

Orange County Board of Education Meeting – 5/11/16 – Transcript

(Sound of gavel...)

Welcome

Hammond: Good morning everyone. For the benefit of the record the regular meeting of the Orange County Board of Education is called to order and, uh, glad to see so many people here. There was a press release which is really unusual from any of us to do, um, and it is being passed out outside if you do not have it. If you are here because you had heard that I had asked or was attempting to ask an employee about their sexual orientation and wanted to give me your thoughts on that, I would like to respectfully suggest that you were misled. Any such comments relating to asking people about their orientation should be directed to Trustee Boyd, and I wish he was here. Included in the press release is the email in its entirety that I sent out in 2014 about this issue. The purpose of the email was to stop the current practice in schools throughout Orange County of annually questioning students in 7th, 9th, and 11th grade about their sexual orientation. In the email I rhetorically suggested that I would ask this district officer who was overseeing this questionnaire if they would mind the very question about sexual orientation that was being asked of these children without parental knowledge, to make the point that no one ever should be asked about their sexual orientation. It is very inappropriate to ask an adult employee about their sexual orientation. It's beyond the pale. It's completely inappropriate for schools to be asking students about their sexual orientation. It is wrong for us to be asking kids to disclose such private information because I believe this invades their privacy, could lead to bullying or worse. Two years ago, Dr. Williams and I did attempt to try to get this practice stopped, this was a few months before Trustee Lindholm arrived on the Board, glad you're here, um, Trustee Boyd was our Board President back then and under his leadership he did allow it to continue. So now, with a different board, we are hoping that now we as the board can lead the way for all Orange County school districts to stop this process of asking anyone about their sexual orientation, especially children as young as 12 years old. We are going to discuss this very issue *(sound of applause)* we're going to discuss this very issue today during the Board Meeting probably during Board Member Comments and I do see that some of the news media is here I'm hoping that the news media will reach out to all and inform them about what is going on and ask for all of society to join us in protecting the children. That is the only way we are going to keep these kids safe from being asked completely inappropriate questions. And for those of you that are here that thought you were going to speak against me, you're still welcome to but I do hope that you will read the press release that was released by me so you can not only read my email in its entirety you can read education code 51513 that is attached, and finally you can also read the last two pages of the questionnaire that was given to 7th graders and continues to be given to 7th graders that specifically asks them the question that I have always found to be appalling. And so with that, for those who don't know our regular meetings have usually been

held at 11:00 AM but lately they've been held at 10:00 AM. Of course, any person wishing to address the Board on any matter whether or not it appears on our Agenda, we would just ask that you complete a, you know, a request to address the Board card, it's available on the table back there. If you're unsure what to do with the card, we have plenty of staff around here that will help you to fill it out and to get it up to us. We would ask that you submit the card to the Board Recorder so that we can get you on the agenda so you can speak. Each individual is allowed three minutes and you cannot give your time to someone else. We do remind you that this is a public meeting and that you should be respectful of everyone else that is here and the Board, and we would ask that you would keep the verbal outbursts to a very minimum, and anyone deemed disruptive can be required to leave pursuant to Penal Code section 403 as we have our wonderful men in the back there representing Orange County Sheriff's Department and again, for those of you in the Sheriff's Department, thank you very much for the job you guys do, Semper Fi for me as a former Marine. And our Board Agendas are posted online and can be reviewed there and the agendas will also be available on the back table. So if you don't have a copy of the agenda please ask for one and we'll make sure that you get that. And, with that we will go into our invocation, Pastor Chad from Rock Harbor Mission Viejo is here and, Pastor Chad, will you lead us in the invocation, sir.

Invocation

Pastor Chad Halliburton: Thank you. Let's stand together as we pray this morning. Lord, we have many requests that we come with this morning, there's much to discuss. Many agenda items on the schedule for today and so with our requests we first come with great thanks. Lord, we thank you first and foremost that we breathe again right now, it is because of you that we are allowed to do that. You saw fit to breathe life into this planet and Lord we thank you for that this morning. We also thank you on behalf of the teachers and the students all over our county today and beyond. There are kids all over this world who would dream of going to school this morning. And we have great schools. And we have books and food to eat, and so Lord, we are grateful for the schools that you've provided for our children. Thank you, Lord. Thank you for the teachers and the sacrifices that we see and those that we don't, we're grateful. Lord, thank you for the roles that you've given the board members in this room and the oversight and the gifts that you've given them to exercise and help our students and our teachers. We're grateful, Lord, so thank you. And Lord, we request we have things we ask of you this morning as we would on any day. Please help the teachers and the students as they go about their business today. Lord, would you help the students to love one another, to get along, to learn to use their brains that you've given them, but Lord, would you help the teachers, help them to see the one that needs extra help today, on this day. Help them on this Wednesday to look out for the one that you would look out for if you were there teaching in that classroom. Continue to give them strength, Lord, when they feel alone to give them strength when they have those weeks that they're just at the end of themselves. Bless them, bless our schools, Lord, with your presence and your wisdom, and your love. And Lord, in here, in this room, would you give the Board

members great wisdom as they tackle really difficult subjects as we have already mentioned in this room, would you give them wisdom, would you help them Lord, to make decisions that are for the betterment of the students and the kids. For today, for this week, and ongoing, would you help them to oversee with love and diligence and great wisdom. Lord, as things are discussed publicly in this room today I pray for your peace over this room in the name of Jesus. I pray that you would help us to all speak our minds in truth as you've given us freedom to do in this country but to do it in love. You can help us to do that Lord, so we pray for your peace, your literal Shalom over this room, and again Lord, as we started we end with thank you. We pray all of this in the name of Jesus. Amen. *(Several Amens are heard)*.

Pledge of Allegiance

We did have a twice-wounded combat Marine that was going to be here, Pastor Frank Orzio who I know personally, apparently he's really under the weather and so for those that pray please keep him up in your prayers on that. So because he's not here I've asked Mr. Ed Rodriguez to please lead us in the Pledge of Allegiance, sir.

Rodriguez: Good morning everyone. I ask everyone to please rise. Please face the flag and put your right hand over your heart. Ready, begin.

(Many voices) I pledge allegiance to the flag, of the United States of America and to the Republic for which it stands, one nation, under God, indivisible, with liberty and justice for all.

Hammond: Good morning Miss Darou. Roll call please.

Phouangvankham: Trustee Boyd?

(No response)

Phouangvankham: Trustee Lindholm?

Lindholm: Here

Phouangvankham: Trustee Hammond?

Hammond: Present

Phouangvankham: Trustee Bedell?

Bedell: Here

Phouangvankham: Trustee Williams?

Williams: I am present

N. Boyd: And for the record, Trustee Boyd sent me an email that he will be arriving late but he will be here today. He had some unforeseen circumstances arise this morning. He will be here probably within the next hour or so.

Hammond: I hope he's well. Are there any introductions Miss Nina?

N. Boyd: No, there are not.

Hammond: As there are no introductions we'll go to the agenda. Chair seeks a motion regards to adoption of the....

Williams: I would like to move the meeting agenda today, along with deferring Item #14 because of the controversy and because of the public policy perspective. I would like to participate in the discussion. Unfortunately as we know for the last 8 months I've been scheduled to teach at a surgical conference so I will be leaving early today. So I know this matter probably will not be before 2:00 or 3:00 o'clock, so if I can make that motion.

Hammond: So, for clarity, your motion is to approve the agenda with the exception of Item #14 to be moved to June.

Williams: Correct.

Hammond: OK. Is there a second?

Lindholm: I'll second it for discussion purposes.

Hammond: Ok, then moved and seconded. Dr. Williams, any other comments or should I go to the Vice President?

Williams: No further comments.

Hammond: Madam Vice President?

Lindholm: I don't have comments at this time. I probably could vote on it at this time.

Hammond: So are you saying you'd rather leave it on the agenda then?

(Inaudible)

Hammond: Counselor?

Wenkart: I just wanted to point out that you have a Policy 100-2 that allows any Board member to place an item on the Agenda. And, just keep in mind that if the intent of that was to allow any board member to have something put on the Agenda and discussed at the Board meeting. So, if you table it continually, theoretically, if you tabled it continually you would defeat the intent of this Board Policy. Just in general to keep that in mind. That the intent of this Board Policy was to allow any Board Member to place an item on the agenda.

Williams: So the motion is made to defer it to the June 8th meeting when we could all be there to participate in the discussion on the item. The Board Member actually did put on the agenda this action item, so that did fulfill the spirit and the technical aspects of our Board Policy. However, because of the significance, the controversy, and because of the political campaign aspect to it I think it would be better to be placed on the June 8th meeting agenda.

Hammond: Dr. Bedell.

Bedell: I would bet that there are a lot of people here today to discuss Agenda Item #14. Is that correct?

(Several Yeses)

Bedell: OK so why, Trustee Williams, understanding your plight and you've been very candid about having to leave early, why don't we just reorder the agenda to have that item come up earlier? That would honor the people who are here, and you could participate in the conversation and it would not confer that we're looking at postponing something because we don't want to discuss it because there's an election. I would hope that would not be the impression. It seems to me we can deal with this issue, just move it up earlier and Trustee Lindhom said she's ready to vote. I'm ready to vote. I want to hear the comments of course, but I think if we just reorder the agenda it would go very nicely, right before the Consent Items. Or, yes, even before we did the Time Certains at 11:00 o'clock if we moved that agenda item for a time certain to 11:00, I mean 10:30, that would work, would it not?

Williams: That's a good point you bring out my dear Trustee Bedell. I would defer that to the Executive Committee and to the staff. My opinion, I just don't know if it would work. We have a Time Certain in 20 minutes and then after that another Time Certain at 11:00 – we have invited guests here, then we have another Time Certain and that is about the time I won't be here for that discussion so I would respectfully, I do want to participate in this discussion. The issues that the

good President Hammond did bring out is significant for public policy and governance and I'd like to participate in that. But, I just don't see it happening.

Lindholm: Comment?

Hammond: Madam Vice President?

Lindholm: Um, I think I'm OK with us doing that moving it up so you can participate in it. I get the job of trying to get to all the speakers we have a lot of speakers on this. And that would, at 3 minutes each that gives them only 10 speakers out of this. My suggestion, I've gone to the Orange County Board of Supervisors and when they have a lot of speakers they give them each 2 minutes and that allows a few more speakers to speak while keeping to the 30 minutes. So that would be my suggestion. I am OK moving it earlier, I would like to have Trustee Williams here to participate in it. If you can find a time on the schedule for that, there's no way we can make it through all the requests to speak.

Williams: Clarification, Mr. President. The motion that I made does not preclude or restrict anybody from talking about anything to the Board. So if these individuals, these fine citizens, do want to address that issue, certainly they're welcome to do that. If I can make that point.

N. Boyd: Just point of record though, that I think what Trustee Lindholm is explaining is that the individuals have expressly want to comment on Item #14 so they've been pulled separate from the Public Comments. So if you defer this to next month, 14 would not have Public Comments related to it. They would move to next month. This is a discussion item asking a question, you can certainly defer action on it until next month and start the conversation this month and carry it over, would be another option available.

Bedell: Can I hear the motion Mr. Chairman?

Hammond: Motion was to pull the agenda and table Item #14. So...

Bedell: Table to a time certain or just table indefinitely?

Hammond: Tabled to next month's meeting. June 8th meeting.

Lindholm: Do you have a substitute motion Mr. Bedell?

Bedell: Well, I just want to be respectful to the people who came today and I think where we go would go, Miss Renee, is the item for 11:40 a chunky item? Is it a big item? It's usually a.....

N. Boyd: 2 minutes.

Bedell: 2 minutes. So I would recommend that we before we, immediately after the reception, we have this item.

Lindholm: Is that a motion?

Bedell: Yes, that would be the motion. Immediately after the reception so we can honor all our guests before we go to a very quick Public Hearing because then we have a Time Certain, I think that would fit the 30 minutes, very close.

Lindholm: Would you add to that motion that the speakers and that's to try and give more speakers an opportunity to speak, um, have 2 minutes to speak?

Bedell: If you think Madam Vice Chair that that's a good idea for inclusion, I'm certainly in favor of it.

Lindholm: That would be for the purpose of inclusion.

Bedell: I say that's friendly. I want to hear the people on this and I think that they've come...so, that would be my motion.

Lindholm: Is that a substitute motion?

Bedell: Yes, it's a substitute.

Lindholm: I would second that motion.

Hammond: Here we have a substitute motion and to approve the Agenda and to move Item #14 up to right after Item # - after or before Item #3?

Bedell: It's going to be right after the reception. We'll open with that right after the reception.

Hammond: OK, so it's right before Item #3.

Bedell: Yes, thank you.

Hammond: So, a substitute motion to approve the Agenda moving Item #14 to before Item #3, was that seconded by you?

Lindholm: Yes, it was.

Williams: Point of order, Mr. President. So, if we do that, that again precludes me from participating in the discussion. Because I look at what's going to happen is by the time Public Comments are over it will be about 12:15.

Bedell: What time do you have to leave?

Williams: 12:15.

Bedell: Well then, we can try to work that out.

Williams: I just don't see it working out, Jack.

Bedell: Well, I think some Public Comments should probably be better for the public than no Public Comments.

Williams: I don't think the public is restricted from commenting on this if they did come and I encourage them to come and speak in public, they still can do such. But the Board deliberations, discussion and policy would be something all Board Members should be here.

Bedell: Well, as it stands now, if I understand your motion, we would have Public Comments by our good visitors, that would be under Public Comments for 30 minutes that would be 10 – three minutes apiece, that does not include Trustee Lindholm's motion which was part of my motion. So, I want to be sure the public is comfortable. You have to leave at 12:15? We don't want to disrupt our...OK. Well, I made the motion and it's been seconded, Mr. Chairman, so I call the question.

Hammond: Motion has been called, alright. All in favor of the substitute motion of approving the Agenda moving Item 14 to before Item 3, signify by saying AYE.

Several AYES.

Hammond: Oppose?

Williams: Oppose.

Hammond: I will abstain. With that, it's been moved. So the Agenda has been approved, 14 has been moved up to right before #3. Minutes, Chair seeks a motion in regard to the minutes.

Lindholm: I would suggest that we go to two minutes per speaker so that we have the opportunity to have more speakers speak.

Hammond: I'll rule the motion as premature...

Lindholm: Sorry...

Hammond: We're on the Minutes.

Lindholm: Motion approved.

Bedell: Second.

Hammond: Any comments? Hearing none, all in favor of approving the Minutes from the last Board Meeting signify by saying AYE.

Several AYES.

Hammond: Oppose? Motion passes 4-0.

Bedell, I'd just like to thank Darou, she's been a quick learner, getting these Minutes. Darou...

Hammond: She's phenomenal.

Bedell: Thank you...*(Laughter)*...she's so intense.

Hammond: Alright, Public Comments, did you have a motion?

Lindholm: I did, and if we're going to take, we only have three general Public Comments at this time, um, those we could take as the three minutes. I have no more...and if you're going to submit things now, you're going to be after 27...just giving you a head's up on that. Alright, so I have four and with that...would you like to keep it consistent at two minutes each? Throughout the day to help everybody so we can get this...

Hammond: That would require a motion to suspend policy.

Bedell: I move that we suspend Public Comment timing to two minutes.

Lindholm: For all Public Comments?

Bedell: For this day, May 11th meeting.

Williams: I would move...

Lindholm: I would second that.

Hammond: OK, it's been seconded – and discussion? Hearing none, all in favor signify by saying AYE.

Several AYES.

Hammond: Motion passes 4-0. Public Comments. Madam Vice President, would you please call up the first person.

Lindholm: Thank you and welcome to all of you who are coming to speak before us. We really want to hear what you have to say. So this morning, you're going to be given two minutes. I had that experience at the Orange County Board of Supervisors when I went, because we had so many speakers. And this does give you a greater chance to speak. So, keeping that in mind, Darou, it will be two minutes and we'll begin with Robert Clelnicky? Welcome, I know I didn't say that correctly, but come on up.

Clelnicky: Good morning Board Members. I would like to speak to the issue that is Item #16 actually, which would be commemorating Harvey Milk Day. I submit for your consideration that this would be an improper commemoration because of what Mr. Mild had stood for during his lifetime. He was an advocate of homosexual behavior and other activities of that nature. I'd like to read to you from a paper written by the Reverend Earl Frop he is a minister of the Anglican Church, he has his Ph.D. from Oxford. He used to be here in Orange County as a minister in one of the churches. I am not of his denomination but I think this is worthy of you to hear why the objection. The objection to commemorating Harvey Milk Day is that it is flying in the face of a public health issue of the first magnitude. This is what the basic problem is, for this lifestyle and I'm going to have to read to you some of the behaviors of homosexuality to make it clear why this is of concern to us. The, as written here by the Reverend, he says, "Homosexual advocates have kept up the public discussion any clear statement of the jet central issue. What is at stake in the homosexual discussion? What do homosexual persons really want the public to approve? If you ask a homosexual person, he will tell you it's all about love, compassion, and so on. We Christians, and many others agree that love and compassion are of God. We will be told that homosexuality is a sexual attraction of persons of the same sex, and indeed it is. But, second attraction refers to specific behaviors. So what the public needs to hear is what are these behaviors, what do they mean and where do they come from? Homosexual persons cannot use normal means of sexual gratification, and so to imitate sexual intercourse...*(voices in the*

audience, banging gavel)... substitute other means. Cheaply, other body apertures...*(raised voices, banging gavel)*...not constructed for sexual penetration...*(inaudible)*...

Hammond: Mr. Clelnicky, your time is up.

Lindholm: And I'll ask the audience.....

Clelnicky: Is that three minutes already?

Hammond: Two, two minutes.

Lindholm: So thank you.

Clelnicky: OK, let's cut to the chase here, let's find out what we've got.

Hammond: Mr. Clelnicky, we only gave two minutes today, per person Mr. Clelnicky....

Clelnicky: Oh, I'm sorry, OK, I'm sorry I missed that point, but the point here is...*(loud voices from the audience)*...you're dealing with a public health issue of the first magnitude and you should not commemorate it.

Lindholm: Thank you. Uh...*(clapping)* ... out of respect to all speakers, we'll try and listen without too much comment, we thank you all for speaking.

N. Boyd: Madam Vice President just so you that you know, when we adjusted the timer, it generally buzzes at three minutes, it's not buzzing at two. So that's why it was flashing, so we're trying to.....

Lindholm: Will you just say time, then?

N. Boyd: Yes.

Lindholm: Thank you. Gloria Prugne. No, yes?

Prugne: Good morning, Board members. I'm Gloria Prugne from Fountain Valley. I'm speaking on, do you want children to emulate Harvey Milk? Quotes from the book, *The Mayor of Castro Street*, it would be to boys looking men in their late teens and early twenties that Milk would be attracted for the rest of his life. Page 24. Quotes from sexual predator honored with U.S Postage stamp. What would you call a 33 year old man who both had the acts medically acted upon deviant sexual appetite for underage drug addicted runaway boys. His own friend and

biographer confessed, “Harvey always had addiction for young waifs, and substance abuse problems.” In a recent interview with one news now.com, I called this man demonstrably, categorically, an evil man based on his statutory rape of teenage boys. Explaining Milk’s many flings and affairs with teenagers and young men, Randy Slits writes how Milk told one lover why it was OK for him to also have multiple relationships simultaneously. Whereas McKinley, a disturbed runaway boy desperately sought a father figure to provide empathy, compassion, wisdom, and direction, he instead found Harvey Milk, a promiscuous sexual predator who found in McKinley an opportunity to satisfy a perverse lust for underage flesh. Years later McKinley committed suicide. As the father of a.....

N. Boyd: Time. (*Sound of timer*)

Prugne: OK.

Lindholm: Thank you. And I apologize to my Board Members trying to keep all these...I think we have a lot more speakers that we can cover in this time. So, let’s proceed with our 30 minutes of Public Comments, trying to get you all a time to speak. Ryan Ortega, would you like to speak?

Ortega: Good morning. I wanted to make a brief statement on adopting May 22nd as Harvey Milk Day. The school system plays a powerful yet limited role in the life of an American child. My objection to Harvey Milk Day is I believe that this resolution expands that role into an area of responsibility that is solely mine as a parent. I send my child to John Muir in Santa Ana to build his academic skills, not the foundation of his future political beliefs. Whether I agree with Harvey Milk’s policies or lifestyle or not is beside the point. It is the job of the education system to educate and not indoctrinate. (...*Several voices...here...*) Political beliefs (*applause*) political beliefs have no place in my child’s classroom. A, B, C, 2 + 2, or a state capital’s name do not skew left or right or push an agenda. Harvey Milk Day definitely comes from a side and it definitely pushes an agenda. If anyone is going to push an agenda on my children, it is going to be me. That is not only my responsibility but my right as a parent. Thank you. (*applause*)

Hammond: Ladies and gentlemen, I would ask that you would please remind yourself that this is a civil discourse and that the decorum is to remain as such.

Lindholm: Thank you. Pastor Jim Dumen? Welcome.

Dumen: Thank you. I’m an Orange County born, raised, and lived my whole life. I’ve traveled the world. I’m a husband, a father, and a pastor. And today, I’m actually embarrassed to be sharing because I wanted to address the issue of a survey that the Board, the County, allows for children to take, questioning their sexual identity. I struggled with my sexual identity in high school and I would have been horrified to have had to check the box, when I’m told it’s an

anonymous survey and I have to punch in my student ID number so I can later be identified. Where does the government have any business and my own sexuality? I think it's inappropriate and I really want to question David Boyd and what his whole motive is with this. I want to thank you Chair, Robert Hammond, for calling this out and the absurdity and the example you used in your email no one's sexual identity should be asked. Not in public, not in school, and it has no business of the government – what happened to the former father that just shared. Well, I've got two, one on the way and a child, in Orange County that's going to go through education. What happened to arithmetic? What happened to history? What happened to Science? Can we get off the sex in school and focus on academia? And have our children and our teachers excel in areas of academia, not agenda, and definitely not the GLBT agenda. So thank you Robert, for standing up for children who cannot do this. And as someone who has dealt with his own sexual identity issues. Remember that. Kids are still forming. It's the role of the parent. It's the role of the church, it's the role of family and friends, not a teacher, not a survey, and definitely not through the Department of Education. Thank you for hearing my plea, and please, vote to protect children and little minds who can't do that for themselves. Thank you.

(applause)

Lindholm: Thank you. Laura Kanter?

Kanter: Good morning, my name is Laura Kanter. I'm the Director of Policy Advocacy and Youth Services at the LGBT Center in Orange County, in Santa Ana. I am disgusted, and I am ashamed that this is being allowed. The survey that you are talking about is a survey that explores bullying and the impact of bullying on LGBT youth who have the highest rates of depression, anxiety, dropping out of school, not finishing school, not going to college, and suicide. To question, and this survey by the way is legal, and there's additions to the 1976 law that you posted here about it that it is not mandatory, it is given out with parents have to have consent and there's nothing illegal about giving out this survey and by the way, there's nothing illegal about asking kids to check a box. It's anonymous, it doesn't out them to anybody and it helps schools understand what's going on in their schools and how to address bullying in schools. There's so much more for me to say and it's not going to happen in two minutes but I want to tell you that this is absolutely ridiculous and the people that are coming up here and your attitude and your phone call to me about four years ago, fishing for comments about AB1266, trying to get me to say things that you could use against that law, and going around and talking about how you were a football coach and you're going to go out there and the football teams are gonna now put on skirts and dresses and go into the girls locker rooms. There are video tapes of you talking about this. You are hurting children. You are hurting LGBT youth. You are also violating the California Education Code says you have to be doing. This is absolutely wrong, and I have so much more to say and there's no way this is going to happen right now so I just want to say we are ready and we are coming back, and this is not OK. NOT OK at all. *(Applause)*

Lindholm: Please keep the applause to a minimum. Um. OK, this one I'm having a little trouble with, Lauren Tebbutt. Thank you for coming.

L. Tebbutt: Well, I don't have a particular agenda. I came with my son because I'm proud to be a mother of an involved person, in his city and community, and I have lived here 50 years in this county. I've reared two sons and both are wonderful. I was completely thrown off when I heard about this whole conflict. And I just want to say if I had been a young person in high school and had to check a box that I didn't know was anonymous, I didn't know that nobody would see, I think it would have really taken me back, and affected my life. So, I'm just glad to be here to see that there is the gay community standing up for itself, because I don't think there's enough of that and I am really surprised at this county. We are progressive, I thought! Thank you for the time that I can say anything.

Lindholm: Thank you. Chris Tebbutt, thank you. Welcome.

C. Tebbutt: Good morning. Thank you Board for the opportunity to speak. My name is Chris Tebbutt, I am a parent of four children. My husband and I live in Laguna Beach. We have one child at the University of San Diego, in the Navy program, we have one in Washington D.C. who is a lobbyist, and two first graders at El Morro Elementary School in Laguna Beach. I was raised in Laguna Beach, or in Orange County, and, born and raised as my mother said. First I just wanted to address the conflict about the emails and, I am, I think it's very fair for Mr. Hammond to question the survey, I think it's a public right. I think it's widely reported that the survey is anonymous, and so the questioning of it seems irrational and illogical. But, to suggest that an employee would be questioned about their sexuality in a public meeting, um, is really that of discrimination and sexual harassment. That's very distinct from the anonymous survey. So, it's really not about being vigilant about offensive statements that were made in other emails that I've seen. It's really about the right to privacy and the freedom from sexual harassment in the workplace, this employee. *(Timer sounds)* The rights of the students are protected in the survey.

N. Boyd: Your time is up.

Lindholm: Thank you.

Tebbutt: Thank you. *(applause)*

Lindholm: David Whitley? Welcome.

N. Boyd: Trustee Lindholm if I could add for any of the audience participants if you'd like to provide written statements with regard to your remarks, or you can send them to OCBC and we will make sure that every Board Member receives a copy.

Whitley: Good morning, Board. My name is David Whitley. I have three children in Irvine Unified School District and I'm here on the same issue of the Harvey Milk Day Resolution. And the reason I'm here is because I think it's appalling that we would honor somebody with such criminal history. This isn't about a person's sexual orientation. Although, the resolution sends the message to make that an issue that shouldn't be an issue. We don't have resolutions, we don't have holidays commemorating straight individuals because they're straight. We should honor people because of their accomplishments. If Harvey Milk has an accomplishment worth honoring, then that's fine. But Harvey Milk, had a life where he statutorily raped young boys under the age of 18 which is known, it's well known. It's in his autobiography. Those that were around him in San Francisco knew this. We wouldn't honor Dennis Haster today. We wouldn't honor Jerry Sandusky today. Not for what they may have done in their past, but because of what they've done to discredit themselves. So, this resolution today, I assume will be rejected, I hope it will be rejected, it should be rejected because the issue of someone's sexual orientation that has been mentioned here before, shouldn't be the issue of discussion for elementary school children which is the whole purpose of it. It's not to honor Harvey Milk, it's to honor his sexual orientation which we should not be doing. Thank you. (*Applause*)

Lindholm: Thank you. Richard Thomas? Is he here? OK.

Thomas: Wow. This is just really an honor to be here and just to share, and what (*inaudible...*) And, I like how it says in God we Trust. And that's what we have to do, in God we Trust. The problem is that you're not fearing the Lord. The Lord is looking down on us. It's not about us, it's about Him. And, I just want to tell you that past 16 years, the Lord has been working on me and shown me that I was not born gay. Through his Word, and I just want to share that. I didn't know much about Harvey Milk, but what he's doing is just not a good idea for our children. It's our children that we have to think of. It's not us, it's our children that are at stake. And the way the world is today, hang on. That's all I got to say. (*Applause*)

Lindholm: Thank you. Liz McNabb? Welcome.

McNabb: Good morning. My name is Liz McNabb and I'm a resident of Costa Mesa with a daughter in the Newport Mesa Unified School District. And I'm here to say that it is improper, indecent, and incomprehensible that a sitting Board Member, Robert Hammond would use the term sodomite in any context. This man is supposed to represent every student in Orange County, not just the ones he approves of. Our children need support, not ridicule. Our students need services, not slander. Orange County will not tolerate such ignorant and bigoted views to go unrecognized. This is unacceptable behavior and disqualifies Robert Hammond from representing all students in the County. Therefore, he should step down and save the County

Department of Education further embarrassment and expense. I would also like to say that I will be voting for Becky Gomez on June 7th. Thank you very much.

(Applause)

Lindholm: Thank you. Excuse me, um, please don't have actions that are towards Board members. I think its best if you miss that. Karen Stoyanoff? Thank you. Welcome.

Stoyanoff: Good morning and thank you for this time. I am a Unitarian Universalist minister in Orange County. I have two grandchildren in the Fountain Valley school system, and I want to start out by thanking you for all the work you do to make our schools something that we can be proud of. I'm also a strong supporter of the First Amendment to the Constitution and I believe everyone has the right to speak their minds to say what they believe or what they think within the limitations that that First Amendment puts out. And, so, I'm not here to argue against or for someone's opinion or belief system, but I do think we hold our public officials to a higher standard. And, you know, we teach our kids, I know you know this, because you're the Board of Education, we teach our kids not to call people names. It's an elementary kind of thing that we ask of our children. I think public officials are held to an even higher standard and I understand that makes it harder on us, but I believe in restorative justice and so what I would ask is for an apology for things that have offended a community that we are supposed to all serve. And I think that would go a long way to setting things right. So that's my request of you this morning.

Lindholm: Thank you. Diane Hickey? *(Applause)* Welcome.

Hickey: My comments were prepared for three minutes based on the literature on site. This does, two minutes does a very gross injustice to the subject matter. Good morning Board Members, my name is Diane Hickey and I have a son attending Troy High School in Fullerton. I'm also co-founder of the National Association for Children in Safe Technology. I am submitting into the public record facts relative to post microwave radiation and the health of the students and teachers in Orange County. And this is relative to the wireless devices and access points in the schools. In May of 2015, an appeal of over 200 international scientists was made to the United Nations and World Health Organizations, declaring our exposure to wireless radiation an emerging public health crisis damaging our DNA and leading to premature death. Each of these EMF scientists has produced peer reviewed science on the health effects of wireless radiation. 2000 papers in total. The California Medical Association passed resolution 107-14 in December 2014 acknowledging peer reviewed research has demonstrated at-risk biological effects of wireless EMF including single and double stranded DNA breaks. Immune dysfunction, cognitive processing defects, stress, protein synthesis in the brain, altered brain development, sleep and memory disturbances, ADHD, abnormal behaviors, sperm dysfunction, and brain tumors. The May 2015 Canadian Medical Association Journal reported on Canada's wireless. The Journal

interviewed multiple international experts in radiation and cancer who warned that the microwave radiation levels in Canadian classrooms are a disaster to public health. One scientist has said given the overwhelming evidence that wireless radiation is harmful, Canada's staff are either unwilling or not competent to make evaluation of the current literature. So why should we care about Canada's wireless limits? The answer is that they are essentially (*sound of timer going off*) the same limits as our USFCC guidelines.

(*Sound of gavel*)

N. Boyd: Your time is up.

Hammond: Sorry, your time is up.

Lindholm: And you're keeping track of our 30 minutes? Ok, thank you. Catherine Weiss. Welcome.

Weiss: Good morning, Board. Thank you for your time today. I'm just here as a concerned parent, as a mom. I have a student that goes here, public school locally. What I would like to say is what happened to teaching 1, 2, 3, A, B, C? I'm sending my child to school to get educated, not to become a social justice lawyer. There's a total attack on our children today. I could go on and on. My daughter brought this home from school for Thanksgiving. I'm sorry if I get emotional, it makes me sad. Um, talk about the children that have died. Each week there's a young child in Costa Mesa, young adult, who is O-D-ing on Heroin. So this is not a bullying thing, this is not anything, these are heterosexual kids, these are gay kids, and heroin, it's a huge epidemic. And it's in our society today and let me tell you what's going on. Um people can say it's from bullying, or it's society, and so they can blame you and they can blame whoever they want but everyone has failed the children. My daughter brought this home from school...I am thankful for....for the wife who says, it's hotdogs tonight because she is home with me and not out with someone else. Kid, your mom's a cheat. For the husband who is on the sofa being a couch potato, because he is home with me and not out at the bars. Kid, your dad's a drunk. For the taxes I've paid because it means I am employed. What is this...like Communist China? For my huge heating bill because it means I have heat. I noticed in my new passport the part of the Constitution is gone. The Star Spangled Banner is gone. The part that says Government for the People, of the People, that is gone, out of my new passport. Um, I would like to say it's a total attack on children. Here are backpacks, I took these pictures this morning, if people would get this book-it's called propaganda. On these backpacks the word Trans is on the backpack, Trans what? (*Sound of timer*) Transsexual? Transhumanist? (*Sound of gavel banging*).

N. Boyd: Your time is up.

Weiss: There's a skirt with a word sex on it, it's for little kids, you can find it at Forever 21. It goes on and on. Thank you for your time.

Lindholm: Thank you.

N. Boyd: Linda,

Lindholm: Yes?

N. Boyd: That would be 30 minutes.

Lindholm: Alright.

N. Boyd: It's 11:02.

Lindholm: So thank you, that did allow us to get in I think about four more speakers. So, I'm happy about that. No, actually we got in and we added...*(inaudible)*... And that brings us to our time certain.

Bedell: Yes, 10:45.

(Discussion by several--inaudible)

N. Boyd: We need to recess to allow those individuals that are outside, the Memorial Day students, the Veterans.

Hammond: Then we'll recess for three minutes to set up for the special awards for the Jack R. Hammett Memorial Day Essay Contest participants and winners.

Lindholm: And for the general, may I?

Hammond: Yes.

Lindholm: For the general audience on other comments we will be back at 11:40. But, there's going to be some wonderful awards right now if you'd like to stay and encourage these wonderful teachers, that would be terrific. Thank you.

(Several voices, inaudible)

(Sound of the gavel)

Time Certain – 2nd Annual Jack R. Hammett Memorial Day Essay Awards

Hammond: Ladies and gentlemen, (*gavel banging*) ladies and gentlemen, thank you. Glad you all are here. Glad to see some young men and women in their uniform, hurrah for that. Um, also want to take a brief moment and say thank you, for the Freedom Committee, just a phenomenal group. If you do not know more about this organization, there's a representative right up here and I would hope that you would reach out to this group. Also, I have to give a special acknowledgment to Jack Hammett's son, Mark Hammett and his wife, Kimberly, I believe? So, glad you guys are here. And we're going to have a special awards presentation, and to assist me with that I'm going to ask Dr. Ken Williams to come on down with me. But, Dr. Williams before we go down, would you take a minute and give a brief history about the background to all of this? I think it's really important.

Williams: Absolutely. The emphasis and the thoughts behind the Jack Hammett Award was because our military veterans gave us the freedoms and liberties that we have today. And the reason we're here, assembled to be able to speak what is on our hearts and minds is because of those veterans. And those veterans have been a part of this Board, our Board loves the veterans, they've supported us, likewise in return, created the Jack Hammett Award. The Freedom Committee has been around for a couple of decades. Jack Hammett, the former Costa Mesa Mayor, was the spirit and soul behind the Committee. He was an awesome human being, a great community leader, someone who we loved, cherished, and respected. So, in honor of our veterans, in honor of the Freedom Committee, we have now, this is the second time we've done this, an essay contest to all of the students within the Orange County Department of Education, talking about what Memorial Day means to them. So, today you're going to see us give awards to those who have participated, we have two winners today who are in uniform, they are from the Sunburst Academy which is located on the Los Alamitos Joint Military base there, in Los Alamitos. They'll have an opportunity, I've already prepped them to say a few words, and then we have from the Freedom Committee, Frank Pangborn, who will be here as well as Jack's son. And we'll be giving those awards to those students who participated.

Hammond: Thank you, Dr. Williams, very much. And, Nina, how many awards do we have, sorry, that I don't know.

N. Boyd: We have four this morning. If you would, and Dr. Williams go down, Renee will hand you the...(*inaudible*) and I can call each student up. Our first place honoree is Alexis Hernandez.

(*Applause*)

N. Boyd: And Alexis is receiving a recognition certificate from our Board Members, but also our Veterans have a certificate that they'd like to also present to her.

Hammond: She's very shy, you can tell.

(Laughter)

Hammond: As a veteran myself and my best friend, *(inaudible)*

(Applause)

Pangborn: This is also on behalf of the Freedom Committee of Orange County, a Certificate of Appreciation for your wonderful essay. And I just want to say the Freedom Committee was founded 20 years ago, over 20 years ago, by Jack Hammett. Jack Hammett was everything good, he represented everything good in America. Courage, integrity, service to others, he was just a great man and we were honored to be able to represent him as well as representing you and your wonderful essay. Thank you.

(Applause)

N. Boyd: Our second place honorees, there was actually a tie. And both of them, in keeping with tradition, are from Sunburst Academy. Cadet Jackson and Cadet Moran.

(Applause)

Williams: So these two young persons are from a program that we have here at the Orange County Department of Education, as I shared with you earlier, at the Los Alamitos military base. And they represent the future of America, because these kids had a choice between the path that would lead them into incarceration, probation, and they are so happy they are not going to in life now. Because they are climbing the ladders. They're going to go to college and they're going to be the future leaders of this country, and that's what this program has done for them. So, will you share with us a little bit, Matthew, about your essay, what it meant to you and why you wrote it?

Moran: So, Memorial Day, what is Memorial Day? That's the question our teacher, Miss Wilson, wanted to ask us when we wrote this essay. We have a special opportunity to ask our Cadre, who train us, who lead us all around at Sunburst Youth Challenge Academy, to really reflect on the question of what is Memorial Day. So we had their person input from soldiers who served in the line of duty to give their perspective on what is Memorial Day? And, Sunburst is a truly phenomenal program, I can say at the least. It trains cadets, which are teenagers from 16-18 years old, to come to this youth challenge program in Los Alamitos, be able to stay for 5 months, and to work on improving themselves and their confidence, their physical training, and to work on their future goals in life. I believe that's crucial to any youth in America.

(Applause)

Jackson: As you say, Sunburst has really given us a chance to restart. We call it our leadership camp. Being there has given us the chance to work on our inter-personal skills. We live with about 53-54 of our gender, 50 females is hard. *(laughter)* But, it has taught us so much, like, I work on the year book committee right now. And I was looking at these pictures of us from the first day. These girls who were, you could see the distraught in their eyes, the fear of where they were headed, and to look at their pictures of them in their uniform, holding their head with such pride and passion for who they were and who they were going to be. It's so moving to, I was able to float all that emotion into this essay. Our Cadre told us, my Platoon Sergeant, she's the head of our platoon, she told us this story of how when you serve with the people around you, it is so much more than a family. It is so much more because they have your back day and night, in and out, and that is exactly how I feel about Sunburst. They have taught you to hold so much pride and to never take for granted what you have. For example, we only have 10 minutes to eat. Things like that, little things *(laughter)* that you would never expect that people take for granted every day. And being at Sunburst has taught us so much about those things.

(Applause)

Pangborn: On behalf of the Freedom Committee, Miss Jackson, there's your certificate. Very well said, both of you.

(Applause)

N. Boyd: And last but not least, our third place honoree is Jennifer Ruiz.

(Applause)

Williams: Let me say on behalf of the Board, and on behalf of our good Superintendent, and the community, thank you for participating in this wonderful – in honor of the veterans. Your essay was outstanding.

Hammond: We look forward to many more to come and hope that you'll do everything you can to encourage these kids to speak from their heart. Jennifer, thank you for everything you've done.

(Applause)

Pangborn: Considering all those that submitted essays, wonderful job!

(Applause)

N. Boyd: And I will mention that each of the honorees received a certificate signed by all five Board Members. They received a certificate from Freedom Committee, and they also received a monetary reward. So in your envelope, be very careful because there is cash for you. And we would be remiss if we didn't recognize the support that you all have here today. So, the parents, the teachers, the administrators from our ACCESS program that have supported these students, would you please stand and be recognized.

(Applause)

Williams: So, in ending, we'd like to have Jack Hammett's son come up and give us a few words and closing thoughts about his father and what he created, the Freedom Committee, and what it means to you as the son, watching him grow up, the model that he gave you. We'd love to hear that.

Hammett: Sure. Unfortunately I didn't get the gift of gab that my father had *(laughter)* everybody knows, but growing up with Jack, my dad, was pretty awesome. A lot of patriotic, loving our country, our two biggest holidays were Memorial Day and then Pearl Harbor, December 7th. So, my dad would be really proud of you young adults and I'm impressed. I'd love to hear, get a copy of your essays. And from the bottom of my heart and the Hammett family, we wish you all good luck, and thank you.

(Applause)

Hammond: Well, we have a time certain that we are a little bit behind on, um for our National Board Certified Teachers, and,

N. Boyd: Judy Levinsohn is here.

Hammond: Oh good. Miss Judy Levinsohn, would you please take the mic and lead away.

Time Certain – National Board Certified Teachers

Levinsohn: Thank you. President Hammond, Members of the Board, Superintendent Mijares and distinguished guests, it is an honor to have the opportunity to participate in today's celebration of professional achievement. It is most fitting that the Institute for Leadership Development is represented here today as it is within our scope of work, that we support educators as they enter the teaching profession through Teacher Induction, as they enhance their skills through the National Board Support Network and as they pursue their interest in organizational leadership through our administrative credential programs.

National Board Certification is a voluntary program, designed to develop, recognize and retain accomplished teachers. Certification is achieved through a rigorous assessment process that typically takes at least a year to complete and culminates in a comprehensive review of a professional portfolio submitted by each National Board candidate. Certification is valid for 10 years and it is important to note that the National Board renewal process is equally as rigorous. To date, more than 6300 California teachers have achieved National Board Certification. And in 2016, 138 new National Board Certified teachers have joined these distinguished educators.

In this era of high stakes accountability focused on content standards mastery, national studies confirm a significant difference in the level of achievement of those students taught by a National Board Certified Teacher. Joining us today is Leslie Milch, a nationally-recognized National Board Certified Teacher currently working in the Buena Park School District and serving as Advisor to ILD as we prepare to launch the OCDE National Board program beginning in the fall of 2016. Leslie, please stand for recognition. (*Applause*)

It is my pleasure to now present the 2 new and 9 renewing, National Board Certified Teachers. Our staff will be taking photographs during the presentation and will take a group photo in the hall, immediately following this recognition.

I would like to invite Dr. Jack Bedell, Board Member to join me in awarding the National Board Certificates to our first group of honorees. As Dr. Bedell comes forward, right there is perfect. Our first National Board recognition, Jackie Counts, is not able to join us today. She is from Anaheim Union High School District, and we would like to just recognize her. So thank you. (*Applause*) The second recognized educator is Tom Duarte, Anaheim High School, Anaheim Union High School District, and Tom's not able to join us today. May is a busy month for us in schools as you know. I'd like Renee Jeffrey to come up to join our Board Member, Principal at Pendleton Elementary School. Because we would like to recognize Janet Smith from Pendleton Elementary, Buena Park School District, who is renewing her National Board Certificate.

Bedell: This is about the children. And to make the children more successful we need good families and good teachers. This program symbolizes that, it really symbolizes those who are truly committed to student learning, closing the achievement gap, and helping our democracy. That's why I'm such a strong supporter of this program. Thank you! (*Applause*)

Levinsohn: Thank you. The next recipient is Scott Rosenkranz, Sunny Hills HS, Fullerton Joint Union High School District, who is not able to join us. We would like to acknowledge his accomplishments. And I'd not like to invite Sheri McDonald up to join Dr. Bedell, the Assistant Superintendent of Curriculum and Instruction from Lowell Joint Union School District. Hi Sheri, good go see you. And I'd like to invite Rachel Aguerrebere, up to receive her certificate renewing her National Board Certification.

Bedell: Would you just give us a very brief sentence on what renewal means so our audience can.....

Aguerreberere: So when you certify your certification only lasts for 10 years. So if you choose to show that you're still that same accomplished teacher, dedicated to children and their learning, um you have that option to renew.

Bedell: So renewal is a synonym for commitment?

Aguerreberere: Yes.

Levinsohn: Thank you so much.

(Inaudible)

Thank you, Dr. Bedell.

(Applause)

I would like to invite Dr. Ken Williams, Board Member to join me up at the podium please and I would also at this time like to invite Sherry Walker, Superintendent of Irvine Unified School District. Please come forward. I'd like to introduce Sharon McCubbin, from Springbrook Elementary, Irvine Unified School District. *(Applause)* this is Sharon's fourth renewal. *(Voices, wow)*.

(Inaudible)

McCubbin: I would like to say for the past sixteen years, eight of them have been spent either working on National Board Certification or renewal. That's eight times. And I did it because it challenged me every year to help my students so we would be learning together. So what my former colleague has said is for me to know that I involved my parents, my community, my colleagues, it was so exciting and thrilling. And it was done for that, not for this. Anyway, I would like to thank you all for being a part of that.

Levinsohn: Thank you so much.

(Applause)

I would now like to invite to the podium Shelley Surr ridge from Salem Lutheran School, who is renewing her credential.

Williams: This is an exceptional opportunity for the second time. You renewed ten years ago? In this same room, in this very spot I gave you your first certificate. This is an extraordinary human being, very kind, unselfish, and very giving to her children. She actually taught all three of my kids.

(Laughter)

Thank you very much, Dr. Williams.

(Applause)

I would like to invite Linda Lindholm, our Board Member to the podium please. And I'd like to invite Dr. Fred Navara, Superintendent of Newport-Mesa School District up to the front of the room. Thank you. Executive Director of Elementary Services is joining us. I'd like to invite Linda King, to be recognized at this time. Linda is a teacher at College Park Elementary School in Newport-Mesa, and is renewing her National Board Certification. *(Applause)*

Lindholm: We are so thrilled to have her here at the Orange County Department of Education. She exemplifies the *(inaudible)* we have here in Orange County.

Levinsohn: And before you leave us, I'd like Julie McCormick the principal at College Park Elementary School to please stand for some recognition of hiring a wonderful National Board Teacher. *(Applause)* Thank you very much. At this time I'd like to invite Mary Schiesser, from Adams Elementary, Newport-Mesa to please come forward. This is a new National Board Certified Teacher. *(Applause)*

Lindholm: She's just starting out with an elementary school, right? First grade? *(Inaudible and laughter)*

Levinsohn: And I'd like to recognize Gabe Del Real, the Principal Adams Elementary School, who also has joined us in this celebration. Thank you so much for being here. *(Applause)* Thank you, very much. And I'd now like to invite Judy Taylor to please come forward. Judy's a teacher at Lincoln Elementary School in Newport-Mesa and is renewing her National Board Certification. *(Applause)*

Lindholm: These are the moments that just, it kinda makes your heart sing, especially elementary school teachers teaching children to read, they teach them how to go forth, how to achieve their life goals in the future, they're pretty special. So, congratulations to you. *(Applause)*

Levinsohn: And before you return to your seat we'd like to recognize Carrie Gammel, the Principal at Lincoln Elementary School who has also joined us today. *(Applause)* Thank you, Board Member Lindholm. Thank you for being here. I would like to invite President Hammond to join me at this time. And although our last honoree is not here, we'd still like you to come up and be recognized Mary Mejia, from Santa Ana Unified School District. *(Applause)*

Hammond: For a little old special ed teacher and varsity coach, um, these people are way beyond me. And, wherever Maria is at, I hope you all tell her congratulations, she's doing a phenomenal job and encourage every teacher to follow in her footsteps. *(Applause)*

Levinsohn: Thank you. So once again we'd like to congratulate the honorees for their substantial recognition and achievement. It's really proud to say that you're part of the profession that I love so much. So thank you for your hard work. And we hope you'll be able to join us... We're going to take a group photo, if you could take one once the meeting's over. We're going down the hall and have a great group photo with your certificate. So thank you very much.

Hammond: We're going to...do you want to do the photo first now, before Board Recess?

N. Boyd: If all of the National Board Certified Teachers would all stand and then, Judy if you'd lead them through that door so that the photograph could be taken in the hallway before everyone goes out there to congratulate them.

Hammond: We're going to take about a five minute recess, ourself as a Board, and then we'll continue on with the Agenda.

Recess – Break for Reception

Hammond: Alright, the Orange County Board of Education is back in session. We're now going to go to Item #14, which was moved before Item #3. And at that time the Chair seeks a motion in regards to Item 14.

Bedell: I thought this was a discussion item? I didn't think it was a motion item.

Hammond: It's listed as an Action Item, Board Member Item 14.

Williams: OK, for the sake of, well.....

Lindholm: There's no second?

Hammond: There's no motion. I mean I, we can't even discuss without a motion and a second, so...If there is no motion, then Item 14 is done. (*Inaudible*) So, with that I think there's some comments.

Hammond: So the Item fails due to lack of a Motion, but I believe there are some Public Comments that would like to be made in regards to Item 14. And with that, we will hear from the public. Madam Vice President.

Lindholm: Yes, um, and just to remind you, cause I still have a considerable number, we will be as we moved this morning going to two minutes so that more people have a chance to speak. Um, so we're going to go forward with the timing on that. Yes?

Bedell: Does it make parliamentary sense that we have a motion to have a conversation for the record for this? How does that work? What do you? The staff, there's no recommendation, and it raises some questions. So I don't know parliamentary-wise I seek the Executive Committee's guidance. Could we motion to have a conversation about the issues raised in that? The appropriateness of the public to address it? Does that make sense?

Lindholm: I'm going to go to the attorney. I'm not sure what you do when you don't have an item.

Bedell: Yeah.

Lindholm: We do allow 15 minutes for comment at the end that we could move here?

Wenkart: Yes, that would be up to the Board, if you want to move those 15 minutes to now, to address. Are they all for this Item 14?

Lindholm: I'm not quite sure.

Wenkart: Well, ...

Lindholm: I could ask them when I call them up if it's for Item 14.

Wenkart: Yeah, and allow people to address Item 14 and then the Board can consider if there's any discussion or comment about Item 14, then you could make that comment, and if there's any motion, fine. If there's no motion, then just move on to the next item.

Lindholm: So are we going to the 15 minutes that we've allotted to the end of the meeting? For this particular item.

Wenkart: You could, if the Board wants to.

Lindholm: OK.

Hammond: Well, Ron I think that would dictate a Motion by our Board to move those 15 minutes from the end to now and thus suspend Board Policy, I would think so.

Wenkart: Yeah, that would probably be the best way to do it, have a Motion.

Hammond: Alright. Chair seeks a motion if that's what the Board wants. To move those 15 minutes now, so we can hear.

Bedell: Sure, hear from the public.

Williams: Second.

Hammond: Moved and seconded then. All in favor of moving the 15 minutes from the end to now, signify by saying AYE.

Several AYES

Hammond: 4-0 passes.

N. Boyd: Are you taking the time certain from 11:40 before you do the comments?

Hammond: No.

N. Boyd: After?

Lindholm: After. So what we have, I believe, is there was no motion before us on this item. There's no action to be taken on this Item. If I call you forward, we have 15 minutes and we will give you two minutes each to speak on it. And, if this is not the Item, because there's some other Items on here that somebody wants to speak to, let me know and I'll move you to that other Item. Jessica Herthel. Welcome.

Herthel: Good morning, my name is Jessica Herthel. I am a Harvard educated attorney, I'm a parent of three children, here in Orange County and I speak nationally

about how to keep kids safe from LGBT bullying. The good news is this is not the most hateful room I've ever been in. The bad news is it is top five. I think that the people in this room who have been saying Amen, and who have been listing homosexual acts have never sat as I have with the parent of, the grieving parent of a child who took his or her life because of LGBT bullying. I would say that the people who are opposed to these questionnaires which are entirely legal, which are anonymous and which are permitted under California law, are both unfamiliar with federal statutes, which allow schools to teach anything that is reasonably related to producing human beings that are capable of functioning in today's society. That's what federal law says. They're also unfamiliar with the case law that says that exposing someone to an idea that is counter to their religion does not violate a parent's constitutional parental rights. The parents' constitutional parental rights to raise your child allows you to pull your child out of a public school if you don't like what is being taught and you can either homeschool that child or put them into a religious institution. That's what the constitution allows. Just exposing a child to an idea that you don't agree with does not violate your religious rights. I would like to say that the information in the survey is used anonymously to keep schools safer for children who are targeted disproportionately to bullying, harassment, and ultimately suicidal ideation. I would say that I'm new to Orange County, um, you guys have a problem 'cause I'm here now. And I'm not going to allow our students to be bullied or targeted or treated unfairly because of something they certainly didn't ask for and God approves of all of our children. Thank you.

(Applause)

Lindholm: Thank you. Julie Nance? Help me out. *(Inaudible)* Thanks.

Nance: Hello, my name is Julie Nance. I live in Costa Mesa and I have children in Newport-Mesa Unified School District. I had something else I wanted to say until I came here, and I saw parents that like myself have concerns for their kids. There was a time I might have been a little bit like some of you, ignorant, well-meaning people. I am the mother of a 13 year old transgender daughter. She came to me when she was 11 *(inaudible)* back then. She was bullied, pretty horribly for years prior to coming out. Because we all know that we fear when we're ignorant. People didn't know what she was. She was different. She looked like a little boy, she did all the boy things, she played sports, she played football. She did them well. But, she was bullied and it was when she came out as transgender that it all stopped. The bullying ended. It's been over for years. Everybody knows what she is now, and that's fine. It just makes me sad that maybe there's some kids that could share with somebody else, an adult, that they're gay, or that they're transgender, or something. And, maybe they're going to be inhibited from that opportunity because people mean well. And I know you all mean well, I meant well and I know you all mean well, but maybe it's one of your kids or one of their friends. That's all I have to say.

Lindholm: Thank you. *(Applause)* Sherine Smith? Welcome.

Smith: Thank you so much for the opportunity to speak to you today. My name is Sherine Smith, I'm the Superintendent of Laguna Beach Unified School District, former teacher at Marco Forster Middle School, Principal of Aliso Viejo Middle School and Principal of Capistrano Valley High School. My husband is a teacher at Aliso Niguel High School, teaches *(inaudible)*, very invested in public education. We've lived in Orange County for 30 years so we're also tax

payers. We have many friends and colleagues who are supporters of public schools, work at public schools, etc. You have a hard job. Um, I agree with the last speaker. It's sad that we have children and adults who are being judged because of their gender identity. We just had a wonderful event, I was reading about the One Billion Acts of Kindness, that was so marvelous, and one of the comments I think Dr. Mijares made was that kindness basically is an outgrowth of your character. So if you're courageous and you're kind, then you will do the right thing. It's disturbing to me, I'm sorry, Mr. Hammond, I don't know you, but it's so sad that someone would be referred to as a sodomite. Or that you would want to call someone out for their gender identity. I say, let's find what we have in common. Let's accept people for who they are and let's love and cherish every individual so no one, no child especially, feels anxious, depressed, suicidal, which we have that going on in our schools right now. So please, I ask you to find a way to heal this situation, find common ground, and bring us together. Thank you.

Lindholm: Thank you.

(Applause)

Lindholm: Ashley Collins?

Collins: Alright. Good afternoon. I'm here today to discuss the recent article from Mr. Boyd which talks about, um, some issues he had with an email sent from Robert Hammond. At first I was alarmed, naturally. Then I began to research and I think I truly understood what was happening. I equate these emails to this situation. One time I was in the car with my 9 year old and I was laughing really hard and I made the statement, "I'm going to pee my pants." After we got home my son told his dad that I peed my pants. So then, his dad called me and asked if I peed? Of course I didn't pee my pants. But his dad was concerned as it was completely out of context. If I peed my pants, clearly he needed to know some context behind that. Same thing with these emails. We see that they were related to an evasive survey, which I believe has no place in our school. But that's not my point to discuss today because that's not what is or was for the Board. Um, it simply looks before the Board is David Boyle attempting to derail Robert Hammond and his efforts to protect our parental rights? Which I don't support. It's embarrassing behavior, and I'm sad that everybody here is believing these statements that are completely taken out of context, and I would hope that the Board would not waste our tax dollars on some kind of investigation which is ridiculous. We could use those core services for our, you know, gay children or whatever it may be instead of wasting it on something ridiculous as this. Um, so I support you and I thank you for the work that you've done to protect our parental rights. Thank you.

Lindholm: Thank you. *(Applause)* Thomas Peterson? Is he here? *(Inaudible)* And you're keeping track of our time? Thank you. Lisa Heyrend? Welcome.

Heyrend: Hi there, I'm Lisa Heyrend. So I had something to say today and then I started listening to some of the comments that were being made here and, um, before I came here today I actually called a very dear friend of mine who is gay. And I asked him what he felt about this survey. And his response to me was, you know Lisa, I feel it's a violation of my privacy. So I don't think we're only talking about a violation of one side or the other. He told me if he

answered this question in Junior High, he would have lied and he would have felt completely ashamed because he wasn't ready to come out. So, I think it's very tactful um, to have these discussions at home and not in our educational system. I'm very concerned about the timing of the emails, um, that have been exposed to me it is a clear cut and dry execution, derailment of a campaign. I think this whole thing is disgusting for both sides. I honestly, honestly feel terrible for Christian families who are having to deal with this and for the gay and lesbian community. I mean, no one should be subjected to any of this. No one should be subjected not only to that question but many others. If my 8 year old came home and asked me what huffing was I would be appalled. I think it's a total violation of my privacy and the way I choose to raise my children. Um, I completely respect Robert Hammond. You know when we start talking about discrimination um, I'm sure that many of you on this Board know that I am an SB 277 advocate against mandatory vaccinations to go to school. My children are discriminated and segregated against every day. This is the world that we live in. And I have to deal with it. It's unfortunate and my children are aware (*sound of timer going off*) and I have to teach them differently. That my time? Thank you.

Lindholm: Thank you. (*Applause*) Julie Stocksill?

N. Boyd: This will be your last speaker.

Lindholm: This is our last speaker, Julie Stocksill. Welcome.

Stocksill: Good morning Board Members. My name is Julie Stocksill. I felt compelled to come this morning to discuss, obviously Item #14 as well. This is a complex issue, I would never want to have any student ever feel segregated against, um, bullied, um all of those things. But, this type of questionnaire I don't think has a place in, you know, providing certain services, certain, you know, discussions can maybe even occur at school for those that want to, um, I definitely love Board Member Hammond's, um, President Hammond's um, approach about opting in to certain things like this and not having to opt out. I'll be honest, the thought of even having this type of questionnaire given blanketed to students in the public school system really makes me uncomfortable about having my child in the public school system. Um, I think it can often expose children to issues, topics, um, you know, and more, even drugs, types of drugs, even before they're ready to handle those types of things. Um, and, you know in my mind, let's provide you know, these types of discussions to be done at home. Um, I definitely disagree with and oppose having the Harvey Milk, you know, day. I know that's going to be a topic as well. I really appreciate the Board even listening to our concerns, and protecting our rights as parents to bring these sensitive issues up. My son, actually does have two grandmothers. My husband was actually raised by two women, so I definitely, you know, understand the dynamics there, and it is a um, a dynamic that should, you know, be talked about at home and obviously we are in charge (*sound of timer*) of the character of our children. Thank you. (*Applause*)

Lindholm: Mr. President, that concludes the second 15 minute session of Public Comments.

Public Hearing

Hammond: OK. Then we shall move on. Right now we have a Time Certain, Public Hearing, done by Miss Renee Hendrick, and what a wonderful job she does. And this will be a Public Hearing on OCSEA's Initial Proposal to Superintendent. Dr. Bedell?

Bedell: 14 was pulled?

Hammond: Yeah, there was no motion for it. So, Miss Renee, you have the microphone.

Hendrick: Thank you President Hammond. At this time I'd like to pass out, this is the um, opener for the Orange County School Educators Association. It's the second part of their initial proposal to the Superintendent. Um, so at this point I'd like to open the Public Hearing for any comment regarding this proposal. Hearing no comment from the public I'd like to close the Public Hearing at this time, please.

Lindholm: Thank you.

Consent Calendar

Hammond: We're on to the Consent Calendar, Items 5 and 6.

Bedell: Moved.

Hammond: So moved.

Lindholm: Second.

Hammond: It's been seconded. Any discussion on 5 and 6?

Lindholm: No.

Hammond: Hearing none, all in favor of approving the Consent Calendar signify by saying AYE.

Several AYES.

Lindholm: Mr. President?

Hammond: Passes 4-0. Yes ma'am.

Lindholm: We have a request for a Charter Submission, under Item #4.

Hammond: Alright. Is it just one person?

Lindholm: Catherine Sanchirico?

Hammond: Alright, we'll here from Miss Catherine.

Sanchirico: Good morning, members of the Board, Superintendent. Um, I'm here to submit the petition of our charter, which was constructively denied by Capistrano District. Staff has been

given Minutes by our Counsel, showing that we were constructively denied, and therefore, per your policies, I'm submitting our appeal and asking for you to accept our petition today. And at this point, I'd appreciate the standard presentation time to talk about our school.

N. Boyd: 5 minutes. It's up to you. 5 minutes per your policy.

Hammond: Alright.

Bedell: I'm confused. My understanding is, could you help me here? The District, approved with conditions that the Charter Proposal is saying equals denial? Is that basically it in a nutshell?

Hammond: I think so.

N. Boyd: Ron has comments.

Hammond: Counselor. Do you happen to have a comment?

Wenkart: Yeah. As you may recall, on April 1st I sent you a memo about the Global Business Academy Charter School and the fact that the Capistrano Unified School District approved it with conditions. And, we advised that this Board did not have jurisdiction because it was approved, not denied. That has not changed. We read the transcript, we've looked at the documents that the School District sent over. They had a discussion but they did not deny it. They continue to approve it and apparently there's no dialogue going on, but that, there could be dialogue between the Charter School and the School District to resolve the differences. I'm getting conflicting reports about whether they're actually talking to each other trying to work it out or not work it out. Be that as it may, they did not deny it and so therefore this Board doesn't have jurisdiction.

Hammond: Ron, I heard that the MOU that was proposed by that Board was fairly substantial. How many...?

Wenkart: I think it had 41 or 42 conditions if I remember correctly. Um, and, that would certainly set the stage for negotiation. The Charter School and the School District could negotiate and change some of those conditions if they're not agreeable. But, that's up to the School District and the Charter School.

Hammond: Ron, in your opinion...well, did you get a chance to review the MOU that was submitted by Capo?

Wenkart: Yeah, I did review it.

Hammond: Was there anything in there that you felt was in violation of code?

Wenkart: I did not see anything that was in violation of code. It's really a matter of discretion of the School District versus the Charter School and a negotiation between them as to whether they want to agree to the conditions. As I understand it, the main condition that the Charter School

objected to was the one that they begin school next school rather than this one. That was the biggest one that was subject to dispute.

Hammond: Madam Vice President?

Lindholm: Yes, I think what I've been hearing is that this charter school has not agreed to the conditions, which they feel is a denial. Then, it's in the hands of both sets of attorneys. I think having them come forward now would start a clock, and that's an important thing, to start a clock for reviewing the school while the attorneys take their time and see if they can settle this issue. I'm willing to accept it and have the attorneys do what attorneys do. They will be the ones deciding um, and bringing forth the arguments. For me, it's just a submission and I'm happy to start the clock for that. But at the end of the day it may go one way or the other.

Wenkart: So when you say you want the attorneys to do what they want to do. Do you want us to be involved with those two sets of attorneys, the attorneys that represent the School District and the Charter School or do you want us to stay out of it and let those two sets of attorneys work it out?

Bedell: I apologize. I think I'm trying to follow Trustee Lindholm's logic here. Uh, have we ever done this before? Have we ever taken out of the hands of....the District is saying we want to consult with you, basically, we want to consult with you, we want to work with you, it's approval with conditions. Isn't that right, I mean simply? And you don't like what they said, basically.

Sanchirico: We reached out to the staff, when we received the conditions, the approval with conditions and asked them to work with them on those conditions, and they were not willing to work with us on that. We have no problems with the start date 2017. As a matter of fact, that's our decision is to start in the fall of 2017. Um, there were a few conditions that were in violation in the Code which our attorney did not feel that it was not legal for us to comply with. Um, so since then their attorney has basically said you guys are denied, however, my understanding is the Board is not in agreement with their own Counsel. So, it's very new territory for me as well.

Mijares: Could I make a comment Mr. President, because I did have some conversations with the Superintendent?

Hammond: Of course, Mr. Superintendent.

Mijares: It is a complicated matter and I'm not sure state-wide if this scenario, these dynamics or the variables here, have been presented in other bodies such as a school district in a county office. I think it is new ground, I don't believe there's enough definition from the current state law and of course Mr. Wenkart has been my counsel on this. So in effect what you have is you have a school district that approves the Charter with conditions. And, the conditions that they are applying, they believe are reasonable whereas the Charter petitioner does not believe they're reasonable. So, the Superintendent said to me just a few days ago that they have not heard from you. And, you're testifying that you tried to work with them. So, there's a miscommunication here somewhere. But, I think the bigger problem that I see for this Board, is for us to circumvent

the process by accepting a Charter that is not been officially denied. I think that would leave us open, or leave the Department open to litigation on the part of the district, challenging our right to accept the Charter that has not been denied. So, it is confusing and we will reach out and continue to reach out with the District and perhaps we can help to broker something between you and the Capistrano Unified School District.

Bedell: Mr. Chairman, I would like to move that we table this to the June meeting. If seconded, I'll speak to it.

Hammond: Is there a second? You know what, I'll second it for discussion purposes.

Bedell: OK. I think this is a very interesting slope, it possibly is a slippery slope. They've agreed to the 2017 date. I think the Superintendent is correct that this is unchartered waters and I think out of respect both to the Charter and the Board, that if they have a month to chat and to visit and to get, look at the proposals and see what is really sensitive and what is not, what is code and what is not, I think all of us would benefit and I think most especially this Board. I think this is in the Board's, the Department's best interest to have that work out because in my 12 years here I don't think we've ever done this. Doesn't mean we couldn't, I just think it's new, I think it raises an interesting specter or two of what could happen down the line, with future stuff. That's why I would recommend, just one month, doesn't affect 2017.

N. Boyd: This is not an Action Item so in terms of tabling it, it's really just a question on what we have done historically is that during Public Comments, so for the record, they're letting us know that they are planning to submit. And once they submit and we accept it, the clock starts. But what Ron's reference is if we do take it and don't let them know that there's a concern on whether or not the Board can even act on it, our Charter Unit can't even start a dialogue with them, so that's really, I think, in terms of making sure everyone understands that there is a question with regards to whether or not we can start even looking at the document until the other issues is resolved.

Bedell: So you're speaking in favor of tabling it.

N. Boyd: Not tabling it, we can't table it, is what I'm telling you because of a protocol. It's not an Agendized Item that you would table and take a motion on.

Bedell: OK.

Wenkart: I just want to add something. I was under the impression that they wanted to start operating this school this fall, fall 2016. So this is the first time that I've heard they are going to go to fall 2017. So that gives us some time to try to work things out. So, we could then work with the attorneys and see if we can work out a solution, and report back to the Board on June 8th.

Lindholm: Mr. President,

Williams: I've been waiting so patiently, kindly....

Lindholm: Sorry.

Williams: So yes, this is a political hot potato and we are going down the slippery slope, as our good Trustee Bedell discussed. It's very interesting about the development of this and again uncharted waters, this would be new. Um, but is a constructive denial, that is something that has, I don't know if there's a legal term in your definition as an attorney, that would be something I'd like to hear about, know more about.

Wenkart: The term constructive denial is sometimes in other contexts, it's not been used in terms of charter schools, as far as I know. The code says denial, and they approved it with conditions and then went back to a second Board meeting in Capistrano and they discussed it, talked about possibly denying it but they didn't take a vote to deny it. So, and the Board members, when you read the transcript, have different opinions as to how to proceed. Some of the Board member thought that they would continue to work with the Charter School, and try to work out a MOU and some of the Board members were going in a different direction. So, it's hard to know for sure exactly what Capistrano's Board had in mind, but that's kind of what we're left with.

Williams: I'd like to hear from you now. So where's the truth in all this?

Sanchirico: Well, I...

Williams: What do you see from your perspective?

Sanchirico: Actually, um, let me, if I may, backtrack, um, the word constructive denial has been used before and I'll point to a specific example since I was there. When the OCASA petition went in front of the Capistrano District, there was a split between the Board and their Counsel stood up and said, since there's a split vote between the Board, it's considered a constructive denial. And based on that, they were able to appeal to the Orange County Board. So, it has been used before. From my understanding, the staff usually contacts the Charter and lets them know these are the set of conditions that we would like to impose on you. And actually, some of the conditions were, you know, clarifications. Had they done that, we would have been able to clarify some of the information and actually work out those conditions. They were not willing to work with us, and when we came to the hearing and told them that we are not even able to comply with some of the conditions, it was, that matter was not discussed. Our attorney stood up and spoke, and mentioned that since we are unable to comply, what did that mean? And that's when their attorney stood up and said, it's basically a denial. So my understanding is it has been denied. But, for legal purposes, I believe it's been denied.

Williams: OK. This is a very interesting situation because we have staff who is conflicted, they don't believe it's denied and they're the ones who kind of begin the process, get these things going.

Sanchirico: Well, I believe the staff thought that it was also denied and that's why requested it back on the Agenda of the April hearing for the Board to effectively take the vote to deny.

Williams: And what did they do?

Sanchirico: They chose not to take a vote.

Williams: So, you're in this quandary and situation where you believe it's been constructively denied, uh, our Legal Counsel has given other thoughts on that matter. You would like to present it and get the process going at our Department, is that correct?

Sanchirico: That's correct. And we have letters state from Capistrano District their Counsel stating that the Charter petition has been constructively denied. So, you are correct. I am wishing to submit our appeal today, for you to accept it.

Hammond: Ron, do we have those letters?

Wenkart: Yes. We do have copies of those letters.

Hammond: So we do have copies of the letters from Council for Capistrano Unified where their Counsel says that it was a constructive denial?

Wenkart: That's the essence of what the letter says. Yeah, we don't agree with that because we don't understand how you could have a denial when they approved it, and then they refused to deny it at the second meeting, but that's what their Counsel wrote.

Sanchirico: We have copies of those letters in the binders as well.

Lindholm: Mr. Chair? I did have one item in response to Trustee Bedell. Uh, one thing that happens if you don't get the timeline started there, already because of the situation, there was a \$387,000 start-up that could have been applied to this school. But, because they've been in limbo that, they've missed that deadline. So, in terms of deadlines it becomes significant to the school trying to start. We've heard, um, our Counsel say to the best of his recollection it, the school was supposed to start this fall, um that has been changed. So there's a full year now, that the timeline needs to get going so that all these processes start, um, and we have no action today, so I think we could listen for five minutes and, if our Counsel talks to their Counsel, and the other parties' Counsel and hopefully, my ultimate outgo would be for Capo Unified to take this and to work with the applicant. This is where it should be, so, that's my hope.

Williams: So, I'm still confused. We don't have any objective direction for staff. Are you suggesting the staff to begin the process here, or let them figure out at the Capistrano Global Business Academy level.

Lindholm: What I'm suggesting is that our Counsel becomes involved to try to encourage a resolve between Capo and the applicant. So, he's saying this, you need to find a middle ground that you all agree on. Because that would be the best sense, and if middle ground can't be decided upon in the next month, then I think she will be bringing it back to us.

Williams: So, this is not the time, let me digress, so you don't think in June's meeting then that this would be something we would discuss as a formal denial. And that process is staff

involvement, staff recommendation, um, I'm unsure of what you're trying to say. I personally would like to see it as a constructive denial and go on forward with the formal process. That's where I would personally stand on this from a public policy perspective. I would defer to the wisdom of my Board Members.

Lindholm: I'd like to see Capo have one more month on this. I think that would be a courtesy to them. You're not going to start in the fall, if that is correct. So you can get good sound footing for your school year and, I know there's some differences in what they're saying that you have to have this kind of classroom and you have a very exciting progressive kind of classroom. I think we could wait until June, because...

Williams: You mean July?

N. Boyd: There's two meetings in June.

Lindholm: Two meetings, good.

Williams: Second meeting in June.

Lindholm: Yes.

Williams: Is there money involved, is there a time issue here that we need to be aware of for you?

D. Boyd: Are you at risk of losing funds?

Sanchirico: Well, yes, actually the grant that we had gotten approved for, we are at risk of losing that. I've contacted CDE to see if they'd make an exception, but since they've never done in the past...we're not optimistic.

D. Boyd: It won't make any difference whether this decision, our Board's decision is made in 30 days or 60 days or 90 days with respect to your funding.

Sanchirico: I think that if we present evidence showing the, how our petition had to be, we're basically in limbo, but they might be sympathetic to that knowing that if we can get an approval within 60 days or so, so there's still a chance we can still get that grant and that's what we're working on with CCSA's support to try to still get that grant for us. And that just allows us to be able to make all the preparations, get our number and start um, starting this school properly. And some of the conditions that were imposed on us required us to only pick one aspect of our school which is what makes a charter school different, you know we don't have to use one instructional strategy and that would be very difficult for us to be able to do with, what's stated in our petition. That was a big component of the conditions that we couldn't comply with.

Williams: What issue was that again? That you don't feel you can comply with?

Sanchirico: Uh, they required us to only pick one instructional strategy and um, not be able to use anything else and, when I go over some of the aspects of the petition itself, it just wouldn't be able to work with what we're trying to do with this Charter.

Williams: So that may be a deal breaker?

Sanchirico: Yes, that was one of the major deal breakers for us.

Williams: Thus leading to a constructive denial.

Sanchirico: Yes.

Williams: Gotcha.

D. Boyd: Mr. President?

Hammond: Oh, Mr. Boyd, I don't know if you knew that there is a motion on the table that was made by Dr. Bedell and I seconded, to table this item to next month. We did not get that, there are two meetings in June, we didn't specify as to which meeting. So, that's the motion that's on the table.

D. Boyd: If I can make a brief observation, that when this first hit the media, very interesting from the legal standpoint, I think this is unprecedented. This type of situation. And while I respect Dr. Wenkart's opinion, on the other hand take to the extreme and I don't know the specific circumstance and how reasonable the conditions were, with respect to your particular situation, but taken to the extreme, this could be devastating to the Charter movement as a whole. Because, if a local Board is able to approve a school with conditions so onerous that it would make it impossible for them to operate and it precludes any appeal up to us or in the State, that could mean any local district who didn't want really didn't want to approve a Charter, could simply approve it with so many conditions it would make it impossible to operate. So this is dicey, and, I don't know how a court would look at this. I think you might ultimately have to go back to have a reasonable work of conditions that were imposed at the local level. I don't have that.

Hammond: Were you here, I don't know if you heard this part but Ron had acknowledged that we, that there is paperwork out from, uh, Council for Capo in which their own attorneys have said that there was in essence a constructive denial.

Mijares: I think what occurred was after the first time they went, the Council made an assumption on the part of the Board that it was a denial. When we talked to them, saying we didn't see it, an actual denial, and it wasn't a split vote like the other Charter that was mentioned where it ended up being a constructive denial. We encouraged them to deny it officially, if that's the route they were going to take. And they didn't do it in the subsequent Board meeting. So, I don't believe there's been any other written communication from their Counsel, because I believe that they're a little bit confused themselves. But, I know one thing that is they always have the right to appeal to the State Board, in any case. So, that would be an option for them too,

if they chose to go that route if we found ourselves in the position where we could not accept this petition, and then secondly there is a bill developing through the legislature that will probably take care of this, this problem, to answer your question Mr. Boyd.

Lindholm: Mr. President, just in the terms of time I think we accept this as a possible constructive denial, possible? We ask our Attorney to work with their attorneys we ask you to quickly talk to Capo and say please come to a resolve on this. We would like it to stay in your hands, but if it becomes, as Trustee Boyd has said, a significant constructive denial then, it's the same as denying it. I think we can move forward with that and here their presentation, start the time clock and ask our Attorney to do what attorneys do.

D. Boyd: Well, do we want to start the time clock now, is that in their best interests? Because you don't have a decision within the statutory period.

Bedell: That's right.

Lindholm: True. But we're also worried about the funding, they've already lost, to me knowledge some significant funding for their start-up. They were going to start this fall, so by having this particular process in place, it has already caused the school not to start, this fall.

Williams: They'll have to reapply for the funding for the fall. They can reapply.

Lindholm: Yeah, but it has been harmful, this process has precluded children in the area from getting this education, and that makes me sad. That the attorneys can't agree and, um, we're left with this dilemma.

Williams: I think fundamentally the district, one of the big points as Mr. Wenkart pointed out was the fact that they were challenging the start-up time, the original timeline of starting this fall. You know, we're just a few months from there, and the District felt that it was impractical to expect a launch within a 90 – 120 day window. Um, but now that that's been off the table, there's more time. They've got until September of '17 to begin the school.

Bedell: Mr. Chairman, I want to go back to the virtue of I think a motion officially tabling it means the clock does not start, correct?

Hammond: Correct.

Bedell: so that would protect the school and the people, that's what I understand and that might be going back to Trustee Boyd's comment, and Trustee Lindholm, so this may be in the school's best interest. And I totally agree with the Charter Act, I really want to keep this at the local level whenever possible and so I think the virtue is you've heard this conversation, Ron has heard this conversation, the clock doesn't tick until this drops on the table and that would be my version for supporting a table which you so graciously and with loaded with wisdom seconded.

Lindholm: And you're saying keep that to the first meeting in June.

Bedell: Yes, oh yes.

Lindholm: What does the applicant think of that?

Sanchirico: Well, the applicant on behalf of all the parents that we're going to have to inform after this hearing, waiting on pins and needles, um, I would, we would love to have our petition be accepted today and get the clock started. Be able to work with CDE to still get that funding, and prepare for the school adequately. Um, as it stands, this program is so unique that when first mentioned a few weeks ago the potential of not being able to open this fall was, there was a lot of saddened faces and outcry. Um, so quite frankly I would respectfully request that our petition be accepted today because I don't think that within a 30 day period the counselors are going to work it out 'cause that would mean Capo District would have to change their MOU, I think substantially to at the very least not to require us to pick one instructional strategy which they were adamant on. And we did want to work with them when we found out about the conditions, but we know there was no working on it, that was their position at first.

Lindholm: Mr. President may I ask our Counsel a question? Thank you. Um, if she submits this just to start the timeline, is Capo still able to go back and work on this and work together and create an acceptable MOU to both sides?

Wenkart: They may take the position, and I can't speak for them, but they may say well, the Orange County Board of Education has now accepted it, has accepted jurisdiction over it so therefore we're not involved in it. They might take that position, I don't know if they will or not, but it's a possibility.

D. Boyd: And, if I may, Mr. President.

Hammond: Of course, sir.

D. Boyd: Um, if we accept it today is there any legal precedent for accepting it?

Hammond: Well, I think the only thing we would have Counselor is that, you know, those letters that you referred to or a letter, sorry, I don't know if it's plural and saying from their counsel for the school district, there's a constructive denial.

Wenkart: Yeah, if we accept it, they'll probably, well, when I read those letters and then I compared it to the transcript of the discussion that the Capistrano Board had, I didn't see a consistency there. I'm not sure how the Counsel concluded that it was a constructive denial but, be that as it may, um, if they, if we accept this submission, I'm not sure what Capo would do. We would try to work with them, sure. We would try to see if we could resolve it and see if they could bridge their differences between the District and the charter school based on your direction. But, if they don't and then it's submitted here then that would start the clock running, there could be a legal challenge to the Board taking over jurisdiction when it wasn't a denial. I don't know, you know, how it would play out exactly, I couldn't tell you for sure.

D. Boyd: I'm, if I may Mr. President, I'm assuming there's nothing in the Education Code that talks about constructive denial.

Wenkart: No, just...

D. Boyd: This would be something when you're talking about constructive and the eyes of the law. It's usually something that a court determines.

Wenkart: Yes. And they've applied it in certain areas of the law but, as far as I know not charter schools. They could quite possibly do that, I couldn't say that would never happen but so far we have no precedent for that. So, this Board would be vulnerable to a lawsuit challenge in your jurisdiction if you take this on.

Bedell: Mr. Chairman, I, it seems to me that this, again going back to the word I used earlier, if a petitioner, if we do this, if we accept it, the district has no incentive to cooperate. If we don't accept it, if we accept it the charter proposer has no incentive to cooperate if we accept, I mean it's a lose, lose, lose I think. I think that the 30 day cooling off period would help, because this is going to send very interesting message both to districts and to proposers. And, I'm not so sure it's in our best interest as a Department to go that route.

Sanchirico: May I read something to you from our attorney, which I know you don't have copies of but maybe it will help um, answer some of your questions. This was the letter that was written to the District's Attorney right after the hearing. You explained to the District Board of Trustees on the record yesterday that if Global Business Academy does not agree to the 42 conditions in the resolution and the GBP petition is deemed denied by the District. We agree that this is the outcome under the law, when there is no mutual agreement between the parties relating to the conditions. We are frustrated by the District's complete lack of dialogue and engagement with the GBA petitioners during the Charter Review Process. District staff did not email, phone or hold any meetings with the GBA petitioners during the 60 day Charter review period to ask questions, consult, or communicate with any GBA petitioners regarding the petition itself for any proposed conditions of approval. And, unfortunately that has been the position we've been dealing with this entire time. So it wasn't just during that 60 day period.

Bedell: Poll the Motion to table to the first meeting in June.

Hammond: OK.

D. Boyd: Yeah, three weeks.

Hammond: Is it three weeks, Ron? I'm sorry, for the record, Motion is called. Um, Ron, we are three weeks out...

Wenkart: Election Day is four weeks.

Hammond: Four weeks out to the next meeting?

Wenkart: Right. June 8th is the next Board Meeting.

Lindholm: And, Mr. Bedell, with your Motion you are encouraging our Attorney to speak often and frequently with Capistrano Unified? To let them know what our dilemma is and what will be occurring in the June meeting?

Wenkart: Yes, understood.

Lindholm: OK

Bedell: Nicely put.

Hammond: Motion has been called, all in favor of tabling this item until the first meeting in June, signify by saying AYE.

Several AYES.

Hammond: Opposed? Motion passes 4-0.

Bedell: And the intent of that Motion to mean that the clock has not started today to protect the petitioner and the District as well.

Lindholm: OK. Mr. Chair, could we have a 10 minute recess, please?

Hammond: Yes.

(Sound of gavel)

Hammond: The Orange County Board of Education is back from our break, and we are now going to go with a Time Certain of 12:30, that's a wee bit on the tardy side, for a Charter School presentation and Miss Kelly. We will turn the microphone over to you m' lady and thank you for you and your wonderful staff as always.

Gaughran: Thank you. Good morning, President Hammond, Members of the Board, and Superintendent Mijares. Today we will hold a hearing to consider public input regarding the Orange County Workforce Innovation High School, a countywide benefit charter school petition, which was submitted at the March 10th Orange County Board of Education meeting. Subsequent to today's meeting, the charter school review team will meet with petitioners to provide an opportunity for clarification and to address questions. For today's public hearing, the Orange County Workforce Innovation High School petitioners are allocated 15 minutes to summarize their position. Then the hearing will be opened for the purpose of public comments. For those interested in speaking, if you haven't already, please fill out and submit to me a speaker card located on the back table. Each speaker will be allotted 3 minutes, with a total of 30 minutes for public comments on this matter. In addition, the Board will consider all written information. Written testimony forms are also located on the back table and must be submitted by May 20th.

I now open the public hearing for Orange County Workforce Innovation High School and call Jeff Brown, co-founder, Learn4Life, Valerie Chase, Vice President of School Development, Learn4Life, and Craig Beswick, Principal, Diego Valley Charter School, to the podium.

Brown: Thank you, Kelly. Board President, Members of the Board, Superintendent, I want to thank you for giving us this opportunity to present our program for the Orange County Workforce Innovation High School. We kinda shorten that sometimes and we say it's the OCI. The Agenda today will be as follows, we're going to make a presentation using, wow, I can read whose going to be here. Valerie Chase, our Vice President of School Development, Craig Beswick, our Regional Principal. We do have a Principal, Cheri Tuinstra, she will not be presenting but will be available for questions should they come up. And since they're going to be making the presentation, if you'll forgive me, I'll introduce Valerie Chase, our Vice President. Thank you.

Chase: Good afternoon distinguished Board Members, Superintendent. Thank you for considering the approval of our Charter Petition and for this opportunity to share with you how our educational model stands apart. We believe our partnership with you is the best solution for the needs of so many youth in the community of Orange County. Our personalized learning, instructional delivery, our community school classrooms partnerships as well as our career and college readiness programs combine to offer high quality options for today's 21st Century Learner. Word of mouth. Our growth is due in largest part to our own students, whose number 1 reason for making the choice to enroll with us is that they feel safe. Which in most cases means that with us, they are free from the bullying and sense of isolation that is a reality on many traditional high school campuses. Word spreads when students are respected. Each student has our respect upon walking through the door. Our organic growth can be attributed to our own students' personal testimonials to each other. Our staff, from front reception to the back office including teachers, tutors, counselors, mentors and administrators work together to develop the students individualized learning plan and pathways to career and college readiness. We hold the student accountable in our university model to taking ownership of their future. But we surround them with caring adults to guide them on their way. A community school is a place and a set of partnerships between the school and other community resources. We learned years ago that the key to making a collective impact on the community lies in building bridges. Our model is one that America's Promise Alliance and their Building a Grad Nation reports prove is working. You see, the bridges that we build are two-way. In some cases our program co-locates with a partner and with others we invite the partner to co-locate with us and provide direct services to students in our center. Here are some of the partnerships we've established in Orange County. We also enjoy support from Sun City Council, School Board Members and other elected officials who have attended our grand openings and special events. Our model includes the position of Community Liaison who drives engagement for the mutual benefit of students, the school, and the community. Across our network we enjoy formalized partnerships with over 100 distinct agencies, 45 of which are real service providers. We are committed to preparing students for life after the high school diploma, helping them to answer the question, now what? We began our program of awareness and exploration upon enrollment through professional skills, soft skills courses, career interest inventories, virtual job shadows, career fairs and the like. And then we advance the students to career preparation and training through work experience education, hands on learning opportunities, service projects, and internships. Two of our network partners

are recipients of the California Career Pathways Trust Grant. We are headed to San Diego later today for the CCPT Network Institute, where we will connect with mutual friends and partners from Orange County as well as other counties and grant recipients. A word about our youth. We believe all students can learn and succeed. Despite these seemingly challenging demographics, statistics, we are making a positive impact on individual lives. For example, across our Orange County Resource Centers which serve close to 600 students, during the first 9 months of this school year or from August 2015 to last month, April 2016. 139 of those 600 students left our school. 30 graduated, and 85 were coded as a T160 in CalPads, meaning they transferred back to the school of residence. That's 115 students in the last 9 months who might not have otherwise found the path to success. If we did nothing else in the next 5 years, that could mean close to 600 students who we've recovered or returned to high school, that have found a path to success who otherwise might not have. Please keep in mind that at the Orange County Workforce Innovation High School, students can enroll during any day, in any month of the year. While students meet graduation requirements at different points in time throughout the year, we do hold a fall cap and gown graduation ceremony every year. It's a family affair and we invite you to attend on June 23rd at the Del High Center where 50 students will graduate. Here's a look at our three locations in Orange County today. We enjoy a co-location in Garden Grove at Next Level Sports and in Santa Ana at the Del High Community Center. Our Center on North Euclid serves as a hub and is growing steadily. There we have a Cisco certified network academy and media arts program provided by (*inaudible*). I would like to introduce Craig Beswick, our Regional Principal and he will provide a closer look at our community schools in action.

Beswick: Thank you, Valerie, and thank you to the Board for the opportunity. It is an honor to be here and I look forward to presenting some information. So, as Valerie mentioned, we are a unique blend of rigorous academics and community resources. I know our time is short but I did want to briefly mention that while I was growing up in Philadelphia, like many of our students, I was not able to attend school six hours a day due to some circumstances of which were my own and were not my own. So, I really wished there was a school like this when I was growing up in Philadelphia, 'cause it would have saved me and my mom a lot of heartache. So, we like to say in our network that there's a student for everything we do. And I would like to walk you through what it looks like for one of our students. So, it really starts with the orientation. At the orientation students come in and meet with the classified staff to make sure that all the enrollment paperwork is complete, whether it be just for the school or in conjunction with some of our partners and community resources. They do a presentation to learn about all of the parameters and resources that are available within our school. And they also review the parent/student handbook to make sure that we set high expectations with clear and consistent communication with all of our stakeholders. At that point they meet the teacher of record who is the main kind of developed of the relationship with the student. And, once they do that they go on a scavenger hunt where they go through the rest of our program and really discuss the individualized learning plan, which we will be speaking about in just a second. So, I'd love to talk about onboarding and basically our onboarding process, the final two bullets on the slide, and the individualized learning plan that the teacher of record, they run in parallel. So what that means in the first ten weeks our students, after orientation, will go and meet in the onboarding class with career technical education and facilitators and what they'll do is they'll go through a ten week program where we teach them computer literacy skills, through our Foundations in Computing Course, which they get five credits for. They also will complete five credits of

professional skills where we're really giving them the ability to have a polished cover letter, a polished resume, a mock interview and really some hard core career skills. And, the crux of that is really the national retail federation industry recognized job credential. So that all our students leave after the first ten weeks with this academic and career skills ready to take it to the next level whether it be our CTE or other partnerships we'll talk about. And again, in conjunction, they're meeting with their teacher of record, they're reviewing the transcript and developing an individualized learning plan so that their trajectory whether it's back to their district of residence caught up, or into a post-secondary, is really taken care of. So, once we've gone through meeting the teacher of record, and the students are on that great path towards graduation, working on their content area courses, and they finish the onboarding process, they're polished, and they're ready to jump off into the career world, we put them into our career center model. Through collaboration with American Job Centers, staff, and our career coach tutors we develop kind of a kiosk system in our Resource Centers, which consists of a desk, some laptops and access to CALJobs and all of the great job boards that exist at the American Job Centers and within our network. So, when they meet with the career coaches, what happens from that point is they are then branched off into three pathways. They may be branched off into our burgeoning CTE Career Pathways, we have EMR and Cisco labs, that Ms. Chase mentioned, we have internships with our real partners that are both paid and unpaid, some subsidized by the Federal Government. And we also really want our kids to get that first part time job. The 20 hour a week job at a Footlocker, a Starbucks, because a lot of our kids need that money to either feed their family or to help kind of help push themselves through the next level of post-secondary. Obviously, post-secondary preparation is a large part of that. During our onboarding we take them through a choices 360 career inventory where they're really able to gauge their interest and go into the next level. So, I want to show you briefly our track record of success. And what we've done in one of our resource centers is we took 100 kids, 100 kids that were partner students that were aligned with one of our wheel partners or community resource centers, and we also took 100 kids that were not a part of any kind of partnership within one of our larger Resource Centers. And we used a random numbers generator and we ran the data for a year with kids testing three times. We used the Northwestern Evaluative Association Assessment Math testing tool which is the largest norm reference testing tool in the country, drawing from over 7 million students. And what we found was that partner students had a 2.8 grade level increase in reading and that non partner students had a 1.2 grade level increase. In the math assessment, the partner students had a 1.8 grade level increase and non-partner students had a .6 grade level increase. When we look at the other metrics that we track, in regards to GPA the partner students had a GPA of 3.2, versus a 2.5 for the non-partner students. In regards to credits completed that track towards graduation, our partner students completed an average of 3.1 credits per learning period while non-partner students averaged 2.1 credits for the learning period. In regards to retention rates, partner students stayed an average of 11 months, making adequate progress and non-partner students stayed an average of 7 months. I apologize for the missing 7. What I want to show you in sum, before we show a nice little video, is 15 years of success. And, again, in the red bar, remembering our students are 60 percent are 18 and older, 25 percent are parents, 55 percent enrolled 2-3 years behind school, and 24 percent are English Language Learners. And then you look at the blue, the success rate, 34 percent of students recover credits to return to the local school to graduate, while 52 percent continue in our programs. And that equals our 86 percent success rate while 40 percent go to college. So what I'd like to do right now is play a 3-minute video.

(Sound of music playing while various people speak)

Sometimes stuff just happens that you can't control and wake up not knowing if there was going to be food. With that kind of stress it's really hard to do the amount of work that you have to do in high school.

I used to drink a lot, hang around with the wrong crowd of people and gangs and whatnot. School wasn't a very priority.

My freshman year, I found out I was pregnant. I didn't think I'd be able to continue school so I stopped going. I was just frustrated.

Once a student drops out, they'll be ineligible for 90 percent of jobs. Twice as likely to live in poverty, and a staggering eight times more likely to go to jail or prison. It is critical that we interrupt the drop out cycle.

We started out as a school that catered to at-risk youth. Our founders didn't ever believe in giving up on anybody. And they began to have success story after success story.

Sometimes you don't have a ride 'cause you don't have any gas, and you live far away. They give you free bus passes. They've given me food because I hadn't eaten in two days.

They let me bring my daughter every day to school and she would be right there while I was doing my homework and my test.

I was too embarrassed to ask for extra help. I had run from life, like I had more of a connection ... (inaudible)....

I learned it was effective. The curriculum is extremely rigorous. The students have to become critical thinkers. They have to be analytical....

The key is motivating them to want to do it themselves.

My teacher came up to me with an idea of taking smart risks, kind of gets me out of my comfort zone, but it's beneficial in many ways.

I see the teacher as like a life mentor or a coach to help our students prepare for the future.

We have CTE programs that are allowing students to pursue vocational schooling, agriculture, technology, computer literacy class.

The Cisco lab will be my key to getting into the IT world.

It's just about getting into graduation, it's about improving every aspect of the life that I possibly can.

Good evening. There was a point in my life where I thought I wouldn't be able to complete high school.

I've gained responsibility, maturity, and a daughter who makes my life worth living. Graduating from high school is not the end, it's only the beginning to a successful life.

(Applause)

Knowing that the diploma's going to open doors for me and my daughter, that is feeling great.

If I hadn't come back to Learn4Life I'd probably be on the streets or probably in jail somewhere.

Before coming to Learn4Life I felt like I didn't have a future and I would have ended up most likely in jail or possibly dead.

I would not make it through public school. I....

Beswick: I'm getting the message that our time is done. I just want to thank you again so much um, a great man once said, he's sitting here right now, that our students get the respect they deserve before they earn it, and we love our students at Learn4Life. So thank you so much.

(Applause)

Gaughran: Thank you, Mr. Brown, Ms. Chase and Mr. Beswick. The hearing is now open for public comments. As a reminder, each individual will have 3 minutes to speak, with a total of 30 minutes allotted for this section. President Hammond, please call for the first speaker.

Hammond: Thank you Miss Kelly, very much. Madam Vice President, would you call the first person, please.

Lindholm: Just a reminder to those in the audience the speakers we're calling here are only for this Charter School application because you've seen other public comments earlier. This is only for this Charter School application. Scott Mukri? Welcome. Come on up to the podium.

Mukri: Good afternoon everybody. My name is Scott Mukri, I'm an English teacher at the Garden Grove campus. I've been here at Learn4Life for three years now and I was originally skeptical as many may be, because it's a charter and it's a big open room with students learning at their various paces and I didn't know what to make of it. But, it turned out to be a very good opportunity for me. I had worked for Anaheim Union High School District for four years as a classroom teacher. And I see the vast differences when you have 40+ students in a classroom. It's not conducive to learning. And if you have an hour period of education, they spend a lot of time doing babysitting and making sure kid's phones are put away, and keeping them on task. And they don't come in with the homework so you need to redo what you just did yesterday. So, it's a lot of distraction and it's not a lot of actual education time. Here at Learn4Life when students come in, they have specific tasks that they're working on and when they come to school it's very focused driven. They may come in just need to work with tutor, or work with one-on-

one with their teacher. And they can get tasks accomplished quickly, get more work, and then they're free to leave, and then they come back. And it's not that they have to be in school every single day. So it is really a more independent and structured to work for them. Um, let's see and I know we do focus on some of the students who are older and they're not able to succeed all the time but we do have other students as well. There's a variety of students. We have students who come to get ahead and they want to graduate early because high school is a lot of drama. There's a lot of bullying, there's a lot of different things and they just don't want to deal with it. They'd rather come, get their credits done, graduate early and then they can start college or start work. They can do other things. So, it's not just that students come because they're failing at some point in the system. And, here we do work to develop one-on-one relationships with students. I see myself as a teacher more as a counselor. They come in, I work with them I help them work on a plan that's going to help them get to graduation or if their goal is to get caught up on their credits so they can return to their home school and graduate with their friends. Whatever works best for them, that's what I want to do. I want to make sure their needs are exactly being fulfilled. I'll do whatever I have to make sure a plan is viable that's going to get them to that graduation line. I think that is all I have. Thank you.

Lindholm: Thank you. (*Applause*) Stacey Fitzpatrick? Welcome.

Fitzpatrick: Thank you to the Superintendent, and the Board for taking the time to hear us today. I've had the pleasure of being a special education teacher for just over 12 years. But I can say that being a part of a team at Learn4Life has been truly the best 2 ½ years of my life. I'm able to work with general education teachers from art teachers to math teachers, um other special education teachers, speech language therapists, school psychologists, all with the same goal of helping a child change his or her story. Our model allows us to truly individualize the educational plan for students with special needs. So we see students achieving academic success often for the first time in their lives. Whether it be a student project tracking the commonalities of music from the setting of *To Kill a Mocking Bird* to its publication date to present day. Or another student mastering geometry who was afraid to even start algebra. Our students are learning and demonstrating their knowledge at a high level of excellence. I truly believe this is a direct result of the individual attention that they are able to receive and the strong relationships we are able to provide them. We find our students succeeding who once were living on the fringes of education. We believe that our program and our model is helping students who otherwise fall out of the ranks of education. And, we thank you so much for your time. Thank you.

Lindholm: Thank you. (*Applause*) Thank you for your polite applause but we keep things kind of quiet here. We try to. Mauricio Hernandez. And I didn't say it right, you'll help me?

Hernandez: Hello and good afternoon. My name is Mauricio Hernandez and I attend Desert Sands High School in Anaheim. Before I came to Desert Sands in Anaheim, I was not the best student. I was different from how I am now. I was hanging out with the wrong crowd. And, I eventually just stopped going to school. I stopped going to school entirely. And when I did go to school I never did any of my assignments. At that point of my life, I really disliked school and however I heard about Desert Sands from a previous school counselor. I ended up coming here around September of 2014. Once I got there I knew it was just perfect. The positive vibe, safe

and secure environment, made it perfect for me. The teachers and tutors energetic and positive attitudes made me want to come to school every day. When you walk in to the Resource Center everyone welcomes you with a big smile and open arms. The students there are great too. They actually help one another. The school has not had one fight since I've been there, and that's amazing. Not many schools can actually say that. It says a lot about the school. It shows people never go in a bad mood and if they do, they have someone to talk to like the counselor, Mr. Garcia. This is why I love this school. I went from not doing my assignments to finishing packets daily at Desert Sands. The tutor and teachers are so helpful and push each student to do their best. I used to not even think about going to college when I was at my other school. I thought I was going to end up in the workforce. But now I have a different mindset. This was possible with the help of my teacher Ms. Torres. She always pushes me to do more and actually sits down with me and works with me one-on-one. Furthermore Amber Perez, the Student Relations Manager, helps a lot with the students too. She makes me believe that anything is possible, she never stops trying with the students. My counselor, Mr. Garcia, sets up these workshops that are really helpful. His workshops range from conflict resolution and stress management to college pathways and financial aid. The workshops have helped me a lot because they actually prepare me for the future, in various situations. They actually got me thinking about college and getting higher education and chasing my goals. From the teachers and the tutors and the counselors and the principal, they all help so much because they actually make me feel welcome. Not just another student. (*Sound of timer*) The staff at Desert Sands understands that each student is different and every student has a different learning technique. This year I was able to complete 80 credits and I'm on the pace to graduate this June as a senior. I honestly never thought I would make it because I was so behind. I did this with the help of my teachers, tutors, counselor, principal and all the staff at Desert Sands. I like this school, and I have never said that about any other school.

Hammond: Mr. Hernandez, I'm sorry, I wish I could let you go for another five minutes, but we have to be consistent.

Hernandez: Thank you.

Hammond: Thank you for sharing. (*Applause*)

Lindholm: Good luck to you! Sounds like you are not going to need luck, you're working hard. Kenneth Wells? Welcome.

Wells: Hello. My name is Kaleb Wells. I am a student at Desert Sands Charter High School. I am a 16 year old sophomore and I've been going to the Sands for about 9 months now. When I first, when I went to my old school I, um, I have a reading disability called dyslexia which impairs my reading, writing, and spelling. At my old school they weren't giving me all the proper accommodations which made everything twice as hard and which made me not like going to school. When, in the morning sometimes I would tell my parents I was feeling sick, but that's just because I didn't want to go to school because I wasn't liking it 'cause everything is twice as hard for me and everyone else. Um, and the teachers at my school, the way they're teaching the curriculum is too fast and I was falling behind and when I finally heard about this school I heard that I could learn at my own pace and not have a rush of people telling me I need to turn in all

this work. Going to my old school just made it twice as hard and I always had stress. At Desert Sands I rarely have stress, now. Desert Sands, um, I get all the things I need to succeed. The staff makes sure I have the best learning experience. All the teachers push me to do my best and give me the proper help if needed. At Desert Sands the teachers give work that is difficult but doable. And, if I'm struggling I'll have a tutor or a teacher to help me get through it. Desert Sands Charter High School, all the teachers and staff, strive to help you get through and graduate. Thank you.

Lindholm: Thank you. (*Applause*) Mike Anderson? And, did you fill out two forms?

Anderson: Just one. That's my cousin.

(*Inaudible*)

Lindholm: OK, so I do have you twice. Gotcha! Welcome.

Anderson: Thank you very much Mr. President, distinguished Board Members. My name is Mike Anderson. I am co-founder and Executive Director of a non-profit in Anaheim called REFMO. REFMO stand for reaching youth through music opportunities. We started our program back in 2003 with 12 students in a recording studio that my partner has. To date we have had over 2000 kids from Orange County come into our program. We work with various other non-profits within Orange County, specifically the at-risk disenfranchised youth, because we know there's so many of them out there that want to do something in music and as we see today that art programs are taken out of so many of the schools. We wanted to be able to provide something for youth to get into such as music. We've been very successful with our program. We usually keep about 72% of all the kids that come into our program that will stay in our program for a year. With our program the kids learn about, not only music, music technology, but they learn about copy rights, they learn about publishing, jingle writing, budgets. So, with the music technology part and the computers they learn occupational skills. Which is important for today's youth. We know that for the longest time we have always tried to get into a school district with our program. We were in Anaheim Western High School quite a few years ago during a summer program. But in 2012 we were, had the opportunity to have our program in Santa Ana High School. Santa Ana High School had a pretty big dropout rate and we didn't have an after school program we were asked to be in their English class. The teacher there wanted us to come up with some type of curriculum that would help kids with paragraphs and being able to say a sentence. So we came up with a paragraph being the verse of a song, and the line of a song for a sentence. We worked, and by the end of two years we had 50 kids. All these kids started, came back to school because they wanted to have a music program, and that was a great moment. We've built our program to reach youth, specifically, what kids like to do today, instead of the old time stuff that myself like and quite a few others. So we are very, very successful. About 8 months ago we were approached by Learn4Life to come see their facility and look at our program. Of course, we were very excited because Learn4Life is just exactly the youth that we've looked for. And we want to reach out to these kids because like Learn4Life, the youth in our program is the most important issue that we need to get in and get to. We see that not only when kids miss school, it not only affects them but it also affects the community. This is where we see some of the gang issues and graffiti issues, and I think by providing music into these programs like Learn4Life

we're going to be able to help kids be more creative with what they want to do and express their issues through music. We are very honored...*(sound of timer)* to... OK thank you very much.

Hammond: Finish your sentence though.

Anderson: What's that?

Hammond: You can finish your sentence.

Anderson: Thank you very much Mr. President. We are very thankful and honored to be able to come here today and speak on behalf of Learn4Life and our program, to present to you. I think it's just an absolutely great program and after all it is about our youth and how we can reach our youth and make them better. So, thank you very much.

(Applause)

Lindholm: Our last speaker is Elsa Dominguez. No, yes? Here, welcome.

Dominguez: Buenos tardes (entire speech is in Spanish. A translator is requested).

Lindholm: We'll get you an interpreter, hang on. Translator. Thank you.

Dominguez: President and Board of Directors, Robert or Mr. Hammond. Members of the Cabinet, members of the Board, and the public in general. My name is Elsa Dominguez. I live in Santa Ana. Where I've seen that last year there's been charter schools open. Including Learn4Life. I saw their efforts and their work and I know that their program functions. I've also seen that the traditional schools um, I've seen that there's more charter schools. Their worry or their concern is for having quality curriculum, and to better their attention to the parents. Competence. I believe is good and healthy. The students are the ones that benefit and also the parents. My motive in coming here today is to ask you to please vote yes on Learn4Life. Thank you. *(Laughter and applause)*

Lindholm: Thank you.

Gaughran: Thank you to all presenters. And, thank you to the Board for your due diligence in reviewing the documentation before you. President Hammond, I now close the public hearing and turn the meeting back over to you.

Hammond: Kelly, thank you and again please say thanks to your staff, they do a phenomenal job time in and time out, week in and week out. So, alright with that we're at Board Questions and I'll start at my left here. Mr. Boyd, would you care to begin with some Board Questions?

D. Boyd: Yes sir. To the administrator of your choice *(laughter)* I don't...anyone of you.....these are general background questions. Come up to the podium. This is a direct charter application, is that correct? It's not an appeal. Why did you elect to go that route?

Administrator: We obviously are here in Orange County as we speak. And we're serving pretty close to 600 students. That is not the avenue I would prefer to take. We have two full County charters as we speak, one is Fresno County and the other is Ventura County. Very successfully. What makes us different is the extra programs that we do. As a matter of fact, which doesn't show here, we have put together a mobile classroom that will travel to various areas within the community that are more difficult for the students to get at culturally out of areas. We park in front of libraries, we set up the program for the kids. We want to work with Orange County as a partner of Orange County. We want to think of ourselves in that vein. And working with the community and working with the districts within the community to put as we indicated earlier, a great many of our students go back to the programs, so we're like a safety net.

D. Boyd: OK, I'm going to interrupt here...so you have multiple locations in the county now, so it would be...shall we say easier to work with the county to get appropriately chartered as opposed to working with the individual districts?

Administrator: Well, I'm working at right now the way the law reads, I can commit to Orange County as I have from outside the county.

D. Boyd: Let's say you're here.....

Administrator: We're here, we have to have at least one student more in the county adjoining Orange County, and we have thousands of students more. I don't prefer to do that. I prefer to work within the county within your rules and regulations, is the answer to you.

D. Boyd: OK. So you have approximately 600 students here in Orange County...

Administrator: At this time. Correct. And, we're growing so we want to....

D. Boyd: And your charter is through..?

Administrator: This is chartered through Antelope Valley Union High School District right now, which is Desert Sands. But we prefer to be chartered through Orange County.

D. Boyd: OK. Um, that's all.

Hammond: Alright. Madam Vice President.

Lindholm: You had some great speakers. I loved your students and your students' success stories. It kind of makes sense to me that you would like to go local and I'm just kind of looking forward to it. No other questions.

Hammond: Dr. Bedell?

Bedell: I thought you were going to forget me. (*laughter*)

Hammond: You? Never.

Bedell: I have a question first for our staff. How does this program relate if at all to our ACCESS offering?

Hammond: Nina, do you want to? Or Kelly?

N. Boyd: Are you asking them or are you asking us?

Bedell: The question was for our staff.

N. Boyd: It's a very similar program to the charter that is already operating under the Board, that you authorized last year.

Bedell: OK. Secondly, WASC accredited and A thru G, both are very dear to my heart. WASC accredited and A thru G. So, please help me there.

Administrator: The current charter that the students are enrolled in, Desert Sands are WASC accredited and all core course work is A thru G approved. What we do if we were to win the petition with Orange County is make sure that seniors that wanted to go on to college would remain in Desert Sands we would immediately apply for the preliminary application to the WASC Association to begin the accreditation process immediately. We've had success in every other school in becoming WASC accredited so we're very confident with that so we used the same curriculum so, we would make sure that any student who wanted to go on to a 4 year university would remain as a senior in Desert Sands. New students enrolling um, or freshmen, sophomore could immediately go into the new Workforce Innovation High School.

Bedell: Do you have any guesstimate what percentage of your graduates are A thru G certified?

Administrator: At least 40 percent go on to college. So, but all the students are taking the A thru G courses.

Bedell: OK.

Administrator: Those are the courses, that's our standard core curriculum. That's what we use.

Bedell: OK, thank you.

Williams: Just to follow up on that. Is that the curriculum for the entire school – A thru G?

Administrator: Yes.

Williams: Which is in line with the University of California?

Administrator: Yes. And Common Core, yes. *(Inaudible)*
Common Core aligned, Standards Based, A thru G approved across the board.

Bedell: And they have to do an LCAP, right?

N. Boyd: They do.

Administrator: If I might, um, respond to the response about ACCESS. I do believe that there are some differences in terms of the flexibility in schedule and in the hours of operation and the year round schedule that we have. So, I think there are some foundational differences in the program.

Bedell: Are your students generally older than our ACCESS students?

Administrator: Our students with Workforce Innovation Opportunity at Partnerships can enroll through 24. So we leverage our partnerships to be able to do that.

Bedell: OK. Thank you.

N. Boyd: And our charter is authorized to serve students up to age 25. I'm not sure if you're referring to the ACCESS program in general or the Charter that we operate now. So, we have two programs, the charter is a separate program, but it's administered in the ACCESS program.

Bedell: Thank you.

Hammond: I have no questions. Thank you, very much.

Lindholm: We'll see you at the next meeting.

Hammond: We'll take about a one minute break just so you can get ready.

(Sound of gavel)

Hammond: Orange County Board of Education is back in session. We're now moving on to Time Certain 1:30 – we're a little bit tardy for. Item #8, Citrus Springs Charter School and with that we'll turn it once again back over to Kelly. Thank you Miss Kelly.

Gaughran: Good afternoon again. Today we shall render a decision regarding the Charter School petition for Citrus Springs Charter School which was submitted at the March 10th Orange County Board of Education meeting following the March 8th action by the Santa Ana Unified School Board. The public hearing was held on April 6th. As legally required, the petition has been reviewed according to California Education Code regarding charter school petitions received on appeal by a county office of education. Copies of the Staff Report are available on the back table. Each of you has been provided the Orange County Department of Education's Staff Report, three draft resolutions and options for action. Option one grants the appeal and approves the charter petition as written. Option two, which is the OCDE staff recommendation, approves the petition with conditions. This option requires the execution of an Agreement and identifies actions that will address the issues outlined in the Staff Report that were discussed with petitioners at the clarification meeting held on April 18th. Option three denies the appeal. For today's presentations, Citrus Springs representatives are allocated ten minutes to summarize their

position. Then, audience members who wish to speak will be given three minutes each, with a maximum allowable time of thirty minutes. I now call the Lead Petitioner from Citrus Springs, Dr. Kathleen Hermsmeyer, to the podium.

Hermsmeyer: President Hammond, members of the Board, it is a delight to be here today especially with such a wonderful recommendation by staff. We are very satisfied with the recommendation and we had an extremely thorough clarification meeting. The staff has been wonderful to work with and we are looking forward to a long and fruitful relationship with the Orange County Office of Ed. So, with that, I am not, to respect your time, we gave our presentation last month and unless you have questions, while I'm here. I brought staff with me today to answer any questions you might have.

Gaughran: Thank you, Dr. Hermsmeyer. The hearing is now open for public comments. Each speaker will be given three minutes, with a one-minute warning. A total of 30 minutes is allotted for public comments. President Hammond, please call for the first speaker.

Hammond: Miss Kelly, before you go away it does say that there is a chance for district response. Is there a district response?

Gaughran: There is no district response.

Hammond: Makes that easy. Alright.

Background question – what district is this again? Santa Ana Unified.

Hammond: Alright, public comments, we only have one.

Lindholm: We have one request to speak from Michelle Anderson. If you'd like to come forward, and welcome.

Anderson: Good afternoon President Hammond and Trustees, thank you and Superintendent. I'm Michelle Anderson from the California Charter Schools Association. We are proud to advocate for charter schools that allow parents a quality school choice option. We are grateful to the Orange County Board of Education Trustees for their leadership and seeing that families have the choice of where to send their children. Your leadership and partnering and supporting charter schools is a model that should be emulated throughout the State. I'm asking that you continue that support by approving the various charter agreements coming before you today as I'm only allowed to speak once, so we would appreciate approval of Samueli Academy, Vista Heritage Charter Schools agreements along with the material revisions for Unity Middle College High School Charter. All of these schools are doing a great job and coming to the table and working with the County so we'd appreciate your supporting of them. I am here now asking for approval of the charter appeal for Citrus Springs Charter School. CCSA has had a long relationship with the charter family, the Springs family of schools and we can say it's been a good relationship. They've come to the table and done a great job educating students throughout southern California region. We have reviewed their petition and we find it to be legally compliant. We take that review very seriously, so you should know that we have looked at all aspects of it and

see that it should be approved. Furthermore, Citrus Springs is part of a family of charter schools across southern California with a history in educating children and doing a good job of it. As you know, CCSA works with charters and authorizers to see that charters are authorized locally. We are pleased that Springs is wanting to be authorized in Orange County. Although the law allows them to operate without that, this proves that they are willing to be a committed partner with the County. And we see that as going a long way to having a long and fruitful relationship. We look forward to the Board's approval of this appeal so that Orange County families can have another quality school choice. Thank you.

Gaughran: Thank you to all presenters. At this time, the Board will proceed with deliberations and questions, and then vote on this charter school petition appeal. To reiterate, you have three options, option one approves the petition as written, option two approves the petition with conditions as noted in the Staff Report, and option three denies the petition. President Hammond, I now turn the meeting back over to you.

Hammond: Miss Kelly, thank you once again. Well, just for possible Board questions I thought...Dr. Bedell? Would you care to lead us off, sir?

Bedell: Questions? Or, I have a Motion, which would you prefer?

Hammond: I think questions first.

Bedell: I was particularly interested on page 20 the organization, by the way I appreciate your support of the staff, it's always nice to hear that, we don't always hear that, so that's nice. On page 22 there are, I'm most, when I see these I'm most interested in the educational programs and on page 23 we have an issue about facilities. On page 22 there are a couple things about SELPA and English language learners and IEPs that make me a little wary, so if you want to come to the microphone and just help? My understanding is based on your comments, you're willing to work these out with the staff with the condition of approval.

Hermesmeyer: Absolutely. I am, let me

(voice from audience)

Bedell: I'm sorry, mine is the original memorandum then we have the next page is Policy at the bottom, the top of the next page is Unit 4, Section for Educational Program. Are we together? I can walk it over if you like.

N. Boyd: He's referring to the staff report.

Hermesmeyer: The staff report, I don't have that. Alright. Yes, we provide full services for students with English language learners. We have unique challenges with that population because of the nature of our program because the kids are not in the classroom with a credentialed teacher 5 days a week. So, providing online we provide a lot of online support and classes online as well as live face-to-face. So, they wanted us to beef up the description there. The notice of violation from River Springs that has been completely resolved. I think everybody

is very happy with us. We have been operating under the new enrollment system for the last, about a year now. And, that, we have we're happy to provide all the written reports from the SELPA and the County, etc.

N. Boyd: Jack, she has a copy you can take your binder.... We want you on the mic if you ask any additional questions.

Bedell: And the facilities piece?

Hermesmeyer: The facilities, we have a facility in Santa Ana, yes, I'm sure they want to know that we have a CUP from the city and that we have all the health department approvals and things like that which we are happy to provide. That's not something we don't have, we already have that but we didn't put it in the petition.

Bedell: Mr. Chairman, I'm happy with their response and support the staff recommendation #2.

Lindholm: I'll second that.

Hammond: I didn't know if there were any more questions? Sorry, just want to be thorough. And you guys are anxious to get to this and I appreciate that. Vice President Lindholm did you have any questions?

Lindholm: No, I do have a question. Um, both sides, which we heard a little earlier, at a different area the district and the charter are in agreement. Both of you are in agreement with the MOUs you have. Sometime I'm going to ask why you about that 16 page policy form that we kind of developed about earlier. You do a fantastic job. I hear only high praise for you so I'm very grateful for all you're doing. I've seconded the Motion.

Hammond: Alright. Trustee Boyd, do you have any questions, sir?

D. Boyd: Yeah, a couple very briefly. Harbor Springs currently operates in the physical facility that Citrus Springs will take over. Correct?

Hermesmeyer: Right.

D. Boyd: And there are 12 or 16 classrooms if I'm not mistaken, it's 16?

Hermesmeyer: I actually think it's 12.

D. Boyd: OK. And half are upstairs?

Hermesmeyer: Right.

D. Boyd: And is there an elevator?

Hermesmeyer: No. There's no elevator but we do provide the same services up and down which is, it's, the City allows for that for ADA purposes if we provide both, you know, we can accommodate both up and down. Most of the classrooms are downstairs.

D. Boyd: OK. With respect to the online resources, how do you provide resources to hearing impaired students?

Hermesmeyer: This is Debbie Daniels, she is our Assistant Superintendent of Student Services which includes counseling and special ed.

Daniels: We do have some students who are hearing impaired through their IEP and so we work with the SELPA to be sure that they have whatever resources, IEP that they need to be able to access their learning.

D. Boyd: OK. One of these days, Kelly, maybe you could brief me or maybe the Board on exactly what the SELPA does. You know, what obligations they take over, because I understand that they have responsibility for some of the more challenging students, but I'm not really sure where the responsibilities fall. Um, your website's really cool. I looked at the google translations, there's a function you can translate in about 50 different languages. The comment was made, I have a couple of staff members who are Spanish speakers, and they said if you're target market is going to be a large percentage of Spanish speakers you might want to redo that one because the Google translation, while it's literally correct is not as good as it could be. OK, other than that, that's all.

Hammond: Any other questions from my Board Members? I have none. It has been moved and seconded to accept the charter school petition with option 2. Any discussion on the Motion? Hearing none, all in favor of approving Citrus Springs Charter School petition with option 2, signify by saying AYE.

Several AYES.

Hammond: Opposed? Motion passes 4-0. Congratulations, your Charter School is approved.

(Applause)

Lindholm: Now go to work. *(Laughter)*

(Inaudible)

Lindholm: Let's keep going.

Hammond: Closed Session, I don't think we need it so we'll keep moving on. Staff Recommendations Item 10, Approve the Agreement between the OCBE and Vista Heritage Charter School and designate the Associate Superintendent to sign the Agreement on behalf...

Lindholm: So moved.

Bedell: Second.

Hammond: Any discussion? Hearing none. All in favor of approving the agreement signify by saying AYE.

Several AYES.

Hammond: Opposed? Motion passes 4-0. Staff Recommendation Item 11. Approve the material revision to Unity Middle College High School Charter concerning Governance and Student Admission Policies. Chair seeks a Motion...

Lindholm: So moved.

Bedell: Second.

Hammond: Moved and second to approve Item 11. Any discussion?

Bedell: Is the staff here? Did we have revisions to this before?

N. Boyd: Come to the podium.

Dr. Craig, Founder and Executive Director for Unity Middle College High School. I have not done any material revision before. The only changes that are in this material revision is first of all separating Unity Schools of Northern California and Unity Schools of Southern California to have a cleaner governance structure now that we're up and moving I remember there were some questions about that when we first got approved. Secondly, the minor addition of language to give including language for SB740 monies designating the local elementary school, the nearest elementary school to qualify for SB740 and the reason for inserting that language would be to ensure that we could get our SB740 money earlier instead of waiting based on the P2. So just some minor...

Bedell: Thank you.

Hammond: Any other question from my Board members? OK, hearing none. Alright, it has been Moved and Seconded for Item 11 to approve material revisions to Unity Middle College High School concerning governance and student admission policy. All in favor signify by saying AYE.

Several AYES.

Hammond: Opposed? Motion passes 4-0. Item 12, approve the agreement between OCBE and Samueli Academy. And designate the Associate Superintendent to sign the agreement on behalf of the OCBE. Chair seeks a motion.

Bedell: Moved.

D. Boyd: Second.

Hammond: Moved and seconded. Discussion. Dr. Bedell?

Bedell: Nothing.

Hammond: Mr. Boyd?

Boyd: No sir.

Hammond: Madam Vice President.

Lindholm: No.

Hammond: OK. Seeing as there is no discussion then on Item 12 all those in favor of Item 12 signify by saying AYE.

Several AYES.

Hammond: Oppose. Motion passes 4-0. Staff recommendation Item 13, adopt the annual updated Orange County Department of Education Investment Policy. We may have some questions on this. Nina is there a staff person that can talk to us about this?

N. Boyd: Yes. Is Wendy?

Benkert: I didn't know if you had any questions. The Policy is unchanged from last year except for the date. The first consideration is always security of principal, the second item is liquidity, having enough liquidity, and the third is trying to get our maximum interest with our very safe securities that are mostly invested by the Orange County Treasurer. The Policy is unchanged from the previous year.

Hammond: Alright. Questions? Dr. Bedell, anything?

Bedell: Nothing.

Hammond: Madam Vice President?

Lindholm: No.

Hammond: Mr. Boyd?

D. Boyd: No.

Hammond: I guess that'll be easy then. Say thanks to your staff for us please.

D. Boyd: I'll move that we adopt the updated Investment Policy.

Hammond: Thank you Mr. Boyd.

Bedell: Second.

Hammond: Is there a second? Seconded by Dr. Bedell. Any discussion? Probably not. All in favor of Item 13 signify by saying AYE.

Several AYES.

Hammond: Oppose? Motion passes 4-0. Um, Board Member Items, Item 15. Adopt Resolution #13-15 to recognize May 30, 2016 as Memorial Day.

Lindholm: So moved.

Bedell: Second.

Hammond: Moved and seconded, any discussion? Vice President Lindholm?

Lindholm: No.

Hammond: Dr. Bedell, anything?

Bedell: Nothing, thank you.

Hammond: Mr. Boyd, anything?

D. Boyd: No sir.

Hammond: Alright, all in favor of adopting Item 15, the Resolution to recognize Memorial Day signify by saying AYE.

Several AYES.

Hammond: Opposed? Motion passes 4-0. Board Member Item # 16, adopt Resolution 14-16 honoring May 22, 2016 as Harvey Milk Day. Chair looks for a motion?

D. Boyd: I will move.

Hammond: Is there a second?

Bedell: I'll second it for discussion.

Hammond: So, moved and seconded. So do we have a couple that want to speak to it, first.

D. Boyd: Well, we usually hold the balance of public comments to the end of the meeting.

Lindholm: They're on the issue, this Item.

D. Boyd: But we don't usually allow individual...

N. Boyd: We take them during the Item. So either, after your discussion or before your discussion.

Hammond: Let's take them before discussion.

D. Boyd: Recognizing that Dr. Bedell apparently has to leave at 11:30 or 2:30.....

Lindholm: We have two requests to speak. Robert Shore? Are you here? Apparently he's gone. Ok, he's gone so I called his name but he was not present. Linda May? She doesn't appear to be here either. Yes, no? No?

(Inaudible)

N. Boyd: Did he number it for this Item?

(Inaudible)

N. Boyd: This is the one you said you put the wrong Item # , OK.

Lindholm: Do we have it in the other pile? We have some...if you haven't spoken already I think you can come up and speak on this. But, please identify yourself at the podium. Put in the record these two were not there.

Good afternoon Board. My name is Christian Khan and I'll be speaking on the Item of Honoring May 22 as Harvey Milk Day. In case you didn't know who Harvey Milk was, a little background on him. He was a high school teacher who was openly gay. And he was elected as the first, supposedly the first elected official that was openly gay. A little of his background is when he was a high school teacher, he was accused of raping young boys. I would suggest that you do not support this motion. Seeing as how he is not an appropriate role model for our students. Harvey Gay was a pervert and an inappropriate man to support and condone in our schools. He was only allegedly the first openly gay official. Do we really want to celebrate a day for a man who was a pervert and raped young teens? Do you want your children and grandchildren to be learning about Harvey Milk and to be celebrating his actions when he did such horrendous and disgusting things? I'd also like to commend Trustees Williams and Hammond for their action against the um, the Healthy Kids Survey, where they tried to not pass that. I implore you, please fight this now, and do not pass this Resolution. Harvey Milk is not appropriate for our students to be learning about and to be celebrating, because he has done disgusting things. Please keep them safe, please keep us safe, 'cause we are the students, we're the next generation of people. We're your next leaders. Thank you.

Lindholm: Thank you for coming forward and speaking at the podium. Um, turning back to you, Mr. Chair.

Hammond: Alright, there's no other Public Comments then we'll go to uh, Board Member Comments. Mr. Boyd, you made the Motion to approve, any comments, Sir?

D. Boyd: Yes sir. This was put on the agenda for a couple of reasons, for better or for worse. Obviously there's been a lot of controversy relating to this Board and the actions taken by Board Members over the last few weeks. And, this was put on to show the gay community that the Board has sensitivity toward their concerns. Now, was Harvey Milk a perfect human being? I doubt it, I don't think any of us are. There's no evidence he ever raped anybody to my knowledge, he was never convicted of a crime. So, you can come up and make all types of allegations but, the fact is whether you believe in his cause or not. He is an important member, representative of the gay community. Who gave his life for his cause. You know, we have recognized controversial people in the past and I don't see that this is any different.

Hammond: Alright. Dr. Bedell, as the second motion.

Bedell: Yeah, I seconded it for the purpose of discussion. In the Motion itself, I would like to go to Item 16 and in the one, two, three, four, fifth clause, this is editorial. Alright, the fifth it would read then, *Whereas, the then Governor Arnold Schwarzenegger, (R) Governor of the State of California designated May 22nd Annually as Harvey Milk Day.* That's a piece of history I think should be in there. Secondly, I would be much more comfortable with this, uh, I agree with Mr. Boyd, I am not aware of, and Mr. Wenkart you have corroborated that there has been no conviction against this man, allegations but no convictions? Is that what you...

Wenkart: The first I heard about that, those allegations was this morning while sitting in the Board meeting.

D. Boyd: And I've never heard the allegations....

Wenkart: So I did a quick search, you know on Google, did not find anything that indicated that there were any convictions, that Harvey Milk had been convicted of any crimes. But, I can't say I've done an exhaustive search. I just did a quick search while sitting here.

Bedell: OK, if you could just stay there. I think the date we were quoted this morning about suicides, depressions, school failure, is exactly the same data I know. But I am concerned that by wrapping this around a given individual of such controversy, we lose sight of the fact that many of these children have been hurt in many, many ways. And my preference would be that we would have a more generic resolution honoring human dignity and honoring, I'm looking for the right noun....he was known for stressing hope, and he was known for stressing being anti-discrimination and being anti-bullying and being anti-victimizing people. And he was known for not believing that one should be bound by his or her circumstances. I don't get that, from this Resolution. I mean, I'll go to the mat about being anti-discriminatory, I'll go to the mat about being really anti-bullying, because I think a lot of parents who are told that their kids are bullies say no, she's a leader. And I think many kids are tortured by bullying in schools. Not just because of their sexual orientation. I would feel much more comfortable if Mr. Boyd would look

at this Resolution in terms of more, less Harvey Milk, more school safety, more sexual orientation, being nobody's business but the kid, really....

D. Boyd: Well, we can do that as well, and, but, we're here at 2:30, I wish you had brought this up before and we could have had this discussion.

Bedell: I didn't want to violate the Brown Act.

D. Boyd: There's no violation of the Brown Act in just communicating with another Board member, on a matter. Is that correct, Mr. Wenkart?

Wenkart: Yeah, under the Brown Act, two Board members can have a discussion, but you can't bring in a third Board member. So you can have a one-on-one conversation.

D. Boyd: So, we can't sit here and completely redo the Resolution, it is a Harvey Milk Day Resolution, The State Legislature, and as you pointed out the Governor has recognized May 22nd as Harvey Milk Day, um, this Resolution nowhere says that Harvey Milk was a perfect human being, it merely goes through the history of this man.

Bedell: You see, David, let me go to the last *whereas*, to show you where I'm coming from on this. And again, I'm gonna say I think my record on this has been anti-discriminatory. That last *whereas* clause, *whereas the Orange County Board of Education believe it to be appropriate to acknowledge the diversity in the Orange County Department of Education as well as the diversity of the students that it serves*. Backing up your argument, that says nothing about the particular subject that this deals with. I would much rather see the Board honors human dignity including race, sexual orientation, not being limited to. Diversity is a catch-all word, and that really says nothing about the uniqueness of the Harvey Milk Resolution deals with. It's just....

D. Boyd: Well, we can do that another time if you like, but what you're looking at today is a Harvey Milk Day Resolution.

Lindholm: Mr. President?

Hammond: Yes ma'am?

Lindholm: I know that you had commitments earlier today. We had 45 minutes of speakers, some on this, some on other issues. We did have some serious comments upon his life. Not his sexual orientation but on how he conducted himself. So, what I would prefer to do also, I don't think any of us should be asked any questions that have to do with their personal behavior. I would prefer to do something as Trustee Bedell has said. You bring it back and we address it that every person has rights, every person is recognized for who they are and they deserve to be treated fairly and kindly. So, I would prefer to do that. I think this is very narrow and I have concerns from, and unfortunately you weren't here for the speakers, um so that is my responsibility to listen to the speakers in the audience. I'm going to be abstaining on this motion until it comes back, and it addresses all the factors of human dignity that Trustee Bedell has said.

D. Boyd: Well, I have no problem in somebody crafting a Resolution to cover all the points, both you and Dr. Bedell have pointed out, but what we're voting on today is a Harvey Milk Day Resolution. And we can vote it up or we can vote it down. If we vote it down the perception in the community, whether it's true or not, is this is a very anti-gay Board.

Bedell: May I comment...

Hammond: Please.

Bedell: I would hope that the public has a, speaking just for myself, I've never been accused of being anti-gay, and I've never been accused of being a racist, and I've been accused of being inclusive, and what I would like to see is a Resolution that would deal with the issues that, his life and body, without surrounding it with, and coloring it with other issues that may detract from it. And we can quote such things as his life, built on hope, and for him hope was the foundation of equality. And I think that's much bigger and I think that should be honored as well.

Lindholm: I would call the question on this. We've been here, I know you weren't able to be here today, but we have been here quite a while.

Bedell: May I make a motion?

Lindholm: Yes, please.

Bedell: I would move that we respectfully request that this be tabled for the next meetings so that the author if he is so inclined has a chance to draft responses, after he has a chance to listen to the tape.

Lindholm: I second that.

D. Boyd: If I can comment, I won't be bringing anything back. We'll either vote on this today or it won't be voted on at all.

Hammond: Well, there is a motion, a replacement or subsidiary motion, excuse me, by Dr. Bedell and seconded by Trustee Lindholm. Dr. Bedell, is there anything else you want to say? No, I think I've spoken. Madam Vice President anything else on your Motion?

Lindholm: No, and I agree that it would be worthwhile for you to have the opportunity to listen to the comments of people who were here throughout the day.

D. Boyd: Well, I've had any number of comments and, over the last two weeks.

Hammond: Alright. Dr. Bedell, do you want to recall your motion?

Bedell: I'll call the question matters before the house.

Hammond: OK. Motion has been called. All in favor of tabling until next month this Resolution, signify by saying AYE.

Several AYES.

(Inaudible)

Lindholm: It's a Motion though.

Hammond: It is tabled until the very next Board Meeting on a vote of 3-1. Announcements. Mr. Superintendent?

Mijares: Yes, thank you, Mr. President. It's an honor to be with the Board today. I just wanted to acknowledge the One Billion Acts of Kindness...

Hammond: How's that going by the way?

Mijares: It's going great!

Hammond: Are you going to do anything more?

Mijares: We're going to keep it going. We want to hit one billion acts of kindness across...doesn't have to be in Orange County, although it would be nice, but hopefully it will cascade throughout the State of California and perhaps even across the nation. But I want to let you know we had about 550 people there, a little over that actually, and, thank you to Dr. Bedell and Mr. Boyd for showing up for the event. Our speaker, Dr. James Doty, a neurosurgeon, did a great job showing how basically we are hard wired to demonstrate kindness and when we don't, the, this body of ours starts to break down. So, it was a great, great event. Secondly, I wanted to acknowledge the fact that we have five new County Teachers of the Year, or the top five I should say, County Teachers of the Year. You may have read the Register about this, but just quickly for the record, the first one is Ms. Raquel Solorazno-Duenas who teaches AP Courses, AP History, at Western High School in the Anaheim Union High School District. Mr. Matthew Bidwell who teaches 7th and 8th grade science and industrial technology at South High School. Both of these are in the Anaheim Union High School District. Mr. Steven Bautista from Santa Ana College who teaches future teachers. Great, great teacher. All of them are great. Then Mrs. Courtney Smith, Kindergarten teacher from Tustin Memorial, and Miss Kristine Clarke, Chemistry teacher, AP teacher, Dana Hills High School. So, we'll be celebrating them and as you know they'll all get a \$15,000 check and a lot of goodies on October 25th, hope Members of the Board can attend that. And then I wanted to let you know that,

Hammond: Excuse me Mr. Superintendent, can we get an email on that?

Mijares: Sure.

Hammond: Darou, who does a phenomenal job.

Mijares: Eagle Eye. Ok, that's a good name for you, eagle eye. Anyway, Darou will do it and I thank you for that. I want to let you know also that the California Department of Education has recognized the outstanding work that the Orange County Department of Education has done in the area of positive behavior intervention support services. As you know we've been doing that over a decade, perhaps a decade and a half. I want to commend our Instructional Unit for the work that they've done there so, we have been the recipients of a 10 million dollar grant or appropriation, 10 million dollar funding to build this out across the State. So, we're going to create a framework and, it is a multi-tier system of support, teaming up with Butte County, Orange County, and this will be a framework across the State of California to focus in on the emotional and social needs of our kids. So that we focus on the whole child. And I'd just be concerned with one thing and that's academic attainment. Although it affects academic achievement. So, I'm very delighted, *(inaudible)* thank you and all of your team for the wonderful job that you have done, the team has done to represent our office and I think it's a great testament of the work that we have done over the years, and the trajectory that we have created which is now something that we're looking at taking statewide. That's all I have under my reports. I'm going to give you all a quiz later on what I said.

(Laughter)

Hammond: Alright. There was a clerical error, and we had somebody that did not get a chance to speak, was here, and was on Item 15, Memorial Day. I think that's about as vanilla as it comes and so, Susi Khan, Miss Khan would you like to come on up and address the Board on Memorial Day and I gotta admit as a veteran I'm gonna be kinda partial to that, so I guess.....not your fault...*(inaudible)*

Khan: So, my, we had confusion I had the numbers on the side today, not in the middle, and mine actually put 15 and 16 which I guess was 13 and 14 combined. But, anyway, so, I will go

Hammond: And this is on Memorial Day, correct?

Khan: It is. I do cross over though so, if that's a problem and you want me to sit down then I will. But I've been here all day with my kids and I did turn in my.....

Hammond: I'm sorry, Mr. Boyd, I couldn't hear you.

D. Boyd: We talked about Memorial Day, there's no crossover.

Khan: OK, that's fine. I'll take care of that, that'll be fine. OK. Greetings Trustees and Mr. Mijares. I'm speaking on Item 15 or whatever it is. Which is found at the bottom of the Agenda and should have been at the top of the Agenda, Recognizing Memorial Day. Why we even need a Resolution on this in America is a bit perplexing to me. I am a daughter of a World War II Veteran, who graces the earth to this day at the age of 90. Um, my comment was going to be there's a great contrast, there is. We need to be recognizing things like Memorial Day, versus the other agenda item, and I would like everyone to remember a founder of ours, Benjamin Franklin. Um, who at the Constitution Convention when there was a deadlock, he actually made an appeal for harmony and conciliation and appealed for God's intervention. Imagine if our government

functioned that way today. This is where American roots stem from, and this is the very Constitution in which you are all sworn into, to uphold. Our schools are now reducing these great founders to a few sentences highlighting their mistakes, in rewritten history books. Um, it is this free America of Benjamin Franklin and men like that, that so many of our service men and women have fought to protect, losing their most precious gift, their life given to them by their creator. And we wanted to honor them on Memorial Day and I believe that is an absolutely appropriate place for the school to be, versus honoring somebody like Harvey Milk. And this is where my two crossover, um, why we can't honor somebody that has done some good deeds in this country and good things and founded this country on God and not be honoring somebody who has done these things, admittedly in their autobiography. I'm sure you're not going to find these young men that were able to because they were unable to, um, convict, get this man convicted for these things as you heard and he was anti American. Benjamin Franklin, not so much. Um, I know that I'm probably not supposed to go here but this is a survey that's been talked about all day long, but the kids, I keep it with me, but the kids should not be asked these questions, I'm sorry Mrs. Lindholm is no longer here because they are still being given to the kids without giving a permission slip to take them. I thank everyone on the Board who is against asking these questions because as a nurse, they create a curious mind to go down a trail and do things that they see in these...drugs, alcohol and the like, not just the sexual orientation. And I know from many people that that is where they've gone after they got introduced say even a police officer showing them what heroin does, what this does, and this is what we're doing to our kids. (*Sound of timer*) Thank you.

Hammond: Alright. Um, with that, Miss Nina Boyd, Associate Superintendent Report.

N. Boyd: Just as a reminder your next Board meeting is on June 8th and I don't have anything else to remind you of. Thank you.

Hammond: OK, any legislative updates? Dr. Jack Bedell?

Bedell: Yes?

Hammond: Are there any legislative updates or...

Bedell: They're just working through the implementation through regulations of the Every Student Succeeds Act which is the revision of (inaudible) they're hitting some road bumps as they implement these pieces but they're working on it, that's the big thing. Going to the CSBA Conference this weekend where we will hear about that, I am sure, but also a variety of other pieces of legislation.

Hammond: OK. Alright. Well, if there's nothing else on that. You know, we have School Services update on that. Nina, is that your department, is that through ACCESS? School Services update? It's on the agenda. So, I'm just...Mr. Boyd, is this about the school services update?

Boyd: I have no idea.

N. Boyd: That's just if there was an update. We don't have an update currently. These are all just items that if something came in um, they're standard

Hammond: OK, got it. Board Member comments, Executive Assistant defer to next month um, discussion on various sessions at the March California Charter School Association Conference, Dr. Bedell.

Bedell: Just very briefly, I had attended several good sessions, I would be interested in hearing what my colleagues attended regarding starting charter schools, fiscal transparency, and rechartering and dechartering. So I thought it was a very choc-full meeting, to me it was a very, testament to that conference and it was overall very impressive set of presentations. They were, basically strong charter support as you would expect.

Hammond: Who else was there?

Bedell: You were there, ..

Hammond: I was there for a little bit, but..

Bedell: I think David was there and Linda, Linda got the award, yeah.

Hammond: Mr. Boyd, did you get a chance to attend any of those meetings that he's referring to?

D. Boyd: Well, I was there for all three days of the conference, if that's what you're referring to.

Hammond: I just didn't know if there was any that you got a chance to attend and wanted to comment on?

D. Boyd: No, not off the top of my head.

Hammond: OK. Alright. Anything else, Dr. Bedell?

Bedell: I'm finished.

Hammond: Parliamentary Procedure and Board Policy 100-2 and Board Policy 200-8.

D. Boyd: We'll carry that over.

Hammond: Oh, alright.

D. Boyd: If you don't mind.

Hammond: Legal Counsel, Brown Act?

D. Boyd: Yeah, if Ron could come up for just a moment. I really want to defer this as well, but, um, what I would like to do President Hammond, is in the not too distant future. At the

beginning of a meeting when all of us are here, that we could go into some hypotheticals on the Brown Act. What is appropriate and...a lot of the examples that I see talk about serial conversations or email, or what have you. But, I've never seen an actual example of ok, I talked to Mr. Hammond about a particular topic and I talked to Dr. Bedell about a particular topic, not mentioning the fact that I spoke to Robert. As I understand it that's acceptable. But I've never actually seen any examples that say, OK, you can do this. They give a lot of examples about what you can't do...

Wenkart: Well, I was looking at the PowerPoint that I did for the Board on November 12th 2014 and let me pass that out, it might help.

D. Boyd: With the President's permission why don't we defer this until a subsequent meeting.

Wenkart: OK.

Hammond: Would it be possible like what Trustee Boyd just mentioned that particular question...I think that's a great question. Could you, maybe kinda summarize on that, and if you need to please get back to Mr. Boyd. Say at our next Board Meeting we could discuss it? Is that ok with you?

D. Boyd: Sure.

Hammond: Alright. Is there anything else on the Brown Act, Mr. Boyd?

D. Boyd: No, sir, and I think we can also carryover the advice of Legal Counsel. The examples you provided, Ron, really weren't what I was looking for. I was...the examples you provided dealt with ordinances which limited political contributions, and that's not where I was going at all. It was, many cities have policies whereby if a councilmember, and I think some school boards do too, receive a contribution over X amount of dollars, then they have to recuse themselves for a certain period of time with respect to ...

Hammond: I think it's about 12 months.

D. Boyd: I think it's individually. I think a Board or Council policy.

Hammond: We don't have such a policy do we?

D. Boyd: We don't, that's the whole purpose I think, going forward, obviously, there's no urgency at this point in time. So let's just....

Wenkart: I'll see if I can find some, and get that to you before the next Board meeting.

D. Boyd: It doesn't have to be before the next Board Meeting. Just sometime in the next few months let's see what we can do.

Wenkart: OK.

Hammond: Alright. Thank you Mr. Boyd. Board Member Comments by Mrs. Lindholm. I guess we'll carry that one over since she's not here. Mr. Boyd, anything else you wanted to mention at this time?

D. Boyd: No sir.

Hammond: Dr. Bedell?

Bedell: You have the Executive Committee report?

Hammond: Executive Committee report, actually we met really briefly, working on trying to make sure that this agenda is as we want. One thing that was kinda brought up is that for Public Comments we've been allowing 3 minutes, but it usually only allows for about 10 people, maybe 11 if someone doesn't quite use up their time. I'm wondering if we should go to 2 minutes? Um, and perhaps, maybe extending that 30 minutes, maybe to 40 minutes. I didn't know...the extension is just me, that's because we do oversee 23 school districts and 4 community college districts and it's always been my concern that we don't allow enough time to have literally one person from each school district to come before us. I thought maybe if we just go to 2 minutes, maybe we could and go to 40 minutes, maybe we that might add for more people. I don't know if it would cut down on some the hyperbole that gets tossed around from time to time. Um, outside of that I don't really have much else in regards to report. Nina, do you have anything else?

N. Boyd: Just a question. Executive Board Assistant, are you carrying that over again or did you have some comments to make on that?

Hammond: Executive Board Assistant? Just carry it over, I have no comment at this time.

N. Boyd: It's the third carryover so we haven't had any conversation?

Hammond: If, I may drop it. So, right now I'm not concerned about it.

N. Boyd: Perfect. OK.

Bedell: Comment?

Hammond: Of course.

Bedell: I would just like to draw everybody's attention to our Superintendent's piece in Orange Leaves, page 6, Teachers Make a Difference, by Al Mijares, our Superintendent and I was intrigued by his first paragraph, when I remember my 4th grade teacher I see a woman with strawberry blonde hair wearing a prim dress. Now, I'm going to be 74 years old, and I think it's been about 73 years since I've heard the word prim used.

Mijares: Did you watch I Love Lucy? (*Laughter*) I know the scene...

Bedell: Seriously, I really appreciated your highlighting to the teachers 'cause they make the difference.

D. Boyd: This is kind of an off-the-wall comment but every weekend on CSpan they have...Cspan's great. They show government videos, often Korean War or WWII videos, also a lot of classroom lecture history, if you're a history buff, it's worthwhile. It got my attention last weekend, they were talking about the women's contribution during WWII, and how important it was and they referred to as the Secret Army. And they had maybe 3,4,5 women come on briefly, introduce themselves, what they do. And one woman came on and actually introduced herself as an old maid. I had to rewind it, when I heard that. *(Laughter)*

Bedell: You sure that wasn't Donald Trump in drag?

Hammond: With that the Chair will entertain a motion to go home.

(Gavel sounds)