

REGULAR MEETING

April 2, 2025

2:30 p.m.

Item: Agenda - April 2, 2025

RA

[x] Mailed [] Distributed at meeting

Location: The public meeting will be conducted onsite with limited seating at 200 Kalmus Drive, Costa Mesa, CA 92626, an alternate location at the Sheraton Denver Downtown Hotel, 1500 Court Place, Denver, Colorado 80202, and via YouTube live stream <https://youtube.com/live/pCwWbwA9zeY>.

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 April 2, 2025 – Adoption

(*) MINUTES

Regular Meeting of March 5, 2025 – Approval

PUBLIC COMMENTS (related to Closed Session)

TIME CERTAIN

1. Inter-district Appeal Hearing (Closed) – Student #04022025002I – Irvine Unified School District to Newport Mesa Unified School District.
2. Expulsion Appeal Hearing (Closed) – Student #04022025003E – Huntington Beach Union High School District.

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

Government Code Section 54956.8
Conference regarding real property located at Argosy, 601 S. Lewis Street, Orange, CA 92868.

TIME CERTAIN (Continue)

- 4:00 p.m. 3. Budget Study Session- David Giordano, Associate Superintendent, Administrative Services will conduct the budget study session.

INVOCATION

5:00 p.m.

Rabbi Stephen J. Einstein, DHL, DD
Founding Rabbi Emeritus
Congregation B'nai Tzedek
Fountain Valley, CA

PLEDGE OF ALLEGIANCE

SPECIAL PRESENTATIONS

4. Presentation of Certificate to Reagan, Civics Bee Winner (Sparks)

INTRODUCTIONS

PUBLIC COMMENTS

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. Adopt Resolution #07-25 to recognize May 18-24, 2025 as Classified School Employee Week.
- (*) 7. Adopt Resolution #08-25 to recognize May 14, 2025 as California Day of the Teacher.
- (*) 8. Accept the monetary donation of \$2,000.00 from the Council of Exceptional Children to the Special Education Programs – Connections.

CHARTER SCHOOLS

9. Charter submissions
- (*) 10. Charter School Public Hearing – Magnolia Science Academy - Orange County material revision.
Aracely Chastain, Executive Director, Charter Schools Unit, will facilitate the public hearing.

Discussion Format:
Magnolia Science Academy - Orange County
Public Comments
Board Questions
- (*) 11. Board Action on Magnolia Science Academy - Orange County.
- (*) 12. Charter School Public Hearing – Tustin International Charter School
Aracely Chastain, Executive Director, Charter Schools Unit, will facilitate the public hearing.

Discussion Format:
Tustin International Charter School
Public Comments
Board Questions

- (*) 13. Board Action on Tustin International Charter School.
- (*) 14. Charter School Public Hearing – Compass Charter Schools of Santa Ana Aracely Chastain, Executive Director, Charter Schools Unit, will facilitate the public hearing.

Discussion Format:
 Compass Charter Schools of Santa Ana
 Santa Ana Unified School District
 Public Comments
 Board Questions

STAFF RECOMMENDATIONS

- (*) 15. Adopt Resolution #09-25 in support of AB 1224.
- (*) 16. Adopt Resolution #10-25 in support of AB 927.
- (*) 17. Approve the appointment of Renee Hendrick, Deputy Superintendent as the Real Property Negotiator, acting on behalf of the Orange County Board of Education, for the acquisition of the property at Argosy, 601 S. Lewis Street, Orange, CA 92868. This site is currently leased by our ACCESS & Connections programs.

BOARD RECOMMENDATIONS

- (*) 18. Adopt Resolution #11-25 Recognizing Kids Run the OC. (Barke)
- 19. Presentation – Legislative Update
- (*) 20. Adopt Resolution #12-25 Opposing Senate Bill ("SB") 249 Regarding County Board Elections. (Williams and Barke)
- (*) 21. Adopt Legislative Platform
- 22. Board discussion - Executive Liaison to the Orange County Board of Education. (Williams)

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

- Ethnic Studies Curriculum Update
- Charter Schools Update

ANNOUNCEMENTS

- Superintendent
- Deputy Superintendent

LEGISLATIVE UPDATES

COMMITTEE REPORT

BOARD MEMBER COMMENTS

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.
Sheraton Denver Downtown Hotel
1500 Court Place
Denver, Colorado 80202

CLOSED SESSION(S) PUBLIC REPORT OUT

ADJOURNMENT



Renee Hendrick
Assistant Secretary, Board of Education

The next Regular Board Meeting will be on Wednesday, May 7, 2025 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

RA

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 Vice President Barke at 3:00 p.m., March 5, 2025, in the Board Room, 200 Kalmus Drive, Costa Mesa, CA 92626 and via YouTube live stream <https://www.youtube.com/live/Xur7053MQqo>.

ROLL CALL

Present:

Jorge Valdes, Esq.
Tim Shaw
Mari Barke
Lisa Sparks, Ph.D.

Absent:

Ken L. Williams, D.O. (arrived at 4:16 p.m.)

AGENDA

Motion by Sparks, seconded by Valdes and carried by a vote of 4-0 (Williams Absent) to approve the agenda of the Regular meeting of March 5, 2025 with an amendment to move item #19 to a time certain of 5:10 p.m. to accommodate Supervisor Don Wagner.

MINUTES

Motion by Valdes, seconded by Sparks and carried by a vote of 4-0 (Williams Absent) to approve the minutes of the Regular meeting of February 3, 2025.

PUBLIC COMMENTS (related to Closed Session) - None

The Board took a recess from 3:02 p.m. to 5:04 p.m. to go into closed session.

TIME CERTAIN

1. Inter-district Appeal Hearing (Closed) – Student #03052025001I - Huntington Beach Union High School District to Newport Mesa Unified School District.

Motion by Barke, seconded by Valdes, and carried by a vote of 4-0 (Williams Absent) to approve the appeal and allow the student to attend the Newport-Mesa Unified School District for the period of one academic year (2025-2026).

2. Inter-district Appeal Hearing (Closed) – Student #03052025002I - Laguna Beach Unified School District to Newport Mesa Unified School District.

Motion by Barke, seconded by Valdes, and carried by a vote of 4-0 (Williams Absent) to approve the appeal and allow the student to attend the Newport-Mesa Unified School District for the period of one academic year (2025-2026).

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

Report Out

CLOSED SESSION(S) PUBLIC REPORT OUT

Mr. Brenner reported, for closed session 1, the Board approved a settlement agreement by a vote of 5-0, with a news release to be read into record by Board President Williams. The Board also approved the Epstein, Becker, and Brown invoices, 1186937, 1186938, 1190322, and 1190323 by a vote of 4-0 (Barke Absent).

Mr. Rolan reported for closed session 2, the Board provided direction to legal counsel on a matter of potential litigation and approved Nielsen Merksamer invoices, 285923 and 280689.

INVOCATION

Pastor Joseph Pedick
Calvary Chapel of the Harbour

PLEDGE OF ALLEGIANCE

Sam Barke

BOARD RECOMMENDATIONS

19. Discussion and review of OC Board of Supervisors County Investment Policy.
 - Don Wagner, Chair, OC Board of Supervisors

INTRODUCTIONS

Kelly Delaney, Loyola Marymount University Student

PUBLIC COMMENTS

- Ariana
- Karen
- Shari

CONSENT CALENDAR

Motion by Barke, seconded by Sparks and carried by a vote of 5-0 to approve Consent Calendar items #3, #4, #5, and #6.

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

4. Adopt Resolution #03-25 to recognize April 5-11, 2025 as Week of the Young Child.
5. Adopt Resolution #04-25 to recognize April 2025 as Public Schools Month.
6. Approve invoice #10708 in the amount of \$1,878.30 for the Law Offices of Margaret A. Chidester & Associates.

CHARTER SCHOOLS

7. Charter submissions
 - Compass Charter School
8. Charter School Public Hearing – Tustin International Charter School appeal
Aracely Chastain, Director, Charter Schools Unit, facilitated the public hearing.
 - Steven Cheung, Tustin International Charter School
 - Josie Guo, Tustin International Charter School
9. Charter School Public Hearing – Magnolia Science Academy-Orange County
Material Revision
Aracely Chastain, Director, Charter Schools Unit, facilitated the public hearing.
 - Dr. Maria Rowell, Magnolia Science Academy-Orange County

PUBLIC COMMENTS (item #9)

- Rylan
- Vanessa

CHARTER SCHOOLS (continue)

10. Motion by Williams, seconded by Sparks, and carried by a vote of 5-0 to approve the agreement that was approved by the Unity Middle College High School board on 2/18/25.

STAFF RECOMMENDATIONS

11. Budget Presentation – David Giordano, Associate Superintendent, Administrative Services.
12. Motion by Williams, seconded by Valdes, and carried by a vote of 5-0 to approve the Second Interim Report that is certified Positive by the County Superintendent of Schools.
13. Presentation – Rancho Sonado Design, David Giordano, Associate Superintendent, Administrative Services
14. Motion by Sparks, seconded by Barke, and carried by a vote of 5-0 to adopt Resolution No. 05-25, implementing a process for Pre-qualification of Contractors in accordance with Public Contract Code Section 20111.6.

15. Motion by Sparks, seconded by Barke, and carried by a vote of 5-0 to adopt Resolution No. 06-25, authorizing the Lease-Leaseback construction delivery method including construction agreement templates, the proposed Request for Proposals (RFP) that will be issued, and the required procedures and guidelines for evaluating the proposals that ensure the “best value” selection (a)(2) process is conducted in a fair and impartial manner in accordance with Education Code section Public Contract Code Section 20111.6, which is attached to, and a part of, this Board Item.

BOARD RECOMMENDATIONS

16. Board update on the President’s Executive Orders by General Counsel.
17. The Board discussed the dissemination of the Ethnic Studies program.
18. The Board discussed board member stipend.

PUBLIC COMMENTS (item #19)

- Francine
 - David
19. Discussion and review of OC Board of Supervisors County Investment Policy.
 - Dean West, Associate Superintendent, Business Services provided an update to the Board.

INFORMATION ITEMS

COMMUNICATION/INFORMATION/DISCUSSION

- Memorial Day Essay Contest - discussed

ANNOUNCEMENTS

Superintendent

- Dr. Bean commended the Cabinet team for their leadership.

Deputy Superintendent

- Next board meeting is on Wednesday, April 2, 2025; submission deadline is March 19; packet delivery on March 28, 2025

LEGISLATIVE UPDATES

- DC Trip (Trustee Barke, Trustee Shaw, General Counsel Greg Rolen) - General Counsel Greg Rolen provided an update to the Board.

BOARD MEMBER COMMENTS

- Trustee Barke – Read Across America, Peterson Elementary in Huntington Beach
- Trustee Shaw – April board meeting via Zoom

NEWS RELEASE

The news release regarding closed session one was read into record by Dr. Williams, Board President.

ADJOURNMENT

On a motion duly made and seconded, the March 5, 2025, board meeting adjourned at 9:17 p.m.



Renee Hendrick
Assistant Secretary, Board of Education

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

The next Regular Board Meeting will be on Wednesday, April 2, 2025, at 5:00 p.m. All meetings will be held onsite at 200 Kalmus Drive, Costa Mesa, CA 92626 and via YouTube live stream.

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ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

Item: Consent Calendar #5

April 2, 2025

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DATE: 04/02/2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Analee Kredel, Associate Superintendent, ACCESS & Connections



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

Pages 11-12 removed (CONFIDENTIAL STUDENT INFORMATION)

April 2, 2025

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ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025
TO: Renee Hendrick, Deputy Superintendent
FROM: Darou Sisavath, Recording Clerk
SUBJECT: Resolution #07-25
Classified School Employee Week

RECOMMENDATION:

Adopt Resolution #07-25 to recognize May 18-24, 2025 as Classified School Employee Week.

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

**CLASSIFIED SCHOOL EMPLOYEE WEEK
May 18-24, 2025**

WHEREAS, Education Code Section 45460 encourages recognition of the outstanding contributions of the classified school employees in the programs and services for the students in the Orange County Department of Education schools; and

WHEREAS, classified school employees are instrumental to the success of the educational programs; and

WHEREAS, classified school employees provide essential leadership and encouragement to the students in the Orange County Department of Education schools who represent the future of the country; and

WHEREAS, classified school employees are greatly responsible for maintaining the exceptional level of service that benefits the entire educational community;

NOW, THEREFORE, BE IT RESOLVED that the Orange County Board of Education hereby recognizes classified school employees for their many services and dedication to education in the State of California and at the Orange County Department of Education and declares the week of May 18-24, 2025 as Classified School Employee Week.

AYES:

NOES:

ABSENT:

ABSTAINED:

STATE OF CALIFORNIA

COUNTY OF ORANGE

I, **Jorge Valdes, Esq.**, Clerk of the 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 2nd day of April 2025.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 2nd day of April 2025.

Jorge Valdes, Esq., Clerk of the Board
Orange County Board of Education

April 2, 2025

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ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025
TO: Renee Hendrick, Deputy Superintendent
FROM: Darou Sisavath, Recording Clerk
SUBJECT: Resolution #08-25
California Day of the Teacher

RECOMMENDATION:

Adopt Resolution #08-25 to recognize May 14, 2025 as California Day of the Teacher.

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

**CALIFORNIA DAY OF THE TEACHER
May 14, 2025**

WHEREAS, Education Code Section 37222 designated the Day of the Teacher to recognize the enormous contributions of teachers and ancillary staff; and

WHEREAS, teachers and ancillary staff provide important leadership and guidance for students of all ages; and

WHEREAS, the positive influence and encouragement provided to children directly benefits the community; and

WHEREAS, it is fitting to recognize the significant role of teachers and ancillary staff in providing effective programs in schools of the Orange County Department of Education;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Education recognizes teachers and ancillary staff for their dedicated service to education in the State of California and at the Orange County Department of Education and declares May 14, 2025 as the California Day of the Teacher.

AYES:

NOES:

ABSTAINED:

ABSENT:

STATE OF CALIFORNIA

COUNTY OF ORANGE

I, Jorge Valdes, Esq., Clerk of the 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 2nd day of April 2025.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 2nd day of April 2025.

Jorge Valdes, Esq., Clerk of the Board
Orange County Board of Education

April 2, 2025

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ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: March 3, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Analee Kredel, Associate Superintendent, ACCESS and Connections Division

SUBJECT: CEC (Council of Exceptional Children) Chapter 188 donated
Connections - \$2,000.

RECOMMENDATION:

Accept the monetary donation of \$2,000.00 from the Council of Exceptional Children to the Special Education Programs - Connections and send letter of appreciation to donor.

ORANGE COUNTY BOARD OF

BOARD AGENDA

Item: Charter Schools #10

April 2, 2025

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DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Aracely Chastain, Executive Director, Charter Schools Unit

SUBJECT: Public Hearing Magnolia Science Academy-Orange County Material Revision

DESCRIPTION:

Magnolia Science Academy-Orange County is a countywide charter school that will serve students in grades kindergarten through twelve beginning in the fall of 2025. On January 31, 2025, Magnolia Science Academy-Orange County submitted a material revision to add Anaheim Elementary School District and Anaheim Union High School District as potential locations for an additional charter school facility.

The Orange County Board of Education held a public hearing on March 5, 2025, to consider the level of support for the charter school material revision.

RECOMMENDATION:

Under California Education Code section 47605, on April 2, 2025, the Orange County Board of Education will hold a public hearing to grant or deny the Magnolia Science Academy-Orange County amended charter petition and material revision. At the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony responsive to the Orange County Department of Education staff recommendations and findings published on March 18, 2025.



MEMO

ORANGE COUNTY DEPARTMENT OF EDUCATION

March 18, 2025

To: Members, Orange County Board of Education

From: Orange County Department of Education, Charter Schools Unit

Re: Staff Report Findings of Fact and Recommendations Magnolia Science Academy-Orange County Material Revision

I. INTRODUCTION

The following is a summary of the review conducted by Orange County Department of Education staff of the material revision request submitted by Magnolia Science Academy-Orange County in compliance with Education Code section 47607 and recommendations for consideration by the Orange County Board of Education (the Board).

II. BACKGROUND

The Board approved the Magnolia Science Academy-Orange County countywide charter petition for a five-year term from July 1, 2024, to June 30, 2029. Magnolia Science Academy-Orange County is a countywide charter school that will begin serving students in transitional kindergarten through twelfth grade in the 2025-2026 school year. The original petition included the following districts as potential site locations: Irvine Unified, Orange, Placentia-Yorbal Linda Unified and Saddleback Valley Unified.

On January 31, 2025, Magnolia Science Academy-Orange County submitted a material revision requesting to open a school facility within the boundaries of Anaheim Union High School District and Anaheim Elementary School District. A public hearing was held on March 5, 2025, to consider the level of support for the material revision.

III. LEGAL STANDARD

Material revisions of charter schools are governed by the standards and criteria described in Education Code section 47605.6, including, but not limited to, reasonably comprehensive descriptions of any new requirement of charter schools enacted into law after the charter was initially granted or last renewed.

IV. SUMMARY OF FINDINGS

Orange County Department of Education staff determined that the revised Magnolia Science Academy-Orange County charter petition meets Education Code section 47605.6 standards. Per Education Code section 47605.6(a)(3), on January 21, 2025, the petitioner notified Anaheim Elementary School District and Anaheim Union High School District of the proposed facility.

V. STAFF RECOMMENDATION

Orange County Department of Education staff recommend that the Board approve the Magnolia Science Academy-Orange County material revision to open a charter school facility in the city of Anaheim.

VI. CONCLUSION

The Board has three options for action regarding a charter petition material revision:

- Option One: Approve the material revision.
- Option Two: Approve the material revision with conditions. This action would result in the approval of the revised charter petition and require the charter school to address concerns raised by the Board by established timelines.
- Option Three: Deny the material revision.

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ORANGE COUNTY BOARD OF

BOARD AGENDA II

Item: Charter Schools #11

April 2, 2025

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DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Aracely Chastain, Executive Director, Charter Schools Unit

SUBJECT: Board Action Magnolia Science Academy-Orange County Material Revision

DESCRIPTION:

Magnolia Science Academy - Orange County is a countywide charter school scheduled to begin operations in the 2025-26 academic year. On January 31, 2025, Magnolia Science Academy-Orange County submitted a material revision requesting to add Anaheim Elementary School District and Anaheim Union High School District as potential locations for an additional charter school facility. A public hearing was held on March 5, 2025.

RECOMMENDATION:

Orange County Department of Education staff recommend that the Orange County Board of Education approve Magnolia Science Academy-Orange County's material revision to add an additional facility within the boundaries of Anaheim Elementary School District or Anaheim Union High School District.

ORANGE COUNTY BOARD OF

April 2, 2025

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BOARD AGENDA ITEM

☒ Mailed

☐ Distributed at meeting

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Aracely Chastain, Executive Director, Charter Schools Unit

SUBJECT: Public Hearing – Tustin International Charter School Appeal Charter Petition

DESCRIPTION:

On January 8, 2025, Mandarin Immersion Schools, Inc., a California nonprofit public benefit corporation, submitted an appeal to operate Tustin International Charter School within the boundaries of the Tustin Unified School District following denial by the Tustin Unified School District governing board. The charter school proposes to operate a classroom-based program serving students in transitional kindergarten through grade five for an initial charter term from 2025 through 2030.

The Orange County Board of Education held a public hearing on March 5, 2025, to consider the level of support for the charter school.

RECOMMENDATION:

Under California Education Code section 47605, on April 2, 2025, the Orange County Board of Education will hold a public hearing to grant or deny the Tustin International Charter School charter petition. At the public hearing, petitioners shall have equal time and opportunity to present evidence and testimony responsive to the Orange County Department of Education staff recommendations and findings published on March 18, 2025.



MEMO

ORANGE COUNTY DEPARTMENT OF EDUCATION

March 18, 2025

To: Members, Orange County Board of Education

From: Orange County Department of Education Charter Schools Unit

Re: Staff Report Findings of Fact and Recommendations, Tustin International Charter School

I. INTRODUCTION

The following is a summary of the review conducted by Orange County Department of Education staff of the Tustin International Charter School petition to establish a charter school presented on appeal following a denial by the governing board of the Tustin Unified School District. The information in this report has been condensed to the most significant issues and does not include all areas of concern. In addition, commendations or suggestions for improvement are not included, as the review process is intended to target deficits.

Based on information gathered throughout the review process, which included a clarification meeting held with petitioners on February 11, 2025, the staff recommends approval with conditions of the Tustin International Charter School petition. This action would result in the approval of the charter and require the execution of an Agreement to address the issues outlined in this Staff Report and establish appropriate timelines for the petitioners to meet the conditions as specified.

II. BACKGROUND

On January 8, 2025, Mandarin Immersion Schools, Inc., a California nonprofit public benefit corporation (Petitioner), submitted a charter petition to the Orange County Board of Education (the Board), appealing the Tustin Unified School District Board's December 19, 2024, denial of its request to operate Tustin International Charter School within the district's boundaries. Tustin International Charter School (Charter School) proposes to utilize year one of its charter term for planning purposes and to begin serving students in transitional kindergarten through grade five in the 2026-27 academic year.

On March 5, 2025, the Board held a public hearing on the provisions of the charter petition and to consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents.

The Board must take action to either grant or deny the charter within ninety (90) days of receipt of the petition unless this date is extended by up to an additional 30 days by agreement. Board action is scheduled to occur at the regular meeting of the Board on April 2, 2025.

III. LEGAL STANDARD

Education Code section 47605(k)(1)(A)(i) states: "If the governing board of a school district denies a petition, the petitioner may elect to submit the petition for the establishment of a charter school to the county board of education." The county board of education shall review the petition according to Education Code sections 47605(b) & (c).

Should the Board approve the petition, the Board would become the charter authorizer for the Charter School. Should the Board deny the petition, the petitioner may appeal that denial to the state board within 30 days of the denial.

Under Education Code section 47605(c), the Board shall not deny a petition for the establishment of a charter school unless it makes written factual findings specific to the particular petition, setting forth specific facts to support one or more of the following:

- 1) Charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- 2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- 3) The petition does not contain the number of signatures required by subdivision (e).
- 4) The petition does not contain an affirmation of each of the conditions described in subdivision (e).
- 5) The petition does not contain reasonably comprehensive descriptions of the required elements under Education Code section 47605.
- 6) The petition does not contain a declaration of whether or not the school shall be deemed the exclusive employer of the employees of the charter school for purposes of the Educational Employment Relations Act Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code.
- 7) The charter school is demonstrably unlikely to serve the interests of the entire community in which the school is proposing to locate.
- 8) The school district is not positioned to absorb the fiscal impact of the proposed charter school.

If a school district's denial of the petition was made pursuant to Education Code section 47605(c)(8), the Board shall also review the school district's related findings.

IV. SUMMARY OF FINDINGS

The factual findings outlined in this report, which are condensed to the most significant areas, should be addressed either in an Agreement between the parties should the Board approve the charter petition or may be adopted as a basis for denial should the Board deny the appeal.

A. Charter school fails to provide a reasonably comprehensive description of the educational program of the school required by Education Code section 47605(c)(5)(A)

According to the charter petition, the proposed school will provide 50% of its instruction to students in English and the remaining 50% in Mandarin. With an educational program that includes second language immersion as a core component of the charter, in which some core subjects are taught entirely in Mandarin, OCDE determined that the most significant areas of concern are (1) Support for English Language Learners, (2) Special Education Compliance, (3) How to meet the needs of students achieving below grade level expectations and (4) Curriculum for core subject mastery and language acquisition.

1. Charter School lacks a comprehensive plan that includes clear metrics for reclassifying English language learners, support for reclassified learners for the required four years, strategies to address the needs of long-term English language learners and provisions for students learning Mandarin and English concurrently. The petition states that the school will deliver integrated and designated English Language Development (ELD) in the school's educational program. However, it is unclear when and how this will be done and what additional support will be provided to long-term English learners, reclassified students, and those attempting to master two languages.

Upon seeking further clarification of what interventions would exist for English learners (ELs) who struggle with both English and Mandarin, the lead petitioners, one of whom will serve as the principal/executive director, explained that students would have online access to a curriculum at home, may work with a reading specialist or in small groups, and may come before and after school for additional support. Working with students in small groups can assist with language acquisition, but ELs should have constant and targeted support throughout the instructional day. The English Language Arts/English Language Development (ELA/ELD) Framework for California Public Schools states, "All teachers should attend to the language learning needs of their ELs in strategic ways that promote the simultaneous development of content knowledge and advanced levels of English....Throughout the school day and across the disciplines, ELs learn to use English as they simultaneously learn content knowledge through English." This is done partly through Integrated ELD, which refers to ELD taught throughout the day across all content areas and designated ELD, a protected time during the regular school day when the teacher uses ELD standards as a focal point to build and develop English language knowledge and skills. Both of which are led by a credentialed teacher. Using an online curriculum or supporting this population before and after school only fails to comply with the English Language Arts/English Language Development (ELA/ELD) Framework for California Public Schools.

2. The petition lacks the necessary information regarding how the school will meet the needs of students with disabilities. Specifically, the petition fails to clearly explain how the school will differentiate instruction to accommodate students with special needs. During the clarification meeting on February 11, 2025, when petitioners were asked to elaborate on the school's plan for diverse learners, particularly regarding page 66 of the petition, the response indicated a misunderstanding of the special education process. The petitioners mentioned monthly IEP meetings and the process of first conducting an SST (Student Study Team) before moving to a resource specialist and scheduling an IEP meeting. This response conflates the process of supporting students with disabilities and low-achieving students. IEP meetings are held annually, and a resource specialist only works with students receiving special education services, not automatically assigned to all low-achieving students. Furthermore, the petition fails to outline how the school will provide the necessary accommodations and support for students with special needs in accordance with legal requirements.
3. The petition lacks a clear plan for addressing the needs of low-achieving students who require additional support. While the petition outlines tier 1 interventions, including small group work and targeted skill-building activities for academically low-achieving students, it assumes these students will have IEPs (Pages 66-69 of the petition). This approach does not address the needs of all struggling students, as those who are low-achieving but do not have IEPs may not be included in these interventions. Low-achieving students may need different strategies to meet grade-level expectations, yet the petition does not present a framework to identify and support these students. Unlike students with special needs, these students do not receive automatic special education services but benefit from additional resources, such as tutoring or differentiated instruction, to improve their academic performance. There is no indication of how the school will differentiate instruction or provide targeted interventions for these students to meet grade-level expectations.
4. The petition presents inconsistencies regarding the curriculum, which raises questions about its implementation. For example, page 42 of the petition states, "Instruction in Mandarin Language Arts, Mathematics, and half of the Social Studies curriculum will be conducted in Mandarin." In contrast, pages 47 and 61 indicate that mathematics will be taught in English. When this discrepancy was raised, petitioners clarified that mathematics would be taught in Mandarin.

The review team also questioned information on page 42 of the petition: "To ensure pedagogical coherence and alignment with the Common Core State Standards, our Mandarin teaching staff will be responsible for curriculum development in the subjects instructed in Mandarin." The petition states that curriculum development will occur on Wednesdays during the minimum school day. In a multi-lingual school environment where 50% of instruction will be in Mandarin, all personnel must be prepared to support and

address the diverse learning needs of its population using practical tools grounded in best practices and expertise in differentiating instruction that comes from appropriate professional development and the guidance of an instructional leader.

When asked when the Mandarin teaching staff would have time to plan, meet in professional learning communities, or participate in the professional development that the school specifies will take place on Wednesdays, the proposed principal/executive director stated that this was a mistake in the petition and the Mandarin teachers would not create the curriculum. Instead, the school would purchase the necessary curriculum. These discrepancies suggest the need for further clarification on how the school plans to deliver its educational program.

V. RECOMMENDATION

OCDE staff recommends that the Board approve with conditions the Tustin International Charter School charter petition for a term of five years from July 1, 2025, to June 30, 2030. To satisfy the conditions, the petitioner and the Board must fully execute an Agreement that addresses all of the findings in this report, establishes appropriate timelines for the petitioners to satisfy the conditions, and delineates the operational relationship between the school, the Board, and OCDE, no later than the Board's regularly scheduled meeting in June 2025.

VI. CONCLUSION

The Board has three options for action regarding a charter petition on appeal:

- Option One: Approve the charter petition as written.
- Option Two: Approve the charter petition with conditions. This action would result in the charter petition being approved and require the execution of an Agreement to address the findings outlined in the Staff Report.
- Option Three: Deny the charter petition.

ORANGE COUNTY BOARD C

April 2, 2025

BOARD AGENDA I

[x] Mailed

[] Distributed at meeting

RA

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Aracely Chastain, Executive Director, Charter Schools Unit

SUBJECT: Board Action – Tustin International Charter School Appeal Charter Petition

DESCRIPTION:

On January 8, 2025, Mandarin Immersion Schools, Inc., a California nonprofit public benefit corporation, submitted an appeal to operate Tustin International Charter School after denial by the Tustin Unified School District governing board.

Per California Education Code 47605, the Orange County Board of Education held public hearings on March 5, 2025, and April 2, 2025. The Staff Report Findings of Fact and Recommendations was published on March 18, 2025.

The Orange County Board of Education has three options for action regarding a charter school petition appeal:

- Option One: Approve the charter petition as written.
 - Option Two: Approve the charter petition with conditions. This action would result in the approval of the charter petition and require the execution of an Agreement to address the findings delineated in the staff report published on March 18, 2025, and establish appropriate timelines for the petitioners to meet the conditions as specified.
 - Option Three: Deny the charter petition.
-

RECOMMENDATION:

Orange County Department of Education staff recommend that the Board approve with conditions the Tustin International Charter School charter petition for an initial five-year charter term from July 1, 2025, to June 30, 2030, and enter into an Agreement that addresses the findings delineated in the staff report published on March 18, 2025.

**RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO APPROVE THE PETITION FOR A CHARTER SCHOOL
FOR TUSTIN INTERNATIONAL CHARTER SCHOOL**

WHEREAS, the Charter Schools Act of 1992, set forth in Education Code section 47600 et seq. (the “Act”), provides for the establishment and operation of publicly funded charter schools that operate independently from the existing school district structures in the State of California; and

WHEREAS, Education Code section 47605(k) provides that if the governing board of a school district denies a petition for a charter school, a petitioner may elect to submit the petition to the county board of education on appeal;

WHEREAS, on December 19, 2024, the Governing Board of the Tustin Unified School District (“TUSD”) denied the Charter Petition for Establishment of the Tustin International Charter School (“Petition”) to operate as an independent charter school within the boundaries of TUSD; and

WHEREAS, on January 8, 2025, pursuant to California Education Code section 47605 and California Code of Regulations, Title 5, Section 11967, following denial by TUSD, Mandarin Immersion Schools, Inc., a nonprofit public benefit corporation, (“Petitioner”) submitted the Petition and supporting documents for the establishment of Tustin International Charter School (“TICS” or “Charter School”) to the Orange County Board of Education; and

WHEREAS, the Orange County Board of Education (“Board”) is required to review the petition on appeal pursuant to Education Code § 47605(b) and (c); and

WHEREAS, in accordance with Education Code section 47505(c), when reviewing charter school petitions, the Board is guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

WHEREAS, following review of the Petition and a public hearing, the Board may approve a petition if it is satisfied that granting the petition is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. In making its determination, the Board shall consider the academic needs of the pupils the school proposes to serve. The Board may deny a petition only if it makes written factual findings that the Petition does not meet the standards and criteria described in Education Code Section 47605(c); and

WHEREAS, on March 5, 2025, pursuant to Education Code section 47605(b), the Board held a public hearing on the Petition to consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents; and

WHEREAS, the Orange County Department of Education (“OCDE”) staff has reviewed and analyzed all information received with respect to the Charter and information related to the operation and potential effects of the proposed Charter School, including information shared during a clarification meeting on February 11, 2025.

WHEREAS, on March 18, 2025, in accordance with Education Code section 47605(b), the Board published a Staff Report, with recommended findings, prepared by members of the OCDE staff;

WHEREAS, on April 2, 2025, the Board, at its regular meeting held a public hearing, at which the Petitioners had equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings, to grant or deny the petition; and,

WHEREAS, the Board has obtained, reviewed, and analyzed all information received with respect to the petition, including information related to the operation and potential impacts of the proposed charter school.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby approves the Petition for a charter school for Tustin International Charter School.

BE IT FURTHER RESOLVED that the Board approves the standard Agreement with the understanding that Tustin International Charter School will enter into said Agreement that addresses the operational relationship between the School, the Board and OCDE no later than the Board’s regularly scheduled meeting in June 2025. Should the Petitioner and Board fail to reach agreement by the regularly scheduled meeting in June 2025, the Board reserves the right to take further action, including but not limited to revoking its approval of the charter. The terms of this Resolution are severable.

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
_____)

I, Jorge Valdes, Esq., Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Orange County Board of Education at a regular meeting thereof held on the 2nd day of April 2025, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

BY:

Clerk of the Orange County Board of Education

Resolution #

AGREEMENT BETWEEN
ORANGE COUNTY BOARD OF EDUCATION AND
Charter School Nonprofit
FOR THE OPERATION OF Charter School

STANDARD TEMPLATE

This Agreement is made and entered into this xx day of month year, by and between the Orange County Board of Education ("Board") and nonprofit name., a nonprofit public benefit corporation operating charter school name (hereinafter collectively referred to as "Charter School"). Hereinafter, the Board and Charter School shall be collectively referred to as "the Parties," and the Board-designated staff of the Orange County Superintendent of Schools ("County Superintendent") shall be referred to as "OCDE."

I. INTRODUCTORY PROVISIONS

- A. The Board approved the Charter School's petition for a five-year period from **start date**, through **end date**.
- B. Charter School will be operated by a nonprofit public benefit corporation, formed and organized pursuant to the Nonprofit Public Benefit Corporation Law (Corp. Code section 5110 et seq.). Charter School. is the California nonprofit public benefit corporation operating the Charter School. Charter School shall ensure that at all times throughout the term of its charter, the terms and conditions of any agreement between Charter School and a third party, as well as the Articles of Incorporation and Bylaws of Charter School. as they pertain to Charter School are and remain consistent with the Charter Schools Act, all applicable laws and regulations, provisions of the charter, and this Agreement. Charter School will notify OCDE of any amendments or modifications to the nonprofit public benefit corporation's articles of incorporation within **ten (10) business days** of the change. Amendments or modifications to the bylaws may require approval by the Board as a material revision to the petition.
- C. The purpose of this Agreement is to set forth the responsibilities of the Parties with respect to the operational relationship between Charter School, the Board, and OCDE; to address those matters that require clarification; and to outline the Parties' agreements governing their respective fiscal and administrative responsibilities and their legal relationships. To the extent this Agreement contains terms inconsistent with the terms of the charter approved on **date**, the terms of this Agreement shall control.

II. TERM OF AGREEMENT

- A. This Agreement is effective from the date upon which it is approved by the governing boards of each Party for the term of the charter, shall be reviewed at least annually, and may be amended at any time with written mutual agreement of the Parties.
- B. The approved Agreement continues in existence until Charter School voluntarily closes or its charter is non-renewed or revoked, and closure procedures are completed, as determined by the Board and Charter School, after which the Agreement automatically expires. This Agreement is subject to termination during the charter term or during any subsequent renewal as specified by law or as otherwise set forth in this Agreement.
- C. Charter School may seek renewal of its charter by submitting a renewal request to the Board prior to the expiration of the term of the charter, and the Board will evaluate and decide on the renewal request in accordance with Education Code sections 47607, 47607.2, and 47605, and their implementing regulations. Charter School will submit its renewal petition for the new charter term to OCDE no sooner than **September 1** and no later than **March 1** of the final school year for which Charter School is authorized to operate.

III. FULFILLING CHARTER TERMS

A. Governance

1. Charter School acknowledges and agrees it shall comply with the Public Records Act, the Political Reform Act, the Ralph M. Brown Act, Government Code section 1090 et seq. as set forth in Education Code section 47604.1, and all applicable laws and regulations as they may be amended or added during the term of the charter, including all conflict of interest laws, federal and state nondiscrimination laws, and prohibitions against unauthorized student fees.
2. Charter School, the Board and OCDE are separate legal entities. OCDE is not the chartering authority and shall not be liable for the debts or obligations of the Charter School or for claims arising from the performance of acts, errors, or omissions by Charter School. The Board, as the chartering authority, shall not be liable for the debts or obligations of the charter school or for claims arising from the performance of acts, errors, or omissions by the charter school in accordance with Education Code section 47604(d).
3. Within **ten (10) business days** of Charter School board meetings, including special and emergency board meetings, Charter School shall provide OCDE with a complete audio recording of the meeting and all materials provided to the governing board by its administration, contractors, or the public including approved previous meeting minutes, except for confidential communications as defined in Evidence Code section 952 and Government Code section 54963. Charter School will update OCDE of any changes to the Charter School board calendar within **ten (10) business days**.
4. Charter School will provide Brown Act and conflict of interest training to its governing board members and administrative staff within **45 days** of taking office or becoming employed, or as otherwise agreed with OCDE, and **at least once every year**. Charter School will certify that the trainings have been provided to the specified individuals.

B. Educational Program

1. Independent Study: Any independent study program operated by Charter School shall comply with all applicable laws and regulations regarding independent study. Charter School may, on a case-by-case basis, use short-term independent study contracts for students who receive prior approval for absences. Any such independent study will be limited to occasional, incidental instances of extended absences due to travel or extended illness. Any such independent study will be limited to occasional, incidental instances of extended absences and must be fully compliant with all independent study statutes and regulations applicable to charter schools.
2. Family Educational Rights and Privacy Act (FERPA): Charter School, its officers and employees will comply with FERPA and the California Education Code sections related to student information protection at all times. Charter School will authorize OCDE to access educational records maintained by Charter School, in accordance with FERPA, and provide notice of such in Charter School policies and Parent/Student Handbook.

C. Fiscal Operations

1. Charter School will be directly funded in accordance with Chapter 6 (commencing with Section 47630) of Division 4 of Title 2 of the Education Code. The Parties recognize the authority of Charter School to pursue additional sources of funding.
2. The Parties agree that OCDE is not responsible to provide funding in lieu of property taxes to Charter School.

3. Charter School shall comply with Generally Accepted Accounting Principles (GAAP) applicable to public school finance and fiscal management.
4. Charter School shall adopt accounting policies and practices that establish separate accounts and/or sub-accounts for each affiliated charter school. The expenses attributable to each charter school shall be paid only from the account or sub-account of that charter school. Invoices, purchase orders, and other appropriate documentation shall be maintained by Charter School and shall be deemed to be public records subject to disclosure to OCDE upon request.
 - a) Each year Charter School shall make all records relating to the expenses of all affiliated charter schools available to OCDE and Charter School's auditor for review and audit to ensure that all expenses are appropriately allocated. In addition, Charter School shall promptly respond as required by Education Code section 47604.3.
 - b) Each year Charter School shall provide an updated organizational chart of all affiliated charter schools and all related parties operated or otherwise controlled by the same nonprofit public benefit corporation.
 - c) Charter School may temporarily loan funds between schools that it operates pursuant to a resolution approved by its Board of Directors that specifies the duration and interest rate of the loan and understands and agrees to provide access to records of Charter School and its affiliated charter schools, upon request from OCDE in accordance with Education Code section 47604.3.
5. Charter School shall establish a fiscal plan for repayment of any loans received by and/or on behalf of Charter School. It is agreed that OCDE shall receive written notice of all loans received by the Charter School, and repayment of loans shall be the sole responsibility of Charter School.
6. Charter School will use all revenue received from the state and federal sources only for the educational services specified in the charter and this Agreement for the students enrolled and attending Charter School. Other sources of funding must be used in accordance with applicable state and federal statutes and the terms or conditions, if any, of any grant or donation.

D. Fiscal Agent

1. The Parties agree that neither the Board nor OCDE shall act as fiscal agent for Charter School. It is agreed that Charter School shall be solely responsible for all fiscal services such as payroll, purchasing, attendance reporting, and completion and submission of state budget forms but may contract with OCDE for such services by way of a separate written contract.
2. Charter School is responsible for establishing the appropriate funds or accounts in the Orange County Treasury for Charter School and for making the necessary arrangements for Charter School's participation in the State Teachers' Retirement System, the Public Employees' Retirement System, or social security. Nothing in this paragraph shall be interpreted to mean that Charter School must maintain all funds in the County Treasury. If funds are not maintained in the County Treasury, they must be deposited with a federally insured commercial bank or credit union.
 - a) OCDE will only withdraw funds from the Orange County Treasury to a charter school-owned bank account. Bank account name must match the charter school name or a Doing Business As (DBA) reference. No fund transfers will be made to a third party.
 - b) Orange County Treasury withdrawals will take place two (2) times per month. The first withdrawal will take place on the 10th day of each month, and the second withdrawal will take place at the end of each month.

- c) Charter school's Orange County Treasury account will maintain a minimum balance that is sufficient to cover one month of CalSTRS and CalPERS retirement contributions.

E. Student Attendance Accounting and Reporting

Charter School shall utilize commercially available attendance accounting software.

F. Oversight Fees

1. Charter School will be charged an annual oversight fee not to exceed one percent (1%) of the revenue received by Charter School in accordance with Education Code section 47613. The oversight fee will be calculated on the LCFF base grant, supplemental grant and concentration grant funding provided at the First Principal Apportionment (P-1). The amount will be calculated in **April of each year** based upon first principal apportionment (P-1) data for ninety-five percent (95%) of the estimated total. The calculation will also include an adjustment for the preceding year based upon final revenue for that year.
2. Payment Schedule: Charter School shall pay to County Superintendent its actual oversight costs not to exceed one percent (1%) of the LCFF base grant, supplemental grant, and concentration grant revenue received by Charter School ("Oversight Fee") in two equal payments during each Fiscal Year: (1) First Payment -- fifty percent (50%) of the Oversight Fee will be paid on or about **January 15**; and (2) Second Payment -- the remaining fifty percent (50%) plus any adjustment necessary to the First Payment, will be paid on or about **June 15**. County Superintendent will bill Charter School for the Oversight Fee that is due, and Charter School shall make payment within thirty (30) days from the date of receipt of the bill, or thirty-two (32) days from the date of the bill. If County Superintendent does not receive the payment within the above-specified timeframe, Charter School hereby authorizes County Superintendent to transfer the payment from Charter School account to County Superintendent's account upon expiration of the thirty (30) days from the receipt of the bill or thirty-two (32) days from the date of the bill.

G. Insurance and Liability

1. Charter School will provide certificates of insurance coverage to OCDE prior to opening and annually thereafter. The certificates shall indicate that the Board, County Superintendent, and OCDE are endorsed as additional insured under the coverage and shall include a provision that the coverage will be primary and will not participate with any valid and collectible insurance or program of self-insurance carried or maintained by the Board, County Superintendent or OCDE. Exhibit A, Insurance Coverage and Policies indicates the minimum insurance requirements and is incorporated by reference herein. Charter School shall forward any written notice to OCDE within **three (3) business days** of any modification, change or cancellation of any of the above insurance coverage. It shall be expressly understood that the coverage and limits referenced herein shall not in any way limit the liability of Charter School. In addition, Charter School shall assure that its vendors have adequate insurance coverage for the goods and/or services provided to Charter School to protect the interests of Charter School as well as OCDE, the Board and the County Superintendent.
2. Charter School shall hold harmless, defend, and indemnify the Board, the County Superintendent, and OCDE, its officers, agents, and employees from every liability, claim, or demand (including settlement costs and reasonable attorneys' fees) which may be made by reason of: 1) any injury to volunteers; and 2) any injury to person or property sustained by any person, firm or Charter School related to any act, neglect, default or omission of Charter School, its officers, employees or agents, including any claims for any contractual liability resulting from third party contracts with Charter School's vendors, contractors, partners or sponsors. In cases of such liabilities, claims or demands, Charter School, at its

own expense and risk, shall defend all legal proceedings which may be brought against it and/or the Board, the County Superintendent or OCDE, its officers and employees, and satisfy any resulting judgments up to the required Agreements that may be rendered against any of them. Notwithstanding the foregoing: (a) any settlement requiring the Board, the County Superintendent or OCDE to admit liability or to pay any money will require the prior written consent of the Board, the County Superintendent or OCDE, as applicable; and (b) the Board, County Superintendent and/or OCDE may join in the defense with its counsel at its own expense.

3. Charter School understands and agrees that its employees, contractors, subcontractors and agents shall not be considered officers, employees or agents of the Board, the County Superintendent or OCDE, and are not entitled to benefits of any kind or nature normally provided to OCDE employees. Charter School further assumes the full responsibility for acts and/or omissions of its employees, agents or contractors as they relate to the services to be provided under the charter and this Agreement. Charter School shall assume full responsibility for payment of all federal, state and local taxes or contributions, including unemployment insurance (as applicable), social security and income tax withholding with respect to employees of Charter School.
4. Required Disclosures: Charter School shall notify OCDE in writing within **three (3) business days** of any pending or actual litigation and/or formal claim from any party or notice of potential criminal infraction, criminal or civil action against Charter School or any employee, or request for information by any governmental agency to the extent permitted by law. Charter School acknowledges and agrees it shall comply with all applicable laws and regulations as may be amended or added during the term of the charter.

H. Human Resources

STRS and PERS Reporting Requirements: Charter School shall accept and assume sole financial responsibility for any and all STRS and PERS reporting fines and penalties, including any and all financial consequences from the implementation of regulations, or any other action, that renders employees of Charter School ineligible to participate in a governmental defined-benefit retirement plan.

I. Contracts

1. Charter School shall not have the authority to enter into a contract that would bind the Board, County Superintendent and/or OCDE, nor to extend the credit of the Board, County Superintendent and/or OCDE to any third person or Party. Charter School shall clearly indicate in writing to vendors and other entities with which or with whom Charter School enters into an agreement or contract that the obligations of Charter School under such agreement or contract are solely the responsibility of Charter School and are not the responsibility of the Board, County Superintendent and/or OCDE.
2. Charter School shall ensure that all contracts for goods and services comply with the criteria noted in Title 5, section 11967.5.1 of California Code of Regulations. Charter School shall comply with bidding requirements tied to receipt of any state, federal or grant funds that require compliance with bidding that is more stringent or purchasing requirements. Additionally, records and information regarding implementation of the contract will be provided to OCDE in accordance with Education Code section 47604.3.
3. Charter School will make every effort to ensure that vendors comply with all reasonable inquiries by OCDE for records and information related to this contract.
4. Charter/Education Management Organization (C/EMO) Contracts:

Entering into or substantively revising a contract with an Educational Charter Management

Organization (E/CMO) shall be presented to the Board for approval as a material revision to the charter.

Charter School shall ensure the following for any C/EMO contract:

- a) Require that any C/EMO contract (or revision to an agreement) that is entered into be in compliance with state and federal law and the charter and includes language that:
 - i. None of the principals of either the C/EMO or Charter School has conflicts of interest.
 - ii. C/EMO shall comply with Education Code section 47604.3 and the California Public Records Act, Government Code section 6250 et. seq.
 - iii. Any provision of the agreement that is in violation of state or federal law or the charter is void.
- b) Upon approval by Charter School board, Charter School shall provide OCDE a copy of the following:
 - i. C/EMO agreement (or revision to an agreement).
 - ii. Evidence that the C/EMO is a nonprofit public benefit corporation.
 - iii. A description of the C/EMO's roles and responsibilities for the management of Charter School and the internal controls that will be put in place to guide the relationship.
 - iv. A list of other schools managed by the C/EMO.
 - v. A list of and background on the C/EMO's leaders and board of directors.

J. Facilities Agreement

1. Prior to opening, Charter School will provide a written signed agreement, lease or other similar document indicating Charter School's right to use the principal school site identified in the charter, and any ancillary facilities identified by Charter School, for that school year unless Charter School has previously provided a long term lease that includes the school year at issue, and evidence that the facility will be adequate for Charter School's needs.
2. A pre-opening site visit shall be conducted by OCDE prior to the opening of Charter School. Once open, Charter School must request a material revision to the charter petition in order to change facilities. Following an approved revision to the charter, OCDE will conduct, without unreasonable delay, a site visit of a new or changed Charter School facility prior to students attending the new facilities. Under extraordinary circumstances (e.g., a change of facilities necessitated by fire, natural disaster or inhabitability), the Parties may waive the pre-opening site visit.

K. Zoning and Occupancy

1. Charter School shall provide OCDE with a Certificate of Occupancy issued by the applicable permitting agency, allowing Charter School to use and occupy the site prior to opening, unless Charter School is located at a public school site provided pursuant to Proposition 39 or other facilities use agreement with a school district. In lieu of the zoning certification, Charter School can provide OCDE with evidence that zoning ordinances have been overridden by the school district in which the facility is located or by another entity authorized to override zoning ordinances pursuant to current or then applicable state law. The facility must meet all applicable health and fire code requirements, zoning laws, and Americans with Disabilities Act (ADA) requirements for a K-12 public school.

2. If Charter School moves or expands to another facility during the term of this charter, Charter School shall provide a Certificate of Occupancy to OCDE for each facility before the school is scheduled to open or operate in the facility or facilities. If Charter School ever seeks facilities from a school district in which it intends to locate (or is located) under Education Code section 47614 (Proposition 39), it will follow applicable statutes and regulations regarding submission of such a request to the school district.
3. Notwithstanding any language to the contrary in this charter, the interpretation, application and enforcement of this provision are not subject to the Dispute Resolution Process outlined in the charter. The Parties agree that should a dispute arise under this section, they will meet to attempt to resolve any concerns within ten calendar days of the dispute.

L. Dispute Resolution

The Parties acknowledge and agree that in addition to the provisions of the charter, dispute resolution procedures shall be consistent with applicable laws and regulations, including Education Code section 47607(g). The staff and governing board members of Charter School agree to resolve any claim, controversy or dispute arising out of or relating to the Charter agreement between OCDE and Charter School, except any controversy or claim that is in any way related to revocation of this Charter School, pursuant to the terms of the dispute resolution procedures in the charter.

IV. MATERIAL REVISIONS

Modifications of the approved charter must be in writing and submitted to OCDE for review and determination as to whether such amendments must be submitted to the Board as a material revision to the charter. Such amendments may only be submitted to the Board upon the approval of Charter School's board and will take effect only if approved by the Board.

V. SEVERABILITY

If any provision or any part of this Agreement is for any reason held to be invalid and/or unenforceable or contrary to public policy or statute, the remainder of this Agreement shall not be affected thereby and shall remain valid and fully enforceable.

VI. NON-ASSIGNMENT

No portion of this Agreement or the Charter petition approved by the Board may be assigned to another entity without the prior written approval of the Board.

VII. WAIVER

A waiver of any provision or term of this Agreement must be in writing and signed by both Parties. Any such waiver shall not constitute a waiver of any other provision of this Agreement. All Parties agree that neither Party to this Agreement waives any of the rights, responsibilities and privileges established by the Charter Schools Act of 1992.

VIII. NONDISCRIMINATION

The Parties recognize and agree that in addition to complying with all nondiscrimination requirements of the Charter Schools Act, including agreement that Charter School shall not charge tuition, shall be nonsectarian, and pursuant to Education Code section 200 et seq., Charter School shall be open to all students. In addition to these nondiscrimination provisions, Charter School shall not discriminate against applicants or employees on the basis of any characteristics or categories protected by state or federal law. Charter School acknowledges and agrees that it shall comply with all applicable federal and state nondiscrimination laws and regulations as they may be amended.

IX. NOTIFICATION

All notices, requests and other communications under this Agreement shall be in writing and mailed to the proper addresses as follows:

To OCDE at:

Renee Hendrick, Deputy Superintendent
Orange County Department of Education
200 Kalmus Drive
Costa Mesa, CA 92626-9050

To Non profit name at:

Name
Address
City, State, Zip

X. INTEGRATION

This Agreement contains the entire Agreement of the Parties with respect to the matters covered hereby, and supersedes any oral or written understandings or agreements between the Parties with respect to the subject matter of this Agreement. No person or Party is authorized to make any representations or warranties except as set forth herein, and no Agreement, statement, representation or promise by any party hereto which is not contained herein shall be valid or binding. The undersigned acknowledges that she/he has not relied upon any warranties, representations, statements or promises by any of the Parties herein or any of their agents or consultants except as may be expressly set forth in this Agreement. The Parties further recognize that this Agreement shall only be modified in writing by the mutual agreement of the Parties.

XI. ORDER OF PRECEDENCE

The Parties further acknowledge and agree that, unless otherwise noted in this Agreement, any inconsistency in the charter shall be resolved by giving precedence in the following order:

1. This Agreement
2. Documents incorporated by reference to the Agreement, including Exhibit A
3. The Charter, as approved by the Board
4. The bylaws and articles of incorporation of the nonprofit public benefit corporation operating as the Charter School

For Charter School:

Date: _____

Name: _____

Title: _____

Signature: _____

For the Board:

Date: _____

Name: _____

Title: _____

Signature: _____

EXHIBIT A

INSURANCE COVERAGE AND POLICIES

Charter School, at its sole cost and throughout the charter term, shall procure and maintain each insurance listed below in effect. All required insurance, and if self-insurance will be provided, must contain coverage that complies, at a minimum, with the following requirements:

1. Property Insurance for replacement value, if offered by the insurance carrier, including coverage for all assets listed in Charter School's property inventory and consumables. If full replacement value coverage is unavailable, Charter School shall procure property insurance in amounts as close to replacement value as possible and sufficient to protect the school's interests.
2. General Commercial Liability with at least \$2,000,000 per occurrence and \$5,000,000 in total general liability insurance, providing coverage for negligence, errors and omissions/educators legal liability, Fire Legal Liability, of Charter School, its governing board, officers, agents, employees, and/or students. The deductible per occurrence for said insurance shall not exceed \$20,000 for any and all losses resulting from negligence, errors and omissions of Charter School, its governing board, officers, agents, employees, and/or students.
3. Workers' Compensation insurance in accordance with the California Labor Code, adequate to protect Charter School from claims under Workers' Compensation Acts, which may arise from Charter School's operation, with statutory limits. The Workers' Compensation Insurance coverage must also include Employers Liability coverage with limits of \$1,000,000/\$1,000,000/\$1,000,000.
4. Commercial Auto Liability, including Owned, Leased, Hired, and Non-owned, coverage with limits of \$1,000,000 Combined Single Limit per Occurrence if Charter School does not operate a student bus service. If Charter School provides student bus services, the required coverage limit is \$5,000,000 Combined Single Limit per Occurrence.
5. Crime Insurance or Fidelity Bond coverage to cover all Charter School employees who handle, process, or otherwise have responsibility for Charter School's funds, supplies, equipment or other assets. Minimum amount of coverage shall be \$1,000,000 per occurrence, with no self-insured retention.
6. Professional Educators Errors and Omissions liability coverage with minimum limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
7. Sexual Molestation and Abuse coverage with minimum limits of \$3,000,000 per occurrence. Coverage may be held as a separate policy or included by endorsement in the Commercial General Liability or the Errors and Omissions Policy.
8. Employment Practices Legal Liability coverage with limits of \$3,000,000 per occurrence and \$3,000,000 general aggregate.
9. Excess/umbrella insurance with limits of not less than \$10,000,000 is required of all high schools and any other school that participates in competitive interscholastic or intramural sports programs.

**RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION
TO APPROVE WITH CONDTIONS
THE PETITION FOR A CHARTER SCHOOL
FOR TUSTIN INTERNATIONAL CHARTER SCHOOL**

WHEREAS, the Charter Schools Act of 1992, set forth in Education Code section 47600 et seq. (the “Act”), provides for the establishment and operation of publicly funded charter schools that operate independently from the existing school district structures in the State of California; and

WHEREAS, Education Code section 47605(k) provides that if the governing board of a school district denies a petition for a charter school, a petitioner may elect to submit the petition to the county board of education on appeal;

WHEREAS, on December 19, 2024, the Governing Board of the Tustin Unified School District (“TUSD”) denied the Charter Petition for Establishment of the Tustin International Charter School (“Petition”) to operate as an independent charter school within the boundaries of TUSD; and

WHEREAS, on January 8, 2025, pursuant to California Education Code section 47605 and California Code of Regulations, Title 5, Section 11967, following denial by TUSD, Mandarin Immersion Schools, Inc., a nonprofit public benefit corporation, (“Petitioner”) submitted the Petition and supporting documents for the establishment of Tustin International Charter School (“TICS” or “Charter School”) to the Orange County Board of Education; and

WHEREAS, the Orange County Board of Education (“Board”) is required to review the petition on appeal pursuant to Education Code § 47605(b) and (c); and

WHEREAS, in accordance with Education Code section 47505(c), when reviewing charter school petitions, the Board is guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

WHEREAS, following review of the Petition and a public hearing, the Board may approve a petition if it is satisfied that granting the petition is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. In making its determination, the Board shall consider the academic needs of the pupils the school proposes to serve. The Board may deny a petition only if it

makes written factual findings that the Petition does not meet the standards and criteria described in Education Code Section 47605(c); and

WHEREAS, on March 5, 2025, pursuant to Education Code section 47605(b), the Board held a public hearing on the Petition to consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents; and

WHEREAS, the Orange County Department of Education (“OCDE”) staff has reviewed and analyzed all information received with respect to the Charter and information related to the operation and potential effects of the proposed Charter School, including information shared during a clarification meeting on February 11, 2025.

WHEREAS, on March 18, 2025, in accordance with Education Code section 47605(b), the Board published a Staff Report, with recommended findings, prepared by members of the OCDE staff;

WHEREAS, on April 2, 2025, the Board, at its regular meeting held a public hearing, at which the Petitioners had equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings, to grant or deny the petition; and,

WHEREAS, the Board has obtained, reviewed, and analyzed all information received with respect to the petition, including information related to the operation and potential impacts of the proposed charter school.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the findings and recommendations set forth in the attached Staff Report and Findings of Fact dated March 18, 2025, which is attached hereto and integrated herein by this reference.

BE IT FURTHER RESOLVED that the Board approves with conditions the Petition subject to conditions to address the findings as specified and adopted in the Staff Report and Findings of Fact.

BE IT FURTHER RESOLVED that to satisfy the conditions, Petitioner and the Board must fully execute an Agreement that addresses all of the findings, as well as the operational relationship between the School, the Board, and OCDE, no later than the Board’s regularly scheduled meeting in June 2025. Should the Petitioner and Board fail to reach agreement by the regularly scheduled meeting in June 2025, the Board reserves the right to take further action, including but not limited to revoking its approval of the charter.

The terms of this Resolution are severable. Should it be determined that one or more of the findings is invalid, the remaining findings and the board action shall remain in full force and effect. Each finding is, in and of itself, a sufficient basis for the conditional approval.

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
_____)

I, Jorge Valdes, Esq., Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Orange County Board of Education at a regular meeting thereof held on the 2nd day of April 2025, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

BY:

Clerk of the Orange County Board of Education

**RESOLUTION AND WRITTEN FINDINGS
OF THE ORANGE COUNTY BOARD OF EDUCATION TO
DENY THE PETITION FOR A CHARTER SCHOOL
FOR TUSTIN INTERNATIONAL CHARTER SCHOOL**

WHEREAS, the Charter Schools Act of 1992, set forth in Education Code section 47600 et seq. (the “Act”), provides for the establishment and operation of publicly funded charter schools that operate independently from the existing school district structures in the State of California; and

WHEREAS, Education Code section 47605(k) provides that if the governing board of a school district denies a petition for a charter school, a petitioner may elect to submit the petition to the county board of education on appeal;

WHEREAS, on December 19, 2024, the Governing Board of the Tustin Unified School District (“TUSD”) denied the Charter Petition for Establishment of the Tustin International Charter School (“Petition”) to operate as an independent charter school within the boundaries of TUSD; and

WHEREAS, on January 8, 2025, pursuant to California Education Code section 47605 and California Code of Regulations, Title 5, Section 11967, following denial by TUSD, Mandarin Immersion Schools, Inc., a nonprofit public benefit corporation, (“Petitioner”) submitted the Petition and supporting documents for the establishment of Tustin International Charter School (“TICS” or “Charter School”) to the Orange County Board of Education; and

WHEREAS, the Orange County Board of Education (“Board”) is required to review the petition on appeal pursuant to Education Code § 47605(b) and (c); and

WHEREAS, in accordance with Education Code section 47505(c), when reviewing charter school petitions, the Board is guided by the intent of the Legislature that charter schools are and should become an integral part of the California educational system, and that establishment of charter schools should be encouraged; and

WHEREAS, following review of the Petition and a public hearing, the Board may approve a petition if it is satisfied that granting the petition is consistent with sound educational practice and with the interests of the community in which the school is proposing to locate. In making its determination, the Board shall consider the academic needs of the pupils the school proposes to serve. The Board may deny a petition only if it makes written factual findings that the Petition does not meet the standards and criteria described in Education Code Section 47605(c); and

WHEREAS, on March 5, 2025, pursuant to Education Code section 47605(b), the Board held a public hearing on the Petition to consider the level of support for the petition by teachers employed by the school district, other employees of the school district, and parents; and

WHEREAS, the Orange County Department of Education (“OCDE”) staff has reviewed and analyzed all information received with respect to the Charter and information related to the operation and potential effects of the proposed Charter School, including information shared during a clarification meeting on February 11, 2025.

WHEREAS, on March 18, 2025, in accordance with Education Code section 47605(b), the Board published a Staff Report, with recommended findings, prepared by members of the OCDE staff;

WHEREAS, on April 2, 2025, the Board, at its regular meeting held a public hearing, at which the Petitioners had equivalent time and procedures to present evidence and testimony to respond to the staff recommendations and findings, to grant or deny the petition; and,

WHEREAS, the Board has obtained, reviewed, and analyzed all information received with respect to the petition, including information related to the operation and potential impacts of the proposed charter school.

WHEREAS, the Board specifically notes that this Resolution does not include findings relative to every defect in the Petition, but is limited to the most significant issues, which as set forth in the Staff Report and Findings of Fact are legally sufficient to support the Board’s denial of the charter petition.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby adopts the findings and recommendations set forth in the attached Staff Report and Findings of Fact dated March 18, 2025, which is attached hereto and integrated herein by this reference.

BE IT FURTHER RESOLVED that based on the written factual findings as specified in the Staff Report and adopted by the Board, the Board further finds that the Petition is not consistent with sound educational practice and fails to contain reasonably comprehensive descriptions of the required elements set forth in Education Code section 47605(c).

BE IT FURTHER RESOLVED that the Board denies the Petition based on the findings herein adopted. The terms of this Resolution are severable. Should it be determined that one or more of the findings is invalid, the remaining findings and the board action shall remain in full force and effect. Each finding is, in and of itself, a sufficient basis for the denial.

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
_____)

I, Jorge Valdes, Esq., Clerk of the Orange County Board of Education, do hereby certify that the foregoing Resolution was duly passed, approved and adopted by the Orange County Board of Education at a regular meeting thereof held on the 2nd day of April 2025, and that it was so adopted by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

BY:

Clerk of the Orange County Board of Education

Resolution #

ORANGE COUNTY BOARD OF

April 2, 2025



BOARD AGENDA II

☒ Mailed ☐ Distributed at meeting

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Aracely Chastain, Executive Director, Charter Schools Unit

SUBJECT: Public Hearing – Compass Charter Schools of Santa Ana Appeal Charter Petition

DESCRIPTION:

On February 25, 2025, Compass Charter Schools, a California nonprofit public benefit corporation, submitted an appeal to operate Compass Charter Schools of Santa Ana after denial by the Santa Ana Unified School District governing board. The charter school proposes to operate an independent study program serving students in transitional kindergarten through grade eight for a charter term from 2025 through 2030. The charter school operates one resource center in Santa Ana.

RECOMMENDATION:

Under California Education Code 47605, the Orange County Board of Education will hold a public hearing on the provisions of the Compass Charter Schools of Santa Ana petition and consider the level of support for the charter school by teachers employed by the school district, other employees of the school district and parents at the April 2, 2025, board meeting.

April 2, 2025

RA

☒ Mailed ☐ Distributed at meeting

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Dr. Stefan Bean, Superintendent

SUBJECT: AB 1224

RECOMMENDATION:

Adopt Resolution #09-25 in support of AB 1224.

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

**Resolution of the Orange County Board of Education in Support of Assembly Bill 1224
(Valencia)**

WHEREAS, the Orange County Board of Education is committed to ensuring that all students receive high-quality, uninterrupted instruction from qualified educators; and

WHEREAS, existing law limits the number of days a substitute teacher may serve in a single classroom to 30 days for general education and 20 days for special education, which can result in disruptions to student learning; and

WHEREAS, during the COVID-19 pandemic and in subsequent years, the California Legislature temporarily extended this limit to 60 days to address teacher shortages and provide greater classroom stability, but this flexibility expired in 2024; and

WHEREAS, California continues to experience an ongoing educator workforce shortage, making it increasingly difficult for schools to fill vacancies with fully credentialed teachers in a timely manner; and

WHEREAS, research demonstrates that instructional stability and continuity are key factors in student achievement, and allowing substitute teachers to remain in the same classroom for an extended period improves student-teacher rapport, fosters better learning environments, and enhances educational outcomes; and

WHEREAS, AB 1224 (Valencia) would restore the 60-day service limit for substitute teachers in general, special, and career technical education classrooms, ensuring that students receive consistent instruction while school administrators continue working to fill vacancies with highly qualified, credentialed teachers; and

WHEREAS, this bill represents a necessary step in addressing the teacher shortage while upholding the quality of education for students across California;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Education strongly supports AB 1224 (Valencia) and urges the Legislature and the Governor to enact this bill to provide schools with the flexibility needed to maintain instructional stability for students.

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to the Governor of California, members of the California State Legislature, and other stakeholders as deemed appropriate.

PASSED AND ADOPTED by the Orange County Board of Education at a regular meeting on April 2, 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA

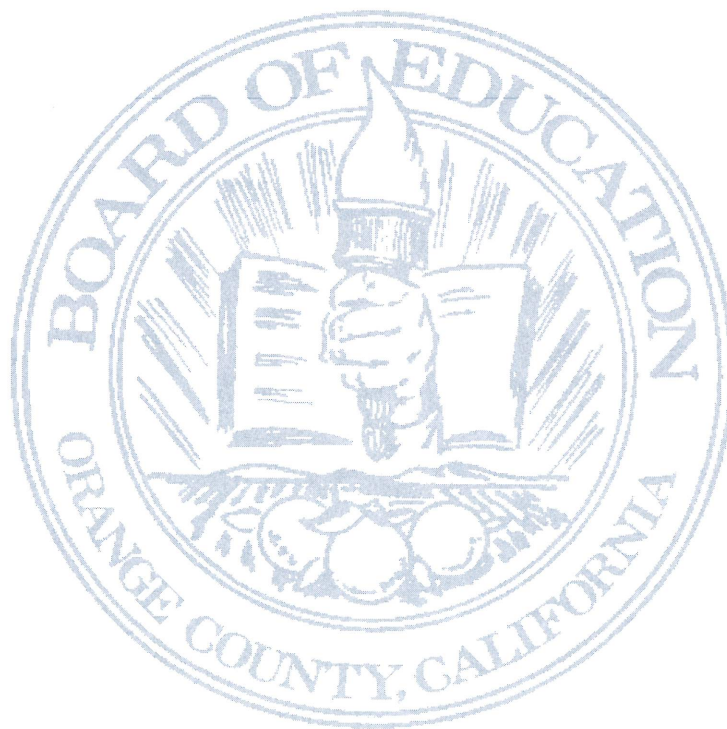
Resolution #09-25

COUNTY OF ORANGE

I, Jorge Valdes, Esq., Clerk of the 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 2nd day of April 2025 and passed by a vote of said Board Members present.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 2nd day of April 2025.

Jorge Valdes, Esq., Clerk of the Board
Orange County Board of Education



April 2, 2025

RA

☒ Mailed ☐ Distributed at meeting

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Dr. Stefan Bean, Superintendent

SUBJECT: AB 927

RECOMMENDATION:

Adopt Resolution #10-25 in support of AB 927.

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

**Resolution of the Orange County Board of Education in Support of Assembly Bill 927
(Sharp-Collins)**

WHEREAS, the Orange County Board of Education is committed to ensuring all students learn in safe, well-maintained school environments with access to adequate instructional materials; and

WHEREAS, existing law requires county superintendents to conduct annual inspections of priority schools—those with significant needs related to facilities, textbook sufficiency, and teacher assignments—and submit a report on their findings; and

WHEREAS, under current law, these inspections must be completed within the first four weeks of the school year, limiting the time available to conduct thorough assessments; and

WHEREAS, AB 927 (Sharp-Collins) would extend the inspection deadline from four to eight weeks, allowing county superintendents to prioritize schools with urgent issues, including those flagged for textbook shortages, hazardous conditions, or facilities in disrepair; and

WHEREAS, this extension would improve oversight and accountability, ensuring that schools most in need receive prompt attention and intervention while maintaining comprehensive reporting requirements to local and state education agencies; and

WHEREAS, the bill recognizes the additional responsibilities placed on county superintendents and provides for state reimbursement of costs, ensuring that local educational agencies have the necessary resources to fulfill their duties effectively;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Education strongly supports AB 927 (Sharp-Collins) and urges the Legislature and the Governor to enact this bill to improve school oversight, safety, and instructional continuity for students;

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to the Governor of California, members of the California State Legislature, and other stakeholders as deemed appropriate.

PASSED AND ADOPTED by the Orange County Board of Education at a regular meeting on April 2, 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STATE OF CALIFORNIA

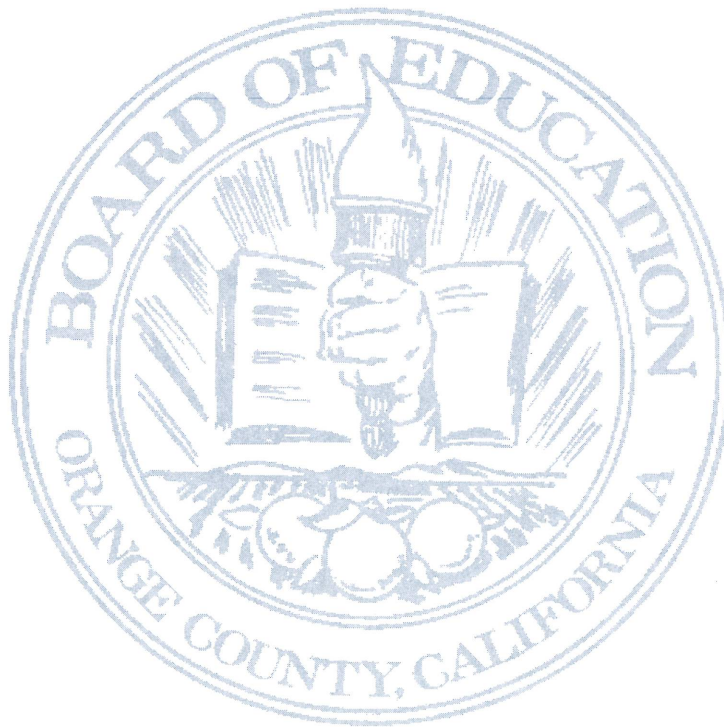
Resolution #10-25

COUNTY OF ORANGE

I, Jorge Valdes, Esq., Clerk of the 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 2nd day of April 2025 and passed by a vote of said Board Members present.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 2nd day of April 2025.

Jorge Valdes, Esq., Clerk of the Board
Orange County Board of Education



April 2, 2025

RA

☒ Mailed ☐ Distributed at meeting

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Dr. Stefan Bean, Superintendent

SUBJECT: Appointment of Real Property Negotiator

The Board has considered the purchase of the real property located at 601 S. Lewis Street, Orange, CA 92868.

The Board is asked to appoint Renee Hendrick, Deputy Superintendent as the Real Property Negotiator, acting on behalf of the Orange County Board of Education, for the possible acquisition of the above referenced property. This site is currently leased by our ACCESS & Connections programs.

RECOMMENDATION:

Approve the appointment of Renee Hendrick, Deputy Superintendent as the Real Property Negotiator, acting on behalf of the Orange County Board of Education, for the acquisition of the property at Argosy, 601 S. Lewis Street, Orange, CA 92868. This site is currently leased by our ACCESS & Connections programs.

April 2, 2025

OK

☒ Mailed ☐ Distributed at meeting

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Mari Barke, Board Vice President

SUBJECT: Resolution #11-25 Recognizing Kids Run the OC

RECOMMENDATION:

Adopt Resolution #11-25 Recognizing Kids Run the OC.

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

Recognizing Kids Run the OC

April 2, 2025

WHEREAS, the Orange County Board of Education ("Board") recognizes and encourages physical fitness programs throughout Orange County; and

WHEREAS, Kids Run the OC is an award-winning program promoting physical fitness, healthy lifestyles and preventing the onset of childhood obesity; and

WHEREAS, Kids Run the OC promotes health and wellness through fitness training which improves speed, agility, hand/eye coordination and flexibility; and

WHEREAS, on May 3, 2025, the Hoag OC Marathon is hosting the 20th annual Kids Run the OC event; and

WHEREAS, each participating school district, including over 140 elementary schools, conducts on-campus training; and

WHEREAS, each participating student is trained by a local coach or online; and

WHEREAS, at the end of the training program the student will accumulate the equivalent of 25+ miles through various games and fun activities; and

WHEREAS, each participating student will complete the "Marathon" by participating in a one (1) mile run on May 3, 2025, at the Costa Mesa Fair and Event Center; and

WHEREAS, each participating student will receive an official Run the OC t-shirt and medal.

THEREFORE, this Board Resolution commends and recognizes the value of Kids Run the OC, and the dedication and commitment of the OC Marathon, local coaches and student participants.

AYES: _____

NOES: _____

ABSENT: _____

ABSTAINED: _____

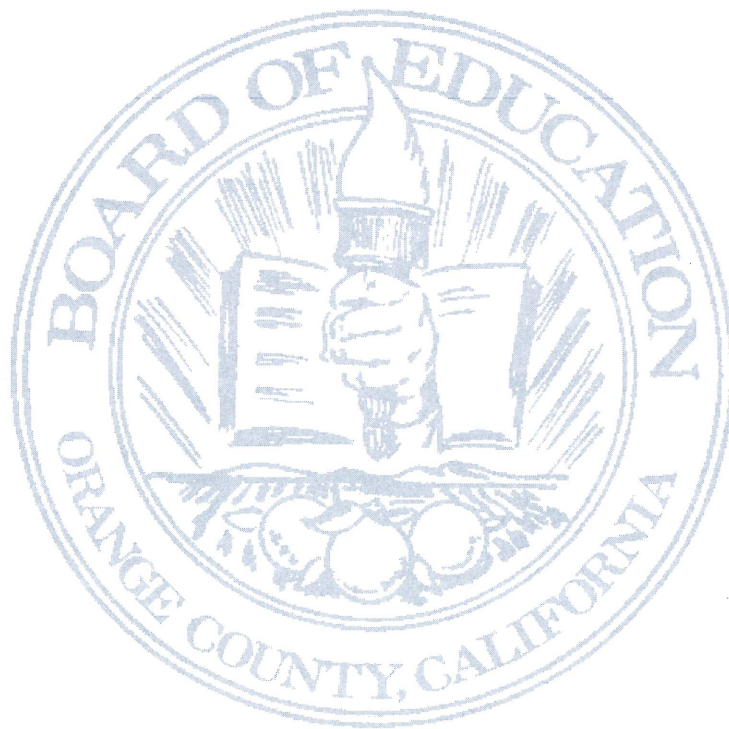
State of California)
) ss.
County of Orange)

I, Jorge Valdes, Esq., Clerk of the 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 2nd day of April, 2025.

Resolution #11-25

IN WITNESS THEREOF, I have hereunto set my hand and seal to this Resolution this 2nd day of April, 2025.

Jorge Valdes, Esq., Clerk of the Board
Orange County Board of Education



April 2, 2025



☒ Mailed ☐ Distributed at meeting

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025

TO: Renee Hendrick, Deputy Superintendent

FROM: Mari Barke, Board Vice President

SUBJECT: Resolution #12-25 Opposing Senate Bill ("SB") 249

RECOMMENDATION:

Adopt Resolution #12-25 Opposing Senate Bill ("SB") 249 Regarding County Board Elections.

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

Opposing Senate Bill ("SB") 249 Regarding County Board Elections

April 2, 2025

WHEREAS, on or about February 1, 2021, Sen. David Min introduced SB 286, moving the Orange County Board of Education ("Board") elections from the June primary election to the November general election ballot; and

WHEREAS, on August 11, 2022, SB 286 was held in the Assembly Appropriations Committee suspense file; and

WHEREAS, the tabling of SB 286 blocked passage of the bill; and

WHEREAS, SB 286 was held in suspense in part because it created a new reimbursable state mandate creating State General Fund expenses every election cycle; and

WHEREAS, on or about January 4, 2024, Senator Josh Newman introduced SB 907, seeking not only to move Board elections from the June primary to the November general election ballot, but also adding two (2) Board trustees; and

WHEREAS, on February 7, 2024, the Board formally opposed SB 907, resolving in relevant part:

- The OCBE does not support adding hundreds of thousands and costs taxpayers must fund to reconfigure the board, changed its selection process, and add additional trustees.

WHEREAS, on September 28, 2024, Governor Gavin Newsom vetoed SB 907 stating:

To the Members of the California State Senate: I am returning Senate Bill 907 without my signature. This bill requires the Orange County Board of Education (OCBOE) to be increased from five to seven members and requires an election for the OCBOE to be consolidated with the statewide general election in November of each even-numbered year. I appreciate the author's intent to increase representation on the OCBOE. However, there are local processes for altering the number of members on a county board of education and changing when local elections are held. State circumvention of these local procedures, especially with respect to a single county board of education, should be avoided absent extraordinary circumstances. Unfortunately, I am not convinced those circumstances exist in the context of this legislation. For these reasons, I cannot sign this bill. Sincerely, Gavin Newsom

WHEREAS, on March 10, 2025, Senator Tom Umberg amended SB 249; and

WHEREAS, Senator Umberg's amendment would require, beginning January 1, 2026, all county board of education elections to be held in the November general election in even-numbered years; and

WHEREAS, SB 249 would change the county board of election procedures for five (5) California counties: Orange, Riverside, Sacramento, San Joaquin and Alameda; and

WHEREAS, all impacted counties have the ability to change their election procedures through local action; and

WHEREAS, changing elective procedures in all impacted counties would create five (5) new and separate reimbursable mandates to be paid through the state general fund. For example:

- In 2024, regarding SB 907, the California Senate Appropriations Committee found that costs in the hundreds of thousands of dollars would be incurred for the Orange County Registrar to change election procedures; and

WHEREAS, SB 249 will potentially cost the State General Fund five (5) times that of the recent Orange County projected cost; and

WHEREAS, the California Department of Finance opposed both SB 286 and SB 907 based upon their fiscal impact to the State General Fund; and

WHEREAS, Governor Newsom's veto of SB 907 emphasized the importance of avoiding state intervention in local procedures.

THEREFORE, BE IT RESOLVED:

1. The Board opposes SB 249 because it is a usurpation of local electoral control.
2. The Board opposes SB 249 because it is an unnecessary drain on the State General Fund.
3. The Board opposes SB 249 because no special circumstances exist to justify state circumvention of local procedures.
4. The Board calls for the county boards and departments of education in Riverside, Sacramento, San Joaquin and Alameda to join in opposition to SB 249.

ADOPTED AND APPROVED this 2nd day of April, 2025 at a regular meeting of the Orange County Board of Education.

AYES: _____
NOES: _____

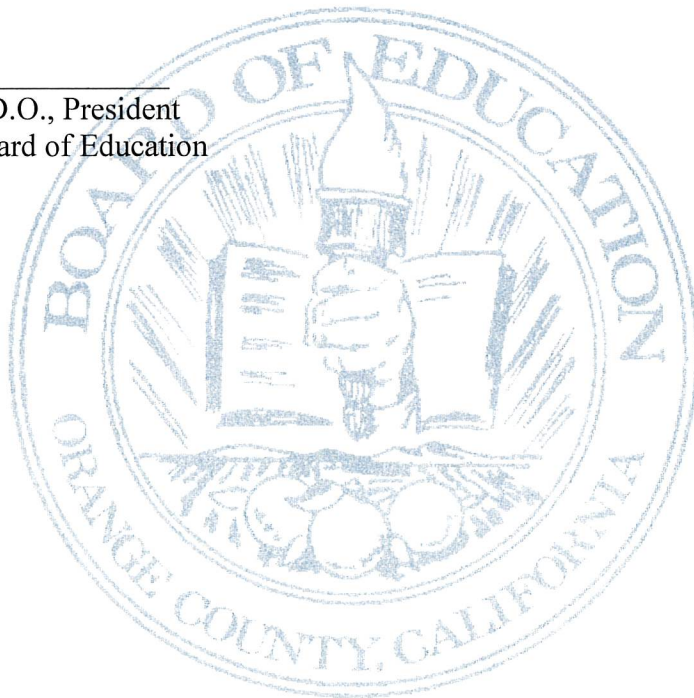
ABSENT: _____
ABSTAINED: _____

State of California)
) ss.
County of Orange)

I, Ken L. Williams, D.O., President of the Board of Education of Orange County, California, hereby certify that the foregoing Resolution was duly and regularly adopted by said Board at a regular meeting thereof held on the 2nd day of April, 2025.

IN WITNESS THEREOF, I have hereunto set my hand and seal to this Resolution this 2nd day of April, 2025.

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



April 2, 2025



☒ Mailed ☐ Distributed at meeting

ORANGE COUNTY BOARD OF EDUCATION

BOARD AGENDA ITEM

DATE: April 2, 2025
TO: Renee Hendrick, Deputy Superintendent
FROM: Ken L. Williams, D.O., Board President
SUBJECT: Legislative Platform for 2025

BACKGROUND:

The Orange County Board of Education contracts with Sheehy Strategy Group for legislative and lobbying services. OCBE's legislative consultant Tom Sheehy keeps the board advised on legislative matters relevant to OCBE and the Legislative Committee and provides regular legislative updates to the Legislative Committee and Board. At the direction of the Legislative Committee, Sheehy and committee have undertaken the analysis of relevant bills and have prepared recommendations as to which bills OCBE should support or oppose.

RECOMMENDATION:

The County Board will take action to on the proposed legislative platform with pending bills.

Orange County Board of Education
Legislative Platform
April 2, 2025

Bill no./ Author	Title	Recommended Position	Current Status
AB 600/ Castillo	Pupil Instruction: transgender concepts: opt-out		May be heard in committee 3/16/25
SB 64/ Grove	Education expenses: School Choice Flex Account Act of 2025		March 19, 2025 set for first hearing: failed passage in committee
SB 267/ Choi	Personal income tax credit: qualified teacher: school supplies		Set for hearing on May 14, 2025 (Senate Tax and Revenue)
SB 249/ Umberg	County Boards of Education: elections: consolidation	Oppose	Refer to committee on Coms, on Ed and E, & C.A.

Orange County Board of Education

Legislative Committee Report – April 2nd, 2025

Lobbyist Update

Bill Introductions – General Updates

- Total new AB/SB bill count in 2025 session: 2,593 (includes resolutions and ACA/SCA)
 - Assembly Bills: 1,644
 - Senate Bills: 949
 - Tracked for OCBE in 2025: **116** as of April 2nd, 2025
- April 10th - 2024 - Spring recess begins.
- May 2nd - Policy committee deadline
- June 6th - House of origin deadline

Potential Priority Bills

AB 600 (Castillo) Pupil instruction: transgender concepts: opt out

AB 600 would allow parents or guardians to request that their students be excused from and not participate in any part of the curriculum, lessons, or activities that discuss transgender concepts, as well as any confidential tests, surveys, or questionnaires related to transgender concepts. The bill would also prevent schools from punishing students for being excused from these activities.

Recommendation: The OCBE Legislative Committee may want to consider a support recommendation to the full board.

SB 64 (Grove): Education expenses: School Choice Flex Account Act of 2025

Senate Bill 64 (SB 64) together with Senate Constitutional Amendment 1, would form the *School Choice Flex Account Act of 2025*. These bills aim to transform K-12 education in California by empowering parents with the ability to select the accredited school that best suits their child's unique needs and ensure that education funding follows the student.

- Establishes a School Choice Flex Account providing \$8,000 for tuition and education-related expenses.
- Creates a Special Education Flex Account offering \$16,000 for students with special needs.
- Other related provisions necessary to implement.

Recommendation: The OCBE Legislative Committee may want to consider a support recommendation to the full board.

SB 267 (Choi): Personal income tax credit: qualified teacher: school supplies

Senate Bill 267 would allow a *credit* against personal income taxes for each taxable year beginning on or after January 1, 2026, and before January 1, 2031, in an amount equal to the amount paid or incurred by a qualified teacher, in public or private school, during the taxable year for instructional materials and classroom supplies, not to exceed \$250.

Recommendation: Trustee Tim Shaw is requesting the Board's support of SB 267.

SB 249 (Umberg): County boards of education: elections: consolidation.

SB 249 would require the elections for the seats on the Orange County Board of Education to be consolidated with the November statewide general election. It would also require 4 other counties to do the same including *Sacramento, San Joaquin, Alameda and Riverside*. The OCBE has not passed a resolution seeking a change, and the County Board of Supervisors have not requested such a resolution. SB 286 is an intrusion into local control over Orange County elections and as such, is completely unwelcome and unnecessary.

This bill is similar to SB 286 (Min) which failed passage in 2022 largely because of the significant costs associated with the measure and its interferences with local control. It is also similar to SB 907 (Newsom) in 2024 which was vetoed by Governor Newsom. The Governor's veto message read:

To the Members of the California State Senate: I am returning Senate Bill 907 without my signature. This bill requires the Orange County Board of Education (OCBOE) to be increased from five to seven members and requires an election for the OCBOE to be consolidated with the statewide general election in November of each even-numbered year. I appreciate the author's intent to increase representation on the OCBOE. However, there are local processes for altering the number of members on a county board of education and changing when local elections are held. State circumvention of these local procedures, especially with respect to a single county board of education, should be avoided absent extraordinary circumstances. Unfortunately, I am not convinced those circumstances exist in the context of this legislation. For these reasons, I cannot sign this bill. Sincerely, Gavin Newsom

Recommendation: The OCBE Legislative Committee may want to consider an oppose recommendation to the full board.



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