

MINUTES  
Regular Meeting  
March 12, 2014

A. CALL TO ORDER

ORANGE COUNTY BOARD OF EDUCATION

The Regular Meeting of the Orange County Board of Education was called to order at 8:00 a.m. March 12, 2014, in the Board Room, 200 Kalmus, Costa Mesa, California.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dr. Fred Navarro, Superintendent, Newport-Mesa Unified School District.

C. ROLL CALL

Present:

Jack Bedell, Ph.D.  
David L. Boyd  
Elizabeth Parker  
Ken L. Williams, Jr., D.O.

Absent:

Robert Hammond

D. INTRODUCTIONS

Dr. Al Mijares introduced Jean Martin, Director, SELPA; and Howard Marinier, Administrator, Business Services

Board Member Arrives

Robert Hammond arrived at 8:04 a.m.

E. AGENDA

Motion by Bedell, seconded by Parker, and carried by a vote to 5-0 to approve the agenda for the March 12, 2014 Board Meeting.

F. MINUTES

Motion by Parker, seconded by Williams, and carried by a vote of 5-0 to approve the Minutes from the February 12, 2014 Board Meeting with the correction of the vote for J-11 from 3-1-1 to 3-1-0.

I. CONSENT CALENDAR

Motion by Bedell, seconded by Hammond, and carried by a vote of 5-0 to approve the Consent Calendar.

Diplomas I-1

Approved granting of a diploma to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

Ltr/Cert of Merit I-2

Approved the signing of the certificate of merit and letter of commendation for David L. Brooks, retiring board member from the Newport-Mesa Unified School District.

J. SPECIAL RECOMMENDATIONS

CTEp Courses J-1

Motion by Parker, seconded by Bedell, and carried by a vote of 5-0 to approve Central Orange County Career Education Partnership (CTEp) to develop and promote to high school students the courses as listed.

2nd Interim Rpt      J-3      Motion by Bedell, seconded by Williams, and carried by a vote of 5-0 to approve the 2013-14 Second Interim Report, which has been certified as positive by the Office of the County Superintendent of Schools.

H. PUBLIC COMMENTS

Richard Meyers, San Clemente, CSEA Contract  
Ruth Fant, Costa Mesa, Common Core  
Laura O'Neal, Tustin, Common Core

G. TIME CERTAIN

Conf. Call              G-1      Conference Call – Federal Management Strategies staff called to discuss current and future legislation.

Board Member Departs      Due to possible prior contact with participants regarding jurisdiction of stipulated expulsion agreements involving Newport-Mesa Unified School District, Elizabeth Parker recused herself and departed the Board meeting at 8:50 a.m.

K. CLOSED SESSION      The Board members went into closed session from 8:50 to 9:51 a.m.

Board Member Absent      Robert Hammond was absent from 9:51 to 9:53 a.m.

G. TIME CERTAIN (continued)

Presentation              G-2      Rick Riegel, Coordinator, facilitated a presentation regarding Jurisdiction of the County Board Re Appeal of Stipulated Expulsion Agreements (Education Code section 35146, Government Code section 54956.9) (open session). Meldie Moore, Heather Walters, Jane Garland, and Todd Spitzer presented information for the parents and students of the Newport-Mesa Unified School District. Steven Montanez and Spencer Covert presented information on behalf of the Newport-Mesa Unified School District and Board of Trustees.

K. CLOSED SESSION      The Board members went into closed session from 10:25 to 11:25 a.m.

J. SPECIAL RECOMMENDATIONS (continued)

Stip. Expulsion      J-2      Motion by Bedell, seconded by Hammond, to continue this agenda item (Accept legal counsel recommendation from Rutan and Tucker regarding Jurisdiction of the County Board Re Appeal of Stipulated Expulsion Agreements - Education Code section 35146, Government Code section 54956.9) to the April 16 meeting or earlier and to direct OCDE staff to seek judicial relief to determine the jurisdictional question.

Discussion              Board members discussed the jurisdiction of OCBE regarding Stipulated Expulsion Agreements and subsequent appeals.

Comments

Todd Spitzer provided information on behalf of the students and parents of Newport-Mesa Unified School District and Ron Wenkart spoke on behalf of the Board of Education. Mr. Spitzer and Mr. Wenkart were asked to meet outside of the Board Room to create language for the pending motion. The representatives from the district indicated they did not have a need to speak to the board and that they would be meeting privately with representatives from the students, parents and Mr. Wenkart.

Motion by Hammond, seconded by Williams, to table J-2 until representatives from parents and students of the Newport-Mesa Unified School District and representatives from Newport-Mesa Unified School District and Board of Trustees returned to the meeting.

L. INFORMATION ITEMS

L-1 ANNOUNCEMENTS

Superintendent Report

- Career Pathways to Education Grant/AB86
- Roadtrip Nation/Check Presentation
- Read Across America
- United Way Visionary Leaders Conference
- Oath of Office for Newport Mesa, Vicki Snell

Board Member Departs

Robert Hammond departed the Board Meeting at 11:39 a.m.

Associate Superintendent

- County Committee Update – Benkert
- OCSBA Meetings – Chariton
- Charter School Update – Chariton
- Common Core Implementation Funds Plan/Aug. – N. Boyd
- PCHS WASC Review – N. Boyd
- Next Regular Board Meeting, April 16 – N. Boyd

L-2 COMMUNICATION/INFORMATION/DISCUSSION

L-3 EXECUTIVE COMMITTEE REPORT

- Expulsion Procedure Discussion
- Charter School Appeal in the Future
- Request for Ad Hoc committee (Bedell and Williams) to address issues of Charter School Appeals

Board Member Returns

Robert Hammond returned to the Board meeting at 11:50 a.m.

L-4 BOARD ROUNDTABLE

- Meetings with Orange County school principals and district superintendents - Hammond
- Request for a draft letter to be used by the City of SA and OCBE (and Marc Ecker) to discuss the need for IDEA funding – Hammond
- Request information on HR 4136 be sent out to superintendents – Hammond

- Share information regarding IDEA at next superintendents' meeting – Hammond
- Confirming June 11 as the new date for additional meeting in June – D. Boyd
- First Flight Event – D. Boyd and Parker
- National History Day – Williams

Recess The Board recessed from 11:54 a.m. to 12:10 p.m.

Discussion results Ron Wenkart reported out regarding the meeting of all of the interested parties regarding the Stipulated Expulsion Agreements. The recommendation is to stay with the original motion. *(Motion by Bedell, seconded by Hammond, to continue this agenda item [Accept legal counsel recommendation from Rutan and Tucker regarding Jurisdiction of the County Board Re Appeal of Stipulated Expulsion Agreements Education Code section 35146, Government Code section 54956.9] to the April 16 meeting or earlier and to direct OCDE staff to seek judicial relief to determine the jurisdictional question).*

Comments Todd Spitzer, representing parents and students; and Spencer Covert representing the Newport-Mesa Unified School District, provided input.

Amended Motion Motion by Bedell, seconded by Hammond, and carried by a vote of 4-0 (Parker absent) to continue this agenda item *(Accept legal counsel recommendation from Rutan and Tucker regarding Jurisdiction of the County Board Re Appeal of Stipulated Expulsion Agreements Education Code section 35146, Government Code section 54956.9)* to a Board meeting no later than March 26, 2014 and to direct OCDE staff to seek judicial relief to determine the jurisdictional question. .

M. ADJOURNMENT On a motion duly made and seconded, the Regular Board meeting of March 12, 2014, was declared ended at 12:21 p.m.

Nina Boyd  
Assistant Secretary, Board of Education

David L. Boyd  
President, Board of Education

Special Board Meeting: Date and Time to be determined.

Next previously scheduled Regular Meeting, Wednesday, April 16, 2014 at 8:00 a.m. The meeting will be held in the Board Room at 200 Kalmus, Drive, CA Costa Mesa, CA.

Individuals with disabilities in need of copies or the agenda and/or the agenda packet or in need of auxiliary aides and services may request assistance by contacting Penny Dunseth, Recording Clerk at 714.966.4012.

cc: Cabinet