -Government Code §§ 54956.9(a) and (d)(1)

Report Out

Mr. Brenner reported, for Closed Session #1 and #2, the Board discussed and passed two resolutions. The Board approved by a vote of 4-1 (Williams, Barke, Sparks, and Shaw voted Yes;

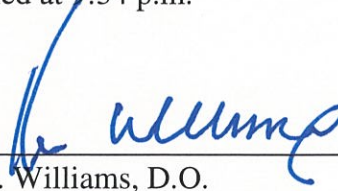
Gomez voted No) to approve billing statements dated June 30, 2020 for Epstein, Becker & Green. The second resolution resolved by the Board was to approve by a vote of 4-0-1 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez Abstained) a litigation update statement from the Board for posting to the Board's website, and to be read into the transcript.

ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of July 1, 2020 adjourned at 9:34 p.m.



Nina Boyd
Assistant Secretary, Board of Education



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

Next Regular Board Meeting, Wednesday, August 5, 2020 at 4:00 p.m. - The meeting will be in the Board Room at 200 Kalmus Drive, Costa Mesa, CA and via virtual conference.

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.