

WJB

MINUTES  
Regular Meeting  
August 5, 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 3:33 p.m., August 5, 2020 in the Board Room, 200 Kalmus Drive, Costa Mesa, California and via virtual meeting/ teleconference.

ROLL CALL

Present:

Ken L. Williams, D.O.  
Mari Barke  
Tim Shaw  
Lisa Sparks, Ph.D.

Absent/Late:

Rebecca “Beckie” Gomez arrived at 4:25 p.m.

(\*)AGENDA

Motion by Williams, seconded by Barke and carried by a roll call vote of 4-0 (Gomez Absent) to approve the agenda of the Regular Meeting of August 5, 2020, adding language for Closed Session #3 to read “regarding a Freedom from Religion Foundation letter that was received by the Board.”

The Board took a recess to conduct closed Inter-district hearings from 3:35 p.m. to 6:32 p.m.

TIME CERTAIN

1. Inter-district Appeal Hearing (closed) – Student 08052020001I, Placentia-Yorba Linda Unified School District to Fullerton Joint Union High School District

Motion by Williams, seconded by Sparks, and carried by a roll call vote of 4-0 (Shaw, Sparks, Barke, and Williams voted Yes; Gomez Absent) to deny the appeal and uphold the decision of the Placentia-Yorba Linda Unified School District.

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

2. Inter-district Appeal Hearing (closed) – 08052020002I – Placentia-Yorba Linda Unified School District to Fullerton Joint Union High School District

Motion by Williams, seconded by Sparks, and carried by a roll call vote of 3-1 (Shaw, Sparks, and Williams voted Yes; Barke voted No; Gomez Absent) to deny the appeal and uphold the decision of the Placentia-Yorba Linda Unified School District.

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

3. Inter-district Appeal Hearing (closed) – 08052020003I – Saddleback Valley Unified School District to Tustin Unified School District

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

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

4. Inter-district Appeal Hearing (closed) – 08052020004I – Santa Ana Unified School District to Newport-Mesa Unified School District

Motion by Barke, seconded by Sparks, and carried by a roll call vote of 3-1-1 (Shaw, Sparks, and Barke voted Yes; Gomez voted No; and Williams Abstained) to approve the appeal and allow the student to attend the Newport-Mesa Unified School District for the period of one academic year (2020-21).

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

5. Inter-district Appeal Hearing (closed) – 08052020005I – Santa Ana Unified School District to Newport-Mesa Unified School District

Motion by Barke, seconded by Sparks, and carried by a roll call vote of 3-1-1 (Shaw, Sparks, and Barke voted Yes; Gomez voted No; and Williams Abstained) to approve the appeal and allow the student to attend the Newport-Mesa Unified School District for the period of one academic year (2020-21).

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

## INVOCATION

Pastor Phillip De Courcy

PLEDGE OF ALLEGIANCE

Linda Cone

INTRODUCTIONS

None

PUBLIC COMMENTS

- Steven, Charter School
- Michael, Charter School
- Lynne, Legal Fees
- David, Reopening
- Suchitra, Oppose Litigation Against Gov. Newsom
- Ed, Closed Session 4, Anticipated Litigation concerning school opening and 13 -16 Learning and Attendance Plans
- Ditty, Closed Session 4
- Kelli, Closed Session 1-4
- Tom, Reopening
- Scott, Closed Session 4
- William, Curriculum
- Neng, Oppose Litigation Against Gov. Newsom
- Tiffany, Oppose Litigation Against Gov. Newsom
- Erika, Support Litigation Against Gov. Newsom
- Rachel, Oppose Litigation Against Gov. Newsom

MINUTES

Motion by Barke, seconded by Sparks, and carried by a roll call vote of 5-0 to approve the minutes of the Special Meeting of June 24, 2020, Regular Meeting of July 1, 2020, and Special Meeting of July 13, 2020.

CONSENT CALENDAR

Motion by Barke, seconded by Williams, and carried by a roll call vote of 5-0 to approve Consent Calendar item #6 and item #7.

6. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
7. Accept the 4th Quarter Report on Williams Uniform Complaints for OCDE student programs for the period of April 1 to June 30, 2020.

CHARTER SCHOOLS

8. Charter Schools Submissions
  - Citrus Springs renewal
  - OCASA renewal

TIME CERTAIN (continue)

9. **Public Hearing** – Textbooks and Instructional Materials, Renee Hendrick, Associate Superintendent, Administrative Services facilitated the public hearing. The hearing was opened at 7:12 p.m. There being no input from the audience, the hearing was closed at 7:13 p.m.
10. Motion by Barke, seconded by Sparks, and carried by a roll call vote of 5-0 to adopt Resolution #14-20 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.
11. **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 7:14 p.m. There being no input from the audience, the hearing was closed at 7:15 p.m.
12. **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 7:15 p.m. There being no input from the audience, the hearing was closed at 7:16 p.m.
13. **Learning Continuity and Attendance Plan (OCDE)** - Jeff Hittenberger, Ph.D., Chief Academic Officer and Analee Kredel, Chief, Special Education Services conducted the presentation regarding Learning Continuity and Attendance Plan for the Orange County Department of Education.
14. **Public Hearing** – Analee Kredel, Chief, Special Education Services, conducted a public hearing regarding the Orange County Department of Education Learning Continuity and Attendance Plan. The hearing was opened at 7:37 p.m. There being no input from the audience, the hearing was closed at 7:38 p.m.
15. **Learning Continuity and Attendance Plan (CCPA)** – Dave Connor, Principal conducted the presentation regarding the Learning Continuity and Attendance Plan for the College and Career Preparatory Academy.
16. **Public Hearing** – Jeff Hittenberger, Ph.D., Chief Academic Officer, conducted a public hearing regarding the College and Career Preparatory Academy Learning Continuity and Attendance Plan. The hearing was opened at 8:00 p.m. There

being no input from the audience, the hearing was closed at 8:01 p.m.

## BOARD RECOMMENDATIONS

17. Motion by Williams, seconded by Barke, and carried by a roll call vote of 5-0 to nominate and approve board member assignments for the 2020-2021 fiscal year as follow:  
Trustee Barke for CCBE Board of Director  
Trustee Gomez for CSBA delegate and OCSBA  
Trustee Williams for PAGE  
Trustee Sparks and Shaw for PTA
18. Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve travel and name new representative for CCBE Board of Directors and Delegate Assembly.
19. Approve Public Comment Submission process (Gomez)  
  
By consensus of the Board, item #19 was tabled to the next meeting, September 2<sup>nd</sup>.
20. Approve Updated and New Board Policies (Williams)  
  
Motion by Williams, seconded by Barke to approve updated and new board policies.  
  
The motion was withdrawn by Williams and Barke.  
  
By consensus of the Board, item #20 was tabled to the next meeting, September 2<sup>nd</sup>.

## INFORMATION ITEMS

### ANNOUNCEMENTS

#### Superintendent

- Acknowledgement of Dr. Hittenberger and OCDE staff's excellent work on the Learning Continuity and Attendance Plan
- Webinar on Protocols for School Safety

#### Associate Superintendent

- Next board meeting is September 2<sup>nd</sup> – Submission deadline is August 19<sup>th</sup>.
- Charter Schools Update
- Virtual Conferences: CCBE Annual Conference – September 11-12, 2020, NSBA CUBE Conference – September 22-24, 2020, and CSBA Annual Conference's New Trustee Orientation on December 3-5 – RSVP to Darou

BOARD MEMBER COMMENTS

- Trustee Barke - Charter Schools Update
- Trustee Gomez – Acknowledgement of over 3500 Public Comments Received for Special Meeting of July 13<sup>th</sup> (2434 emails opposed White Paper, 443 Support)
- Trustee Shaw – Board Meetings and Correspondences

PUBLIC COMMENTS

None

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Related to Closed Session Only - None

The Board took a recess from 8:57 p.m. to 10:12 p.m. to conduct closed session.

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 received an update on both matters. The only action taken was approval of Epstein Brown & Green invoices dated July 30, 2020 by a vote of 3-1-1 (Williams, Barke, and Sparks voted Yes; Gomez voted No; and Shaw Abstained).

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Potential litigation pursuant to (d) (4) of Government Code Section 54956.9 regarding a Freedom from Religion Foundation letter that was received by the Board.

Report Out

Mr. Brenner reported for Closed Session 3, the Board received an update. The only action taken was approval of Tyler and Bursch invoices dated August 4, 2020 by a vote of 4-0-1 (Williams, Barke, Sparks, and Gomez voted Yes; Shaw Abstained).

CLOSED SESSION 4

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Potential litigation pursuant to (d)(4) of Government Code Section 54956.9 regarding state orders and restrictions against reopening schools.

Report Out

Mr. Brenner reported in Closed Session 4, the Board received an update. The only action taken was approval of the issuance of a board statement by a vote of 4-0-1 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez Abstained).

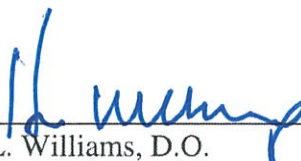
ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of August 5, 2020 adjourned at 10:22 p.m.



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Nina Boyd  
Assistant Secretary, Board of Education



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

Next Regular Board Meeting, Wednesday, September 2, 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.