

MINUTES
Regular Meeting
October 14, 2015

ORANGE COUNTY BOARD OF EDUCATION
MINUTES

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order at 11:05 a.m., October 14, 2015 in the Board Room, 200 Kalmus, Costa Mesa, California.

INVOCATION

Ryan Zeulner
Mission Pastor
Grace Fellowship Church

PLEDGE OF ALLEGIANCE

Al Mijares, Ph.D., Superintendent

ROLL CALL

Present:
Jack Bedell
David L. Boyd
Robert Hammond
Linda Lindholm
Ken L. Williams

INTRODUCTIONS

None

AGENDA

Motion by Bedell, seconded by Williams, and carried by a vote of 5-0 to adopt the agenda for the October 14, 2015 Board meeting with amendments to the following:
-move items #18, #19 & #20 and place before item #12 for discussion under Recommendations
-change the BAI for item #16, page 149 to reflect Trustee Williams instead of Trustee Hammond and add time limitations of 6 minutes to the length of the presentation
-delete Lindholm on item#16 on the agenda
-change the heading to Special Meeting of September 28, 2015 on the agenda under Minutes

MINUTES

Motion by Boyd, seconded by Bedell, and carried by a vote of 5-0 to approve the minutes from the September 28, 2015 Special Board Meeting.

TIME CERTAIN

1. Charter Submissions – There were no charter school submissions.

PUBLIC COMMENTS

- Mark Brown – SB 277
- Gloria Pruyne – Common Core
- Lisa Heyrend – SB 277
- Juli Stockstill – SB 277
- Shanda Lobatos – SB 277
- Amber Booy – SB 277
- Susan Borne – SB 277
- Jennifer Watson – SB 277
- Christina Johnson – SB 277
- Caroline Brooks – SB 277
- Somer Garcia – SB 277

TIME CERTAIN (continued) 2.

- Public Hearing/Charter Appeal – EPIC Charter School- Kelly Gaughran, ACCESS Administrator, facilitated the public hearing.
- EPIC Charter School – Ben Harris
- Anaheim City School District – Dr. Mary Grace, Assistant Superintendent, Educational Services; Leslie Coghlan, Director of Pupil Personnel Services
- Anaheim Union High School District – Dr. Manuel Colon, Assistant Superintendent, Educational Services

PUBLIC COMMENTS (continued)

- Autumn Strier - EPIC
- Michelle Lopez - EPIC
- Alex Arcila - EPIC
- Kenny Dodd - EPIC
- Troy Medley - EPIC
- Chris Relth - EPIC
- David Chaney - EPIC

CONSENT CALENDAR

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

Recess

The Board took a recess from 12:52 p.m. to 1:30 p.m.

RECOMMENDATIONS

- 18. Motion by Boyd, seconded by Bedell to Adopt Resolution #13-15 for the censorship: A Resolution Censuring Trustees Hammond and Williams for Violation of Board Policy 200-3. Motion failed by a vote of 1-4 (Boyd voting yes; Bedell, Hammond, Lindholm and Williams voting no).

(*)

- 19. Motion by Boyd, seconded by Bedell. Should the Orange County Board of Education direct its Executive Committee to recommend legal counsel for the purpose of filing a lawsuit against the Federal government for alleged violations of the

United States Constitution related to the adoption of the Common Core State Standards by the State of California? Motion failed by a vote of 0-3-2 (Bedell, Boyd, and Lindholm voting no; Hammond and Williams abstained).

(*)

20. Motion by Boyd, seconded by Bedell. Should the Orange County Board of Education openly defy California law as well as regulations unanimously adopted by the California State Board of Education by refusing to fully implement the California Common Core Standards? Motion failed by a vote of 0-4-1 (Bedell, Boyd, Hammond and Lindholm voting no; Williams abstained).

TIME CERTAIN (continued)

3. Presentation - Smarter Balance Assessment Consortium (SBAC) presentation conducted by Dr. Jeff Hittenberger, Chief Academic Officer.
4. Oxford Preparatory Academy. Kelly Gaughran, ACCESS Administrator facilitated.
-Oxford Preparatory Academy – Barbara Black, Executive Director & Jerry Simmons, Legal Counsel
-No district response

PUBLIC COMMENTS (continued)

- Shally Zomorodi – Oxford Prep
- Alisha Bent – Oxford Prep
- Susan Mas – Oxford Prep
- Steffanie Cook – Oxford Prep
- Jon Devore – Oxford Prep
- Margorie Kollen – Oxford Prep
- Miles Durfee – Oxford Prep
- Barbara Casas – Oxford Prep
- Debbie Ruvolo – Oxford Prep
- Jared McLeod – Oxford Prep

RECOMMENDATIONS (continued)

7. Motion by Lindholm, seconded by Bedell, and carried by a vote of 5-0 to adopt Resolution #28-15 and accept the Orange County Department of Education's recommendation (Option Two), to conditionally approve the Oxford Preparatory Academy Charter School petition.

Recess

The Board took a recess from 3:12 p.m. to 3:27 p.m.

RECOMMENDATIONS (continued)

Ron Wenkart, OCDE board attorney, noted for the record that he had recused himself from the Public Records Request issue.

This necessitated a vote by the board on item #14 to hire an outside attorney to address the issue.

14. Motion by Hammond, seconded by Lindholm, and carried by a vote of 3-1-1 (Bedell voting no, Boyd abstained) to approve the appointment of Daniel A. King of Cota Cole, LLP to represent the Board related to the Public Records Request from Mr. Barry Resnick, with the following amendments:
 - the legal opinion from Daniel A. King to address whether the documents requested are exempt from the disclosure under Government Code Section 6254 (b) as records pertaining to litigation under Government Code 6254 are as personnel or medical files disclosure, which would constitute an unwarranted invasion of personal privacy and other provisions of the law
 - the legal opinion to be completed by October 23, 2015 and not to exceed five pages in length
 - fees cap of \$7,500 and all bills to be explained for purposes of discussion

CLOSED SESSION

Motion by Hammond, seconded by Lindholm, and carried by a vote of 4-1 (Boyd voting no) to go into closed session on the advice of the Board Counsel, Mr. King.

The Board went into closed session from 4:01 p.m. to 5:12 p.m.

Trustee Boyd recused himself from the closed session.

Trustee Williams left closed session at 4:14 p.m. and formally recused himself.

No action was taken in closed session.

Board Member Depart

Trustee Lindholm departed the meeting at 5:13 p.m.

RECOMMENDATIONS (continued)

8. Motion by Bedell, seconded by Boyd, and carried by a vote of 4-0 to approve the material revision to The Academy Charter School petition and associated MOU and change the name of the charter school to Samueli Academy.
9. Motion by Bedell, seconded by Williams, and carried by a vote of 4-0 to approve the request to waive the MOU's restriction on limited liability provisions in vendor contracts for the contract between The Academy and ExEd.

10. Motion by Boyd, seconded by Williams, and carried by a vote of 4-0 to approve the staff recommended changes and adopt the Esplanade Resolution #30-15.
11. Motion by Bedell, seconded by Williams, and carried by a vote of 4-0 to approve Central Orange County CTEp's 2015-2016 programs/course offerings list.
- 12, 13, 15, 16, 17. Motion by Williams, seconded by Hammond, and carried by a vote of 4-0 to table items #12, #13, #15, #16, and #17 to the next Board meeting.

PUBLIC COMMENTS (continued)

- David Whitley – Common Core
- Christian Kahn – Common Core
- Suzi Kahn – Common Core
- Helen Kingsbury – Common Core
- Eric Stoetling – Common Core

Board Member Depart

Trustee Boyd departed the meeting at 5:39 p.m.

INFORMATION ITEMS

BOARD MEMBER ITEMS

- Board Executive Committee – Final and Sole Authority on Agenda Items – Williams (carryover)
- Transparency – Boyd (carryover)
- PTA District 4 Board Meeting Scheduled for October 15 – Boyd (carryover)
- Change of Board Policy on Speakers: Handouts and Approaching the Trustees – Hammond (carryover)
- SB 277 – Hammond (carryover)

ANNOUNCEMENTS – Superintendent & Associate Superintendent

Superintendent

- no announcements

Associate Superintendent

- Renee Hendrick updated the Board on the Orange County Employees Retirement System's (OCERS) ongoing discussions with OCDE
- Renee Hendrick also reported to the Board that the OCDE has reached tentative agreements with both bargaining units
- Ellin Chariton updated the Board on the Annual Report of the Williams Settlement Legislation that is required by the statute. The

report is in the Orange County Board member's take-home packets and will also be mailed to the Board of Supervisors.

-Next Regular Board meeting is November 4, 2015 at 10:00 a.m.

-Teacher of the Year is November 10, 2015 – RSVP to Darou

BOARD MEMBER COMMENTS

-Trustee Bedell reported on his upcoming trip to Washington DC

-Trustee Hammond requested for the China article to be sent to the Board

COMMUNICATION/INFORMATION/DISCUSSION

Legislative Updates

-CSBA Update

-CCBE Update

-NSBA Update

-Capitol News Update

-School Services Update

BOARD MEMBER COMMENTS

-Free Programs – Hammond (carryover)

-Financial Literacy – Hammond (carryover)

-Security – Hammond (carryover)

-Executive Board Assistant position – Williams /Hammond (carryover)

-Testing Talking Points/Position Points – Bedell/Lindholm (carryover)

-National Motto – Hammond/Lindholm (carryover)

-Chinese Students – Hammond (carryover)

-Public Comments Cards – Hammond (carryover)

-China article – Trustee Hammond requested we share the China article with the Board

EXECUTIVE COMMITTEE REPORT

ADJOURNMENT On a motion duly made, seconded, and carried by a vote of 3-0 (Lindholm and Boyd absent) the Board meeting of October 14, 2015 was declared ended at 5:45 p.m.

Nina Boyd
Assistant Secretary, Board of Education

Next Regular Board Meeting: Wednesday, November 4, 2015 at 10:00 a.m. The meeting will be in the Board Room at 200 Kalmus Drive, Costa Mesa, CA.

Individual 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 Phouangvankham, Board Clerk at (714) 966.4012.