ORANGE UNIFIED SCHOOL DISTRICT
Board of Education – Special Meeting
1401 N. Handy Street, Building H
Orange, CA 92867

Thursday, October 1, 2015
6:30 p.m. – Open Session

AGENDA

1. CALL MEETING TO ORDER
2. ESTABLISH QUORUM
3. CALL TO ORDER
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE
   A. Administration of Oath of Office
6. ADOPTION OF AGENDA
7. PUBLIC COMMENT
   As required by the Brown Act, Government Code Section 54956, at special meetings, members of the audience may only address the Board of Education on items agendized. Speaking time is limited to three (3) minutes per speaker with a maximum of twenty (20) minutes per topic. Persons wishing to address the Board of Education should complete a blue public comment card, available on the information table, before the meeting begins.
8. INFORMATION/DISCUSSION
   A. Board Discussion Regarding Candidates Selected for Appointment to the
      Open Seat in Trustee Area 1
9. ACTION
   A. Resolution No. 08-15-16 in Opposition to a Special Election
10. ADJOURNMENT
OATH OF OFFICE
ADMINISTRATION OF OATH OF OFFICE

The Oath of Office will be administered to Gregory Salas who was appointed to the open seat in Trustee Area 1 at the September 21, 2015 Board of Education meeting.

This is to certify that this item was approved by the Board of Education.

Michael L. Christensen
Superintendent and Secretary
Orange Unified School District
INFORMATION/DISCUSSION ITEMS
TOPIC:

BOARD DISCUSSION REGARDING CANDIDATES SELECTED FOR APPOINTMENT TO THE OPEN SEAT IN TRUSTEE AREA 1

DESCRIPTION:

Board President Ortega is proposing that each Trustee have an opportunity to state their reasons for supporting the candidate of their choice in the provisional appointment that occurred on September 21.

This item is for discussion purposes only.
ACTION
ITEMS
RESOLUTION No. 08-15-16 IN OPPOSITION TO A SPECIAL ELECTION

Board President Ortega is asking the Board to consider the attached resolution in opposition to a special election due to the estimated $500,000 cost, as these funds can be more wisely expended toward the District's educational programs.

FISCAL IMPACT: None

RECOMMENDATION: It is recommended that the Board of Education approve Resolution 08-15-16 in opposition to a special election.

THE MOTION FAILED DUE TO A LACK OF A SECOND.
RESOLUTION NO. 08-15-16
OF THE
ORANGE UNIFIED SCHOOL DISTRICT
EXPRESSING OPPOSITION TO A SPECIAL ELECTION

RESOLVED, by the Governing Board of the Orange Unified School District, County of Orange, State of California that:

WHEREAS, effective July 31, 2015, District Trustee Diane Singer resigned her seat on the Board of Education, less than one year into her four-year elective term of office; and

WHEREAS, Trustee Singer's resignation created a vacancy on the Board of Education in Trustee Area 1 pursuant to California Government Code section 1770; and

WHEREAS, California Education Code section 5091(a)(1) requires the Governing Board to either appoint a provisional member or order an election to fill a vacancy created by the resignation of a board member; and

WHEREAS, at a meeting on September 21, 2015, the Governing Board appointed a provisional Trustee for Area 1, Gregory Salas, following an application and interview process duly approved by the Governing Board on August 13, 2015; and

WHEREAS, the provisional appointment is effective until the next regular election for members of the Governing Board, which occurs on November 8, 2016; and

WHEREAS, California Education Code section 5091(c) provides that, after an appointment, the registered voters of the District may circulate a petition to hold a special election to fill the vacancy, and a special election will be ordered if the petition is signed by at least 1.5% of the registered voters of the District, submitted to the county superintendent of schools within 30 days of the appointment, and determined by the county superintendent of schools to be legally sufficient; and

WHEREAS, the County of Orange Registrar of Voters has advised the District that the cost of a special election would total between $441,120 and $499,162, which would be borne by the District; and

WHEREAS, the Board of Education believes these funds can be more prudently expended toward the District's educational programs.

NOW THEREFORE BE IT RESOLVED:

1. That the Board of Education expresses its respect for the electoral process generally, and specifically, as it applies to school district governing boards; and

2. That the Board of Education also recognizes the Legislature's intent that provisional appointments may be used to fill school board vacancies in appropriate circumstances, such as the vacancy created by Trustee Singer's resignation; and
3. That, in light of the prohibitive cost to the District of conducting a special election, and the fact that an election will occur in November 2016 at no additional cost to the District, the Board of Education expresses its opposition to a special election to fill the vacancy created by Trustee Singer’s resignation and provisionally filled by Trustee Salas; and

4. That the Board of Education expresses its preference that the monetary resources of the Orange Unified School District be applied, insofar as possible, toward the operation and improvement of the District’s educational programs.

The foregoing resolution was considered, passed and adopted by this Board at its special meeting of October 1, 2015, by the following vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

John Ortega
President, Governing Board of the
Orange Unified School District

Dated: October 1, 2015