

REGULAR MEETING

May 4, 2022

3:30 p.m.

Location: The public meeting will be conducted onsite with limited seating at 200 Kalmus Drive, Costa Mesa, CA 92626, via YouTube live stream-<https://www.youtube.com/watch?v=aXWOFSTSHtQ>, and an alternate location at AC Hotel National Harbor Washington, DC Area, 156 Waterfront Street, National Harbor, MD 20745.

ORANGE COUNTY BOARD OF EDUCATION  
AGENDA

WELCOME

CALL TO ORDER

STATEMENT OF PRESIDING OFFICER: For the benefit of the record, this Regular Meeting of the Orange County Board of Education is called to order.

ROLL CALL

(\*) AGENDA

Regular Meeting of May 4, 2022 – Adoption

(\*) MINUTES

Regular Meeting of April 6, 2022 – Approval

PUBLIC COMMENTS (related to Closed Session)

TIME CERTAIN

1. Inter-district Appeal Hearing (closed) – Student #05042022001I – Savanna School District to Cypress School District.
2. Inter-district Appeal Hearing (closed) – Student #05042022002I – Savanna School District to Cypress School District.

CLOSED SESSION 1

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION- Orange County Board of Education v. Newsom Case Number 30-2021-01233170 - Government Code §§ 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)

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Orange County Board of Education v. Orange County Committee on School District Organization – Case Number 30-2022-01242499-CU-WM-CJC - Government Code §§ 54956.9(a) and (d)(1)

#### CLOSED SESSION 4

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Michael Sean Wright v. Orange County Board of Education and Al Mijares, Orange County Superintendent of Schools – Case Number 30-2022-01243638-CU-WM-CJC - Government Code §§ 54956.9(a) and (d)(1)

#### INVOCATION

5:00 p.m.

Craig Hill, Lead Pastor  
Taft Avenue Community Church

#### PLEDGE OF ALLEGIANCE

3. Sunburst Youth Academy Color Guard Presentation of Flags

#### SPECIAL PRESENTATION

4. Special Awards Presentation –Presentation of awards to the Eighth Annual Jack R. Hammett Memorial Day Essay Contest participants and winners.
  - Mr. Scott Williams – Jack Hammett Bio
  - Christine Olmstead, Ed.D. – Introductions and Program Overview

#### INTRODUCTIONS

#### PUBLIC COMMENTS

(30 minutes)

#### CONSENT CALENDAR

- (\*) 5. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
- (\*) 6. Accept the 3rd Quarter Report on Williams Uniform Complaints for Orange County Department of Education Student Programs for the period of January 1 to March 31, 2022.
- (\*) 7. Adopt the annual updated Orange Department of Education Investment Policy.
- (\*) 8. Adopt Resolution #11-22 to recognize May 30, 2022 as Memorial Day.
- (\*) 9. Approve invoice #3252499 in the amount of \$20,522.75 for Haight, Brown & Bonesteel LLP.

#### CHARTER SCHOOLS

10. Charter submissions

## TIME CERTAIN

11. Public Hearing – Renee Hendrick, Associate Superintendent, Division of Administrative Services, will conduct a public hearing on OCSEA’s Initial Proposal to Superintendent.
12. Public Hearing – Renee Hendrick, Associate Superintendent, Division of Administrative Services, will conduct a public hearing on Superintendent’s Initial Proposal to OCSEA.
13. Public Hearing – Renee Hendrick, Associate Superintendent, Division of Administrative Services, will conduct a public hearing on CSEA’s Initial Proposal to Superintendent.
14. Public Hearing – Renee Hendrick, Associate Superintendent, Division of Administrative Services, will conduct a public hearing on Superintendent’s Initial Proposal to CSEA.

## BOARD RECOMMENDATIONS

- |     |     |  |
|-----|-----|--|
| (*) | 15. | Adopt Board Resolution 12-22: Celebrating the 30 <sup>th</sup> Anniversary of California Charter Schools. (Williams) |
| (*) | 16. | Adopt Revised Board Policy 300-02 regarding Inter-district Attendance Appeal Hearings. (Williams)                    |

## STAFF RECOMMENDATIONS

## INFORMATION ITEMS

### COMMUNICATION/INFORMATION/DISCUSSION

- Board Website
- 2022-2023 Budget Development

### ANNOUNCEMENTS

- Superintendent
- Deputy Superintendent

### Legislative Updates

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

### COMMITTEE REPORT

### BOARD MEMBER COMMENTS

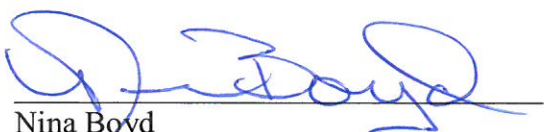
## LOCATION INFORMATION

Primary Location:  
OCDE Board Room  
200 Kalmus Drive  
Costa Mesa, CA 92626

Alternative Location: Trustee Shaw will participate from the alternate location  
AC Hotel National Harbor Washington, DC Area  
Media Salon  
156 Waterfront Street  
National Harbor, MD 20745

## PUBLIC COMMENTS

## ADJOURNMENT



Nina Boyd  
Assistant Secretary, Board of Education

Next Regular Board Meeting: Wednesday, June 1, 2022 at 5:00 p.m. The meeting will be held onsite at 200 Kalmus Drive, Costa Mesa, CA 92626 with limited seating and via YouTube live stream.

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.

(\*) Printed items included in materials mailed to Board Members



MINUTES  
Regular Meeting  
April 6, 2022

428

ORANGE COUNTY BOARD OF EDUCATION  
MINUTES

WELCOME

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order by Board President Barke at 2:44 p.m., April 6, 2022 in the Board Room, 200 Kalmus Drive, Costa Mesa, California and via YouTube live stream.

ROLL CALL

Present:

Lisa Sparks, Ph.D.  
Ken L. Williams, D.O.  
Mari Barke  
Tim Shaw  
Rebecca "Beckie" Gomez

AGENDA

Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to approve the agenda of the Regular meeting of April 6, 2022.

MINUTES

Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to approve the minutes of the March 2, 2022 Regular Board Meeting.

PUBLIC COMMENTS (related to Closed Session) - None

The Board took a recess to go into closed session to conduct an Inter-District appeal hearing from 2:45 p.m. to 3:05 p.m.

1. Inter-district Appeal Hearing (closed) – Student #04062022001I – Tustin Unified School District to Newport-Mesa Unified School District.

Motion by Williams, seconded by Barke, and carried by a vote of 4-1 (Williams, Barke, Shaw, and Sparks voted Yes; Gomez voted No) to approve the appeal and allow the student to attend the Newport-Mesa Unified School District for the period of one academic year (2022-23).

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

2. Expulsion Appeal Hearing (open) – Student #04062022002I – Fullerton Joint Union High School District.

Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to deny the appeal and uphold the decision of the Fullerton Joint Union High School District.

Spencer Gooch, Manager, Educational Services facilitated the hearing.

The Board took a recess to go into closed session from 4:11 p.m. to 5:00 p.m.

CLOSED SESSION 1

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION- Orange County Board of Education v. Newsom Case Number 30-2021-01233170 - Government Code §§ 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)

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Orange County Board of Education v. Orange County Committee on School District Organization – Case Number 30-2022-01242499-CU-WM-CJC - Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 4

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Michael Sean Wright v. Orange County Board of Education and Al Mijares, Orange County Superintendent of Schools – Case Number 30-2022-01243638-CU-WM-CJC - Government Code §§ 54956.9(a) and (d)(1)

INVOCATION

Nelson Cook  
Coaches of Influence

PLEDGE

Collin Felch

INTRODUCTIONS

None

PUBLIC COMMENTS

- Darren Parker, IIA
- Christopher Ganiere, General
- Felipe Delgado, IIA
- Doug Husen, IIA
- Javier Ordonez, Vista Meridian
- Roger Kim, IIA
- Dorie Krepton, Budget Transparency
- Dr. Stefan Bean, General
- Lynne Riddle, General
- Kelly Felton, General
- Patrick McNally, IIA
- Vicki Chan, IIA
- Lynn Hwang, IIA
- Donna Lea, IIA

CONSENT CALENDAR

Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to approve consent calendar items #4, #5 and #6.

4. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
5. Adopt Resolution #08-22 to recognize May 11, 2022 as California Day of the Teacher.
6. Adopt Resolution #09-22 to recognize May 15-21, 2022 as Classified School Employees Week.

#### CONSENT CALENDAR (continue)

7. Motion by Williams, seconded by Shaw, and carried by a vote of 4-1 (Williams, Shaw, Barke, and Sparks voted Yes; Gomez voted No) to approve invoice #3251569 in the amount of \$15.00 for Haight, Brown & Bonesteel LLP.
8. Motion by Williams, seconded by Shaw, and carried by a vote of 4-1 (Williams, Shaw, Barke, and Sparks voted Yes; Gomez voted No) to approve invoice #9849 in the amount of \$3,821.25 for the Law Offices of Margaret A. Chidester & Associates.

#### CHARTER SCHOOLS

9. Charter submissions – None
10. Charter School Public Hearing – Vista Meridian Global Academy Countywide Charter School Petition  
Aracely Chastain, Director, Charter Schools, facilitated the public hearing.
  - Dr. Don Wilson, Superintendent
  - Dr. Collin Felch, Assistant Superintendent
  - Dr. Catherine Real, Principal

#### PUBLIC COMMENTS (Vista Meridian)

- Martha Fluor
11. Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to approve Draft #2 Agreement that addresses the operational relationship between ExploreK12, Orange County Board of Education, and Orange County Department of Education.

#### BOARD RECOMMENDATIONS

12. Motion by Williams, seconded by Barke, and carried by a vote of 4-1 (Williams, Barke, Shaw, and Sparks voted Yes; Gomez voted No) to adopt Resolution – Superintendent Salary 2022-2026 term.

Subsidiary motion by Sparks, seconded by Williams, and carried by a vote of 4-1 (Williams, Barke, Shaw, and Sparks voted Yes; Gomez voted No) to approve a press release and to posted it on the Board's website.

### STAFF RECOMMENDATIONS

13. Motion by Williams, seconded by Barke, and carried by a vote of 5-0 to approve the A-G Completion Improvement Grant Plan for the Orange County Department of Education (OCDE).
14. Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to approve the A-G Completion Improvement Grant Plan for College and Career Preparatory Academy (CCPA).

### Report Out

Mr. Brenner reported, for closed sessions 1 through 4, the Board had a discussion. The only action taken was approval of Epstein, Becker & Brown invoices #1079826, #1079827, and #1079828. The vote was 4-1 (Williams, Barke, Sparks, and Shaw voted Yes; Gomez voted No).

### INFORMATION ITEMS

#### COMMUNICATION/INFORMATION/DISCUSSION

- Website Committee Report by Trustee Sparks
- Irvine International Academy Status Update by Aracely Chastain

#### ANNOUNCEMENTS

##### Superintendent

- Acknowledgement – Nina Boyd, Aracely Chastain, and Charter Schools Unit
- Heads Up Check Up – Dr. Martin Eaton and Mr. Michael Arnot

##### Deputy Superintendent

- Next board meeting is on May 4th, 5:00 p.m., submission deadline is April 20th, packet delivery is April 29th
- Memorial Day Essay Contest Recognition – Deadline extended to 4/15/22; Trustee Williams & Trustee Gomez will participate in committee.
- Teachers of the Year – April 25<sup>th</sup>
- Charter Schools Update at upcoming board meeting
- Irvine International Academy surveys provided

#### COMMITTEE REPORT

- Trustee Gomez – CCBE update

#### BOARD MEMBER COMMENTS

- Trustee Sparks – Hilbert Museum
- Trustee Barke – ISSAC
- Trustee Gomez – CCSA Conference, Acknowledgement of local high schools coming together to support Edison HS loss of students

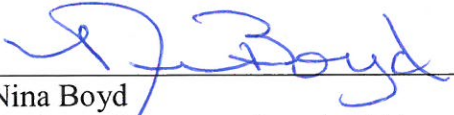
The Board took a break from 7:22 p.m. to 7:40 p.m.

TIME CERTAIN (continue)

3. Budget Study Session- Renee Hendrick, Associate Superintendent, Administrative Services conducted the budget study session.

ADJOURNMENT

On a motion duly made, and seconded, the board meeting of April 6, 2022 adjourned at 8:10 p.m.

  
\_\_\_\_\_  
Nina Boyd  
Assistant Secretary, Board of Education

\_\_\_\_\_  
Mari Barke  
President, Board of Education

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**ORANGE COUNTY BOARD OF EDUCATION**

**BOARD AGENDA ITEM**

DATE: May 4, 2022  
TO: Nina Boyd, Deputy Superintendent  
FROM: Vern Burton, Assistant Superintendent  
SUBJECT: Granting of Diplomas

The students listed on the attached pages have been certified for graduation by the Custodian of Records or their designee for the Division of Alternative Education of the Orange County Department of Education. These students have met the standards of proficiency in the basic skills prescribed by the governing board in accordance with Education Code 51412. It is requested that the Board approve the granting of diplomas to these students.

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**RECOMMENDATION:**

Approve granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.

VB:sl



Pages 11-12 removed (CONFIDENTIAL STUDENT INFORMATION)

May 4, 2022

[X] Mailed [ ] Distributed at meeting



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 4, 2022

TO: Nina Boyd, Deputy Superintendent

FROM: Christine Olmstead, Ed.D., Interim Chief Academic Officer, Associate Superintendent, Educational Services Division

SUBJECT: Acceptance of 3<sup>rd</sup> Quarter Report on Williams Uniform Complaints for the Period of January 1 to March 31, 2022 for Orange County Department of Education Student Programs

California Education Code section 35186(d) requires that school districts and county operated programs report summarized data on the nature and resolution of all Williams Uniform Complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.

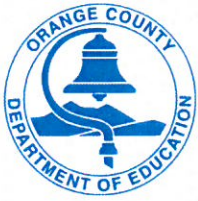
The enclosed report indicates that no complaints were filed for the Orange County Department of Education Student Programs in the Divisions of Alternative Education and Special Education Services for the period of January 1 to March 31, 2022.

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RECOMMENDATION:

Accept the 3<sup>rd</sup> Quarter Report on Williams Uniform Complaints for Orange County Department of Education Student Programs for the period of January 1 to March 31, 2022.

CO:ag



Orange County Department of Education  
Educational Services Division

**Williams Settlement Legislation**  
**Third Quarter Report on Williams Uniform Complaints**  
**January 1 – March 31, 2022**

Education Code section 35186(d) requires that school districts and county operated programs report summarized data on the nature and resolution of all Williams Uniform Complaints on a quarterly basis to the County Superintendent of Schools and their governing board. This report includes the number of complaints filed, if any, by general subject area and identifies the number of resolved and unresolved complaints.

**Division of Alternative Education**

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancies or Misassignments	0		
Facility Conditions	0		
TOTALS	0		

**Division of Special Education Services**

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials	0		
Teacher Vacancies or Misassignments	0		
Facility Conditions	0		
TOTALS	0		

May 4, 2022

[X] Mailed [ ] Distributed at meeting



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 4, 2022

TO: Nina Boyd, Deputy Superintendent

FROM: Dean West, CPA, Associate Superintendent, Business Services

SUBJECT: Orange County Department of Education Investment Policy

In accordance with Government Code Section 53646, government agencies may annually render an investment policy to be considered at a public meeting. This policy is for the investment of funds held by the Orange County Department of Education (the "Department") and also governs the issuance of debt by the Department. The policy is based upon federal, state, and local laws, and prudent money management practices. The only changes from the previous policy are the date of the Board meeting on the cover and the date in Section VIII. The primary goals of this policy are:

- To assure compliance with all federal, state, and local laws governing the investment of monies and the issuance of debt;
- To protect the principal deposits of the Department; and
- To generate investment income within the parameters of this policy.

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RECOMMENDATION:

Adopt the annual updated Orange County Department of Education Investment Policy.

DW: ts

**ORANGE COUNTY**

**DEPARTMENT OF EDUCATION**

**INVESTMENT POLICY**

**MAY 4, 2022**

# **ORANGE COUNTY DEPARTMENT OF EDUCATION**

## **INVESTMENT POLICY**

### **I. PURPOSE:**

To establish a policy for investment of funds held by the Orange County Department of Education (the “Department”). The policy also governs the issuance of debt by the Department. This policy is based upon federal, state, and local laws, and prudent money management practices. To the extent that this policy conflicts with applicable law, the applicable law shall prevail. The primary goals of this policy are:

- To assure compliance with all federal, state and local laws governing the investment of monies and the issuance of debt;
- To protect the principal deposits of the Department; and
- To generate investment income within the parameters of this policy.

### **II. POLICY:**

The Department’s primary investment objective shall be to maintain the safety and liquidity of its funds. Safety of principal is the foremost objective of the Department. The investment factors the Department shall consider, in order of descending importance, are the following:

- Safety of invested funds;
- Sufficient liquidity to meet future cash flow requirements; and
- Attain maximum yield consistent with the aforementioned requirements.

In addition, the Department shall adopt measures as set forth herein to ensure that the issuance of debt by the Department complies with all applicable state and federal laws, including federal and state securities laws.

The County Superintendent of Schools (“County Superintendent”), or his designee, under the direction of the Board of Education, shall have the responsibility for all decisions and activities performed under the Department’s investment policy. The County Superintendent shall have the ability to allocate resources or delegate responsibility as necessary to optimize the safety and liquidity of the investment portfolio and to implement this investment policy.



### **III. LEGAL CONSTRAINTS:**

Pursuant to California Education Code Section 41001, the Department shall deposit all funds received or collected from any source into the Orange County Treasury, to be placed to the credit of the proper fund of the Department, except as otherwise provided herein. Pursuant to California Education Section 41015, the Department may invest all or part of funds deposited in a Special Reserve Fund or any surplus monies not required for the immediate necessities of the Department in any of the investments specified in California Government Code Sections 16430 or 53601. Special Reserve Funds are defined as those funds which the Board of Education has designated for capital outlay or other purposes where an accumulation over a period of fiscal years is desired.

### **IV. AUTHORIZED INVESTMENTS:**

The Department shall make investments in the context of the “Prudent Investor Rule” (Probate Code Section 16045 et seq.), which in substance states that:

Investment shall be made with the judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence, exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The Department shall deposit all funds received or corrected from any source into the Orange County Treasury, except as provided for through the California Education Code. Those funds maintained in a Special Reserve Fund or any surplus funds not required for the immediate necessities of the Department shall be available for investment (“funds available for investment”) under the conditions set forth in the policy.

1. The Orange County Investment Pool(s) established by the Orange County Treasurer for the benefit of local agencies and/or schools. The Department may invest up to one-hundred percent (100%) of its funds available for investment in the Orange County Investment Pool(s).
2. The Local Agency Investment Fund (LAIF) established by the California State Treasurer for the benefit of local agencies. The Department may invest up to the current LAIF limit of seventy-five million dollars (\$75,000,000) of its funds available for investment in the Local Agency Investment Fund.

3. To the extent that the Department directs the investment of its funds to specific securities, those securities shall be limited to the securities identified in California Government Code Section 53601. However, the Department will not, under any circumstances, direct the investment of its funds to reverse repurchase agreements unless such transactions are matched to maturity.

Monies received from the sources, or for the purposes, listed below may be deposited in a bank or other financial institution. Monies so deposited shall be in a fully-insured or collateralized account(s) or instrument(s). Bank accounts maintained outside the County Treasury shall be limited to the following purposes:

- (a) Cash Clearing Account  
Purpose: To deposit accounts receivable checks then write check to County Superintendent once checks have cleared.
- (b) Revolving Cash  
Purpose: Emergency transactions and accounts payable.
- (c) Payroll Revolving Cash  
Purpose: Emergency transactions for payroll.
- (d) County Superintendent of Schools – Golden West Adult Transition Program  
Purpose: This account was created to help with a special education program that is funded from the Medi-Cal Health Collaborative.
- (e) TRANS Proceeds  
Purpose: In the event that Tax Revenue Anticipation Notes (TRANS) are issued, the proceeds would be deposited into this account.

#### **V. COMPLIANCE WITH STATE AND FEDERAL SECURITIES LAWS:**

The Department will take reasonable steps to ensure that any debt offerings issued by the Department comply fully with all applicable state and federal securities laws. In connection with all debt offerings issued by the Department, the Department will retain bond counsel and disclosure counsel to review the offering materials prepared in connections with the debt offering to ensure that disclosures contained in offering materials comply with federal and state securities laws. The Associate Superintendent for Business shall be responsible for reviewing the offering materials regarding the accuracy of information disclosed in such materials.

**VI. DEPOSIT OF PROCEEDS FROM THE ISSUANCE OF DEBT:**

The Department shall not issue debt, for the sole purpose of generating funds for investment. The Department shall limit the issuance of debt for the purposes of meeting short-term cash flow needs to fund capital projects.

When depositing proceeds from the issuance of debt into the County Treasury, the Department shall limit such investments to those authorized investment identified in this policy. Should a trust agreement of a particular debt issued by the Department be more restrictive than the Department's policy on authorized investments, then the trust agreement will take precedence.

**VII. INVESTMENT REVIEW:**

The Associate Superintendent for Business will review monthly reports on investment performance, with the objectives of safety, liquidity and yield.

**VIII. CHANGES TO INVESTMENT POLICY:**

This policy dated May 4, 2022, has been submitted to the Board of Education for review and approval. This policy will be reviewed at least annually to ensure its consistency with the objectives of income, growth and safety, and changes in applicable laws and financial trends. Any proposed amendments to the Investment Policy will require approval by the Board of Education.

**IX. FINANCIAL PROFESSIONAL'S COMPLIANCE WITH INVESTMENT POLICY:**

All outside investment advisors/managers, attorneys and other financial professionals employed or retained by the Department and/or its representatives, including without limitation financial advisors, underwriters, bond counsel, and disclosure counsel, must review this policy and sign a statement of compliance confirming that they have reviewed this investment policy and will fully comply with these policies. A copy of this Statement of Compliance is attached as Exhibit "A."

**EXHIBIT “A”**

**STATEMENT OF COMPLIANCE WITH INVESTMENT POLICIES**

**ADOPTED BY THE ORANGE COUNTY DEPARTMENT OF EDUCATION**

The undersigned has been retained to perform services for the Orange County Department of Education. The undersigned has been provided with a copy of the Orange County Department of Education Investment Policies and has reviewed the Investment Policy thoroughly. In providing services to the Department, the undersigned agrees to comply fully with all of the policies and procedures set forth in the Investment Policies.

Date: \_\_\_\_\_

BY: \_\_\_\_\_

Item: Consent Calendar #8

May 4, 2022

☒ Mailed    ☐ Distributed at meeting

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ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 4, 2022

TO: Nina Boyd, Deputy Superintendent

FROM: Ken L. Williams, D.O., Board Vice President

SUBJECT: Resolution #11-22  
Recognize May 30, 2022 as Memorial Day

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RECOMMENDATION:

Adopt Resolution #11-22 to recognize May 30, 2022 as Memorial Day.

ORANGE COUNTY BOARD OF EDUCATION  
Resolution Honoring MEMORIAL DAY - May 30, 2022

**WHEREAS**, the U.S. Congress, by a Joint Resolution, approved May 11, 1950, as amended (36 U.S.C. 116), requests the President of the United States to issue a proclamation calling on the people of this country to observe each Memorial Day as a day of prayer for permanent peace, and designating a period on that day when the people of the United States may unite in prayer. The Congress, by Public Law 106-579, has designated 3:00 p.m. local time on that day as a time for all Americans to observe, in their own way, the National Moment of Remembrance; and

**WHEREAS**, the California Constitution affirms in Article IX, Section 1, "A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement"; and

**WHEREAS**, school boards, educators, teachers, school administrators and staff play a significant role in the education of our children; and

**WHEREAS**, Memorial Day is a national celebration whereby students, parents, veterans service organizations, and elected officials celebrate with patriotic and memorial ceremonies at monuments, civic centers, parks, schools, and cemeteries in Orange County and throughout this great nation; and

**WHEREAS**, since our Nation's founding, America's sons and daughters have given their lives in service to our country, from Concord and Gettysburg, to Marne and Normandy, from Inchon and Khe Sanh, to Baghdad and Kandahar; and they laid down their lives as the greatest sacrifice for a cause greater than themselves; and

**WHEREAS**, the instruction and inculcation of American history and the knowledge of military veterans fighting for American liberties and freedoms, is an essential component of our American education process because it passes this remembrance and knowledge unto subsequent generations of American children in our schools; and

**WHEREAS**, we honor the service and sacrifice of our disabled veterans, prisoners of war, those Americans missing in action who should never be forgotten. As educators and leaders in education in Orange County we acknowledge the sacrifice and sorrow of parents who lost sons or daughters, spouses, and children due to the war and terrorism; and

**WHEREAS**, citizens and their elected government should encourage educating America's children in our schools about American patriotism and the relevance of Memorial Day by having the opportunity of participating in a symbolic act to respectfully honor the memory and actions of America's heroes, and

**WHEREAS**, on May 30th of this year our students, parents, and citizens will recognize Memorial Day by honoring over one million American men and women who gave their lives in service to our country in defense of our treasurable freedoms.

**NOW, THEREFORE**, be it resolved that the Governing Board of the Orange County Department of Education recognizes May 30th, 2022, as Memorial Day and expresses its support of this moment in the Month of May. We likewise encourage our students to participate in Memorial Day events and learn more of American history.

AYES:

NOES:

ABSENT:

STATE OF CALIFORNIA, COUNTY OF ORANGE

I, **Mari Barke**, President, Board of Education of Orange County, California hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 4th day of May 2022.

**IN WITNESS THEREOF**, I have hereunto set my hand and seal this 4th day of May 2022.

\_\_\_\_\_  
Mari Barke  
President, Orange County Board of Education



Item: Consent Calendar #9

May 4, 2022

☒ Mailed    ☐ Distributed at meeting



ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 4, 2022

TO: Nina Boyd, Deputy Superintendent

FROM: Mari Barke, Board President  
Ken L. Williams, D.O., Board Vice President

SUBJECT: Haight, Brown & Bonesteel LLP – Invoice

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RECOMMENDATION:

Approve invoice #3252499 in the amount of \$20,522.75 for Haight, Brown & Bonesteel LLP.



**Haight Brown & Bonesteel LLP**  
**LAWYERS**

555 South Flower Street  
Forty-Fifth Floor  
Los Angeles, CA 90071

P.O. Box 17939  
Los Angeles, CA 90017-0939

www.hbblaw.com

*Telephone:* 213.542.8000

*Facsimile:* 213.542.8100

*Bill Inquiries:* 213.542.8074  
accountsreceivable@hbblaw.com

*Tax ID:* 95-1605271

Nina Boyd, Associate Superintendent  
ORANGE COUNTY BOARD OF EDUCATION  
200 Kalmus Drive  
Costa Mesa, CA 92626-5922

Invoice No.: 3252499  
Client/Matter: OC18-0000003  
Billing Atty: GREGORY J. ROLEN  
April 6, 2022

**Representing: Orange County Board of Education**

Re: ORANGE COUNTY BOARD OF EDUCATION  
Advice on Board Governance and Budgetary Issues

Total Fees This Invoice	\$18,996.50
Total Costs Advances This Invoice	\$1,526.25
Total Fees and Costs This Invoice	\$ 20,522.75
Balance Carried Forward from Previous Invoice(s)	29,543.63
<b>Total Due Upon Receipt</b>	<b>\$ 50,066.38</b>

BILLS ARE DUE AND PAYABLE UPON RECEIPT  
THIS STATEMENT DOES NOT INCLUDE EXPENSES NOT YET RECEIVED BY THIS OFFICE  
WHICH MIGHT HAVE BEEN INCURRED DURING THE PERIOD COVERED BY THIS BILLING

LOS ANGELES " ORANGE COUNTY " RIVERSIDE " SACRAMENTO " SAN DIEGO " SAN FRANCISCO

**Haight Brown & Bonesteel LLP**

213.542.8000

Invoice No: 3252499

Re: ORANGE COUNTY BOARD OF EDUCATION  
OC18-0000003

Advice on Board Governance and Budgetary Issues

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## PROFESSIONAL SERVICES RENDERED through 03/31/2022

Date	Description	Attorney	Hours
03/01/2022		GJR	0.90
03/01/2022		GJR	0.50
03/01/2022		GJR	1.50
03/02/2022		GJR	4.40
03/02/2022		GJR	0.30
03/02/2022		GJR	0.30
03/02/2022		GJR	6.30
03/04/2022		EAE	0.30
03/07/2022		GJR	0.30
03/07/2022		GJR	1.50
03/07/2022		GJR	0.60
03/07/2022		GJR	0.30
03/07/2022		GJR	0.50
03/08/2022		GJR	0.90
03/09/2022		GJR	0.30
03/10/2022		GJR	0.60
03/10/2022		GJR	0.30

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03/11/2022	GJR	0.50
03/16/2022	GJR	0.50
03/16/2022	GJR	0.80
03/17/2022	GJR	0.40
03/17/2022	GJR	0.90
03/17/2022	GJR	3.20
03/18/2022	CA	1.10
03/18/2022	CA	1.40
03/18/2022	CA	0.20
03/18/2022	CA	0.20
03/18/2022	CA	1.40
03/18/2022	CA	0.40
03/21/2022	GJR	8.10

**Haight Brown & Bonesteel LLP**

213.542.8000

Invoice No: 3252499

Re: ORANGE COUNTY BOARD OF EDUCATION  
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Advice on Board Governance and Budgetary Issues

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03/22/2022	GJR	0.90
03/25/2022	GJR	2.10
03/29/2022	GJR	0.30
03/29/2022	GJR	0.60
03/29/2022	GJR	0.90
03/30/2022	GJR	6.90
03/30/2022	GJR	0.30
03/30/2022	o EAE	1.30
03/30/2022	EAE	0.60
03/31/2022	GJR	0.90
03/31/2022	GJR	1.90
03/31/2022	GJR	0.90

Total Hours 56.50

Total Fees This Invoice \$18,996.50

**Haight Brown & Bonesteel LLP**

213.542.8000

Invoice No: 3252499

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OC18-0000003

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<b>Timekeeper</b>	<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
GREGORY J. ROLEN	49.60	\$355.00	17,608.00
ELIZABETH A. EVANS	2.20	\$300.00	660.00
CHRISTINA ALLEN	4.70	\$155.00	728.50
	<u>56.50</u>		<u>18,996.50</u>



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**Mileage**

03/02/2022	32.76
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<b>Total for Mileage</b>	<b>32.76</b>
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**Online Research**

03/18/2022	51.84
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03/30/2022	31.13
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<b>Total for Online Research</b>	<b>82.97</b>
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**Out-of-Town Travel**

02/28/2022	363.96
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02/28/2022	416.89
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02/28/2022	72.00
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03/09/2022	241.98
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03/09/2022	222.69
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03/09/2022	72.00
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<b>Total for Out-of-Town Travel</b>	<b>1,389.52</b>
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**Meals**

02/28/2022	21.00
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<b>Total for Meals</b>	<b>21.00</b>
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Total Costs Advanced This Invoice

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\$1,526.25

Total Fees and Costs This Invoice

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\$20,522.75

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**Haight Brown & Bonesteel LLP**

**LAWYERS**

555 South Flower Street  
Forty-Fifth Floor  
Los Angeles, CA 90071

P.O. Box 17939  
Los Angeles, CA 90017-0939

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*Telephone:* 213.542.8000

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accountsreceivable@hbblaw.com

*Tax ID:* 95-1605271

Nina Boyd, Associate Superintendent  
ORANGE COUNTY BOARD OF EDUCATION  
200 Kalmus Drive  
Costa Mesa, CA 92626-5922

**Remit To:**

Haight Brown & Bonesteel LLP  
P.O. Box 17939  
Los Angeles, CA 90017-0939  
Attn, Accounts Receivable

Invoice No.: 3252499  
Client/Matter: OC18-0000003  
Billing Atty: GREGORY J. ROLEN  
April 6, 2022

**PROFESSIONAL SERVICES RENDERED through March 31, 2022**

Total Fees This Invoice	\$ 18,996.50
Total Costs Advanced This Invoice	\$ 1,526.25
Total Fees and Costs This Invoice	\$ <u>20,522.75</u>
Balance Forward	\$ 29,543.63
<b>Total Due Upon Receipt</b>	<b>\$ <u><u>50,066.38</u></u></b>

**PLEASE RETURN THIS PAGE WITH YOUR REMITTANCE**

LOS ANGELES " ORANGE COUNTY " RIVERSIDE " SACRAMENTO " SAN DIEGO " SAN FRANCISCO

4DB

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 4, 2022  
TO: Nina Boyd, Deputy Superintendent  
FROM: Ken L. Williams, D.O., Board Vice President  
SUBJECT: Resolution #12-22  
Celebrating the 30th Anniversary of California Charter Schools

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RECOMMENDATION:

Adopt Resolution #12-22: Celebrating the 30th Anniversary of California Charter Schools.



**ORANGE COUNTY BOARD OF EDUCATION  
CELEBRATING THE 30<sup>TH</sup> ANNIVERSARY OF CALIFORNIA CHARTER SCHOOLS**

**WHEREAS**, charter schools were established 30 years ago with the passage of the Charter Schools Act in California;

**WHEREAS**, the law was designed to “provide opportunities for teachers, parents, pupils and community members to establish and maintain schools that operate independently from existing school district structure” to “improve pupil learning”; “increase learning opportunities for all pupils, with special emphasis on expanded learning experiences for pupils who are identified as academically low achieving”; “encourage the use of different and innovative teaching methods”; “create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site”; “provide parents and pupils with expanded choices in the types of educational opportunities that are available within the public school system”;

**WHEREAS**, the Charter Schools Act stated the legislatures intent that charter schools are and should become an integral part of the California educational system and that the establishment of charter schools should be encouraged;

**WHEREAS**, the charter public school community across California celebrates National Charters Schools Week, May 8 -14, 2022;

**WHEREAS**, all students are welcome to attend a charter public school regardless of academic performance, disability, religion, income level, race, sexual orientation or zip code;

**WHEREAS**, charters schools are community schools created by educators and/or parents who have the flexibility to design instructional models that put students first and deliver a high-quality education;

**WHEREAS**, all charter schools in California are not for profit, free, public, and open to all;

**WHEREAS**, in the 2020-21 academic year charter public school student population consists of: 57% low income, 52% Latinx, 27% White, 14% English Learners, 10% Students with disabilities, 7% Black students;

**WHEREAS**, nearly 700,000 students annually attend charter schools in the state of California at over 1,300 charter public schools;

**WHEREAS**, Seventy eight percent of Californians believe that parents should have the right to choose a charter school if they think it is better for their child;

**WHEREAS**, according to California Department of Education 2020-21 enrollment data, Orange County Charter Schools serve 20,861 students at 35 diverse charter public schools options;

**NOW THEREFORE BE IT RESOLVED**, that the Orange County Board of Education recognizes and celebrates the 30 years of reimagining public education that charter schools have brought to millions of California and Orange County students;

**AND FURTHER BE IT RESOLVED**, that the Orange County Board of Education will continue to support Orange County Charter Schools and take policy actions to provide fair, equitable and transparent authorization consistent with California law to provide high quality instructional options for all public school students.

**APPROVED AND ADOPTED** this 4th day of May 2022 at a regular meeting of the Orange County Board of Education.

UB

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: May 4, 2022

TO: Nina Boyd, Deputy Superintendent

FROM: Ken L. Williams, D.O., Board Vice President

SUBJECT: Revised Board Policy 300-02

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RECOMMENDATION:

Adopt the revised board policy 300-02.



300-2

**Interdistrict Attendance Appeal Hearings**

The person having legal custody of a pupil may file a formal appeal to the Orange County Board of Education after the failure or refusal of the governing board of either school district to issue a permit, or to enter into an agreement allowing the attendance.

The Orange County Board of Education shall, after the formal appeal is filed, determine whether the pupil should be permitted to attend in the district in which the pupil desires to attend and the applicable period of time.

The Orange County Superintendent of Schools or the Orange County Superintendent of Schools' designee shall establish procedures and timelines that will meet the Education Code requirements regarding interdistrict attendance appeal hearings.

The Orange County Board of Education will consider a number of issues in the best interests of the child when hearing an interdistrict appeal, including, but not limited to, the following:

1. The transportation needs of the family;
2. The child care needs of the family;
3. Other siblings in the family. For example, when the student has a sibling or other member of the household attending school in the receiving district, to avoid splitting the family or household's attendance;
4. The continuity of the child's current educational program (e.g., completion of elementary school, middle school or high school). For example, to allow the student to complete a school year when his or her parents or guardians have moved out of the district during the year;
5. Whether the specialized academic classes, programs or other educational opportunities offered by the school district of residence are demonstrably equivalent (e.g. during class hours and not after school, similar course offerings, similar number of courses) to the specialized academic classes, programs, or other educational opportunities offered by the school district requested (e.g. Magnet programs, technology, or Science, Technology, Engineering and Mathematics (STEM) or Science, Technology, Engineering, Arts and Mathematics (STEAM) programs, music or art programs);
6. The parent's place of employment;
7. Other relevant issues that impact the child's attendance at school.

Reference: Education Code Section 46601

Adopted: 06/18/1996

Revised: 08/16/2017

### **Interdistrict Attendance Appeal Hearings**

The Orange County Board of Education is committed to The parental rights and parental choice. The Orange County Board of Education is also sensitive to the rights, responsibilities and issues of local school districts.

The ~~parent and/or~~ person having legal custody of a pupil may file a formal appeal to the Orange County Board of Education after the failure or refusal of the governing board of either school district to issue a permit, or to enter into an agreement allowing the attendance.

The Orange County Board of Education shall, after the formal appeal is filed, determine whether the pupil should be permitted to attend in the district in which the pupil desires to attend and the applicable period of time.

The Orange County Superintendent of Schools or the Orange County Superintendent of Schools' designee shall establish procedures and timelines that will meet the Education Code requirements regarding inter-district attendance appeal hearings.

The Orange County Board of Education will consider a number of issues in the best interests of the pupil in family child when hearing an inter-district appeal, including, but not limited to, the following:

1. The transportation needs of the family;
2. The child-care needs of the family;
3. Other siblings in the family. For example, when the student pupil has a sibling or other member of the household attending school in the receiving district, to avoid splitting the family or household's attendance;
4. The continuity of the child's current educational program (e.g., completion of elementary school, middle school or high school). For example, to allow the student pupil to complete a school year when his or her parents or guardians have moved out of the district during the year;
- ~~5. Whether the specialized academic classes, programs or other educational opportunities offered by the school district of residence are demonstrably equivalent~~



~~(e.g. during class hours and not after school, similar course offerings, similar number of courses) to the specialized academic classes, programs, or other educational opportunities offered by the school district requested (e.g. Magnet programs, Technology, or Science, Technology, Engineering and Mathematics (STEM) or Science, Technology, Engineering, Arts and Mathematics (STEAM) programs, music or art Programs);~~

56. The parent's place of employment;

~~7. Other relevant issues that impact the child's attendance at school.~~

67. —The pupil's psychological or physical well-being. A problem with the pupil's psychological or physical well-being may be supported by the written statement of a qualified professional.

78. —A substantial danger to the pupil's health or safety. Specifically, harmful or dangerous circumstances or health issues that exist in the current attendance area which will be substantially mitigated by attendance in another district.— The danger to the pupil's health or safety may be supported by a written statement of a qualified health expert, police report, school record, or other documentation.

83. —A specialized and specific academic program or service, unavailable in the district of residence but necessary to the pupil's career or academic objectives. Such a program or service must be related to the pupil's —career objectives or academic advancement and not based solely on the pupil's interests or desires, or on extracurricular activities or athletics. This criterion does not apply to elementary education programs.

49. —Hardship resulting from a lack of available or appropriate afterschool options for the pupil in the district of residence. The parent or legal guardian must demonstrate attempts to find appropriate childcare in the district of residence and must describe these attempts in the written materials provided when the appeal is filed.

105. —A severe and demonstrated hardship to parents/guardians which can affect a pupil's success in school. The parent/guardian must specify and describe the type of hardship in writing: "hardship" shall be understood to exclude inconvenience to the parents or matters of preference.

611. —The pupil's desire to remain in his/her school or current attendance for the balance of the semester of the school year. The pupil's desire may be based on his/her anticipated promotion from the school or current attendance at the end of the semester or school year or on a need for education not continuity for the remainder of the semester or school year.

712. —The pupil's and/or parent/guardian's plan to move in the near future and desire to begin the semester or school year in his or her new school district. The pupil



and his/her parent/guardian may offer written proof of their plan to move into the district of proposed attendance; such written proof may be a rental agreement, a contract to purchase new property, or similar document.

138. –When recommended by the school attendance review Board, County child welfare, probation or social services agency staff in document cases of serious home or community problems which make it inadvisable for the pupil to attend the school of residence.

914. –The financial impact of educating the pupil (district of proposed attendance) or losing the pupil (district of residence). In either case, impacted district(s) must demonstrate in writing that the pupil's transfer would place a unique hardship on the district's resident pupils in terms of reduced services or other acceptable outcomes.

150. –The pupil's demonstrated failure to meet reasonable standards relating to behavior, attendance or diligence to studies. The demonstration of such failure must be based on a written explanation of the district's previous experience with the pupil under an interdistrict transfer agreement or other documented evidence.

164. –Lack of space for the pupil in the receiving district. The district of proposed transfer must demonstrate in writing that the pupil's transfer would result in an undue hardship to the district's resident pupils in terms of overcrowding and/or would be a violation of a collective bargaining agreement regarding class-size and goals. The District must demonstrate that the undue hardship outweighs the hardship to the pupil.

172. –Other exceptional or extraordinary circumstances which could weigh heavily in favor of the appellant ~~upon~~ pupil or the affected school district. The parent/guardian or school district must specify and describe the type of exceptional or extraordinary circumstance and its effect on the appellant pupil or the resident pupils of the district.

Reference: Education Code Section 46601

Adopted: 06/18/1996

Revised: ~~08/16/2017~~ May 4, 2022