

REGULAR MEETING
November 6, 2024
4:00 p.m.

[X] Mailed [] Distributed at meeting

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=NVG2G69CHDs> , and an alternate location at Boston Marriott Long Wharf, 296 State Street, Boston, MA 02109.

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 November 6, 2024 – Adoption

(*) MINUTES

Regular Meeting of October 9, 2024 – Approval

PUBLIC COMMENTS (related to Closed Session)

CLOSED SESSION 1

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 2

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION-Chino Valley Unified School District, and Orange County Board Of Education, et. al., v. Gavin Newsom, Governor of State of California, Attorney General Robert Bonta, and State Superintendent of Public Instruction, Tony Thurman. Case No 2:24-cv-01941-DJC-JDP in the United States District Court for the Eastern District of California, Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 3

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

INVOCATION

5:00 p.m.

Rabbi Rick Steinberg

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

PUBLIC COMMENTS

TIME CERTAIN

- | | | |
|-----------|----|--|
| 5:10 p.m. | 1. | <u>Presentation</u> - Student-to-Student Education Program |
| 5:20 p.m. | 2. | Presentation of Certificate of Recognition to the Jewish Federation of Orange County, Student-to-Student Curriculum. |

CONSENT CALENDAR

- | | | |
|-----|----|--|
| (*) | 3. | Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division. |
| (*) | 4. | Accept the 1st Quarter Report on Williams Uniform Complaints for Orange County Department of Education Educational Programs for the period of July 1 to September 30, 2024. |
| (*) | 5. | Approve Trustee Tim Shaw's participation in the Leadership Decision Making professional development online program and tuition payment of \$6,400, in accordance with board policy 100-23. |

CHARTER SCHOOLS

- | | |
|----|---------------------|
| 6. | Charter submissions |
|----|---------------------|

STAFF RECOMMENDATIONS

- | | | |
|-----|----|--|
| (*) | 7. | Board action on Notice of Violation – Unity Middle College High School |
|-----|----|--|

BOARD RECOMMENDATIONS

- | | | |
|-----|----|--|
| (*) | 8. | Board action on Resolution #23-24, Supporting H.R. 9853: The Equitable Access to School Facilities Act. (Shaw) |
| (*) | 9. | Board Discussion - Revised Board Policy 300-2. (Valdes) |

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

ANNOUNCEMENTS

- Superintendent
- Deputy Superintendent

LEGISLATIVE UPDATES

COMMITTEE REPORT

BOARD MEMBER COMMENTS

CLOSED SESSION(S) PUBLIC REPORT OUT


LOCATION INFORMATION

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

Alternate Location: Trustee Tim Shaw will participate from the alternate location.

Boston Marriott Long Wharf
296 State Street
Boston, MA 02109

ADJOURNMENT


Renee Hendrick
Assistant Secretary, Board of Education

The next Regular Board Meeting will be on Wednesday, December 4, 2024 at 5:00 p.m. The meeting will be held onsite at 200 Kalmus Drive, Costa Mesa, CA 92626 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
October 9, 2024

[X] Mailed [] Distributed at meeting

CA

ORANGE COUNTY BOARD OF EDUCATION
MINUTES

WELCOME

Board President Williams announced Trustee Tim Shaw and Trustee Lisa Sparks will be joining the meeting via zoom, so there will be roll call votes on all action items.

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order by President Williams at 3:15 p.m., October 9, 2024, in the Board Room, 200 Kalmus Drive, Costa Mesa, CA 92626, via YouTube live stream <https://www.youtube.com/live/nGpAzy2x1ns>, and two alternate locations at Park Hyatt Vienna, Amhoff 2, Vienna Austria 1010 and The Seabird Ocean Resort & Spa, 101 Mission Ave, Oceanside, CA 92054.

ROLL CALL

Present:

Jorge Valdes, Esq.

Mari Barke

Ken L. Williams, D.O.

Lisa Sparks, Ph.D. (joined via Zoom)

Absent:

Tim Shaw (arrived later during closed session)

AGENDA

Motion by Barke, seconded by Valdes and carried by a roll call vote of 4-0 (Shaw Absent) to approve the agenda of the Regular meeting on October 9, 2024.

MINUTES

Motion by Barke, seconded by Valdes and carried by a roll call vote of 4-0 (Shaw Absent) to approve the minutes of the Regular meeting of September 4, 2024.

PUBLIC COMMENTS (related to Closed Session) - None

The Board took a recess from 3:17 p.m. to 5:20 p.m. to go into closed session to conduct interdistrict appeal hearings, followed by closed session items 1-3.

TIME CERTAIN

1. Inter-district Appeal Hearing (Closed) – Student #10092024001I, Huntington Beach Union High School District to Newport Mesa Unified School District.

Motion by Barke, seconded by Valdes and carried by a roll call vote of 4-0 (Shaw Absent) to approve the appeal and allow the student to attend the Newport-Mesa Unified School District for the period of one academic year (2024-2025).

Andrea Foster, Administrator of Integrated Student Supports, facilitated the hearing.

During closed session, the Board took a recess from 3:35 p.m. to 3:37 p.m.

2. Inter-district Appeal Hearing (Closed) – Student #10092024002I, Santa Ana Unified School District to Newport-Mesa Unified School District.

Motion by Williams, seconded by Barke and carried by a roll call vote of 4-0 (Shaw Absent) to approve the appeal and allow the student to attend the Newport-Mesa Unified School District for the period of one academic year (2024-2025).

Andrea Foster, Administrator of Integrated Student Supports, facilitated the hearing.

During closed session, the Board took a recess from 3:49 p.m. to 3:52 p.m.

3. Inter-district Appeal Hearing (Closed) – Student #10092024003I, Fullerton School District to Brea Olinda Unified School District.

Motion by Williams, seconded by Valdes and carried by a roll call vote of 4-0 (Shaw Absent) to deny the appeal and uphold the decision of the Brea Olinda Unified School District.

Andrea Foster, Administrator of Integrated Student Supports, facilitated the hearing.

CLOSED SESSION 1

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 2

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION-Chino Valley Unified School District, and Orange County Board Of Education, et. al., v. Gavin Newsom, Governor of State of California, Attorney General Robert Bonta, and State Superintendent of Public Instruction, Tony Thurman. Case No 2:24-cv-01941-DJC-JDP in the United States District Court for the Eastern District of California, Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 3

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

INVOCATION

Nelson Cook
Coaches of Influence

PLEDGE OF ALLEGIANCE

Trustee Jorge Valdes, Esq.

INTRODUCTIONS

None

PUBLIC COMMENTS

- Heidi
- Cyndie
- Judy

TIME CERTAIN

4. Update Behavioral Health Screening - Heads Up Checkup, Dr. Martin Eaton
5. Motion by Barke, seconded by Valdes and carried by a roll call vote of 5-0 to approve Resolution #22-24 USA250-OC, to Commemorate and Celebrate the 250th Anniversary of the Declaration of Independence and the birth of the United States.
 - Presentation of a Certificate of Recognition to Jo Ellen Chatham
6. Presentation – Overview of Arts and Music Program in ACCESS and Connections facilitated by Analee Kredel, Associate Superintendent, Student Programs.
 - Angel, ACCESS Student Speaker

CONSENT CALENDAR

Motion by Barke, seconded by Valdes and carried by a roll call vote of 5-0 to approve Consent Calendar items #7 and #8.

7. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
8. Approve invoice #3278817 in the amount of \$37,246.48 for Haight, Brown & Bonesteel LLP.

CHARTER SCHOOLS

9. Charter submissions – None
10. Charter School Public Hearing – Orange Springs Charter School countywide charter petition
Teresa Johnson, Administrator, Charter Schools Unit, facilitated the public hearing.
 - Dr. Kathleen Hermsmeyer
11. Motion by Barke, seconded by Valdes, and carried by a roll call vote of 5-0 to approve Option I, charter petition for Orange Springs Charter School.

STAFF RECOMMENDATIONS

12. Motion by Barke, seconded by Valdes and carried by a roll call vote of 5-0 to approve an increase to the Superintendent's salary to include Cost of Living adjustment.

BOARD RECOMMENDATIONS

13. Motion by Williams, seconded by Valdes and carried by a roll call vote of 5-0 to approve board travel to Washington D.C. to meet with lobbyists and federal government officials.
14. Motion by Wiliams, seconded by Barke, and carried by a roll call vote of 5-0 to approve the SB 907 Press Release.

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

- Salary Increases over \$10,000 in accordance with Education Code 1302 and board policy 100-10 (See Exhibit A)
- Boardroom Modernization

ANNOUNCEMENTS

Superintendent

- 100 Day Plan
 - Data Gathering and Engagement
 - Educational Partner Survey Results
 - 5 – 3 – 1 Strategic Plan Preview
 - 5 Key Initiatives – Fostering EQ, enhancing CTE with inclusion focus, integrating AI in education, ensuring school safety, and funding innovation.
 - 3 Support Objectives – Legal/Legislative/Fiscal support, academic focus, and attention to superintendent needs are prioritized.
 - 1 Big Audacious Goal – Improving ACCESS, including vision and ethnic studies curriculum development.
 - OCDE Org Chart

Deputy Superintendent

- Next board meeting is on Wednesday, November 6; submission deadline is October 23; packet delivery on November 1
- Charter school update – Unity Notice of Concern

BOARD MEMBER COMMENTS

- Trustee Shaw – Legislative bill by Michelle Steel

CLOSED SESSION(S) PUBLIC REPORT OUT

Mr. Brenner reported for Closed Sessions 2 and 3, the Board had discussions with legal counsel, no action was taken. For Closed Session 1, the Board had a discussion with board legal counsel (General Counsel Greg Rolen and Superintendent Dr. Bean recused), no action was taken other than the approval of Epstein, Becker, and Green invoices 1174122 and 1174123.

ADJOURNMENT

On a motion duly made and seconded, the October 9, 2024, board meeting adjourned at 7:09 p.m.



Renee Hendrick
Assistant Secretary, Board of Education

Ken L. Williams, D.O.
President, Board of Education

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ORANGE COUNTY BOARD OF ED

BOARD AGENDA ITEM

254

DATE: 11/06/2024
TO: Renee Hendrick, Deputy Superintendent
FROM: Analee Kredel, Associate Superintendent, Educational Programs
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 and the Division of Special Education Services 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.

RECOMMENDATION:

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

AK:rc

Page 10 removed (CONFIDENTIAL STUDENT INFORMATION)

EW

ORANGE COUNTY BOARD C. _____

BOARD AGENDA ITEM

DATE: November 6, 2024
TO: Renee Hendrick, Deputy Superintendent of Operations
FROM: Sonia R. Llamas, Ed.D., Chief Academic Officer
SUBJECT: Acceptance of 1st Quarter Report on Williams Uniform Complaints for the Orange County Department of Education Educational Programs Division

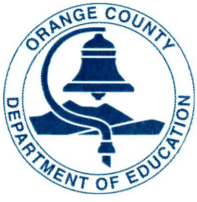
California Education Code section 35186(d) requires that school districts and county operated programs report summarized data on the nature and resolution of all Williams Uniform Complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district.

The enclosed report indicates that no complaints were filed for ACCESS or Connections schools during the period of July 1 to September 30, 2024.

RECOMMENDATION:

Accept the 1st Quarter Report on Williams Uniform Complaints for Orange County Department of Education Educational Programs for the period of July 1 to September 30, 2024.

SL:ag



Orange County Department of Education
Educational Services Division

Williams Settlement Legislation
First Quarter Report on Williams Uniform Complaints
July 1 – September 30, 2024

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.

Orange County Department of Education – Educational Programs Division

ACCESS Schools

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

Connections Schools

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

RK

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: November 6, 2024
TO: Renee Hendrick, Deputy Superintendent
FROM: Tim Shaw, Trustee Area 4
SUBJECT: Professional Development – Leadership Decision Making

OVERVIEW:

Leadership Decision Making is tailored for senior-level executives from the public, nonprofit, and corporate sectors. The curriculum integrates theories and evidence from psychology, behavioral economics, and neuroscience. Participants will engage in live lectures, asynchronous materials, and group work, gaining insights from renowned Harvard faculty and experts. New sessions include topics on Artificial Intelligence (AI) and its impact on organizational decision processes, blending theoretical foundations with practical applications.

The curriculum focuses on key areas that drive organizational performance, including:

- Reducing decision biases in your organization
- Communicating risk accurately and effectively
- Increasing prediction accuracy, especially for low-probability, potentially catastrophic events
- Understanding the role of emotion in judgment and decision making
- Designing smart accountability systems for judgment and decision making
- Leading positive change
- Harnessing the power of experiments to catalyze organizational learning

RECOMMENDATION:

Approve Trustee Tim Shaw's participation in the Leadership Decision Making professional development online program and tuition payment of \$6,400, in accordance with board policy 100-23.

ORANGE COUNTY DEPARTMENT OF EDUCATION

Costa Mesa, California

BOARD POLICY

100-23

County Board Of Education Professional Development

The Orange County Board of Education finds that professional development programs and/or continuing education of county board members should focus to enhance county board members' knowledge and effectiveness in the areas of:

1. Governance and boardsmanship;
2. Board ethics;
3. State and federal legislation, and case law that affect the operation of County boards and local school districts;
4. New educational reform initiatives and research-based instructional strategies that enhance student achievement.

Approval

The Board collectively and/or Board members individually have the opportunity to seek and identify Professional development opportunities as set forth in Resolution #21-22. The Board member(s) shall present the Professional Development opportunity to the Board President. Should the Board President deem the Professional Development opportunity appropriate pursuant to Resolution # 21-22, the Board President may consult with Orange County Department of Education staff ("staff") regarding the propriety of the request. If the Board President and/or staff deem the request appropriate the request shall be tentatively approved.

Distribution

The Professional Development budget is intended to give the Board discretion, latitude and flexibility in seeking professional development opportunities. The Professional Development budget can, but need not, be distributed equally among Board members. The Board recognizes that each Board member may have differing priorities, experience, and/or personal circumstances which may impact their Professional Development participation.

Request and Reimbursement

Tentative approval shall constitute advanced approval allowing staff to access the Professional Development budget. In the event there is insufficient advanced notice Board member(s) may bear the cost of the Professional Development opportunity and subsequently seek reimbursement.

Ratification and Reporting

Professional Development ratification items shall be on the consent agenda, unless removed from the consent agenda by a Board member. Upon the request by two (2) or more Board members the Board Member(s) participating in the Professional Development shall publicly report on how and why the expenditure enhanced the Board member(s)' knowledge and effectiveness in the area set forth in Resolution #21-22.

Adopted: 12/14/2022

**RESOLUTION OF THE BOARD OF EDUCATION
ORANGE COUNTY, CALIFORNIA**

Resolution Establishing an Orange County Board of Education Professional Development
Program and/or Board Continuing Education Fund

OCTOBER 5, 2022

WHEREAS, the Orange County Board of Education is a service agency committed to supporting Orange County school districts and students; and

WHEREAS, the goal of the Orange County Board of Education is to ensure all students' success through extraordinary service, governance and boardsmanship; and

WHEREAS, the Orange County Board of Education values community input and is uniquely situated to identify emerging educational needs and inform the public on sound educational programs; and

WHEREAS, within the established statutory authority and responsibilities, the Orange County Board of Education's leadership role is expressed in the identification and modeling of appropriate methods, technologies, and practices; and

WHEREAS, the Orange County Board of Education recognizes and affirms that effective County boards ensure high academic standards, transparency, accountability and compliance; and

WHEREAS, the Orange County Board of Education has the statutory authority to adopt, evaluate and update policies consistent with California law and the Orange County Board of Education's vision and goals;¹ and

WHEREAS, the Orange County Board of Education has broad authority to carry out activities that are not in conflict with, inconsistent with, or preempted by law and which is not conflict with the purpose for which the County Board established;² and

WHEREAS, California Education Code section 1042 provides: "County Boards of Education may do the following: (a) adopt rules and regulations governing the administration of the office of the County Superintendent of Schools; and

WHEREAS, California Education Code section 1621(c) provides that the annual budget, "may contain a fund balance designated for any specific purpose as determined by the County

¹ Education Code §1040 provides: "County boards of education shall: "County boards of education shall (a) Adopt rules and regulations not inconsistent with the laws of the state, for their own government."

² See Education Code §35160, 35160.1, 35160.2, 35161.

Board of Education. Those funds shall be available for appropriation by majority vote of the County Board of Education"; and

WHEREAS, the Orange County Board of Education finds that professional development programs and/or continuing education of county board members is integral for the Orange County Board of Education to successfully fulfill its mission, goals, and responsibilities;

WHEREAS, the Orange County Board of Education finds that professional development programs and/or continuing education of county board members is an investment in, and contributes to student success; and

WHEREAS, the Orange County Board of Education finds that the dedication of resources to professional development programs and/or continuing education of county board members is necessary for the effectiveness of individual Board members, and the collective board;

WHEREAS, the Orange County Board of Education finds that professional development programs and/or continuing education of county board members should focus to enhance county board members' knowledge and effectiveness in the areas of:

1. Governance and boardsmanship;
2. Board ethics;
3. State and federal legislation, and case law that affect the operation of County boards and local school districts; and
4. New educational reform initiatives and research-based instructional strategies that enhance student achievement.

WHEREAS, the Orange County Board of Education is committed to planning and programming its own professional development programs and/or continuing education for continued improvement.

THEREFORE, THE ORANGE COUNTY BOARD OF EDUCATION HEREBY RESOLVES AS FOLLOWS:

1. Pursuant to Education Code section 1621(c), the Orange County Board of Education shall establish a professional development program and/or county board continuing education fund.
2. Passage of this resolution by majority vote shall constitute the majority vote required to make funds available for the specific purpose of establishing a professional development program and/or county board continuing education fund.



REQUEST BROCHURE ([HTTPS://WWW.HKS.HARVARD.EDU/EDUCATIONAL-PROGRAMS/EXECUTIVE-EDUCATION/EXECUTIVE-EDUCATION-PROGRAM-BROCHUREFORM?PGMID=A1R6A00000PMW4UAE](https://www.hks.harvard.edu/educational-programs/executive-education/executive-education-program-brochureform?pgmid=A1R6A00000PMW4UAE))

APPLY ([HTTPS://EXECED.HKS.HARVARD.EDU/ONLINEAPP](https://execed.hks.harvard.edu/onlineapp))

PROGRAM FINDER ([/EXECUTIVE-EDUCATION-PROGRAM-FINDER](/executive-education-program-finder))

[HOME \(/\)](#) / [EDUCATIONAL PROGRAMS \(/EDUCATIONAL-PROGRAMS\)](/educational-programs) / [EXECUTIVE EDUCATION \(/EXECUTIVE-EDUCATION\)](/executive-education) / [PROGRAM FINDER \(/EXECUTIVE-EDUCATION-PROGRAM-FINDER\)](/executive-education-program-finder) / [LEADERSHIP DECISION MAKING \(/\)](#)

 Online

 On Campus

Session Date:

January 06, 2025 - January 17, 2025

Application

Deadline:

December 16, 2024

Program Fee:

\$6,400

REQUEST I

([HTTPS://WWW.HKS.HARVARD.EDU/EDUCATIONAL-PROGRAMS/EXECUTIVE-EDUCATION-PROGRAM-BROCHUREFORM?PGMID=A1R6A00000PMW4UAE](https://www.hks.harvard.edu/educational-programs/executive-education-program-brochureform?pgmid=A1R6A00000PMW4UAE))

Faculty Chair:

Jennifer Lerner
(</faculty/jennifer-lerner>)

Program Director:

Laura Bussa
(mailto:laura_bussa@hks.harvard.edu) ([HTTPS://EXECED.HKS.HARVARD.EDU/ONLINEAPP](https://execed.hks.harvard.edu/onlineapp))

Executive Certificate: This program is a core program in the Public Leadership and Public Policy concentrations. This program can also be used as a third program for any concentration in the Executive Certificate (</education/executive-education/admissions-fees/executive-certificates>) series.

Executive Core Qualifications (ECQs): This program aligns with one or more Executive Core Qualifications (/education/executive-education/admissions-fees/executive-core-qualifications).

For information on the on campus session, please click here

(<https://www.hks.harvard.edu/educational-programs/executive-education/leadership-decision-making#oncampus>).

Program Overview

Enhance your leadership capabilities with Harvard Kennedy School's *Leadership Decision Making* program. This intensive course is designed to help senior executives harness the power of data and evidence-based strategies to make informed, effective decisions. Request more information or apply now to develop your decision-making skills.

The *Leadership Decision Making* program offers hands-on learning experiences that enhance decision analysis and leadership effectiveness. Led by Faculty Chair Jennifer Lerner, this course equips leaders with tools to recognize biases, leverage structured decision-making techniques, and incorporate the latest research from psychology, behavioral economics, and neuroscience. You'll also receive customized, confidential feedback on your decision-making style.

PROGRAM CURRICULUM

The *Leadership Decision Making* curriculum integrates theories and evidence from psychology, behavioral economics, and neuroscience. Participants will engage in live lectures, asynchronous materials, and group work, gaining insights from renowned Harvard faculty and experts. New sessions include topics on Artificial Intelligence (AI) and its impact on organizational decision processes, blending theoretical foundations with practical applications.

In addition to Faculty Chair Jennifer Lerner's expertise in decision science and management, this program features world-renowned Harvard faculty and experts as guest speakers. As of 2023, we've added a new session on Artificial Intelligence

(AI) and organizational decision processes. Beginning with an introduction to AI and machine learning, the session will cover a blend of theoretical foundations, practical applications, and critical discussions on the implications of AI in various sectors. Participants will learn critical insights necessary for working productively in an AI-augmented future.

LEARNING OBJECTIVES

The curriculum focuses on key areas that drive organizational performance, including:

- Reducing decision biases in your organization
- Communicating risk accurately and effectively
- Increasing prediction accuracy, especially for low-probability, potentially catastrophic events
- Understanding the role of emotion in judgment and decision making
- Designing smart accountability systems for judgment and decision making
- Leading positive change
- Harnessing the power of experiments to catalyze organizational learning

Application Information

✓ Recommended Applicants

✓ Program Schedules

WHAT PARTICIPANTS ARE SAYING

"The best executive learning experience I have had. It gave me many new tools on how to create and apply decision frameworks to the complex problems I deal with at work, and how to recognize and correct for cognitive biases in myself and others."

ORANGE COUNTY BOARD OF



BOARD AGENDA ITEM

DATE: November 6, 2024
TO: Renee Hendrick, Deputy Superintendent
FROM: Aracely Chastain, Director, Charter Schools Unit
SUBJECT: Unity Middle College High School Issuance of a Notice of Violation

DESCRIPTION:

Consider issuing a Notice of Violation to Unity Middle College High School.

RECOMMENDATIONS:

The Orange County Department of Education recommends that the Orange County Board of Education issue a Notice of Violation to Unity Middle College High School and its Governing Board (Unity) pursuant to Education Code section 47607(g). Unity has engaged in fiscal mismanagement and failed to meet generally accepted accounting principles in its operations, as required under Education Code section 47607(f)(3). After issuing a Notice of Violation, the Board must provide a reasonable opportunity to remedy the violation.

In accordance with Education Code section 47607(g) and California Code of Regulations, Title 5 (5 CCR) section 11968.5.2, Unity shall have the opportunity to present evidence that refutes, remedies, or proposes to remedy the alleged violations. The Board will evaluate Unity's response to the Notice of Violation and may then determine whether to discontinue revocation or continue revocation by issuing a Notice of Intent to Revoke.

This correspondence is pending approval by the Orange County Board of Education (OCBE). If approved, it will be prepared on official letterhead, bearing the OCBE Seal, address, and contact information.

November 6, 2024

William Zulch, Board President
Lauren Gonzales, Executive Director
Unity Schools SoCal Governing Board
Unity Middle College High School
1937 W. Chapman Ave., Suite 110
Orange, CA 92868
williamzulch@gmail.com
lgonzales@unitymchs.org

Re: Notice of Violation Pursuant to Education Code Section 47607(g)

Dear Board President Zulch, Executive Director Gonzales, and Unity Schools SoCal Governing Board:

This letter serves as a Notice of Violation (NOV) issued under Education Code section 47607(g). The Orange County Board of Education (OCBE) has determined that the Unity Schools SoCal Governing Board has failed to adhere to generally accepted accounting principles and has engaged in fiscal mismanagement in the operation of Unity Middle College High School (Unity). These violations jeopardize Unity's ability to continue operations.

Findings and Evidence of Violation

The Charter Schools Unit of the Orange County Department of Education (OCDE) has thoroughly documented its efforts to communicate and address concerns with Unity. In addition to informal communications via emails and phone calls, OCDE has issued twelve (12) Notices of Concern since Unity began operating in 2017, consistently highlighting concerns regarding Unity's fiscal condition.

OCBE has determined that the following issues and irregularities constitute multiple grounds for charter revocation under Education Code section 47607(f)(3):

1. Declining Enrollment and Overestimated Projections

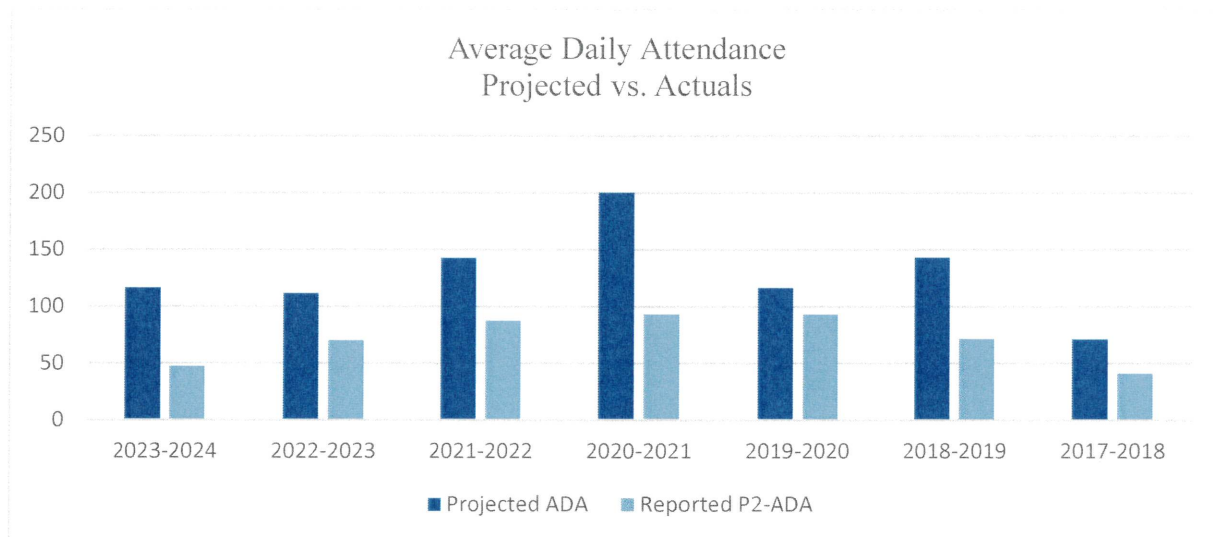
Unity's enrollment projections for the 2024-25 school year have proven overly optimistic, with actual enrollment falling short. The school projected 75 students; however, it currently has only 57 enrolled, leading to a reduction in anticipated LCFF revenue by approximately \$234,876. Additionally, Unity's multiyear budget assumptions for the 2025-26 and 2026-27 school years are similarly overestimated, failing to account for the ongoing decline in enrollment observed since the 2019-20 school year.

| Year | Student Enrollment | |
|-------------|------------------------------|--------------------|
| | Enrollment in Adopted Budget | CALPADS Enrollment |
| 2024-2025 | 75 | 57* |
| 2023-2024 | 125 | 55 |
| 2022-2023 | 120 | 80 |
| 2021-2022 | 150 | 101 |
| 2020-2021** | 125 | 98 |
| 2019-2020 | 125 | 103 |
| 2018-2019 | 150 | 79 |
| 2017-2018 | 75 | 44 |

*Unofficial Census Day Enrollment

**Actual ADA based on hold harmless (prior year P-2 ADA)

Unity's projected student enrollment figures in the adopted budget versus the actual enrollment numbers reported in CALPADS (California Longitudinal Pupil Achievement Data System) for each school year from 2017-18 through 2024-25 indicates a pattern of overestimation when planning their budget. The gap between projected and actual enrollment is particularly large in the 2023-24 and 2024-25 school years. Enrollment peaked at 103 students in 2019-20 and has decreased since then, reaching only 55 students in 2023-24.



Unity's projected average daily attendance (ADA) compared with its actual reported ADA (P2-ADA) from the school years 2017-18 through 2023-24 indicates that Unity consistently overestimated its ADA. There is a declining trend in the actual ADA over time. Since ADA is directly tied to school funding, these discrepancies suggest that Unity's financial planning was overly optimistic, leading to budget shortfalls and fiscal instability.

2. Deficit Spending and Insufficient Reserves

Unity's financial records show a negative trend in its net assets, with a recorded loss of \$67,702 in the 2023-24 fiscal year, following a modest gain the previous year. This shift indicates that Unity struggles to manage its expenses, as its expenditures have consistently exceeded its revenue. Furthermore, the unrestricted net position is alarmingly negative, worsening from negative \$854,676 in 2022-23 to negative \$948,505 in 2023-24. This deficit suggests the school lacks sufficient funds to cover its operational costs.

Additionally, the declining ending net assets, which dropped from \$377,487 in 2022-2023 to \$328,957 in 2023-24, highlight a concerning depletion of the school's resources. The capital assets, while substantial, do not offset the urgent need for liquid funds, leaving the school in a precarious financial state. The inability to manage unrestricted funds effectively puts Unity at risk of insolvency, which could disrupt the educational environment for students and the school community.

| Fiscal Year | Beginning Net Assets | Change in Net Assets | Ending Net Assets | Net Investment Capital Assets | Restricted Net Position | Unrestricted Net Position |
|-------------|----------------------|----------------------|-------------------|-------------------------------|-------------------------|---------------------------|
| 2023-2024 | \$396,659 | - \$67,702 | \$328,957 | \$850,253 | \$427,209 | - \$948,505 |
| 2022-2023 | 292,522 | 84,965 | 377,487 | 936,306 | 295,857 | -854,676 |
| 2021-2022 | 418,380 | -125,858 | 292,522 | 892,288 | 38,536 | -638,302 |
| 2020-2021 | 270,032 | 148,348 | 418,380 | 915,129 | 12,723 | -509,472 |
| 2019-2020 | - 142,769 | 412,801 | 270,032 | 870,812 | 5,612 | -606,392 |
| 2018-2019 | -146,464 | 3,695 | -142,769 | 835,137* | - | -977,906 |
| 2017-2018 | -39,614 | -106,850 | -146,464 | 55,728 | - | -202,192 |

* Unity incurred substantial capital expenditures in the 2018-19 fiscal year, totaling \$796,639, primarily due to tenant improvement costs.

OCDE's 2024-25 fiscal year projections indicate further deficit spending of \$152,839 and a projected unrestricted net position at negative \$1,077,600. Unity lacks adequate reserves to manage financial uncertainties, creating an unsustainable financial situation.

3. Mounting Debt and Potential Default

Unity faces significant financial distress, highlighted by its mounting debt and recent loan activities. Unity has accumulated a total debt of \$650,000 in loans, including a new loan of \$100,000 due in December 2024, just two months away.

- a. At the Unity Board meeting on June 27, 2024, Roy Kim, Chief Operating Officer of ICON School Management, recommended that the Board approve a \$200,000 loan extension from private investor Sangyoon Han. Mr. Kim explained that according to the financials and

proposed budget he presented, Unity could not meet its current loan obligation, which required a \$200,000 payment on June 1, 2024. He further stated that even under the proposed budget, which assumed an enrollment of 75 students, Unity could only repay approximately \$50,000 by the new deadline of June 1, 2025, necessitating renegotiation of the remaining balance.

- b. On October 2, 2024, OCDE notified Unity about its enrollment numbers and fiscal stability concerns. OCDE cited Unity's own statements indicating a high likelihood of defaulting on loans due in June 2024. Despite these warnings, the Unity Board proceeded on October 8, 2024, to approve a short-term loan of \$100,000 from private investor Andy Kim, with repayment due on December 4, 2024. This decision was made despite the Board's awareness of Unity's inability to meet its other loan commitments, indicating a pattern of risky financial behavior. The loan was justified to address Unity's ongoing "cash flow situation." However, given Unity's insufficient revenue and current financial state, the risk of default remains substantial, further endangering the school's financial stability.

4. Inadequate Fiscal Recovery Plan

Despite OCDE's requests, Unity has not implemented a viable fiscal recovery plan. The most recent Unity board-approved plan, adopted in February 2024, acknowledged that serving fewer than 100 students would be financially unsustainable. The plan necessitated increasing enrollment to 85 students in the 2024-25 school year. With enrollment falling short by 28 students, Unity has been unable to stabilize its financial position.

Additional Concerns

1. Fiscal Policy

The promissory note for the \$100,000 loan was executed by Unity's Executive Director, Lauren Hunsberger-Gonzales, on October 4, 2024, prior to receiving formal board approval on October 8, 2024. This raises serious governance and oversight issues. Major financial decisions, especially those involving substantial sums of money, should not be finalized without explicit board authorization.

The situation is further exacerbated by Unity's lack of a fiscal policy specifically addressing third-party loans. Without clear guidelines on handling such transactions, the school is at greater risk of entering into financial agreements that could jeopardize its stability. Well-defined policies are critical for ensuring that financial decisions are made with transparency and in accordance with the organization's best interests.

2. Facility Lease Agreement Automatic 5-Year Renewal Provision

The term of Unity's current lease for its facilities runs from July 1, 2021, to June 30, 2026. The rent has increased incrementally each year and is currently set at \$21,891.66 per month and will increase to \$22,548.11 on July 1, 2025, through June 30, 2026. However, the lease agreement includes an automatic renewal clause for another five years. The option to move out must be exercised by Unity by giving at least eighteen (18) months' written notice to the landlord before the expiration of the term. Absent Unity's failure to notify the landlord eighteen months prior to the expiration of the term of their intent to move out, the lease will automatically renew for another five (5) years with the rent increase equal to the amount of the Consumer Price Index (CPI) for each year of the extended term, but not less than 4%. Consequently, Unity must notify its landlord of its intent to move out of its current property by December 30, 2024; otherwise, Unity will be locked into another five-year lease with its landlord.

In light of Unity's financial condition, future enrollment projections and operation needs, Unity must make an informed decision before the December 30, 2024, deadline to avoid being obligated by the terms of the agreement for an additional five-year period after June 2026.

Right to Respond to Violation

Pursuant to *California Code of Regulations*, Title 5 (5 CCR) Section 11968.5.2, the Unity Board has the right to respond to this NOV through the following actions:

1. Submit to OCDE a detailed, written response addressing each identified violation, which shall include the refutation, remedial action taken, or proposed remedial action by the charter school specific to each alleged violation. The written response is due by **5:00 p.m. on Wednesday, November 20, 2024**, via email at ADay@ocde.us and RHendrick@ocde.us.
2. Include, with its written response, supporting evidence of the refutation, remedial action or proposed remedial action, if any, including written reports, statements, and other appropriate documentation.

Failure to provide substantial evidence that refutes, remedies, or proposes to remedy the alleged violations may provide grounds sufficient to form the basis for an action to revoke the Unity Middle College High School Charter, pursuant to Education Code section 47607(f).

Pursuant to 5 CCR 11968.5.2, OCBE will evaluate the response by the Unity Board to determine whether the identified violations have been adequately addressed as to Unity's financial stability or if it is necessary to continue the revocation process by issuing a Notice of Intent to Revoke the school's charter.

Notice of Violation

November 6, 2024

Page 6

Sincerely,

Dr. Ken L. Williams, President

Orange County Board of Education

cc: Dr. Stefan Bean, County Superintendent of Schools

Renee Hendrick, Deputy Superintendent, Orange County Department of Education

RD

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: November 6, 2024

TO: Renee Hendrick, Deputy Superintendent

FROM: Tim Shaw, Trustee Area 4

SUBJECT: Resolution #23-24, Supporting H.R. 9853: The Equitable Access to School
Facilities Act

RECOMMENDATION:

Board action on Resolution #23-24, Supporting H.R. 9853: The Equitable Access to
School Facilities Act.

RESOLUTION OF THE BOARD OF EDUCATION
ORANGE COUNTY, CALIFORNIA

Supporting H.R. 9853-The Equitable Access to School Facilities Act

November 6, 2024

WHEREAS, on or about September 25, 2024, in the second session of the 118th Congress, Congresswoman Michelle Steel (CA-45) authored and introduced H.R. 9853; and

WHEREAS, H.R. 9853, also known as, the "Equitable Access to School Facility Act," was referred to the Committee on Education and the Workforce; and

WHEREAS, the Equitable Access to the School Facility Act amends the Elementary and Secondary Education Act of 1965 to support the creation and expansion of existing state policies to improve the quality of and affordability of charter school facilities; and

WHEREAS, the Equitable Access to School Facilities Act shall improve the State Facilities Incentive Grant ("SFIG") to address charter school facility challenges by making SFIG funds more accessible to states and charter schools therein; and

WHEREAS, the Orange County Board of Education ("Board") supports all Orange County public schools, including public charter schools; and

WHEREAS, the Board recognizes and appreciates that facilities acquisition is a primary challenge among charter schools and the charter school community; and

WHEREAS, the Board has committed to supporting collaborative and innovative approaches to meet the facilities needs of all Orange County public school students.

THEREFORE, BE IT RESOLVED that the Orange County Board of Education supports the passage of H.R. 9853 to support the further acquisition, renovation and/or maintenance of charter school facilities.

AYES: _____

NOES: _____

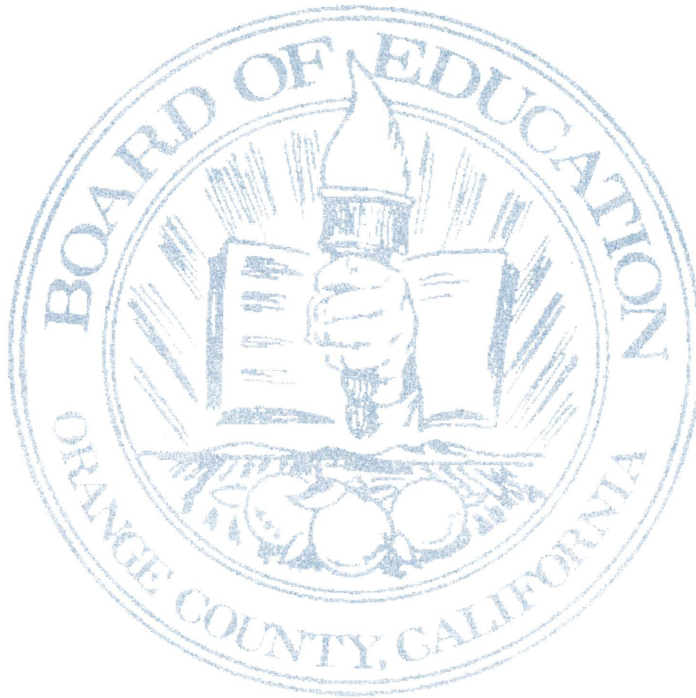
ABSENT: _____

State of California)
) ss.
County of Orange)

I, Dr. Ken Williams, President of the Orange County Board of Education, hereby certify that the foregoing Resolution was duly and regularly adopted by the Board a regular meeting thereof held on the ninth day of October 2024, and passed by _____ vote of said board members present.

IN WITNESS THEREOF, I have hereunto set my hand and seal this ninth day of October 2024.

Ken L. Williams, D.O., President
Orange County Board Education



Item: Board Recommendations #9
November 6, 2024
☒ Mailed ☐ Distributed at meeting

RA

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: November 6, 2024

TO: Renee Hendrick, Deputy Superintendent

FROM: Jorge Valdes, Trustee Area 1

SUBJECT: Revised Board Policy 300-2, Inter-district Attendance Appeal Hearings

RECOMMENDATION:

Board discussion regarding Revised Board Policy 300-2, inter-district attendance appeal hearings.

Interdistrict Attendance Appeal Hearings

The Orange County Board of Education is committed to 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 considers the level of commitment of the parties in their respective positions, as demonstrated in part through a personal appearance at the appeal hearing, to be an important factor in reaching its determination. Accordingly, any parent, guardian or entity choosing to participate in any appeal hearing shall appear in person. However, the Orange County Board of Education recognizes that circumstances beyond the control of the respective parties may make an in-person appearance impractical or impossible. Such circumstances may include, but are not limited to, the following:

- A documented medical disability or condition
- Unavoidable travel outside of Orange County
- Other extenuating circumstances (examples include immigration issues, court appearances, jury duty)
- Health and Safety Concerns: If there's a risk to participants due to a chronic medical condition or general concerns about public health.
- Travel Constraints: Unforeseen issues like flight cancellations, bad weather, or road closures can hinder participants from attending in person.
- Emergency or Unexpected Events: If something urgent arises that requires rescheduling or remote options.
- Accommodation for Disabilities: For participants with mobility challenges or health conditions that make travel difficult

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

1. The transportation needs of the family;
2. The childcare needs of the family;
3. Other siblings in the family. For example, when the 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 pupil to complete a school year when his or her parents or guardians have moved out of the district during the year;

5. The parent's place of employment;
6. 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;
7. A substantial danger to the pupil 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 and another district. The danger to the pupil health or safety may be supported by a written statement of a qualified health expert, police report, school record, or other documentation;
8. 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;
9. 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;
10. 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;
11. 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 no continuity for the remainder of the semester or school year;
12. 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;
13. 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;
14. 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;
15. 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;

16. 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;
17. Other exceptional or extraordinary circumstances which could weigh heavily in favor of the 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, 05/04/2022