

ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION
MINUTES
Annual Organizational Meeting
October 30, 2024

1. CALL TO ORDER ORANGE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION

The meeting of the Orange County Committee on School District Organization was called to order by Chairperson Sheila Benecke at 6:04 p.m., October 30, 2024 in the Board Room of the Orange County Department of Education.

2. FLAG SALUTE Pledge of Allegiance was led by Dr. Stefan Bean.

3. ROLL CALL Chairperson Benecke asked Melanie Inskeep to take roll.

Present:

Sheila Benecke, Chairperson	Lauren Brooks
Marilyn Buchi	Paulette Chaffee
Jackie Filbeck	Karin Freeman, Vice Chairperson
Kathleen Heard	Kathy Moffat
Suzie Swartz	

Absent:

David Johnson	Randy Reta
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4. ADOPTION OF AGENDA Motion by Paulette Chaffee, seconded by Lauren Brooks, and carried by unanimous vote to adopt the agenda as presented.

5. ACCEPTANCE OF MINUTES Karin Freeman asked for clarification on the omission of names of the public comments, it was confirmed by staff that this is the historical procedural practice, but a record is kept of the speaker's information. Motion made by Karin Freeman and seconded by Marilyn Buchi, and carried by a vote of 8 – 0 with Suzie Swartz abstaining, to approve the County Committee minutes of the July 31, 2024 meeting.

6. PUBLIC COMMENTS OF PERSONS DESIRING TO ADDRESS THE COUNTY COMMITTEE ON AGENDA ITEMS

Chairperson Benecke explained the opportunities available for members of the public who wish to address the County Committee. Ms. Inskeep confirmed, no public comment cards were received.

7. NEW BUSINESS

A. Annual Organizational Meeting

1. Nominating Committee results and welcome of elected members:
 - a. 1st Supervisorial District – Kathleen Heard
 - b. 3rd Supervisorial District – Kathy Moffat
 - c. At-Large Supervisorial District – Suzie Swartz

Chairperson Benecke asked Mr. Dean West, Secretary to the County Committee, to provide the election results from the Nominating Committee.

Mr. West reported the Nominating Committee re-elected both Kathleen Heard for the 1st Supervisorial District and Kathy Moffat for the 3rd Supervisorial District. Through a run-off election, Suzie Swartz was elected to be the At-Large member of the County Committee. Mr. West congratulated the members.

2. Administer Oath of Office for elected members

Chairperson Benecke asked Karin Freeman to administer the oath of office. Karin Freeman administered the oath of office to Kathleen Heard, Kathy Moffat and Suzie Swartz.

3. Election of Chairperson and Vice-Chairperson

Chairperson Benecke asked Mr. West to conduct the election of Chairperson.

Mr. West asked for nominations for the position of Chairperson. Karin Freeman nominated Sheila Benecke, seconded by Lauren Brooks, and approved by a unanimous vote of all members present.

Chairperson Benecke conducted the election for Vice Chairperson. Marilyn Buchi nominated Karin Freeman, seconded by Lauren Brooks, and approved by a unanimous vote of all members present.

B. Legal services for the Orange County Committee on School District Organization

1. Update from the Orange County Superintendent of Schools

Chairperson Benecke asked Mr. West to introduce County Superintendent and guest and provide the update. Mr. West introduced Dr. Stefan Bean, County Superintendent of Schools and guest Tony De Marco, Partner at Atkinson, Andelson, Loya, Ruud & Romo (AALRR).

Mr. West continued by reminding the members that Dr. Bean started July 1 and was appointed by the Orange County Board of Education (OCBE). Dr. Bean then hired OCBE's prior legal representative, Gregory Rolen, as OCDE General Counsel, effective October 1. Dr. Bean then notified the County Committee that outside counsel was contacted from AALRR regarding a possible conflict of interest of the new OCDE General Counsel to represent the County Committee.

Mr. West asked Mr. De Marco to give an update. Mr. De Marco said that the research and analysis concluded that due to the prior representation of the OCBE in litigation involving the County Committee, Mr. Rolen, does have a conflict of interest rendering him and his staff in the OCDE Legal Services Department unable to represent the County Committee.

2. Questions, discussion, and direction by the Orange County Committee of School District Organization

Committee members engaged in questions and discussion. Expressed concerns about the lack of regular, in-person legal counsel for interpreting the Education Code and other legal guidance during meetings. Members requested clarification on how recommendations for new legal counsel would be presented and what steps would follow. The Committee discussed the feasibility of securing a lawyer to attend every meeting. Tony suggested considering Orange County based attorneys that understand and know school district and education code. Members wanted the Committee as a whole to explore the presented options to ensure the selection of highly qualified representation. Dr. Bean assured that OCDE would explore options and cover related costs, emphasizing the importance of maintaining regular legal guidance.

Direction from Committee members to staff to compile a list of suitable legal counsel candidates for the County Committee. Mr. West and Dr. Bean will assess the costs associated with providing consistent legal representation. Then the Committee will reconvene to evaluate the provided legal service options and decide on the most suitable path forward.

C. Options for additional section regarding public civility at meetings.

1. Options for Addition to Bylaws Section 345

Chairperson Benecke asked Ms. West to present the options for additions to the bylaws.

Mr. West reminded the Committee that David Johnson raised idea of creating a civility policy. Although the Committee does not have formal policies like a board, it does have bylaws based on statewide resources. Mr. West presented two proposed options for review, which were based on statewide guidelines and board policies. Option one focused on enhancing decorum among individuals addressing the Committee, while option two provided more detailed protocols, including measures related to audience behavior and public participation.

2. Discussion from County Committee Members

Chairperson Benecke opened the meeting to questions and discussion from the County Committee members.

Ms. Buchi expressed concerns that the County Committee meetings had been well-managed, suggesting that adding extensive civility guidelines might be excessive. She preferred option one, which was simpler and less restrictive. Ms. Freeman highlighted specific concerns with both options, such as impractical

requirements for determining the legitimacy of speakers and the allocation of equal time to opposing views. She emphasized that public comment should be inclusive without unnecessary procedural hurdles.

Other Committee members raised questions about the necessity of speakers stating their names and places of residence, with Mr. West clarifying that such practices were not legally mandated.

The discussion concluded with a consensus that any civility policy should be balanced, align with existing practices and be legally allowed. Also noted the importance of ensuring adequate security and procedural clarity for managing disruptions effectively. The Committee clarified it is not in a rush to adopt a policy and would like to review other policies. Direction from the County Committee to have staff send the current bylaws to the Committee and for staff to review the board policies and provide a streamlined set of guidelines that addressed key aspects of public behavior without imposing overly stringent requirements.

8. PUBLIC COMMENT OF PERSONS DESIRING TO ADDRESS THE COUNTY COMMITTEE ON ANY PROPER MATTER NOT ON THE AGENDA

No comments from the public.

9. NEXT MEETING

Mr. West reported that at this time no meetings are scheduled for the County Committee.

10. ADJOURNMENT

There being no further business Chairperson Benecke requested a motion to adjourn the meeting. The motion was moved by Karin Freeman, seconded by Lauren Brooks, and unanimously approved by all members present. The meeting was adjourned at 7:01 p.m.