

MINUTES
Regular Meeting
August 2, 2023

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 Shaw at 3:32 p.m., August 2, 2023 in the Board Room, 200 Kalmus Drive, Costa Mesa, California and via YouTube live stream at <https://www.youtube.com/live/6tDlokX>.

ROLL CALL

Present:
Mari Barke
Ken L. Williams, D.O.
Tim Shaw
Lisa Sparks, Ph.D.
Jorge Valdes, Esq.

AGENDA

Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve the agenda of the Regular meeting of August 2, 2023.

MINUTES

Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve the minutes of the Regular meetings of June 21, 2023 and July 5, 2023.

PUBLIC COMMENTS (related to Closed Session) - None

The Board took a recess from 3:33 p.m. to 5:00 p.m. to go into closed session to conduct Inter-District appeal hearings, followed by Closed Sessions 1-5.

TIME CERTAIN

1. Inter-district Appeal Hearing (closed) – Student # 08022023001I– Capistrano Unified School District to Tustin Unified School District.

Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve the appeal and allow the student to attend the Tustin Unified School District for the period of one academic year (2023-2024).

Terrance Dunn, Coordinator, Educational Services facilitated the hearing.

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)

CLOSED SESSION 5 CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Potential litigation pursuant to (d) (4) of Government Code Section 54956.9

Trustee Sparks could not participate in Closed Sessions 1-5 due to technical difficulties.

INVOCATION Sarah Bach

PLEDGE OF ALLEGIANCE Patty Cabada

Report Out Mr. Rolen reported that the Board heard from board counsel on Closed Session items #1, #2, #3, and #4; no action was taken.

INTRODUCTIONS Sonia Llamas, Ed.D., Associate Superintendent of Educational Services

PUBLIC COMMENTS

- My
- Priscilla
- Alexandra
- Melissa
- Audrey
- Brianna
- Lorenzo
- Dimetrius
- Minji
- Stephanie
- David
- Rudi
- Ivy
- Lucy
- Beatriz
- Billie Joe

The Board recessed the Regular Board Meeting to conduct a Meeting of the Orange County Department of Education Facilities Corporation from 5:47 p.m. to 5:53 p.m.

CONSENT CALENDAR

Motion by Williams, seconded by Barke, and carried by a vote of 5-0 to approve Consent Calendar items #2, #3, and #4.

2. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
3. Accept the 4th Quarter Report on Williams Uniform Complaints for Orange County Department of Education Student Programs for the period of April 1 to June 30, 2023.
4. Approve invoice #3264972 in the amount of \$57,765.68 for Haight, Brown & Bonesteel LLP.

CHARTER SCHOOLS

5. Charter submissions – None
6. Charter School Public Hearing – Sycamore Creek Community Charter II – Aracely Chastain, Director, Charter Schools, facilitated the public hearing.
 - PowerPoint Presentation by Dr. Sarah Bach, Executive Director, Sycamore Creek Community Charter II

PUBLIC COMMENTS (item #6 Only)

- Alisha
 - Janelle
 - Javier
 - Maria
 - Steve
 - Tracy
 - Liane
 - Stephen
7. Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve option I for Sycamore Creek Community Charter School II.

The Board took a recess from 7:11 p.m. to 7:20 p.m.

TIME CERTAIN

8. **Public Hearing** – Textbooks and Instructional Materials, Ramon Miramontes, Ed.D., Deputy Superintendent, Instructional Programs facilitated the public hearing.

The hearing was opened at 7:21 p.m. and closed at 7:26 p.m. for public comments.

PUBLIC COMMENTS (item #8 Only)

- Betty

9. Motion by Barke, seconded by Shaw, and carried by a vote of 5-0 to adopt Resolution #11-23 stating that each pupil of the county office has available textbooks and instructional.

BOARD RECOMMENDATIONS

10. Motion by Williams, seconded by Barke, and carried by a vote of 5-0 to approve the Fentanyl Resolution.

PUBLIC COMMENTS (item #11 Only)

- Ms. Martinez
- Patty
- Bea
- Monica

Video presentation by Trustee Williams on item #11.

BOARD RECOMMENDATIONS (continue)

11. Motion by Williams, seconded by Shaw, and carried by a vote of 5-0 to approve a Resolution on AB 1078: Curricula and Education Materials.

PUBLIC COMMENTS (item #12 Only)

- Nancy

Comments

Board legal counsel Mr. Greg Rolan commented on item #12.

Statement from Superintendent Dr. Mijares read by Deputy Superintendent Nina Boyd.

12. Motion by Barke, seconded by Sparks, and carried by a vote of 5-0 to approve a Resolution Authorizing Filing of 4020 Petition.
13. Motion by Shaw, seconded by Williams to approve a Media Services Resolution.

Subsidiary motion by Shaw, seconded by Barke, and carried by a vote of 5-0 to approve the Media Services Resolution with two amendments to the language on page 2 in the last paragraph and on number 9 on page 4. Mr. Rolen will provide the amended language and revise the resolution accordingly.

STAFF RECOMMENDATIONS

14. Motion by Barke, seconded by Sparks, and carried by a vote of 4-0-1 (Barke, Sparks, Williams, and Shaw voted Yes; Valdes Abstained) to approve the waiver and release agreement from the Alliance of Schools for Cooperative Insurance Programs (ASCIP).

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

- OCBE & OCDE Web Site Revisions and Community Outreach - Valdes

ANNOUNCEMENTS

Deputy Superintendent

- Next Board meeting will be on September 6, 2023; submission deadline is August 23rd; Board packet delivery is on September 1st.
- Special Board Meeting on September 20th.
- Board Cabinets in board chambers.

COMMITTEE REPORT

- Add Charter Schools Forum link to Board's webpage

BOARD MEMBER COMMENTS

- Trustee Valdes – Public Comments
- Trustee Shaw – Meeting with LGBTQ Community

ADJOURNMENT

On a motion duly made, and seconded, the board meeting of August 2, 2023 adjourned at 9:01 p.m.



Nina Boyd
Assistant Secretary, Board of Education

Tim Shaw
President, Board of Education

Next Regular Board Meeting: Wednesday, September 6, 2023 at 5:00 p.m. All meetings 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.