

MINUTES  
Regular Meeting  
December 16, 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 11:09 a.m., December 16, 2015 in the Board Room, 200 Kalmus, Costa Mesa, California.

INVOCATION

Linda Lindholm  
Vice President, Orange County Board of Education

PLEDGE OF ALLEGIANCE

Steve Venz, Visual & Performing Arts Coordinator

ROLL CALL

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

Absent:  
David Boyd

Board President Hammond announced that Trustee Boyd will be joining the meeting at a later time.

INTRODUCTIONS

None

Note

Board President Robert Hammond announced that on December 10, 2015, President Obama signed the Every Student Succeeds Act (ESSA) into law.

AGENDA

Motion by Lindholm, seconded by Williams, and carried by a vote of 4-0 (Boyd absent) to approve the agenda for the December 16, 2015 Board meeting with the following amendments:  
-add ESSA under Board Member Comments  
-remove item #14 as item #13 is almost a duplicate  
-add Board Security under Discussion Items  
-add part-time staff member to assist the Board with regular duties under Discussion Items

MINUTES

Motion by Williams, seconded by Bedell, and carried by a vote of 4-0 (Boyd absent) to approve the minutes from the November 4, 2015 Board Meeting

TIME CERTAIN

Holiday Presentation

1. Special Presentation – Steve Venz, Visual & Performing Arts Coordinator facilitated a Holiday Musical Presentation by Sean Oliu from Sycamore Junior High School, Anaheim Union High School District

Recess

The Board took a break from 11:34 a.m. to 11:44 a.m.

Board member joins meeting

David Boyd joined the Board meeting at 11:45 a.m.

Introduction

Nina Boyd, Associate Superintendent, introduced Isabel Navarrete, a student at Newport Harbor. Isabel was observing the Board meeting for a school assignment.

PUBLIC COMMENTS

- David Whitley – PRA request
- Juli Stockstill – SB 277
- Dora Ramirez – SB 277
- Gloria Pruyne – Common Core
- Jeff Arthur – School Choice
- Jennifer Timmermans – Santiago Charter School in Orange

CONSENT CALENDAR

Motion by Lindholm, seconded by Williams, and carried by a vote of 5-0 to approve items #3 and #4

3. Approve granting of a diploma to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division
4. Approve the signing of the certificate of merit and letter of commendation for Carol Sundman, resigning board member from the Savanna School District

TIME CERTAIN (continue)

2. Charter Submission(s) – Kelly Gaughran, Administrator, Charter Schools, facilitated
  - Orange County Academy of Sciences and Arts – Kapil Mathur

STAFF RECOMMENDATIONS

9. Motion by Lindholm, seconded by Boyd, carried by a vote of 5-0 to approve the 2015-16 First Interim Report, which has been certified as positive by the County Superintendent of Schools

10. Motion by Bedell, seconded by Boyd to approve the MOU and Implementation Plan between the Orange County Board of Education (OCBE) and Oxford Preparatory Academy Charter School, and designate the Associate Superintendent to sign the MOU on behalf of the OCBE

Substitute motion by Lindholm, seconded by Williams to remove the MOU

The Board unanimously voted to withdraw all previous motions and to make a new motion.

Motion by Williams, seconded by Lindholm, and carried by a vote of 3-1-1 (Boyd voting no and Bedell abstained) to approve the MOU with the following amendments:

- under item #1, D will be removed
- item #2, the term of the charter will be retained
- remainder of the document redacted and removed from the MOU

Toward the end of the meeting Trustee Boyd requested to change his vote on the motion from “no” to “abstain”, changing the vote to 3-0-2.

Recess

The board took a recess from 1:46 p.m. to 2:09 p.m.

TIME CERTAIN (continued)

5. Scholarship Prep Charter School. Kelly Gaughran, Administrator, Charter Schools, facilitated

-Gloria Romero, Scholarship Prep Charter School

PUBLIC COMMENTS (continued)

- Miles Durfee – Scholarship Prep Charter School
- Jackie L. Howe – Scholarship Prep Charter School

TIME CERTAIN (continued)

6. Motion by Lindholm, seconded by Bedell, and carried by a vote of 5-0, to approve Scholarship Prep Charter School petition with Option One: Approved as written
7. Daniel King, Board Counsel, commented that there have been no significant changes on the PRA matter under item seven for open session excluding the matter that will be addressed in the second closed session.

CLOSED SESSION

The Board went into closed session from 2:59 p.m. to 3:24 p.m. on the advice of the Board Counsel, Mr. King.

Trustee Williams did not participate in the closed session.

Mr. King reported that in closed session, the Board voted all in favor to approve a December 8, 2015 letter from him to the Assistant District Attorney and the Fair Political Practices Commission responding to Mr. Boyd's letter to the District Attorney, which was subsequently forwarded to the FPPC.

Noted

Trustee Boyd would like the minutes to reflect that he has not read the letter.

BOARD RECOMMENDATIONS

11. Motion by Lindholm, seconded by Williams, and carried by a vote of 3-2 (Bedell and Boyd voting no) for approval to raise the fee cap for Daniel King to \$21,000.00
12. Motion by Lindholm, seconded by Williams, and carried by a vote of 3-2 (Bedell and Boyd voting no) to approve the invoice from Cota Cole LLP, Attorney Daniel A. King for the amount of \$20,441.00
13. Motion by Lindholm, seconded by Bedell, and carried by a vote of 5-0 to approve a new board policy regarding the Executive Committee of the Board's authorization to retain and consult legal counsel on behalf of the board with the following amended language: "The Executive Committee of the Board is hereby authorized to retain and consult outside legal counsel on behalf of the Board about any specific matter of a time sensitive nature in the judgment of the Executive Committee when it has determined that any of the following conditions exist with respect to that matter:"

Board member departs

Trustee Williams left the board meeting at 3:55 p.m.

Recess

The board took a recess from 3:56 p.m. to 4:04 p.m.

TIME CERTAIN (continued)

8. Interdistrict Appeal Hearing (closed session) – Student #12162015I001 – Fountain Valley School District to Huntington Beach City School District

The Board went into Closed Session from 4:05 p.m. to 4:14 p.m.

Motion by Bedell, seconded by Lindholm, and carried by a vote of 4-0 (Williams absent) to approve the appeal and allow the student to attend the Huntington Beach City School District

Dr. Jami Parsons, Manager, Instructional Services, facilitated the hearing

BOARD RECOMMENDATIONS (continued)

20. Motion by Hammond, seconded by Boyd, and carried by a vote of 4-0 (Williams absent) to adopt Resolution #34-15:  
Recognizing the importance of Christmas in Orange County
21. Motion by Bedell, seconded by Lindholm, and carried by a vote of 3-0-1 (Boyd abstained, Williams absent) to adopt Resolution #35-15: Religious Freedom Day 2016
22. Motion by Lindholm, seconded by Hammond, and carried by a vote of 4-0 (Williams absent) to adopt Resolution #39-15 and request that the staff of the Orange County Superintendent of Schools work with the Legislature and the State Board of Education to extend the deadline for filing personal beliefs exemptions to July 1, 2016 on behalf of the Board with the fifth “whereas” redacted

Board member departs

Trustee Lindholm left the board meeting at 4:18 p.m.

PUBLIC COMMENTS (continued)

- Lisa Heyrend, SB 277
- Shanda Lobatos, SB 277
- Susan Born, SB 277

BOARD RECOMMENDATIONS (continued)

18. Motion by Bedell, seconded by Boyd, and carried by a vote of 3-0 (Lindholm and Williams absent) for approval of the Board to seek the Attorney General’s opinion on the roles and responsibilities of the Board and the Superintendent and to begin the process by forming an ad hoc committee to develop strategy, direction, etc.

Carryover

Motion by Hammond, seconded by Bedell, and carried by a vote of 3-0 (Lindholm and Williams absent) to table items #15 and #16 to the next scheduled board meeting

17. Motion by Bedell, seconded by Boyd, and carried by a vote of 2-0-1 (Hammond abstained, Lindholm and Williams absent) to adopt a new Board Policy regarding Ethics Training for Board members with an amendment to the second paragraph to read: “Completion of the free online training offered by the California Fair Political Practices Commission shall be deemed to satisfy this requirement.”

Carryover

Motion by Hammond, seconded by Bedell, and carried by a vote of 3-0 (Lindholm and Williams absent) to table item #19 to the next scheduled board meeting

Carryover Motion by Hammond, seconded by Boyd, and carried by a vote of 3-0 (Lindholm and Williams absent) to table item #23 to the next scheduled board meeting

CLOSED SESSION The Board went into closed session from 4:36 p.m. to 4:51 p.m. on the advice of the Board Counsel, Ron Wenkart.

Noted Board President Hammond announced that Trustee Lindholm had recused herself from this closed session item and Trustee Williams was also not a participant because he was absent.

### INFORMATION ITEMS

Noted The Board requested the Board Member Comments be placed at the beginning of the agenda right after the Minutes.

Trustee Boyd requested for confirmation within twenty-four hours that the attorney/client privilege has been waived on the letter being sent to the Fair Political Practices Commission.

#### ANNOUNCEMENTS

##### -Superintendent

- Golden Bell Award- a 2 minute video to be shown at the next board meeting
- Teacher of the Year
- OC Pathways Showcase

##### -Associate Superintendent

- Renee reported on Esplanade
- Next Board meeting is January 13<sup>th</sup> at 11:00 a.m. and the deadline is December 30<sup>th</sup>
- Trustee Bedell will be representing the Board at the NSBA Advocacy Institute in Washington, DC at the end of January

#### COMMUNICATION/INFORMATION/DISCUSSION

##### Legislative Updates

- CSBA Update
- CCBE Update
- NSBA Update
- Capitol News Update
- School Services Update

## BOARD MEMBER COMMENTS

- Public Comments Cards (Hammond) - remove
- Board Executive Committee – Final and Sole Authority on Agenda Items (Williams) - carryover
- Transparency (Boyd) - carryover
- PTA District 4 Board Meeting - October 15, 2015 (Boyd) - carryover
- Change of Board Policy on Speakers: Handouts and Approaching the Trustees (Hammond) – post a sign with instructions and then remove
- Security (Hammond) - carryover
- Executive Board Assistant (Hammond) - carryover

## EXECUTIVE COMMITTEE REPORT

### ADJOURNMENT

On a motion duly made, and seconded, the Board meeting of December 16, 2015, was declared ended at 5:24 p.m.

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Nina Boyd  
Assistant Secretary, Board of Education

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Robert Hammond  
President, Board of Education

Next Regular Board Meeting, January 13, 2015, 11:00 a.m. - The meeting will be held in the Board Room at 200 Kalmus Drive, Costa Mesa, CA.

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 Phouangvankham, Board Clerk at (714) 966-4012.