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## SCHOOLS LEGAL SERVICE

March 17, 2026

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Assemblymember John Harabedian  
Chair, Joint Legislative Audit Committee  
1020 N Street, Room 107  
Sacramento, CA 95814

Re: Request for Audit of Orange County Board of Education

Dear Chair Harabedian,

The Orange County Board of Education (“Board”) respectfully submits that Sen. Umberg’s request for a Joint Legislative Audit Committee (“JLAC”) audit lacks a factual basis and is not the proper subject matter for a JLAC audit. The Board has received no complaints, nor has any misconduct been alleged in the last five (5) years of public comment (see attached declarations of Renee Hendricks and Devon Atkinson). Each Board member has completed all mandatory ethics training (see attached Declaration of Darou Sisavath). Finally, Sen. Umberg asks JLAC to audit matters subject to independent legal review and which are time-barred. The following will identify the statutory framework for Sen. Umberg’s proffered legal concerns, as well as the resolution procedures and limitations periods.

### 1. Board Actions and Activities

#### a. Federal Civil Rights Laws (Title VI, Title IX, IDEA)

##### i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §2000d)

- i. *Administrative enforcement:* Complaint to the U.S. Department of Education, Office for Civil Rights (“OCR”).  
*Administrative deadline:* Within 180 days of the last act of discrimination.
- ii. *Civil enforcement:* Private right of action in federal or state court.  
*Statute of limitations:* Two (2) years.<sup>1</sup> Assuming arguendo, the filing deadline is March 24, 2026; acts alleged before September 24, 2024, would be presumptively time-barred.

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<sup>1</sup> Federal law determines when a federal cause of action accrues, and state law governs the applicable statute of limitations. (*McDonough v. Smith* (2019) 588 U.S. 109, 115; see also, *Heras v. Pasadena Area Cmty. Coll. Dist.*, 2025 Cal. Super. LEXIS 72752, \*12-13.)

- ii. Title IX of the Education Amendments of 1972 (20 U.S.C. §1681)
  - i. *Administrative enforcement*: OCR complaint.  
*Administrative complaint deadline*: Within 180 days of the alleged discrimination.
  - ii. *Civil enforcement*: Private right of action in federal or state court.  
*Statute of limitations*: Two (2) years.<sup>2</sup> Assuming arguendo, the filing deadline is March 24, 2026; acts alleged before September 24, 2024, would be presumptively time-barred.
- iii. Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §1400 et seq.)
  - i. *Administrative enforcement*: Due process complaint.  
*Statute of limitations*: Two (2) years from the date the parent or agency knew or should have known of the alleged violation.<sup>3</sup>
  - ii. *Civil enforcement*: Judicial review of due process decision.  
*Statute of limitations*: Within ninety (90) days of the hearing officer's decision.<sup>4</sup>  
Assuming arguendo, the filing deadline is March 26, 2026; acts alleged before September 24, 2025, would be presumptively time-barred.

No citizen or public agency has filed a civil rights complaint against the Board.

## **b. Transparency Provisions**

- i. Ralph M. Brown Act (Gov. Code, § 54950 et seq.)
  - 1) *Remedy*: Cure and correct demand.<sup>5</sup>  
*Deadline*: Written demand must be made within ninety (90) days of the alleged violation, or thirty (30) days if the violation involves agenda posting requirements.
  - 2) *Civil enforcement*: An action by mandamus, injunction, or declaratory relief to determine whether the action is null and void.<sup>6</sup>

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<sup>2</sup> Since Title IX contains no express statute of limitations, courts borrow the most analogous state limitations period. In California, the two-year personal injury statute (Code Civ. Proc., § 335.1) generally applies. However, claims arising from childhood sexual assault may be governed by extended limitations period. (Code Civ. Proc., § 340.1; *Doe v. Los Angeles Unified Sch. Dist.*, 2025 Cal. Super. LEXIS 64760 (2025).)

<sup>3</sup> 20 U.S.C. § 1415(b)(6)(B); Ed. Code, § 56505, subd. (l).

<sup>4</sup> 20 U.S.C. § 1415(i)(2)(B); Ed. Code, § 56505, subd. (k).

<sup>5</sup> Gov. Code, § 54960.1, subd. (b).

<sup>6</sup> Gov. Code, § 54960.1, subds. (a).

*Statute of limitations:* Within fifteen (15) days of the agency’s response (or failure to respond).<sup>7</sup> Assuming arguendo, the filing deadline is March 24, 2026. Board actions taken before December 24, 2025, are presumptively time-barred, except for specific exceptions.

ii. Public Records Act (Gov. Code, § 7920.000 et seq.)

- 1) *Civil enforcement:* Petition for writ of mandate to compel disclosure of public records.<sup>8</sup>

*Statute of limitations:* None specified in the statute; petitions must generally be filed within a reasonable time after denial of records. Assuming arguendo, March 26, 2026, is the last day to file a petition for writ of mandate, any agency decision that became final before December 26, 2025, would be presumptively time-barred under Code of Civil Procedure § 1094.6.

iii. Political Reform Act of 1974 (Gov. Code, § 87100 et seq.)

- 1) *Administrative enforcement:* Complaint to the Fair Political Practices Commission (“FPPC”).

*Administrative deadline:* Within five (5) years of the date of violation.<sup>9</sup> Assuming arguendo, the filing deadline is March 24, 2026; violations before March 24, 2021, are time-barred.

- 2) *Civil/criminal enforcement:* By the FPPC, a District Attorney, the Attorney General, or a private citizen.<sup>10</sup>

*Statute of limitations:* Four (4) years.<sup>11</sup> Assuming arguendo, the filing deadline is March 24, 2026; violations before March 24, 2022, are time-barred.

No citizen or public agency has ever filed a complaint against the Board alleging violations of transparency provisions.

**2. Use of Public Resources/Improper Political/Ideological Use**

**a. Misuse of Public Funds (under Gov. Code, § 8314)**

- i. *Administrative enforcement:* FPPC complaint for misuse of public resources under Government Code section 8314.

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<sup>7</sup> Gov. Code, § 54960.1, subds. (c)(4).

<sup>8</sup> Gov. Code, § 7923.000.

<sup>9</sup> Gov. Code, § 91000.5.

<sup>10</sup> Gov. Code, § 91001.

<sup>11</sup> Gov. Code, § 91011(b).

*Administrative deadline:* Within five (5) years of the date of violation.<sup>12</sup> Assuming *arguendo*, March 24, 2026, is the final day to commence an action under Government Code § 8314; any alleged misuse of public resources occurring before March 24, 2022, would be presumptively time-barred.

- ii. *Civil/criminal enforcement:* By the FPPC, a District Attorney, the Attorney General, or a private citizen.<sup>13</sup>

*Statute of limitations:* No civil action alleging a violation of Section 8314 may be commenced more than four (4) years after the date the alleged violation occurred.<sup>14</sup>

**b. Misuse of Public Funds (under Pen. Code, § 424)**

- i. *Criminal enforcement:* By a District Attorney or the Attorney General.  
*Statute of limitations:* Three (3) years. If the prosecution deadline were March 26, 2026, the latest chargeable act would typically be March 26, 2023.

**c. Taxpayer Action (under Code of Civ. Proc., § 526a)**

- i. *Civil enforcement:* Taxpayer suit seeking injunction or declaratory relief to prevent unlawful expenditure of public funds.  
*Statute of limitations:* Three (3) years.<sup>15</sup> Assuming, *arguendo*, March 24, 2026, is the filing deadline; acts before March 26, 2023, are presumptively time-barred.

No citizen or public agency has ever filed a complaint against the Board alleging misuse of public resources.

**3. Litigation Authorization**

**a. Fiscal Prudence Allegations**

California County Board of Education members are immune from liability for decisions such as voting to initiate litigation, provided they act within the scope of their authority.<sup>16</sup>

- i. *Discretionary act immunity:* Public employees are not liable for injuries resulting from discretionary acts within the scope of their authority.<sup>17</sup>

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<sup>12</sup> Gov. Code, § 91000.5.

<sup>13</sup> Gov. Code, § 91001.

<sup>14</sup> Gov. Code, § 8314(c)(3).

<sup>15</sup> Taxpayer actions under Code of Civil Procedure section 526a are subject to the three (3) year statute of limitations for liabilities created by statute. (See Code Civ. Proc., § 338, subd. (a); *Howard Jarvis Taxpayers Assn. v. City of La Habra* (2001) 25 Cal.4th 809, 815; *Cruz v. Radecki* (2021) 2021 Cal. Super. LEXIS 92420, at \*4–5.)

<sup>16</sup> See Ed. Code, § 1042 regarding the scope of a county board of education’s authority; see also 86 Ops. Cal. Atty. Gen. 57 regarding a county board of education’s authority to contract with outside counsel.

<sup>17</sup> Gov. Code, § 820.2.

- ii. *Public entity derivative immunity*: A public entity is not liable where its employee is immune from liability.<sup>18</sup>
- iii. *Common law legislative immunity*: Public officials performing legislative or policy-making functions are protected by common law legislative immunity.<sup>19</sup>

The Board has the right to initiate, defend, or participate in litigation. If the Board's participation had been inappropriate, it would have been disallowed by the tribunal involved.

#### **4. Charter School Authorization and Oversight<sup>20</sup>**

##### **a. Charter School Authorization and Appeals**

- i. *Administrative enforcement*: Appeal of charter school authorization decisions to the State Board of Education ("SBE") following denial or revocation by a local authorizer.  
*Administrative appeal deadline*: Thirty (30) days to appeal the Board's decision to the SBE.<sup>21</sup>  
*Statute of limitation*: Three (3) years for filing a civil action to challenge the SBE's decision. Assuming arguendo, the filing deadline is March 24, 2026; acts before March 26, 2023, are presumptively time-barred.

##### **b. Charter School Oversight Duties**

- i. *Administrative enforcement*: See discussion in section 4a above.
- ii. *Civil enforcement*: Petition for writ of mandate to compel a public entity to perform a mandatory statutory duty.<sup>22</sup>  
*Statute of limitations*: Two (2) to three (3) years, depending on the cause of action alleged. Assuming arguendo, the filing deadline is March 24, 2026; acts before March 26, 2023, are presumptively time-barred.

##### **c. Academic Oversight Decisions**

- i. *Discretionary act immunity*: Public employees are not liable for injuries resulting from discretionary acts within the scope of their authority.
- ii. *Public entity derivative immunity*: A public entity is not liable where its employee is immune from liability.
- iii. *Common law legislative immunity*: Public officials performing legislative or policy-making functions are protected by common law legislative immunity.

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<sup>18</sup> Gov. Code, § 815.2, subd. (d).

<sup>19</sup> *Steiner v. Superior Court* (1996) 50 Cal.App.4th 1771.

<sup>20</sup> Ed. Code, §§ 47605 et seq., 47607, 47604.32.

<sup>21</sup> Ed. Code, § 47605(k)(2)(A).

<sup>22</sup> Code of Civ. Proc., § 1085; Gov. Code, § 815.6.

Over the last five (5) years, the Board has made approximately 33 decisions regarding charter school approval and renewal. There was only one (1) challenge, which led the SBE to rule unanimously in favor of the Board.

## 5. **Procurement**

### a. **Procurement (under Pub. Cont. Code, § 20111)**

- i. *Civil enforcement:* Action seeking injunctive relief, declaratory relief, or writ of mandate to enforce competitive bidding requirements or to set aside an improperly awarded contract.  
*Statute of limitations:* Three (3) years.<sup>23</sup> Assuming arguendo, the filing deadline is March 24, 2026; acts before March 26, 2023, are time-barred.

In the last five (5) years, no citizen or public entity has filed a complaint against the Board alleging procurement violations.

## 6. **Whistleblower Complaints; Retaliation**

### a. **Labor Code, § 1102.5**

- i. *Civil enforcement:* Private right of action.  
*Statute of Limitations:* Three (3) years. (CCP §338a.) Assuming arguendo, the filing deadline is March 24, 2026; acts before March 26, 2023, are time-barred

### b. **Education Code, § 44110**

- i. *Administrative enforcement:* Complaint to the governing Board, appeal to the State Superintendent of Public Instruction.

### c. **Fair Employment and Housing Act Retaliation (Gov. Code, § 12940(h))**

- i. *Enforcement:* Complaint to the Civil Rights Division (“CRD”); private right of action.  
*Statute of Limitations:* Four (4) years. Claimants have three (3) years to file a complaint with the CRD and one (1) year to file a civil claim after receiving a right-to-sue letter. Assuming arguendo, the filing deadline is March 24, 2026; acts before March 26, 2022, are time-barred.

In the last five (5) years, no citizen or public entity filed a complaint alleging whistleblower retaliation against the Board.

Simply stated, multiple state and federal agencies, as well as every Californian, have several avenues to complain and/or seek legal recourse to remedy the allegations raised by

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<sup>23</sup> Code of Civ. Proc., § 338.

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Sen. Umberg. They have not. The five (5) year review period substantially exceeds the applicable statutes of limitations governing the legal claims referenced in the letter. This is likely why JLAC has never audited a County Board of Education (see Atkinson Declaration ¶ 16). The other concerns raised, such as “best practices,” “fiscal prudence,” “adequacy of cost-benefit analysis,” and “general ideological influence,” are subjective. Such subject matter is not the province of a JLAC audit but, in fact, is subject to voter scrutiny. Since 2018, Orange County voters have universally supported the Board's decisions, with Board trustees winning eight (8) elections and losing none.

Respectfully submitted,



Gregory J. Rolen

Attachments

## **DECLARATION OF RENEE HENDRICK**

I, Renee Hendrick, declare as follows:

1. I am the Deputy Superintendent of the Orange County Department of Education (“OCDE”). I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify thereto.
2. I have served as the Deputy Superintendent of OCDE for approximately 3 years.
3. In my role as Deputy Superintendent, I perform duties that include, but are not limited to, the following:
  - a. Communicating with members of the Orange County Board of Education (the “Board”) regularly, including daily communications related to Board operations and administrative matters.
  - b. Coordinating and preparing agendas for meetings of the Orange County Board of Education.
  - c. Monitoring communications sent to the Board through the Board’s public email address, including the Board’s public email account used to receive communications from members of the public.
  - d. Notifying the Office of the General Counsel of complaints or concerns received that relate to the Board or the conduct of Board members.
  - e. Maintaining, through the Office of the General Counsel, a centralized repository for complaints concerning the Board.
4. Because of these responsibilities, complaints or formal allegations concerning the Board are typically communicated through, reviewed by, or maintained by my office.
5. Based on my responsibilities and familiarity with the administrative handling of Board-related complaints, I conducted a diligent search and reasonable inquiry to determine whether any formal complaints have been received alleging that the Board violated certain state or federal laws.
6. Based on that diligent search and reasonable inquiry, I have not identified any formal complaints alleging that the Orange County Board of Education violated any of the following within the last three years:
  - a. Title VI of the Civil Rights Act of 1964.
  - b. Title IX of the Education Amendments of 1972.

c. The Individuals with Disabilities Education Act (IDEA).

d. The Ralph M. Brown Act (Gov. Code, § 54950 et seq.). (See attached, League of Women Voters compliance report-Orange County Board of Education)

e. The Political Reform Act (Gov. Code, § 81000 et seq.).

f. Code of Civil Procedure section 526a.

g. The Public Contract Code.

h. The Penal Code.

i. Education Code sections 1042 or 44110.

j. The Charter Schools Act (Ed. Code, § 47605 et seq.).

k. Labor Code section 1102.5.

l. Government Code section 12940 et seq.

The statements contained in this declaration are based on my review of administrative complaint records maintained by OCDE and my knowledge of the procedures used to receive and track complaints relating to the Board.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 16 day of March 2026, at Costa Mesa, California.



Renee Hendrick

ATTACHMENT



LEAGUE OF WOMEN VOTERS®  
OF ORANGE COAST

## OC Board of Education of March 4, 2026

Submitted values are:

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



LEAGUE OF WOMEN VOTERS®  
OF ORANGE COAST

## OC Board of Education of February 2, 2026

### General Meeting Information

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? No

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? No



## **OC Board of Education of January 7, 2026**

### **General Meeting Information**

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No



## **OC Board of Education of December 3, 2025**

### **General Meeting Information**

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? No

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? No



## **OC Board of Education of December 3, 2025**

### **General Meeting Information**

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## **OC Board of Education of November 5, 2025**

### **General Meeting Information**

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? No

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? No



## **OC Board of Education of October 8, 2025**

### **General Meeting Information**

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of August 6, 2025

### General Meeting Information

Did the meeting start on time? Yes

Were all members present? Yes

Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? Yes  
**Education Curriculum--A motion introduced by Board of Education member Valdez focused on adding a paragraph to the Memo of Understanding between the Board and each of its charter schools that would provide "guidelines" for disallowing the teaching of Critical Race Theory (and possibly gender identity or DEI concerns). While the Board members appeared to support this idea, there was expressed concern about whether they could legally do it. After some discussion the motion was passed 5 to 0. (Note-- at no time was the one paragraph content of the memo read aloud or otherwise presented.)**

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? No

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? Yes



## OC Board of Education of June 18, 2025

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? Yes  
**See "classroom materials" below**  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? Yes

**This second Board of Education meeting for June was essentially a continuation of several items from the earlier meeting that needed more in depth presentation. Of most interest to LWV was further detailed information about the proposed Ethnic Studies curriculum. Most of it was a reminder of the thorough process that the staff have been through since last October in developing the final draft of the curriculum, including several open meetings with the Board and the recent incorporation of citizen input. After some further discussion, the Board of**



## OC Board of Education of July 9, 2025

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? Yes  
**Of great concern is the lack of information provided to the public regarding agenda item #14 in which the Board of Education voted 5 to 0 to send a Resolution to the legislature in Opposition to State Assembly Bill--AB 84. At no point prior to the actual vote did the public receive any information about the content of AB 84. The information did not appear on or with the public agenda. Neither was the nature of the bill verbally presented in the very brief discussion by the Board before the vote. It should be noted that AB 84 proposes having all Boards of Education members elected during the main election (rather than the primary).**  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of June 2, 2025

### General Meeting Information

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? Yes

**See "classroom materials" and more broadly education below.**

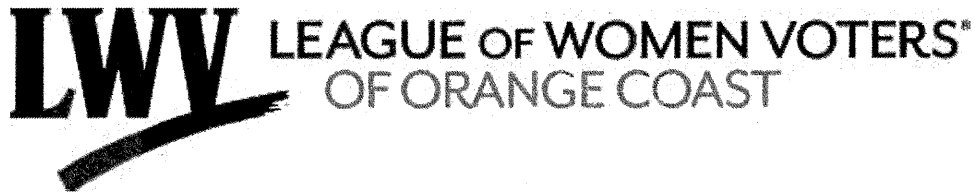
Do you recommend local League action on any of these items? No

Do you have other concerns or comments? No

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? Yes

**Ethnic Studies curriculum. There was a brief update by staff on the Ethnic Studies curriculum for Orange County's numerous charter schools. The first draft of the curriculum (one class) was recently available for review by the public for a 30 day period. A total of 41 responses were received, mostly general responses with some specific language suggestions. Much staff effort was put into incorporating these into a new draft which will be presented to the Board in early July. When approved by the Board, it will be shared with the public and staff through local media and in a Canvas format. This coming school year will be on a**



## **OC Board of Education of May 7, 2025**

### **General Meeting Information**

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of May 14, 2025

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? Yes  
**Please note that this was an advertised May 14 Special Meeting(in addition to the regular monthly Meeting on May 7) in a 3 hour closed session mostly to consider 7 different cases of individual students being admitted to various charter schools.**  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of April 2, 2025

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? Yes  
**The OC Board of Education staff since Fall of 2024 have been in the process of developing an Ethnic Studies Curriculum (class) for all ACCESS students for initial pilot implementation this coming Fall. Staff provided a thorough update and introduced a first draft in detail of the Curriculum available for review to the public for comments. There followed a discussion by the Board of how to share the document for feedback--including dissemination to local ethnic organizations and to standard media outlets such as the Orange County Register. The only clear conclusion was that it would be shared with ACCESS (Alternate Education Schools) staff and families.**  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? Yes



## OC Board of Education of March 5, 2025

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of February 8, 2025

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? Yes  
**There was an update by staff on progress developing the Ethnic Studies Curriculum, through continued transparency and communication with local schools and parents this Spring--having May-June be the anticipated date for final Review, and the actual Ethnic Studies class being piloted in the school year 2025-26. It will appear as an Elective, and eventually by 2029-30 become a requirement for graduation.**

Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of February 8, 2025

### General Meeting Information

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? Yes  
**There was an update by staff on progress developing the Ethnic Studies Curriculum, through continued transparency and communication with local schools and parents this Spring--having May-June be the anticipated date for final Review, and the actual Ethnic Studies class being piloted in the school year 2025-26. It will appear as an Elective, and eventually by 2029-30 become a requirement for graduation.**

Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## **OC Board of Education of January 8, 2025**

### **General Meeting Information**

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of December 4, 2024

### General Meeting Information

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? Yes

**EDUCATION--In a previous meeting the OC Board of Education committed itself to establishing an Ethnic Studies Curriculum Studies curriculum specifically for the Orange County schools' ACCESS program (and also available to all O.C. public and charter schools). A committee is being formed of 8 faculty, 3 administrators, and additional public members to create an ethnic studies course for use in Fall of 2025. There was much discussion by board members regarding the target student population (ACCESS, all O.C., or broader) with primary focus being on ACCESS. Further concerns were voiced about the inclusion of Israel, the Civil Rights Movement, Marxism, local demographics, etc.--with no resolution.**



## **OC Board of Education of November 5, 2024**

### **General Meeting Information**

Did the meeting start on time? Yes  
Were all members present? Yes  
Did the members appear to have done their homework? Yes  
Were members courteous to each other and the public? Yes

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### **Brown Act**

Was the agenda sent/posted 72 hours before this meeting? Yes  
Did items clearly describe what was discussed? Yes  
Was there adequate opportunity for public input? Yes  
Was there the appearance that some action items were discussed in closed rather than open session? No  
Was background information available to the public? Yes

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### **LWV Action Item**

Were any issues on the agenda relevant to any LWVC positions or programs? No  
Do you recommend local League action on any of these items? No  
Do you have other concerns or comments? No  
Was there discussion on homelessness or affordable housing? No  
Was there discussion or action on library or classroom materials? No



## OC Board of Education of October 9, 2024

### General Meeting Information

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? Yes

**EDUCATION--Agenda Item # 14 Approve board travel to Washington, D.C. to meet with lobbyists and federal government officials. Before vote was taken, there was public comment from Lynn asking the board "explicitly explain to us what they will be lobbying for..." and "to publicly propose, disclose and agendaize such a plan before you proceed any further." The board thanked her for the comments, then immediately moving 5 to 0 to approve Item # 14.**

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? No



## OC Board of Education of September 4, 2024

### General Meeting Information

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? Yes

**EDUCATION--Agenda item #19 The Board passed a Resolution (5 Yeas to 0 nays) requesting that the County Superintendent have staff create an Ethnic Studies Curriculum to be used in the OCDE Alternative, Community, and Correctional Educational Schools and Services (ACCESS) program, which would be offered to all 28 school districts in the county, and outside the area. The Board strongly supported the Resolution, while discussing issues of transparency in developing the curriculum, and academic freedom.**

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? Yes



## OC Board of Education of August 7, 2024

### General Meeting Information

Did the meeting start on time? Yes

Were all members present? Yes

Did the members appear to have done their homework? Yes

Were members courteous to each other and the public? Yes

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### Brown Act

Was the agenda sent/posted 72 hours before this meeting? Yes

Did items clearly describe what was discussed? Yes

Was there adequate opportunity for public input? Yes

Was there the appearance that some action items were discussed in closed rather than open session? No

Was background information available to the public? Yes

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### LWV Action Item

Were any issues on the agenda relevant to any LWVC positions or programs? No

Do you recommend local League action on any of these items? No

Do you have other concerns or comments? Yes

**EDUCATION--Item #10 on the Board's agenda was a Resolution to oppose Assembly Bill 1955 regarding Parent Notification. More specifically, AB 1955 was signed into law on July 15, 2024 and prohibits school districts from enacting any policy requiring an employee to disclose information related to "pupil's sexual orientation, or gender identity, or gender expression" without the pupil's consent. The Board's Resolution concludes with a statement of intention to challenge AB1955 in the federal courts. Several members of the public provided oral input. The Resolution was passed by the Board 5 to 0**

Was there discussion on homelessness or affordable housing? No

Was there discussion or action on library or classroom materials? No

## DECLARATION

I, Devon Atkinson, declare as follows:

1. I am paralegal in the Legal Services Division of the Orange County Department of Education (“OCDE”). I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify thereto.
2. I compiled eighty-three (83) official meeting transcripts of the Orange County Board of Education (the “Board”) covering the time period of January 1, 2021, through February 28, 2026.
3. The eighty-three (83) meeting transcripts represent the official public meeting transcripts for all regular and special session meetings of the OCBE during that period.
4. I uploaded all eighty-three (83) transcripts into ChatGPT for the limited purpose of conducting structured keyword and context-based searches to determine whether any claims or allegations were made during public meetings that the Board or its members violated certain statutory or procedural requirements.
5. I directed ChatGPT to conduct systematic searches of the transcripts for allegations, claims, or references relating to the following:
  - a. The Ralph M. Brown Act (Gov. Code, § 54950 et seq.), including references to:
    - “Brown Act”
    - “open meeting law”
    - “serial meetings”
    - improper agenda posting
    - improper closed session procedures
    - failure to report out closed session action
    - improper notice requirements
  - b. The California Public Records Act, including references to:
    - “Public Records Act”
    - “public records”
    - withholding of records
    - waiver of attorney-client privilege for disclosure
    - untimely responses to records requests
  - c. The Political Reform Act, including references to:
    - “Political Reform Act”
    - “FPPC”
    - “Form 700”
    - gift limits
    - conflict of interest violations

d. Title VI of the Civil Rights Act of 1964, including references to:

- “Title VI”
- “Office for Civil Rights”
- race, color, or national origin discrimination claims

e. Title IX, including references to:

- “Title IX”
- sexual harassment or assault claims framed as Title IX violations
- OCR investigations related to Title IX

f. The Individuals with Disabilities Education Act (IDEA), including references to:

- “IDEA”
- IEP violations
- due process hearings
- Free Appropriate Public Education (FAPE)

g. Federal or state civil rights complaints generally, including references to:

- “civil rights complaint”
- discrimination
- retaliation
- constitutional violations

h. Allegations of procedural violations in board operations, including:

- improper parliamentary procedure
- invalid votes
- actions taken without proper agendaing
- violations of board bylaws or policies

6. I further directed that the review include statements made during:

- Public comment
- Board member discussion
- Superintendent remarks
- Counsel statements
- Litigation updates
- Any judicial commentary referenced in meetings

7. Based on the transcript review conducted:

a. No transcript contained allegations that the Board or its members violated the Brown Act.

b. The transcripts did not contain allegations that the Board or its members violated the Political Reform Act.

- c. The transcripts did not contain allegations that the Board or its members violated Title VI.
  - d. The transcripts did not contain allegations that the Board or its members violated the Individuals with Disabilities Education Act (IDEA).
  - e. The transcripts did not contain allegations that the Board or its members committed federal or state civil rights violations.
  - f. The transcripts did not contain formal claims that Board actions were procedurally invalid or that the Board violated its own bylaws or parliamentary procedures.
  - g. The transcript review identified a small number of isolated public comments (approximately three to four meetings over a five-year period) in which speakers referenced concerns related to the California Public Records Act. These comments consisted primarily of requests that certain records (such as attorney billing statements or settlement agreements) be disclosed, suggestions that attorney-client privilege be waived to permit public review, or general questions regarding the handling or timeliness of records requests. The transcripts do not reflect repeated allegations, formal findings, corrective action, or subsequent proceedings related to those comments. No transcript reflects an admission or determination that the Board violated the Public Records Act.
  - h. The transcripts contained limited public comment references to Title IX concerns related to schools or charter schools; however, no transcript reflected an allegation that the Board itself violated Title IX.
8. The review described herein was limited to statements appearing in the official public meeting transcripts. It did not include review of emails, closed session deliberations not reported out, litigation filings, or complaints filed outside the public meeting record.
  9. The findings summarized above are based solely on the content of the eighty-three (83) meeting transcripts covering January 1, 2021, through February 28, 2026.
  10. Separate from the transcript review described above, I personally conducted independent research of reports issued by the California State Auditor (“CSA”) to determine whether the Joint Legislative Audit Committee (“JLAC”) or the CSA has previously conducted audits specifically directed at county boards of education. This research was conducted by me and did not involve the use of ChatGPT.
  11. To conduct this research, I reviewed the CSA’s publicly available report listings on its website,<sup>1</sup> including currently posted audit reports spanning approximately May 2024 to the present, as well as CSA’s online archive of reports covering the period from 1993 through April 2024.<sup>2</sup>
  12. Using the website’s search functionality and manual review of report titles and descriptions, I searched for reports referencing “county board of education,” “school board of education,” and similar terms relating to school district boards or county education governance.

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<sup>1</sup> <https://www.auditor.ca.gov/reports/>

<sup>2</sup> <https://information.auditor.ca.gov/reports>

13. Based on this review of publicly available reports spanning approximately three decades, I did not identify any report in which a county board of education was the primary subject of a targeted audit of its governance practices.
14. The reports identified through this search generally involved audits of school districts or broader statewide education programs. For example, reports addressed topics such as the financial management and governance of the Montebello Unified School District, the financial challenges facing the Sacramento City Unified School District, and the handling of child abuse allegations within the Los Angeles Unified School District. Other reports addressed statewide or multi-agency issues, including student mental health services, school violence prevention and safety planning, and the authorization and oversight of charter schools.
15. In some reports, a school district board of education or a county board of education was referenced in describing governance structures or statutory responsibilities, such as noting that charter schools may be authorized by a school district governing board, a county board of education, or the State Board of Education. In those instances, however, the audits were directed at school districts, statewide programs, or other governmental entities rather than at a county board of education itself.
16. Accordingly, based on my review of the State Auditor's publicly available reports spanning approximately three decades, I did not identify any instance in which a county board of education was the primary subject of a targeted audit of its governance practices.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 16<sup>th</sup> day of March 2026, at Costa Mesa, California.

  
\_\_\_\_\_  
Devon Atkinson

## DECLARATION OF DAROU SISAVATH

I, Darou Sisavath, declare as follows:

1. I am the Executive Secretary to the Orange County Board of Education (the "Board"). I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify thereto.
2. I have served as Executive Secretary to the Orange County Board of Education since approximately August 2015.
3. In my role as Executive Secretary to the Board, my duties include, but are not limited to, the following:
  - a. Maintaining administrative records relating to the operations of the Orange County Board of Education.
  - b. Maintaining records documenting completion of legally required ethics training by members of the Orange County Board of Education.
  - c. Tracking and maintaining documentation demonstrating compliance by Board members with applicable state training requirements, including training required under Government Code section 53234 et seq. (commonly referred to as "AB 1234 ethics training").
4. Because of these responsibilities, I maintain or have access to the records documenting completion of required ethics training by Board members.
5. I conducted a diligent search and reasonable inquiry of records maintained in the ordinary course of business regarding ethics training completed by members of the Orange County Board of Education.
6. This inquiry included a review of the records maintained for Board member training compliance covering the period from January 1, 2020, through the present.
7. Based on that search and inquiry, I determined that all members of the Orange County Board of Education have completed all legally required ethics training applicable to members of the Board during that period, including ethics training required under Government Code section 53234 et seq. However, there were two (2) gaps in ethics training based on an outdated Board policy (see attached revised Board Policy 200-8).
8. The statements contained in this declaration are based on my review of records maintained in the ordinary course of business relating to Board member training compliance.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 16th day of March 2026, at Costa Mesa, California.



Darou Sisavath

ORANGE COUNTY DEPARTMENT OF EDUCATION

Costa Mesa, California

BOARD POLICY

200-8

**Ethics Training**

The County Board of Education believes that its ability to effectively and responsibly govern is essential to promoting student achievement, building positive community relations, and protecting the public interest in county schools. Board members shall participate in mandatory ethics training, as outlined below, and are encouraged to participate in ongoing opportunities for professional development sufficient to help them understand their responsibilities, stay abreast of new developments in education, and improve governance skills.

Each Board member shall complete a two-hour course on ethics by January 1, 2026, and at least once every two years thereafter.

Completion of the free online training offered by the Fair Political Practices Commission, in consultation with the State of California Department of Justice, Office of the Attorney General, shall be deemed to satisfy this requirement. The link to the training is:

<https://www.fppc.ca.gov/content/fppc-v2/fppc-www/learn/public-officials-and-employees-rules-ethics-training.html>

or

<https://oag.ca.gov/ethics>

A record of each Board member's participation in the required ethics training shall be retained by the Board recorder.

Reference: Government Code Section 53234-53235.2

Adopted: 12/16/2015

Revised: 02/10/2016

Revised: 05/07/2025