

Orange County Board of Education Meeting – 11/8/17 – Transcript

(Sound of voices – gavel)

Welcome and Call to Order

Sound of gavel.

D. Boyd: If you can all have a seat we'll get going in just a moment. As you can see, our President Jack Bedell is not with us today. Jack underwent major surgery about a week ago and I'm happy to report that by all accounts the surgery went well, and we have every expectation that he'll be back with us next month. I really can't take his place but for this meeting and with the assistance of my colleagues, I'll chair today's meeting. Trustee Lindholm suggested I slide over about half way so if I do half a good a job as Jack does, well, I'll be fine. All regular meetings are held each month at 10:00 am unless otherwise noted. Anyone wishing to address the board on any matter must complete a request to address the board card available at the table by the door. Please submit the completed card to the board recorder prior to the beginning of the board meeting or before the agenda item discussion if it is an agenda item. Each individual is allowed up to three minutes per person, per meeting and may not give his or her time to others. This time we'll probably have three opportunities for public comments...at the beginning, I suspect that a lot of folks that want to comment on the charter appeal and that will probably be about an hour or so from now and at the very end we've also allocated 15 minutes for public comments if anybody comes in late or has additional comments. This is a public meeting and we must be respectful of each other and the board. Verbal outbursts and clapping are prohibited. Anyone deemed to be disruptive may be requested to leave pursuant to Penal Code Section 403. Board agendas are posted online and can be reviewed at www.ocde.us/board/pages. Agendas are available on the back table as well. Thank you for attending the board meeting today at the Orange County Department of Education. For the benefit of the record, this regular meeting of the Orange County Board of Education is called to order. I will ask Carl Fong to lead us in the Pledge of Allegiance.

Fong: Good morning everybody. Would everybody please stand?

D. Boyd: Carl's our Chief Technology Officer for a number of years.

Fong: 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.*

D. Boyd: Roll call.

Sisavath: Trustee Lindholm?

Lindholm: Here.

Sisavath: Trustee Boyd?

D. Boyd: Here.

Sisavath: Trustee Bedell?

Silence.

Sisavath: Trustee Gomez?

Gomez: Present.

Sisavath: Trustee Williams?

Silence.

D. Boyd: OK, moving on to the agenda. Do I have a motion to approve the agenda for today's meeting?

Gomez: So moved.

Lindholm: Second.

D. Boyd: Any comments, corrections? There being none, all in favor?

Several ayes.

D. Boyd: Do I have a motion to approve the minutes of the October 18th meeting?

Gomez: So moved.

Lindholm: Second.

D. Boyd: Again, comments, questions, corrections? There being none, all in favor?

Several ayes.

D. Boyd: OK, public comments. Again, if you're here for the charter you can either comment now or if you want to wait until the charter application comes on the agenda, it's your call.

Lindholm: We have two requests to speak. They're on Item #3, oh, we have more requests, excuse me, one moment. Board members would you like to hear them now or would you like to hear them later?

D. Boyd: As far as I'm concerned it's up to the

Gomez: Yeah, if they would like to go now that's fine.

Lindholm: Susan Mas, would you like to speak now?

Mas: Good morning board members and superintendent Mijares. I am Susan Mas the executive director of Charters OC. The goal of my organization is to increase the number of high quality charter schools here in Orange County so that all of our students can have the choice of an excellent public school. I am here this morning to speak in support of the Vista Condor appeal of their denial by the Santa Ana Board of Education. We strongly support Vista Condor. In fact, Vista Condor was awarded the 2018 Charters OC Grant by local philanthropists to support its opening in August. Both Charters OC and CCSA have worked closely with Vista Condor's team over the past year in the creation of a legally compliant charter petition. Our funding and support of Vista Condor is based on the following. The leadership of Dr. Don Wilson, an exceptional leader in LAUSD for decades. And Vista Heritage Principal Dr. Collin Felch, whose accomplishments you'll see in their presentation. The phenomenal educational program that the leadership team has put together based on the work of Dr. Wilson in his doctoral program at USC. The partnership with Vista has created with Temple (Inaudible) have been involved with that and we are very appreciative of the collaborative nature of these groups that have come together to work on facility issues. I hope that you will consider the appeal of Vista Condor. Thank you.

Lindholm: Thank you. Nancy Gomez? Would you like to speak now or wait for the presentation? OK, come on up.

Gomez: My name is Nancy Gomez and I just want to thank you for your time today. I am a parent representative at Vista Charter school and I work as an ambassador for a nonprofit organization named Parent Union. Let me just say that it's an honor to work hand in hand with people who are of integrity but also support school choice. I am strong in the faith and I am part of a great congregation and I love serving the community of Santa Ana. I have been a Santa Ana resident since 2013 and up until last year my daughter was attending the Newport-Mesa Unified School District. This is my daughter's first year here at Vista Heritage and it has been a smooth transition for both of us. There is unity at Vista Heritage. I have witnessed the passion that Vista Heritage has and making sure that our children are receiving outstanding public education. I also see that Vista is becoming a huge impact within the community and as a parent I appreciate the fact that you guys approved this three years ago because there is hope now. I was able to interview parents who saw the benefits of it. One of them they found it very convenient to have all their children within the same school. For many reasons and one for them not to be late for example. Another one would be they could all attend the same conference; they wouldn't have to go to one school from another. Another one was the mother saying how she found it beneficial in building a relationship with teachers feeling comfortable that within a period of time in the year

that they'll be able to build those relationships with teachers up into the 8th grade and that gives the child a more likely benefit in being at grade level in math and English which is very important. So I believe that by you allowing Condor Elementary to open you're giving children the opportunity to a better future and you would be a part of the next generation. I want to thank you because I know that you guys will make the right decision and I have faith in knowing that it's going to be answered. So I just wanted to take the opportunity to thank you again and to know that we appreciate your time and everything you do. Children and parents now have the right to choose where they go. I thank you for that.

D. Boyd: Thank you. I should have mentioned we have a time and the time is yellow is one minute to go, is that correct Darou? Red of course is the end of your three minutes, you'll be allowed to finish your sentence, your thought.

Lindholm: Beethoven Lubin?

Lubin: Good morning. My name is Beethoven, good morning Orange County. This is the second time we've done this and I got to say how much I enjoy this process. I've never been to any type of school district meeting before, on behalf of a school. I was raised in Miami and I've gone to public school my whole life. I really didn't do too good in school. My parents, they immigrated from Haiti. They didn't really know about all the options that were out there. When I had my child the only options I knew about were public school or private school. We lived in Arizona when my child was young and we just went to Montessori schools, and those could be quite expensive. When we had my son it was the same thing, just an added expense where we're pretty much paying a mortgage payment to send our kids to school, but I really did not care. I didn't want them to have the same experience that I had. When we moved to Santa Ana, when we moved back to California, it was pretty much the same thing. Me and my wife had a lot of discussions because of course it's a lot more expensive here than it is in Arizona. Looking around at different schools and different school districts, the only real option that we saw was putting them in private school, because it looked like the public schools in Santa Ana weren't testing well. The class sizes and everything just didn't look too good, didn't make a lot of sense. At the time we had no idea about the whole charter school system. We were recently put into a tricky situation because my daughter graduated 5th grade and when you get to 6th grade especially in the Montessori schools out here and a lot of the private schools the options kind of dwindle. So we were looking at public schools and a couple of the public schools that we were looking at were, the better ones were in neighborhoods where unfortunately we couldn't afford to live in. We were fortunate to find different charter schools. Didn't really understand too much about them, did a lot of research on it, saw negatives and positives about it. She invited me to come into Vista Charter. I was very skeptical of course, that's just my nature. So, saw this school, saw what they were about, met the principal, was very impressed with the whole process. I took the chance. My daughter joined the school, she loves it. It's amazing. Last time we had one of these meetings she came to the meeting and blew it away. This time she wasn't able to come because she didn't want to miss class. A school that's able to instill that in my daughter is a school that I'm willing to fight for. I hope that my son (sound of timer going off) next year will be able to do this exact same thing. So thank you.

D. Boyd: Thank you.

Lindholm: Mayra Sanchez? Come on up and welcome.

Sanchez: Hello, good morning. My name is Mayra Sanchez. My son attends Vista Charter. I'm just here to ask that you guys approve Condor Elementary because I've been through the Santa Ana school district. I've been through, I've had a little taste of both. My son is a special ed child. My son has had...he went to regular school and then when he was going to transition to 6th grade, I was afraid because I went to a public school in Santa Ana. I saw the negativity. I saw the good and the bad. But my mom, she never knew there was charter schools that were actually good schools, you know. Like he said we only had one choice, regular public school or private school. Unfortunately, we weren't one of those children that were able to go to private school so we always ended up going to a public school. They decided where we went, what school you need to go to and that was it. Now that my son is grown and I know about charter schools, I 100 percent will always send my children to a charter school. Their teachers, their principals, the staff, everybody there is awesome. They actually pay attention to your child. They show them the right way. My son has never had a 3.2 GPA. Being special ed that he is, that's an amazing thing for me as a parent. If they're able to do that with my child, I would imagine what they could do with any other children. So, please, I ask you to approve this to give the chance to every single child and to let everybody know about this awesome opportunity that they have, and some people don't even know. Mr. Felch, everybody there is awesome. I can't thank them enough for helping my child with school. It's just amazing. I really do hope you guys approve Condor Elementary. Thank you.

Lindholm: Zoila Lubin? Welcome.

Lubin: First and foremost, from what I know, it did meet the criteria. So I do hope that you'll appeal that. So Kendra Lubin is our daughter. She has gone to Montessori schools and then we found Vista. When we found Vista...oh, I want you to appeal because I have other children. I have a 7-year-old and a 2-year-old and I'm pregnant right now. Now that we've found Vista, I'm going to give you a little review of what Kendra has gone to, because that's all I know and I am 100% sure that Condor will mimic what the middle school looks like right now. What has Kendra been up to this long? She's a 6th grader at Vista. She holds straight A's, A+'s. She's missing one class but she says that she can accomplish that by the end of the year. She is in Cyber Patriot which they offer every, twice a week, and she is really excited about that. She is in Girls Who Code, soccer, cheer leading, and not only that she comes home every day and talks about her classes and her teachers and what they're doing there. This past Friday they had a competition for Cyber Patriot and she was really concerned about missing class and if she was going to be able to make up her work. To me, it just warms my heart. Just last night we were talking about her straight A's and we were talking about different things that she's doing at school because we have that little bit of time when we're driving to Girl Scouts and we started talking about if she continues this really good work with Vista then we find a great option for high school, then we can start talking about Yale, Stanford, or.....? I told her you have the ability to do this. There's scholarships, there's this, there's that, and we'll make it happen. You just shoot for the stars and we'll make it happen. That's something I never had a chance of. I'm just really excited to see that Kendra is only a 6th grader but she is so ready for high school and she's so mature. I think that Vista is like...you know they say it takes a village to raise a child? I'm happy to have Vista as the school that is supporting my child on that. Thank you.

Lindholm: Daniel de Leon?

de Leon: Good morning ladies and gentlemen. Thank you for having me here and Dr. Mijares. Why did you put that timer right before I was going to speak or a couple of...? Laughter. You guys know about preachers and we are long winded, but I'll try to be short winded today. We've had the privilege of working with charter schools now for the third time. Edward B. Cole academy was started in our church and now it's a successful charter school downtown Santa Ana, serving over 400 students. Nova started in our facilities as well. They're downtown Santa Ana, being quite successful and we're very happy about that and now helping Vista to develop their program in our facility is for us just a great sense of satisfaction. To find a good partner as Vista is, and be able to work with them, obviously for us it's what we're looking for. And now that they're thinking of starting an elementary charter school it just reinforces in us the fact that we can work together, we can work at bringing these students to a place where they can succeed in what they are endeavoring to do. As we all know that have been in education, by the 3rd grade if the child does not have the skills necessary to succeed in education, it's going to be pretty rough for him or her. So starting an elementary school helps to prepare these kids so that they can transfer on to Vista and then move on in the road of success in education. I was a school teacher in a middle school then we called them Jr. High's in Santa Ana, and then I became an assistant principal. I experienced all that there had to be experienced with education and I saw that there was a lot lacking that could be made available through some medium through some option as we now have. I think charter schools are not necessarily the answer to all of the problems, but they certainly can contribute to the success of students as we have heard this morning. I am so happy to hear the successful stories that we've heard this morning because it just reinforces in us the fact that we can partner in something that is helping our kids in Santa Ana. So I'm encouraging you to really consider this seriously and not just say well maybe we can, maybe we cannot, but if you just say yes to this charter and we'll all be very happy for that. Thank you very much.

Lindholm: Donna Avila?

Avila: Good morning. First of all, I'm Donna Avila. My daughter she graduated from Vista last year. She was one of the first class to actually graduate. When I found out that they were going to open up an elementary school that really got me excited. I do have an 8-year-old son attending a public school which I want my son...my son begs me to send him to Vista. He tells me every day, Mom, I want to go there, I want to go there. Oh, I hope they open it. My daughter started as a 7th grader. When she started, she was really low. She used to attend a regular public school. She would attend Spurgeon. At the time it was going really bad for me. I was desperate, I just didn't know what to do. I was so close to home schooling her because she was getting bullied a lot. She was getting...they weren't paying attention to her. It was just going really bad. Then I found out about Vista. I took my daughter. As soon as my daughter started there they were all welcoming her, they were there, they showed her everything she needed to know. She just progressed so quick and everything she needed to learn. She's also in special education classes and they didn't take her away from the regular kids. She was put in with everybody else, so that didn't make her feel left out. And, that's one thing that I appreciate from Vista. They don't just treat your kid like oh, well, because he's in special classes we're going to put him to the side with only 5 kids. No. They had her with everybody else. So she felt like she was just a normal

kid. She didn't feel different because she had some disability. She felt normal. So that's one thing that I love and appreciate from Vista, that they welcome your kids, they treat them like everybody else, and they're there for them. They teach them what they need to teach, they give them the time. They need help on something, they're there right on anything they need. I love that, and I want that for my son as well. I see that my son is really, he's not getting the education he gets right now. And I know that if he attends Vista it will be totally different for him and he'll feel more comfortable than he feels right now. He totally just tells me, Mom, just send me there. I hope you guys really will help us out on doing this. I really appreciate your time. Thank you.

Lindholm: Michelle Anderson?

Anderson: Good morning Vice President Boyd and honored trustees, and awesome staff. My name is Michelle Anderson and I'm the Southern California Regional Manager for the California Charter Schools Association. I'm here today to wholeheartedly give CCSA support for Vista Condor Global Academy's petition to open a new charter school in Santa Ana. For you staff who will be reviewing the petition and making a recommendation for action at the next board meeting, let me make this easy. One, compliant petition. CCSA has put this through its rigorous petition review process and we have vetted this petition to assure it is legally compliant. Check. Two, educationally sound program. One only needs to look to Vista Heritage's success to see the potential for Vista Condor. Check. Three, financially viable. This is not Vista's first rodeo. They know what they're doing, they worked with a sound management company, they will be a financially sound charter school. Check. Four, experienced charter leaders. You can't do better than what we've seen of Vista. Check. Five, community support. This school has the support of their community. Look at the parents, look at the people that live around it, look at the businesses. Check. So, what can I say? Let's get this through. Check. Thank you.

Applause.

D. Boyd: OK, I guess that's all we have for public comments at the present time. If anybody does come in later and wants to speak on Condor, you'll certainly be welcome to. We have a student program presentation; I'd like to call up Dennis Roberson. Dennis is Chief of Special Education Services who will tell us what he does.

Roberson: Thank you, Vice President Boyd. Superintendent Mijares, members of the board. I'd like to introduce to you David Longo, who's the principal of our Deaf and Hard of Hearing program. David comes to us with a vast experience. We took him from the New Mexico School for the Deaf and this is his second year with us. His anniversary is this month, and we're real excited that we have him on board with us. I'd like to review with you for a minute, programs for deaf and hard of hearing students. In Orange County we have been serving deaf and hard of hearing students for over 50 years. Originally, many of our students were going off to schools in Riverside and Fremont, away from our communities. With the advent of 94142 and the Master Plan for Special Education, we began to serve students in regional programs in Orange County. Currently we have two regional elementary programs; one in the Centralia School District and one in the Santa Ana School District. We are the only secondary regional program serving middle school and high school students, Venado Middle School and University High School. We've moved forward, we've come a long way. During the 60's we were able to include our

program into an inclusive setting at University High School and Venado Middle School. In the 90's we were able to take over a program from one of our SELPAs and start our Oral Deaf program, that was at Los Alamitos Elementary School and is currently now at our Mann School. In the 90's we began to look at the newborn hearing screening and are beginning to serve infants in our programs for infants. We have about 40 infants in our Parent Infant/Education and Support (P.I.E.S.) Program which is what it's called now. That's a statewide early screening program for infants that are deaf and hard of hearing. All of the hospitals before, and when you say early, that's before 29 days of life. So the hospitals screen these children and we in the school districts through the early start program serve these children, as we're notified early on. Well, we've moved a long way and we are an inclusive program and what I've asked David to come and talk you about today is how far we've moved in terms of providing services for deaf and hard of hearing youngsters. We serve the secondary students right now, we'll just focus on them, so David is going to talk to you a little bit about our program at University High School and Venado Middle School.

Longo: Good morning. Thank you Dennis, for spearheading this and giving me a few minutes this morning. Over the last 9 months or so we've been doing an internal review of our program. We had a few things going on. We did a video which I know some of you have seen and we have a little bit of an update to show you later on. Through that process and through a couple of comments a couple of things that have happened over the last few months, it's forced us to want to do a review and see what we are and do a little bit of a self-analysis and then review where we're going. Where we are, who we are, and where we want to go, moving forward. As part of that, I have a little bit of a presentation. By the way, this is scary. It's ok if you were nervous. OK, as I said the title of this presentation, we are still called the Total Communication Program. I'm going to review a little bit about the history in deaf education. This past April the field celebrated its 200th anniversary. The American School for the Deaf was founded in Connecticut. My brother actually graduated from there in the early 90's. So the field has been in existence for a long time and has gone through a number of changes throughout its 200-year history. If you look at the next part the Milan Conference (indication PowerPoint presentation on screen) which was back in 1880, this was a situation where they actually started banning sign language from being used in schools. This was actually spear headed by A.G. Bell who was trying to promote oral programming in all of deaf education programs. Then we had 94142 in the 70's. And from that movement came this total communication philosophy. This was a response by the field to get all of those kids who were coming back within that LRE framework. OK, what were they going to do? This is the whatever works sort of mentality to deaf ed where you're providing all means of communication in terms of trying to support the development of deaf students. In the early 80's, that's when the first deaf studies program was established and this was at Boston University and they've been one of the leaders in the field. This was also around that same time that American sign language started to be recognized as a formal native language. From that, the pendulum really swung heavily from that total communication philosophy to what's now called bilingual-bicultural and it's the next slide (referring to the PowerPoint on the screen) where it went from PC to primarily an ASL only philosophy promoting deaf culture, trying to build identity in students as well as developing a language skill. However, 200 years in the field and we're still dealing with an average 3rd to 4th grade reading level. 50 percent of student graduating UNI's program are graduating with a minimum requirement of a 6th grade reading level, which is what's required for success at least at community college level. 50 percent of our

kids are attending either community college or 4 year universities. So I do think what we're trying to do historically has been...University High School's program is what we're recognized as nationally. Within the culture, within the community, you mention University High School and they know of our program. Many of the people who know somebody who's come through Uni High School. It's not called Orange County program; everyone knows it as Uni High. Just to sort of highlight, trends in the practice of deaf education have shifted to more of a bilingual, bicultural. Not necessarily the ASL only focus but there's been a tremendous amount of research over the last 25 years focusing on bilingual education and how to incorporate that into the field of deaf education. That's what we're trying to do as part of our analysis of our program. We're still called the total communication program. And, that's a philosophy that's 40 years old. We're looking to try to evolve and be more current with current research trends. I've highlighted some of that. I have a team at Uni High and Venado who are reviewing a lot of the research. A lot of it's actually coming out of UC San Diego which has a strong bilingual deaf-ed program. One of our teachers at Venado Middle School is actually a graduate of that program. We're actually looking to collaborate with them as we go forward to make sure that we are implementing practices that are current with research. This highlights some of the strengths of bilingual education and deaf education The bilingual children develop more of an analytical orientation to language, greater mental linguistic awareness, impacts critical thinking, and social linguistic development. As you see there's obvious benefits to a bilingual approach in education and we'd like to try to incorporate that into what we're doing as well. Academic benefits, there's a lot of research that correlates academic achievement with deaf students to a bilingual approach. That's when ASL proficiency is included and part of that program and also when you're including exposure to print along with ASL as part of instruction. This next part is what I'm really trying to focus on. It's the social emotional benefits as well. That's social learning is a key element to schooling in ASL and achieving robust and frequent peer interaction and social development, social learning in a rich linguistic community is critical. This is a discussion I had at the OCASE meeting last week and I kind of want to highlight that a little bit. It was under the category of LRE as the discuss placements for students. It's one thing for students to be getting A's and B's, but I've come across...we always get a few referrals every year for students who are doing well academically but they're lonely. They have no friends. So that social-emotional component when you look at that, actually I think the bottom piece, that whole child development component it becomes the most important part of that student's development. You can't get any of the 5 C's if you're not competent in who you are if you don't feel like you're part of a community, if you don't feel like you really understand who you are as a human being. You can get A's and B's but you don't really develop that kind of character. You don't really know how to collaborate and communicate what you need as a deaf individual. How do you really advocate for yourself if you don't really understand where you fit in the world? Then, all those opportunities for creativity and critical thinking. All of that prepares you for success at college or career, whichever you choose after high school. That whole child development really becomes crucial and we've had...there was a situation just a couple of weeks ago where we had a student, a high school student, he's currently in his sophomore year. He's a fully mainstreamed student, he's been through us all through Venado as well as the Uni programs. His IEP? He gets some support for organizational skills, he's got ADHD, he's got some math, but his primary need is he's fully mainstreamed with an interpreter and he has speech and language goals. The district rep was there. The district rep asked a fair question. Based on what's written on the IEP, why does he need to be here? She asked that question directly to the student. Why do you need to be here at

Uni High? The student's simple response was this is my home, I belong here. Which I thought was a powerful comment. He's had that experience, he sees the value of being at Venado, Uni program and there's many more students like that out there in the districts that don't even know Uni High School exists. Which I think is a shame. So, we're trying to go through this process as a way of evolving, rebranding a little bit, getting our message out, we have a lot to offer those students who want to be more, who don't necessarily want to fall through the cracks and just earn their A's and B's and just get their diplomas, but they want to do something more with their lives. These are a couple of our accomplishments. We made a Brave video and I think some of you have seen it, back in the spring this was just an incredible experience. Little did I know what an impact it would have on us as a program and just me as an individual. We have it here; we have a newer version of it that I wanted to share with you.

The video is on the screen – sounds of music, noise etc., and the song begins...

"Brave"

*You can be amazing
You can turn a phrase into a weapon or a drug
You can be the outcast
Or be the backlash of somebody's lack of love
Or you can start speaking up*

*Nothing's gonna hurt you the way that words do
When they settle 'neath your skin
Kept on the inside and no sunlight
Sometimes a shadow wins
But I wonder what would happen if you*

*Say what you wanna say
And let the words fall out
Honestly, I wanna see you be brave
With what you want to say
And let the words fall out
Honestly, I wanna see you be brave*

*I just wanna see you
I just wanna see you
I just wanna see you
I wanna see you be brave*

*I just wanna see you
I just wanna see you
I just wanna see you
I wanna see you be brave*

*Everybody's been there,
Everybody's been stared down by the enemy*

*Fallen for the fear
And done some disappearing,
Bow down to the mighty
Don't run, just stop holding your tongue*

*Maybe there's a way out of the cage where you live
Maybe one of these days you can let the light in
Show me how big your brave is*

*Say what you wanna say
And let the words fall out
Honestly, I wanna see you be brave
With what you want to say
And let the words fall out
Honestly, I wanna see you be brave*

*And since your history of silence
Won't do you any good,
Did you think it would?
Let your words be anything but empty
Why don't you tell them the truth?*

*Say what you wanna say
And let the words fall out
Honestly, I wanna see you be brave
With what you want to say
And let the words fall out
Honestly, I wanna see you be brave*

*I just wanna see you
I just wanna see you
I just wanna see you
I wanna see you be brave*

*I just wanna see you
I just wanna see you
I just wanna see*

Longo: This part was added, a lot of pictures after the film.

Roberson: I think you can see we've come a long way in 50 years and we're going to continue to move forward in providing the services that our deaf and hard of hearing community needs. As a hearing person, I don't know what you feel about this but we went the other day to visit University High School and we saw those kids and they're engaged like this every day all day long and it's critical that we continue these programs. So we're real happy. Do you have any questions that we can answer for you?

D. Boyd: Trustee Lindholm?

Lindholm: No, fantastic program. Do you have any kind of internships?

Longo: We're working on that as part of our adult transition program.

N. Boyd: Could you move closer to the mic?

Longo: I'm sorry, yes. We're working on getting students connected to the community for work experience, other types of opportunities. Our adult transition program is evolving as well, accordingly. We can offer more programs that fit.

Roberson: Through Orange Coast College. So, we are in the right place, right between the regional occupational program and the community college program and the community where our students will go out and work in various environments as interns.

Longo: And just to add, we are doing a couple of special events this year. Our Uni High has always been involved in the National Academic Bowl Competition. 2009 we won the the National Championship the moderator in the competition in the video was actually part of that national championship team. We are hosting the west regional in March so it's an opportunity to get 20 deaf and hard of hearing programs from all across the west coast to come here. You are invited to attend and join if you like. It's the weekend of March 9. We're also involved in what's called battle of the books and it's a middle school competition. There's 3 different teams. Each read various books and they compete and it's again all student led. They compete against other deaf and hard of hearing programs across the country. Our Green team last year flew to Washington D.C. and competed at Gouda University. They actually came in they were in the top 4 nationally. We're continuing...as those matches happen throughout the year, and again, I'm happy to send out those dates and you are more than welcome to join us.

D. Boyd: Trustee Gomez?

Gomez: No questions. I visited so I saw it in action and it was wonderful.

D. Boyd: Trustee Williams?

Williams: I've always been very proud of this program. We're very blessed to have a great relationship with Irvine School District and with University High School. I drive by it every single day.

D. Boyd: it's known as the Uni program but it's actually our program, correct?

Roberson: That's correct.

D. Boyd: The University High School provides the physical facility but the curriculum, the faculty, are under our patrol.

Roberson: In fact, we also built the facility that we operate out of as well. So it's we're a big piece of the whole program there and we built that whole MT Unit with the classrooms and that was from the Department of Education.

D. Boyd: OK, thank you very much. Ok, moving on. Recently the board adopted at least an informal policy inviting our representatives from the charter schools that we've approved in the past to give us an update on their successes, their challenges. Given the fact that we also have a charter appeal from the same organization we thought it was appropriate that Vista Heritage would give us an update today. I'd like to call up Dr. Don Wilson. Good morning.

Wilson: Honorable board and superintendent Mijares. You're going to hear a lot from me today so I'm going to keep my portion of this brief. I actually met Dr. Felch about 5 years ago. That was when he was just merely Mr. Felch. He actually met me before I met him. I was the director of a series of high schools for LAUSD and he was a teacher at one of them. He had an opportunity to hear my leadership story when I came in. He left right away and later I got to meet him again, but I got to meet him vicariously because for an entire year as director of that series of schools I kept hearing well when Mr. Felch was here...when Mr. Felch was here. The praise was unending. Then I got to meet him as a math coach for LAUSD in the Intensive Service Center where after I saw him present I thought if he would have been my math teacher I probably would not have gone into English. This young man has impressed me over and over and then we actually got to do our doctorates together at USC. Sort of together. He's 25 years younger than I am. It's amazing that he has finished by the time he's 30 years old. When Colin agreed to be the principal of Heritage, I was ecstatic. I told everyone we had won the lottery. So, he's not only a great educator he's a very fine principal, a great principal, and he's a fine human being. I'm proud that he's my colleague and I can assure you, you will be listening to one of the great future leaders of education in California. I'm going to leave the rest of the time to Dr. Felch.

Felch: Alright. Ok, thank you Dr. Wilson for that introduction. Honorable board, Dr. Mijares, thank you for your time. This is a truly special opportunity for me because I am so proud of what Vista Heritage has accomplished in such little time. We are just entering our third year of operation and as Dr. Wilson alluded to this is my fourth month at the job. It is truly amazing what we've accomplished in such little time. I want to start with a few numbers. In our third year we have increased every single year to where we are at right now at 265 students. We are actually capped at 270 students given our restriction with our current facilities. So we have been growing to our capacity. Also in terms of our English learners because we want to make sure that we are meeting the needs of every single student and their individual needs. So in our first year of operation, we had a 22 percent English learner reclassification rate. Last year we bumped that up 10 percent to 32 percent. So we're very proud of our numbers. Our number of English learners dropped from about 90 to 60 this year through that reclassification. When we look at SBAC, granted, this is through the second year. But when we compare the percentages of meets and exceeds in just about every single grade level across ELA and math we are above our neighboring middle schools in Santa Ana, across almost every measure. If you look at Spurgeon which is actually right across the street from us, if you look at a few of the values especially in 6th grade, we've more than doubled their percentages. I just want to remind you that we were in our second year of operation. We are only getting better and better. A few of our parents had

talked about special education. This is something that we're truly proud of. We have a thriving special education program. I have gotten asked this question over and over again by parents, by other community partners, asking if we allow special education students into our school, being a charter school. And I say absolutely. We have 9 percent of our student population, are students with special needs. We actually just were able to exit a student out of the special education program last week. We have a fully integrated special education program into the general setting. I do want to invite each of you to visit our school and see this because you will not know who is a student with special needs. You will go into a classroom and you will see them working on the exact same material and receiving the support we do have strategic support, but we make sure they feel just as included as any general education students. And the success speaks for itself. In the past calendar year students with IEPs met their academic and social emotional learning goals with 90 percent accuracy. The SUMS initiative is another thing that we are very proud of. It originated with OCDE. This initiative is something that I truly believe in and am truly passionate about. When I heard about this and learned more about this when I came to the position, we basically took it and ran. We're proud to be able to say that we're the only non-district charter school that is part of the SUMS initiative. So we go to all the professional developments held by OCDE and it's all of the different districts around Orange County and it's us. We are so proud to be able to represent all of our students. And that motto of all means all, we've taken that and it's become our mantra amongst our staff and school wide because we make sure that we are meeting every single student, special education, English learners, general education, no matter what needs, every single student deserves that individualized support. In addition, we've taken that to our staff. We make sure that everyone from teachers to TAs to custodial feels like a valued part of the family. Through the SUMS initiative we've also been able to really reach our students' social/emotional needs better with the addition of a school psychologist and as I alluded to previously the professional development has been very valuable to us in moving forward with the SUMS initiative. Our community is a very loving and a very empathetic community. We really promote and build respect, empathy, and understanding with all of our students through way of council. The way we do this is every single week, and this is held in advisory class once per week. Every student engages in this circle talk where there are specific prompts and the core values are speaking from the heart and listening from the heart. And this is a time where students get to be heard and get to authentically listen to what one another have to say, and really get to know their story. We also do this with our staff. We have staff councils every week and we really get to know our staff on a humanistic level, more than just colleagues. We have starting this year, initiated a council committee to really move this forward. I wasn't able to add this in to the presentation because it's so recent. As of this past Monday we actually had our school wide assembly and within our assembly our theme of the month and November was gratitude because Thanksgiving is coming up. We actually split up in our assembly in the auditorium into councils. We talked about gratitude and what we're all grateful for. So this is something really that we make sure that we promote school-wide. In the classrooms you will see research based strategies especially related to Kegan structures. This is something that we've implemented school-wide. You'll see this in every single classroom and really what this promotes is students being active learners, active participants and really engage on a whole other level. So if a teacher asks the students a question, instead of a basic response where one student is answering and the other 29 or 30 students are listening and might be able to get away with pretending to know the answer, here we might ask a question and we will have the students do a rally coach or a time pair share where now they are all participating. All 30 students are held accountable and are sharing their

work. So we've actually constructed signature Kegan structures that we will see in every single classroom. So these structures are consistent and the students know exactly what to expect from classroom to classroom. Technology is something that we have promoted since day 1. We are a 1 to 1 Chromebook program and we go beyond just giving students a Chromebook. All of our instruction is done through the Chromebook, through online curriculum. All of our teachers use Google classroom to facilitate their lessons. All of our students fluently know how to use G suite and Google Drive, better than many adults that I know which is truly amazing that they're learning these skills in middle school more than just how to use Facebook and things like that but these are things that are really going to help them out when they go into high school, college, and beyond. We made a reference to the cyber patriot program. This is a program that we're very passionate about. This is an after school program that our technology coordinator, Mr. Hernandez, who's hiding here in the back, does. And I want to talk about Mr. Hernandez for a few seconds because I actually stole him from my previous, actually two previous school sites, he's that good because he led a cyber-patriot program of middle school students to nationals and was third in the nation among over 5,000 schools. So I was able to bring him over to Vista Heritage and that program is flourishing. Teaching students cyber security skills. These are skills that will help students get jobs down the line when they're old enough and there are over 200,000 vacant jobs in the cyber security field where our students in middle school are going to have those skills ready when they graduate. We made a reference to girls who code. We have a strong Microsoft partnership with the Microsoft corporation in Orange County, and I will allude to that in a second. Then I want to mention Google certification. We have really promoted our staff to become Google certified educators. Currently we have about half of our staff who are Google certified educators and our goal is by the end of this calendar year our entire staff will be Google certified. Our music program. This is the first year of our music program. When I started in July my first job was to hire our brand new music teacher. At that point, we thought that OK, first year, we might have choir to start with and then see where we can go from there. This program has blown my mind and has well exceeded my expectations. Students are learning guitar and piano and they're actually planning their winter concert right now. These are students who 3 months ago in August had never picked up an instrument before and now can play 4 or 5 different songs proficiently. I really hope that you are able to visit and would be able to see this program because the confidence that is being built with the students and the artistic nature is truly amazing. College and career readiness. So, I came from a high school previously, but at middle school I didn't want to lose that college focus. I know that it's never too early to start thinking about and planning about and dreaming about college. We've actually started college field trips with every single grade level and every single student in this school. In September we brought our entire 8th grade class to UC San Diego and the University of San Diego, so they can already start to see what college life is like, what college campuses are like. The difference between UCs and private schools and what majors there are and all of these different things and terminology in college at 6th, 7th, and 8th grade. We also have partnered with the national start up league and I know it's a little fuzzy and small but in the picture down below (indicating PowerPoint presentation on screen) we were the only middle school at Cal State Fullerton last month who participated in this national start up league which is essentially a program where the students get to create their own business plan and business model. They present it to actual investors in a shark tank format. So that's a picture of a 6th grader presenting to investors, standing next to high school and college students all around him. It was truly remarkable and one of my proudest moments as principal so far. We've also partnered with Microsoft as I mentioned

and we took all of our 6th graders to the Microsoft Technology Center here in Irvine. They were able to tour the facilities, see what it's like to live a day as a Microsoft employee. Everything I heard was absolutely astounding. So that partnership has been very beneficial to us. I want to spend a few minutes talking about our parents because they are here and this is very symbolic of our parent engagement. In all accounts based on sign-in sheets, observations, and between orientations, parent nights, coffee with the principal, you name it. We have approximately tripled our parent engagement from last year to this year. That is a testament to how passionate and dedicated our parents are in our school and in their child's education. We've also started four parent classes that we are doing weekly with our parents including a book study revolving around the book Mindset. Our staff is actually doing a book study with the book Mindset and we decided it was a great idea that our parents also do a book study so we have a common language and common philosophy. We also are doing a technology class so the parents are well aware of the technology and are able to use that as well with their students because our students are becoming very technologically savvy. We have an ESL class for our parents who are learning English and we also have a parenting class especially for those parents who want to learn strategies in terms of how they can meet the social/emotional needs of their students, their kids. In terms of our surveys, I just administered a survey very recently to our parents at a coffee with the principal meeting. At that survey 100 percent of our parents responded feeling welcome at Vista Heritage. 96 percent believe that their children are getting a high quality education and most importantly, 100 percent are so proud that they would recommend other parents to send their children to Vista. In terms of distributive leadership, I truly believe in a distributive leadership model. While I am the principal, and some might see me as the face of the school, we all share the common responsibility of representing Vista Heritage. We've created numerous committees including an instructional team with all of our grade level leads to make sure that our instruction is high quality and is meeting the needs of all of our students. All staff serve on at least one committee, many serve on multiple committees including the council committee, technology, parent and community engagements, school culture and safety committee. Also, I want to mention that we have teacher leaders, parents who are active on our school site council, our English learner advisory committee, and are active every single month and present at our monthly school board meetings as well. I want to end with the fact that we are just getting started. I mentioned at the beginning that we are just beginning our third year as Vista Heritage. We have so many ideas and me as a leader I'm a dreamer. I love to see what could possibly be. So, Dr. Wilson is very good at grounding me and making sure that I stay grounded. But he also introduced me to a very strong research based model called the ADKAR Change Management Model. We're using that to make sure that we roll out initiatives very strategically because we all have seen initiatives fail before and many of those reasons are because the awareness, or the desire, or the knowledge is not firmly built. So, a few of our initiatives that we're currently working on and again, strategically rolling out, are the unified classroom working with power school to make sure that we have one platform that can do everything from learning management system, from an assessment platform, from taking roll and grades and attendance and all of that. We're also implementing in January an intervention and enrichment period that is targeted for all of our students so our teachers can request specific students two days a week for targeted intervention in their classes. And, we'll also be able to provide enrichment. One of the things that I'm actually going to be doing during that period is doing a genius hour for students that are getting all A's and B's and are doing very well in all of their classes. Then they can start to think about OK, what do I want to become great at? And then lastly, digital portfolios. This is

definitely the wave of the future. Starting in middle school and we hope to start it as early as elementary school. Really, take their work and show their progress digitally. We will also be able to do real world artifacts such as already building a resume. Students in middle school can already start to do that and I feel like it's going to be a very powerful opportunity for our students as we move on. With that said, I want to thank you for your time and as I mentioned, I'm very passionate about our school, we have come so far since our opening. I now want to ask if you have any questions?

D. Boyd: Trustee Gomez?

Gomez: No questions. I'm really excited about this program. I will tell you that there is an entrepreneur class at Curry Middle School that's very similar to the shark tank that you presented. It's very exciting to see that from young people and their passion for business and new ideas. Excellent.

D. Boyd: Trustee Lindholm?

Lindholm: Thank you. I think one of the things I feel very excited besides your enthusiasm, are the field trips. You're getting out of the classroom, you're getting the students to see colleges. They're seeing Microsoft, maybe you'll hit BroadCom or Google. I think being out in the field is a really good thing.

Felch: We cannot confine our students to the 4 walls of the classroom. There is too much to learn and too much to experience.

D. Boyd: Dr. Williams:

Williams: No.

D. Boyd: You have, for lack of a better term, a sister campus in Los Angeles?

Felch: Yes.

D. Boyd: It is also a middle school?

Felch: Yes.

D. Boyd: Are they older than you are?

Felch: They are. They are actually in their eighth year.

D. Boyd; OK. You did get the benefit of their learning curve, You've accomplished a great deal within a relatively short period of time. I along with my other trustees have had the opportunity to visit a number of charter schools over the past couple of years and we realize how difficult that first year can be. With that, I thank you.

Felch: Thank you, very much.

Applause.

D. Boyd: Item #3, I suspect is likely to take an hour or so. Would you like to take a 5-minute recess?

Sound of the gavel as meeting resumes.

D. Boyd: If everybody could take a seat we'll get started once again. Moving on to agenda item #3. Aracely Chastain will be the coordinator for the public hearing for the appeal of the Vista Condor Global Academy. The way this will work, Vista Global will have 15 minutes to make a presentation, Santa Ana Unified will also have 15 minutes and there will be board questions thereafter. Is Santa Ana Unified here, by the way? OK, good. It's to you.

Chastain: Thank you. Good morning members of the board, superintendent Mijares. Today we are going to hold a hearing to consider public input regarding the Vista Condor Global Academy Charter petition. It was submitted to the board on October 18th following the October 10th action to deny by Santa Ana Unified School District. We've already done public comments and you gave the format so I just will open the public hearing for Vista Condor Global Academy and call lead petitioner Dr. Donald Wilson to the podium,

Wilson: I hope you had your coffee, I'm going to speak fast. Good morning honorable board members and superintendent Mijares again. It's an honor to be here today and I want to thank you to make this hearing possible. As you know, my name is Dr. Don Wilson. I am the superintendent of Vista Condor Global Academy. Today you were privileged to hear about what we're doing at our Heritage School. Today I'm here as the lead petitioner for the Vista Condor petition. Specifically, we're here today to appeal the denial that we received from Santa Ana. And in hopes of working with you, again, and with your team and our unique K-5 elementary experience and school for Orange County. As you already know, there are five reasons that a charter school can be denied by a school district. Three of those are completely compliance related. You either did it or you didn't do it. And I can assure you that CCSA and our team have vetted that and I know that your team and your legal team will be vetting that too. We actually meet on Monday when we'll be going over that and I assure you that we are going to work with you very closely to make sure that all of that language is included. So, today I'm just going to briefly speak and concentrate on the first area over Santa Ana's concerns in hopes of giving you the information you need to make a sound decision. Santa Ana claimed that our charter school presents an unsound educational program. We actually believe that Condor, our program will be one of the soundest educational programs in Orange County. Let me explain. As all educators at Vista, we believe that students should be educated for the 21st century with critical skills to be adaptable, creative, and critical thinkers. But we also believe that students need to be equipped with the basic attributes and technological skills to be able to compete and allow them to pursue current and yet to be created innovative occupations. Vista Condor's unique educational approach combines the teaching of global competencies in tandem with a STEAM curriculum. This way we're going to be able to provide our students with both the social capital and the technological skills to successfully and ethically compete in an ever increasing global economy. Now to accomplish this we will provide a STEAM education through a combination of our one-

to-one laptop program, Amplify Science, the only science program created exclusively for the new science standards, Project Lead the Way, credible project based STEM curriculum, and we'll also be part of the international study school network while providing conversational Mandarin instruction in after school programs. It's noteworthy that we will be the first ISSN school in Orange County and we will be the only ISSN STEAM school in the entire nation. Condor's basic pedagogical and philosophical stance is based on my own research and dissertation on the role of the engagement and out performing urban schools that showed that we can deeply engage students and raise at risk student achievement when we create a learning environment where students have a say in what they learn and how they learn it, have multiple opportunities to apply knowledge and skills to real world applications and authentic tasks and also have multiple opportunities to exhibit mastery to a real world audience. You saw some of that today in our previous presentation. To ensure that all of our programs increase student engagement and achievement, every decision at Condor has been made through the lens of a framework that is included in your petition and was created by a team of USC doctors including myself and very much vetted by USC professors. This framework provides a process to look at how our decisions will affect the emotional behavioral and cognitive domains of engagement, with a goal of raising the state of flow in our schools and in our classrooms. And flow should be understood as the ultimate desired state of engagement. It's where kids are so into what they're doing that they lose track of time, they lose track of space, and they are having deep enjoyment in their learning. Something that we should find in all of our classrooms. So, accordingly our programs are scrutinized through this lens to maximize engagement, providing maximum interaction between teacher, students, and peers, to be emotionally safe, rigorous, relevant, student centered, and create a deep sense of student belonging and academic autonomy. All of these things create the conditions of engagement. It was through this lens that we chose our programs and processes. A few examples: Lucy Calkin's Readers and Writers Workshop; Project Lead the Way, a hands-on STEM program; Way of Council and Restorative Justice; Kagan Strategies and Structures; Amplify Science, and of course International Studies School Network. My colleague, Dr. Felch, our future principal also of Condor will give you a more detailed summary of the ISSN or International Studies School Network.

Felch: Thank you, Dr. Wilson. So you just heard about my passion for Vista Heritage and I want to first say that if it's possible, I'm even more passionate about Condor because of the global education piece and this is what I did my dissertation on. This is my true passion in education. Vista Condor's partnership with the International Studies School Network opens up numerous opportunities to focus this school on transferrable skills that the students will need when they enter college and the workforce. These skills include the four pillars of global competence according to Asia Society. The first one is Investigating the World, so students become aware and curious about how the world works. Globally competent students can articulate the significance of their questions and know how to respond to these questions by identifying, collecting, and analyze credible information from a variety of local, national, and international sources. The second pillar is Recognizing Different Perspectives and weighing those perspectives especially other than their own. We all know as adults that there are going to be numerous people that disagree with us. As students, we want to instill that sense of understanding, that it's ok that people are going to disagree with us and it's important that we try to see the other end of the argument to have that sense of understanding and empathy for different perspectives. Students must be able to communicate their ideas in a clear and effective

manner, both verbally and non-verbally to a variety of authentic audiences. Finally, our students must be equipped with the skills and competencies to take action and make a difference in their community and to do their part in changing the world. Globally competent students see themselves as players and not bystanders. Globally competent students ethically and creatively envision and weigh options for action based on evidence and insight while taking into account diverse opinions and potential consequences for others. I want to quickly highlight what global education looks like. I used to work in an international study school and one of my partner schools that I used to work with and I want to highlight here...Hurricane Harvey really devastated the city of Houston. This school, which is based in Los Angeles, wanted to help. The students wanted to help and do their part but they were limited by the financial resources, by just physical resources they couldn't go and help. They decided school-wide that they wanted to offer support and love and caring. So they all wrote letters to a sister school in Houston saying that we're thinking about you and we care about you and you're going to get through this. The school then did a water project looking at the consequences and we heard about this more in Puerto Rico than in Houston but how do we now get clean water after such a devastating event? So they actually made this event into an academic learning opportunity for the students. So those are the types of things that we will offer in Condor that go beyond the general curriculum that you might see in another school. I will hand it over to Dr. Wilson. Thank you.

Wilson: I'd like to now address Santa Ana's assertion. We just addressed a sound program. I'd like to now address their assertion that we are unlikely to be successful at implementing this program. You have our resume as part of your packet. We believe that not only are we likely to succeed, but that we're uniquely prepared and have the experiences to be successful at this endeavor. You had a chance to meet Dr. Felch this morning, but I wanted to highlight just a few things that his short 30 years, he has already taught at International Studies School. He was LAUSD and LA County Teacher of the Year. As a teacher as International Trade Simulation was highlighted in a deeper learning documentary film. Curator for TEDx event on global education. He was an international judge in China as part of the global outreach for students and as you know, he completed his doctorate exactly on preparing the next generation of global leaders and how principals of international study high schools promote global competence. He has the experience to be successful. I come to the charter world with nearly as much experience as Dr. Felch is old, with 30 years. I was a classroom teacher for 17 years, focusing on second language learners. I'm fully bilingual. I opened up the first dual language program in Beaverton. I have a Bachelors in English and Spanish literature, I have a Masters in Leadership with an emphasis on ELL second language learning, and a Doctorate with emphasis on engagement. I served as the AP...I understand how to address the needs of second language learners. I served as an APIES for LAUSD which is an assistant principal in charge of special education and there I oversaw 118 IEPs each year. I can assure you that I understand the needs of special education. I served as the principal of Wonderland Avenue Elementary for 6 years which rose to be one of the top schools in California. It was there where I became an expert in Way of Council. Project Based Learning, Kagan strategies and Readers and Writers Workshop. I served as a director of Los Angeles Unified, the equivalent of an assistant superintendent in a smaller district, as well as for Linked Learning and supervised 9,000 students in 16 K-12 schools. I also want to highlight humbly, that there are some recognitions that also attest to my specific expertise in these areas. I was awarded the California Distinguished School Award specifically for work with Way of Council and Arts. Administrator of the Year for the California Music Educators Association,

ACCIPIO Administrator of the year for my work with issues of diversity and special education, and I'm a published author in Los Angeles Magazine with an essay called "From Heartache to Hero" on children's grieving, and the loss of parents. We come with rich experience. But there's another reason why we are likely to be successful at our school. We have been successful already at our other schools. In LA, we're in the 8th year of operation, we've been renewed after 5 years, we have yearly successful oversight from the district, we have a fund balance of 2.2 million dollars and we're out performing similar schools. Here in Santa Ana, after only 2 years we're out performing similar schools, we're financially viable after our second year. We've had two successful oversight visits from the Orange County Department of Education and as you know, our students and parents are overwhelmingly happy with the Vista experience. The Santa Ana denial stated that our scores at Heritage do not indicate that we will be successful. However, they used incorrect data from the Dashboard. They did not take into account our second year and they made score comparisons that included economically advantaged and gifted students. Even with this comparison and using their economically advantaged and gifted students, our 6th grade still outperformed the entire district by 6 percent. A better comparison would be with our like and surrounding schools where you can see that all of our students at all grades outperform Spurgeon students but our 6th grade did it by 17 percent. We also outperformed Willard, Carr, and middle schools in almost all grades and areas. The green is where we outperformed, the yellow where we were the same, and the orange is where they outperformed us. Of course we don't believe that we're anywhere close to where we want to be. But after only two years we are outperforming like schools in the area. I'm new to the charter world. I really thought we would have a chance to work closely with Santa Ana, perhaps naively. It was something that I looked forward to. I found everyone that I reached out to, to be kind and smart. However, it's my belief that we were never given a fair opportunity to present our petition to the board and the Santa Ana public. I provided you with a separate list that's included in part of your packet with all of the major issues that we experienced. But today I just want to highlight a couple. As the lead petitioner I was only allowed two minutes to present at the public hearing. Nobody from Santa Ana reached out for us for any clarification at any time. When pressed by a board member why Santa Ana had not reached out the board president told her that no districts in the State of California ever do that. They don't allow that. As you know we're meeting with you specifically for that on Monday. Most districts have that process. The board members were told by the president that they were not allowed to ask our team clarification questions prior to the vote. We were asked to come up and we were told to stay seated and we were not allowed to answer any questions. So there's so much more that I can tell you. You have it in your notes, you have it in the back there. So instead of continuing, I'd just like to say that Vista Condor Global Academy we do present a sound educational program. You have it in your hands. It's based on the doctoral research from USC on the role of engagement and outperforming schools and on the international studies school network. It's founded on years of experience with the exact programs that are presented in the petition. All of these programs have been nationally recognized to transform student lives. We believe (sound of timer going off) ...

D. Boyd: You can finish your sentence.

Wilson: Ok. Well, we believe that we're also likely to be successful for the very same reasons. I would just like to finish by saying that Vista Condor is not an experiment to see what might work. It is the coming together of all of the programs that we know make a difference in

children's lives. We are here to help make that happen and to help them achieve the American Dream and all of their dreams. Thank you very much for your generous time.

Applause

D. Boyd: I would suggest that we hold the member questions and comments until after Santa Ana does their presentation.

Chastain: Next is Dr. Sonia Llamas, assistant superintendent, representing the Santa Ana Unified School District.

Llamas: Good morning. Superintendent Mijares, members of the board, audience, parents. I stand before you respectfully requesting that we hold on the petition until we have further information and clarification by Vista Condor. Much of the information that was presented today I wish had been included in the petition and I will inquire in regards to the concerns that were brought forth by my colleague and collegial colleague Dr. Don Wilson. I am one month new into this position as assistant superintendent so moving forward, I have been charged with charter schools and we have been attempting to be more collaborative with our charter schools from what I've heard of from the past. Since I've been with the district for the last 5 years, we have been in collaboration with two of our charters specifically El Sol and Nova, we submitted an Eprize to build those relationships with those charter schools. We were awarded the Eprize with El Sol through Chapman University and with Nova we were not awarded that petition and that award. But when I'm looking forward we review each and every one of our charter petitions very carefully and we want exactly what Vista wants for their students. We want the best for Santa Ana students. Every parent does have a right to choose between private, public, and charter but with that, when we were brought this petition we wanted to be very clear that it met the standards of charter law and charter philosophy and legislation. So we did pull together 16 subject matter experts in the various areas and components for review for this charter petition and I'm just asking that the Orange County Department of Education, Board of Education, please review this petition and see what we saw initially. I know there was an update that was provided today and I thank them for that and I applaud them for their efforts but as we move forward I just want to make sure that as petitions move forward we're charged as a district to review those in the best interest of our Santa Ana community and we felt that we did that with what we were provided.

Attorney: Good morning honorable members of the board, Dr. Mijares, County Office staff. My name is (inaudible) I'm an attorney for Santa Ana Unified and Dr. Llamas is asking me to address some of the reasons for Santa Ana's denial. As Dr. Llamas mentioned, Santa Ana pulled together a large team of experts and carefully analyzed and considered the charter petition for the proposed Vista Condor school. Through that process the district found a number of significant deficiencies in the written charter which is of course, the document that we have to review and that's what we have to decide whether to grant or deny based upon. The district found that approving the charter would be inconsistent with sound educational practice. That the charter presents an unsound educational program, that the petitioners are demonstrably unlikely to successfully implement the program. The charter did not include the required number of signatures and it did not include a reasonably comprehensive description of all the required elements. The district board adopted a number of factual findings supporting those different

areas of concern which are set forth in the board resolution which you have. We won't go through all of them but we did want to highlight a few. The written charter lacks specificity in detail and makes it impossible to determine if the program is sufficient or educationally sound. While the charter includes general terms and photocopies of materials there were no actual examples of how it would be put into practice at the school including no examples of how it's actually been put into practice at the existing middle schools that Vista already runs. The district does recognize that Vista is currently operating a couple of charter schools but it's important to understand that that does not mean that we can just assume that Vista Condor will be educationally sound. It is also important to know that this is not just a replication of Vista's existing program, it proposes to serve entirely different grade levels and proposes a different educational approach which in Vista's terminology their current middle schools use the Eagle approach and now they are going to be using the Condor approach. Vista promises to close the achievement gap for historically underserved students but the data that was available on the California Dashboard establishes that Vista's current schools don't support that promise at Vista's current schools performance in both ELA and math was in the low category and math performance for English Language Learners at both schools was very low. The data changes available over time for Vista Charter Middle School their older school in Los Angeles, did not show increases in pupil academic achievement in EL and math. So, the district believes that this charter is premature, that the Vista Heritage Middle School needs to be more well established and needs to be performing at the level that is promised before they change their focus and ask to open a second school. There's also...I recognize that there are obviously parents here who are primarily Vista Heritage parents who support their school which is laudable but there's no indication of significant parent interest in enrolling their students at this school to make it viable. Vista Heritage itself proposed an initial enrollment of 280 students growing to 420 but at this point, in its third year of operation, it's still only at 265 students. The school failed to include a program for T-K which since they're offering kindergarten they do have to have a T-K program which of course can't be just an afterthought, it has to be a well-developed school program. Vista Condor has a school uniform mandate which requires parents to purchase uniforms that bear the logo of the school which is a violation of the free school guarantee and is an unlawful pupil fee. The number of teacher signatures, while they did submit 9 signatures, and they needed five, of the people who signed at least one is currently an assistant principal at the Los Angeles school and three of them are teachers at the Los Angeles school. It's not reasonable to believe that they're all going to quit their jobs and come from Los Angeles to teach at this new school. Overall, the charter does not include specificity in educational program development that is necessary to a sound educational program for the pupils proposed to be served. The current programs have not yet reached a level of success to warrant this expansion and it is not likely that there is adequate parent and guardian interest to make the school fiscally and educationally viable. For all of these reasons and the reasons more specifically described in the district board's resolution. The district encourages this board to support Santa Ana in ensuring that at this time this charter is denied. Of course in the future when Vista's concept is supported by a more well developed written educational program and they have the data and parent and student support necessary, Vista could resubmit a new charter that meets the requirements of the charter schools act and Santa Ana Unified would welcome the charter at that time.

D. Boyd: OK, before we open it up to questions, can I ask you a quick question? What was the vote of the Santa Ana Board?

From audience: It was 4 to 1.

D. Boyd: 4 to 1. Dr. Williams, do you want to lead us off?

Williams: We're not taking public comments?

D. Boyd: Are there additional public comments? Are there any additional public comments related to the charter appeal?

Voices talking from the audience.

D. Boyd: I'm sorry, you already had your three minutes. Hopefully the board will address your concerns. Any other public comments? Yes, we did have 8 speakers earlier in connection with this appeal.

Chaires: Hello, my name is Gregory N. Chaires, Jr. I was educated or uneducated at Santa Ana Unified School District. OK. I've been hearing and everything else, I don't see no reason why this (inaudible) shouldn't be presented because we've seen nothing but good coming out of here. And, unfortunately what I find from Santa Ana Unified School District is they're really more concerned with teaching people how to go along with the program, whatever the program is. Not to really learn how to make real decisions. You just go along with the program, you know. If you just go along with the program you're not going to succeed. You have to learn how to make decisions and sometimes you have to fail in order to realize what life is really about. I am against where everybody gets a chance to win and everybody is a winner. That's a big lie. That's how we end up with all kinds of people in other places where they can't function because it's not going their way. We have to teach kids how to make decisions, really what's going on. By the grace of God, I'm surviving. But I want to make that acceptable for all the kids in Santa Ana. Cause I'm from Santa Ana, my heritage is from here, I'm a Gabriola Indian which we call ourselves Tunda which the federal government says we no longer exist but hey, I'm here. Anyway, that's what I'm saying we need to face the truth, face reality, prepare our kids to really survive. Thank you for your time for allowing me to say this and I hope I wasn't being too whatever, but the truth is the truth. Thank you.

D. Boyd: Thank you.

Lindholm: We do have one more request to speak from Cecilia Iglesias.

Applause.

D. Boyd: Good morning.

Iglesias: My name is Cecilia Iglesias. I am a resident of Santa Ana also a parent of a child that attends our public schools, actually he goes to Samueli. What I believe Vista provides to our community and as you guys also know I'm also on the board in Santa Ana Unified School District, the only board member that voted for it because what I feel is the reason parents want

choices. Parents want their child to be able to expand their opportunities for them to have access to a quality public education. I know that in Santa Ana Unified School District we are providing programs that provide parents that opportunity but unfortunately not all parents have access to those programs. What I see at Vista with the parent involvement, especially I'm an advocate for parent involvement. They want the best for their child and that's the reason why they're taking them there. The reason why maybe many of the parents did not sign the petition was because parents weren't...that wasn't part of the criteria when Vista was providing it to the board. But I know there are many parents out there that want that opportunity. And it's just giving them that choice for them to be able to access a quality program. The presentation that I received today, was actually the first time I'm seeing it because we weren't able to see it on the board. So, it's unfortunate that many of our district staff and our board members don't allow for parents to have that choice. I would say just give Vista an opportunity, see what they have to provide. They have 5 years so at 5 years their renewal comes up. If they haven't met their goals then that's when I would say you know what, ok parents we tried, we gave you that option, we gave you that choice. It didn't work so now let's go and hopefully our school district will step up and give them that quality public education. But on behalf, as a mother and a resident of Santa Ana, I know they are very much a partner in education and I hope that you'd take that into consideration and provide parents in Santa Ana that choice. Thank you.

Applause.

Lindholm: We have no further requests to speak so I think we would close the public communication section at this time and bring it back to board member comments and questions.

D. Boyd: OK, Dr. Williams?

Williams: I'm going to ask both the district to come up as well as Don Wilson and where's the other...there you are. I'll ask the first questions to the attorney from Santa Ana Unified. What were the reasons why it was denied again, could you go over those?

Attorney: The statutory causes?

Williams: Inconsistent with good educational practices.

Attorney: The overall finding is that approval was inconsistent with sound educational practice and the board found facts supporting the various causes and one is that it presented an unsound educational program. One that the petitioners were demonstrably unlikely to successfully implement the program, that the charter petition did not include the required number of signatures and that it did not include a reasonably comprehensive description of all of the required elements.

Williams: And you also said no parental involvement?

Attorney: We said that there wasn't...that one of the findings that supported the demonstrably unlikely to successfully implement finding was that there wasn't evidence of adequate parental support and interest in the school.

Williams: And looking at the people who are here in this building would you maybe change your opinion on that?

Attorney: This isn't my opinion, this is the board's finding and it was based on the information that we had....

Williams: I didn't ask what the board...I just asked...you see parents here who care?

Attorney: I do see parents here.

Williams: Otherwise...are there any schools in Santa Ana Unified that are clearly performing under what would be expected?

Attorney: Are there schools that...

Williams: Are there schools in the Santa Ana Unified School District that are underperforming?

Attorney: I'm not the appropriate person to answer that data question.

Llamas: As in all school districts, we have those that outperform and those are in need of support.

Williams: And how many charter schools do you have right now?

Llamas: Currently I believe we have five.

Williams: Five. And who were the board trustees who voted against this charter?

Llamas: The four other trustees that were on the board.

Williams: Right, who are they if you could just...

Llamas: The names of the board members?

Williams: Yes, I don't recall all of their names now.

Llamas: Sure, our board president is Mr. John Palacio, our vice president is Valerie Amezcua. We have two other trustees Rigo Rodriguez, and Alfonso Alvarez.

Williams: And the findings that your attorney just stated, you have a staff that goes through the entire petition and came up with that. Is that staff under you? Because you said you were new, correct?

Llamas: So, I am new. We have three assistant superintendents in educational services so we have K-12 teaching and learning, K-12 school performance and culture, and K-12 special education. So the individuals we come together as a team. I bring forward the information to that

team. They individually meet educational services, facilities, all the different components that need to be ironed out on the charter petition and a memorandum, a memo is brought forward to myself which is then shared with our staff attorney.

Williams: OK. Cecilia, are you still here, could you come up, I want to ask you a couple of questions of what happened. I'll give you a couple of seconds. So you were at the board meeting, and how long did you actually discuss this charter petition.

Iglesias: Not very long.

Williams: 5 minutes, 10 minutes, give me an idea.

Iglesias: I would say it was well, with Vista, no conversation whatsoever. But with our staff I would say about 15 minutes.

Williams: OK. So then, Dr. Wilson, you made the statement when you got up there that there was no dialogue between you and the board?

Wilson: None whatsoever.

Williams: Why was that?

Wilson: I hope that I came across as one thing that I am very open to dialogue, in fact that's why I used a script so I didn't go on because I can be a little verbose. I am a person who absolutely reaches out, I reached out originally to Dr. Jimenez who I found to be great. He was...he tried to answer my questions. We'd go days without getting answers back but I'd call again and he'd get an answer. When Dr. Llamas came up, she's been nothing but lovely. But I've had to reach out. At this board meeting we were only given...there was a 20-minute period but you only had 2 minutes per person so we had to, I had to give you all of my information, give them all my information in those 2 minutes. No questions were asked of us at that point. We came back for the vote and Ms. Iglesias actually, she said I'd like to have Dr. Wilson and Dr. Felch come up and we started to stand up and we were said no, you have to sit down. You're not allowed to ask them any questions. No district does this. They had their chance at the hearing, that 2 minutes. And now you have to just sit there and you cannot ask any clarifying questions. When pressed by the board Ms. Iglesias said you know, these seem to be very slight issues that we have with this, very minor. Did anybody, she actually asked the board, did anybody reach out, did anybody in Santa Ana reach out and they said no. And Dr. Palacio said, or Mr. Palacio said, No, that is not our responsibility to reach out. We don't need to clarify. They need to put it in the charter and that's that. So, that was the end of our conversation. I would have been happy at any moment to spend as you know, I would spend any amount of time to make sure that people understood what it is we're trying to do.

Williams: Cecilia, so during your board meeting there's very limited discussion, very limited open dialogue between yourself and the petitioner. Is that kind of normal, the way it's done there at your district?

Iglesias: No, not at all. When petitions have come before the board we have that conversation so that's what I was hoping but that day it just didn't happen and you know, just don't want to make I guess, complications. From the dais, so I just went ahead and then I called up our staff so they can answer some questions that I had regarding the petition which was minor clarifications. And it's just their responses that they were providing to us. It was more like it seemed like it was scripted. It wasn't something that it was like genuinely looking at the petition itself. I recall one question was because their reason for denying was because you guys didn't have the facilities or something like that? And so I asked Mr. Orin Williams, I said did you guys go look at the facilities because I know I've been there and it's adequate and it seems like some of our schools that we have. And his response, bottom line was, yeah we didn't go but we saw it through Google maps or something like that, he said, right. So and I'm just like, we have it like 5 minutes away, 5 miles at the most from our district office. Couldn't somebody just go over there and just like get it but just the conversation and the dialogue, it was already no from the beginning. It was like we're going to vote no and that's how it just went. So, when I asked questions that's the only reason why we had a dialogue, 'cause I was the only one asking questions.

Williams: OK. The reason I ask all these questions is each individual district does it from one way to another and it's just interesting the process that happened in this particular charter petition. I'm going to be ending my questions here but let me just say real quickly to the parents, thank you for coming and being here. We appreciate you. I listened to you. Just your presence means that you care and it tells me you have community involvement and that's the most important thing for a charter school, it's just being there. So, we're going to have a vote next month, but you'll come out here again, and even in more numbers and show us the parental support. OK? I'm done.

D. Boyd: Thank you, Dr. Williams. Trustee Gomez?

Gomez: I just have a few things. First of all, I do want to echo Dr. Williams' comments about the parents being here. I appreciate you advocating for your children. That is so important that we show our children how important education is. I can tell from my own childhood. My mom didn't know how to advocate for me. So I had to learn how to do that for myself. So, it's great that you're here and your children should be very proud of you that you are here. I am concerned a little bit about us seeing information that allegedly wasn't in the petition. That concerns me because that means that you know, you obviously knew there was some additional information that you should have provided. So, I'm not sure why that wasn't included in the original petition but I understand that the board can only look at what's presented. The same thing with the staff. They saw the petition and if there was additional information that should have been in there to help support them and identify some of that stuff. I think that your presentation showed a lot of stuff. And, really exciting stuff but, you know, I am concerned a little bit about some of the data, and what was shown there. To support how all of these exciting and fun things, because you know what, I as an adult would like to do some of this stuff. But how does that really support the education? How does that support the data so that they can really demonstrate that they're mainstreaming kids? The one thing I really appreciate was these parents, one of the things that they were talking about was the special needs children. And that they were being integrated into the regular student population for lack of a better term. That to me is really exciting because if we can make our kids feel safe and welcome and they're learning, that's a great thing. But can

we translate that? Because middle school, you know one of you parents said something about you were worried about the 6th grade, your child going into 6th grade? I remember feeling that too. Sending my oldest child from elementary to middle school. It was kind of a scary thing. So the fact that we can make them feel welcome is wonderful. The comment was also made about we grant the charter and if it doesn't work in 5 years we'll deny...we won't renew it. I don't know but 5 years is a long time for an elementary school child to be experimented with. I don't want to see that. I want to see a charter school that's going to support a population that is not being supported now. I'm concerned that we got other information that wasn't in the charter and they can only look at what's presented to them. Sure, go ahead and comment if you like.

Wilson: I just want to point out that there was nothing in my presentation today that's not in the charter. I actually took my presentation and lifted it and copied and pasted it and reformatted it for the presentation from the charter. There are a couple of slides that I presented that were presented in because Santa Ana had said they had questioned us about the...they didn't think our scores were high enough. That was not necessarily in the charter but that was presented specifically to address their needs. It was also presented in our rebuttal to them so there was nothing in our petition today that they didn't have access to. Also, publicly at the hearing they did spend a long time talking about facilities and talking about parent signatures. You have it in the petition. You have our list of parent signatures. Those are not, we didn't qualify parent signatures but those were all of the parents who wanted to support us. It's a long list of parents. In addition, it's true about the teachers. That's common practice that when you have an organization you're going to want to bring some of your seasoned teachers to help you start that school. That's a common practice, even among the districts, would want to do that starting a new school. I don't see anything in here that I know of that they did not have access to or I could have given them clear access if they would have just picked up the phone and asked me a question.

Gomez: OK, thank you. Would you like to comment on that?

Attorney: I think that what Dr. Llamas when she was referencing that there was stuff that we saw here today that wasn't in the charter was largely the preceding item where there was the extensive presentation on what Vista Heritage is doing and examples and that's one of the concerns that it very explicitly found by the board is that there's some buzz words in the charter, there's some general descriptions there's some photocopies of different kinds of programs but there wasn't the depth and specificity there weren't actual real world samples of how these things were going to work. Some of the presentation that Vista Heritage made to you today provided some of that depth, but it's not in the charter and the district can't and we don't believe that the Santa Ana board should either, just assume how those things are going to be implemented.

Gomez: OK, thank you. (voice in audience asks question) Briefly, so we can move on.

Wilson: There are specific examples. This is obviously...she has not read the charter. There is a whole section that I encourage you to read, a day in the life, where I just go on and on the way I do but you will see very clear examples of how we planned this. This is not something...this is not an experiment. This is what I would do for my own son and what I would want for his education. And it is all based 100 percent on things that I have deep experience on or that Dr.

Felch has deep experience on. There is no experimentation here. We have a long illustrious career.

Gomez: The issue of my experiment was the fact that we could allow a charter and then in 5 years we would not renew it. That's what I meant is that if the charter is not a good charter, that's a long time for a student. Thank you.

D. Boyd: Trustee Lindholm?

Lindholm: Yes, thank you. First, I want to thank the parents for coming here and the students. It's about you. This is paperwork, this is review, it's about you, it's about your children and it's about their success and about their future. So, I don't want to get any politics in here, it has to do with your children. And what I'm hearing from each and every one of you who came today, you are excited about these schools. You have testimony about your children going to these schools. And you have testimony about their siblings wanting to go to their school. So, I think you. It's very meaningful that you come. You are doing what every parent should do. I appreciate you coming, and it's good to have both of you here and your credentials. Attorneys, are attorneys. Laughter. What I wanted to...first I wanted to show the members of the audience. When you say this is the petition and one of the things I see in here it says an unsound educational program. And there's not enough specificity. Well, I challenge you, I have been doing my best to get the main gist of this and to go through this. This is also two sided. This is the petition they submitted. So, to Trustee Gomez, when you're saying additional information, there's a lot of information here. So, I'm not really excited when you're saying there's an unsound educational program, they already have another school. That to me is pretty substantial, it's not 7-8 pages. Then the other thing you have is demonstrably unlikely to be successful, they already are. Another school, that's one of the criteria. Required number of signatures.... you have the teachers' signatures. There's two ways to do it. You have the teachers' signatures, I'm getting a little, personally, frustrated, not necessarily with you but when people come and they say well we've called them. When you vote, or you sign something and you put your name and address and your phone number and you say you're interested in doing something. To me that's sufficient. You don't have to call these people and say did you really mean to sign this? Did you accidentally sign this form? Who does that. So, I'm just going down the list. You also have the parents who submitted signatures and I appreciate that. Comprehensive description of all the elements...I've already gone through that, here's the submittal, it's here. I feel bad that they didn't ask questions during their petition. They had the time to do that. That was the time they could do that. I mean totally, you can do that then. I guess, briefly what I want to say is...ask you...do you believe this is a sound educational program? At the mic please.

Wilson: Of course I wrote the first, mostly wrote the first three sections. I do believe this is a sound petition. Specifically, because I've experienced every part of it and I've seen children's lives changed with it. We're not going to put something in it that we haven't tried. We are what our innovation is. It's to put everything that's already currently really working in children's lives and actually bringing it together on one campus. And I'd like to also add that these programs are typically for economically advantaged kids. Schools that have money to do these things. I think that it's unique that we're going to put all of these together in a school that's going to serve kids

that would not normally have access to these programs. I stand behind every one of these programs, and I could elaborate for hours but I won't.

Lindholm: We're glad you're not going to do that for hours. Laughter. You had mentioned that, did you want to bring this back. Here's my problem with that suggestion. You've had it. There's like a clock going. When schools are trying to start they have to get the word out. They have teachers in line to become teachers at that school. So, if you leave a school in limbo lots of times they can't start in the next year. I don't want to do that. I'm absolutely happy you're here. I think that's wonderful, but to put them back into kind of a circle, it could be perpetual and I don't want to do that to any of the parents or to any of the students. I just wanted to share that with you.

D. Boyd: Thank you. Mostly to the district, I share Dr. Williams' concerns and I'll put a label on it, whether there was adequate due process in connection with this application. At one point in time you...well the board really didn't have sufficient knowledge to make an informed decision but at the...same time you limited his comments to two minutes. Three years ago when Trustee Lindholm and I first got together one of the first things we did is create a board policy where everybody who comes to us whether it's on a direct charter or an appeal knows what the process is going to be and there will be a fair hearing by all parties. It doesn't sound like Santa Ana really has adopted any such thing. I know that if I'm put in a position where I have to vote no on a charter I want to make sure that I have all the relevant information that's allowed under the law to cast that vote. I don't know that your board really had that. Now I don't know if that's a staff function or a board function or how we got to that point but it appears, and I don't know any of your board members individually so I'm don't want to cast a light on anybody but it certainly gives the appearance as an outsider a question whether there was really a fair hearing. With respect to the parent's signatures, correct me if I'm wrong, Ron, but they only needed teacher signatures correct? You don't have to have both. So to me that's kind of a red herring it also to me goes to the potential bias that if it was a brand new school or brand new operators who have no history of recruitment, then I would say OK, maybe you throw that in. But here we have an organization that has successfully recruited students in the past and it just raises concerns in my mind as far as the equity. Unsound educational program well, that's in the eye of the beholder. The charter school encourages innovation in public education and I have voted to support charters that I wouldn't necessarily put my own child or grandchildren in but nevertheless, it meets the requirements of the law. Lacking in detail. Trustee Lindholm commented on that but going back, I guess the charter school law has been in effect about 25 years now. 20 years ago a 25-page application was deemed to be adequate. You know we've seen 900 page applications deemed to be inadequate. It does seem to me and I'm not going to weigh it there was a decent amount of effort put in to provide the information that you need. Especially at the local level. Your staff can ask questions, you're not prohibited from saying hey this application seems a little bit short in this area, could you expand on what your goals are? I just don't see it. The uniforms, we haven't talked about that. What's going to happen with the uniforms if...

Wilson: Very briefly. No child has ever been asked to buy a uniform. If they can purchase uniforms as many as they'd like and if they can't afford a uniform, we provide uniforms for them.

D. Boyd: So, had this question come up at the board meeting you would have said...

Wilson: I would have said this is just not an issue. We always provide, and our parents can attest to that, that we always provide uniforms.

D. Boyd: Counselor?

Attorney: It specifically says in the charter that parents buy uniforms. But the point is under the free school guarantee and the statues in California a need based waiver is not adequate. If a uniform, a specific uniform with a Vista logo is required at this school, no one can be required to buy them. It cannot be a needs based test. What you just described is a violation of the California constitution.

Wilson: I understand what she's saying and the law's the law. One of the things, and this is not in the petition but it's something that we're doing at our other schools to make sure that all kids have access to be able to buy uniforms or to be able to get uniforms is to provide a logo that they can attach to anything that they want. So they can go to K-Mart, they can go anywhere if that's what they would like to do. But, we will also provide the specific colors if they need to. But that's in process at other two schools right now.

D. Boyd: OK. Well let me conclude that saying that I know that Santa Ana does not have a history of being an anti-charter district. You do have charters. You have El Sol which is probably one of the finest charters in the state of California. I know you have other outstanding schools. I drive by, is it MacArthur Fundamental School? It's a district school, a magnet school. But I see, and I'm not exaggerating here, 100 cars waiting for parents to pick up their kids every day. So I know there's a lot of things you guys do right. I would encourage you to go back to your board and take another look at your board policies and the policies towards staff. I know our staff will reach out if there's something that's unclear. They won't say we're going to deny it because it's unclear. They'll spend a lot of time getting clarification. With that, any other questions or comments? OK. Thank you very much.

Lindholm: Will you let the parents know what the process is and that it will be another 30 days or, what is the process?

D. Boyd: Yeah, actually at our next board meeting we will be voting, I'm assuming at the next board meeting they could request an extension if they so choose to do so but I'm assuming at the next board meeting there will be a thumbs up or thumbs down vote. If the charter is approved, it becomes the responsibility of the county as opposed to the local district.

N. Boyd: Since this was a public hearing can we have Aracely come up and close the public hearing?

D. Boyd: Yes, absolutely.

Chastain: This concludes the public hearing for Vista Condor Academy. Trustee Boyd, I will turn the meeting back over to you.

D. Boyd: OK, thank you. Does anybody want a recess or we can continue? Consent calendar, do I have a motion?

Williams: So moved.

Gomez: I'll second.

D. Boyd: Second. OK all in favor?

Several Ayes.

D. Boyd: Done. Item # 5 adopt the Suicide Prevention Policy for Alternative, Community and Correctional Education Schools and Services. Do I have a motion to approve?

Williams: So moved.

Lindholm: Second.

D. Boyd: Questions, comments?

Lindholm: No. This was presented to us at the last meeting so we've had the opportunity to review it.

D. Boyd: OK, with that we'll vote. All in favor?

Several Ayes.

D. Boyd: Passes 4 – 0. Going to Item # 6. Approve the material revision to the Orange County Academy of Sciences and Arts allowing an additional 30 students to the total maximum enrollment to be reached in 2020-2021. Do I have a motion?

Lindholm: Yes.

D. Boyd: Second?

Williams: Second.

D. Boyd: Comments, questions?

Gomez: I just want to clarify something. It seemed like there was a discrepancy between the number of spaces and the cost based on the number of students. So, I would just like a little bit more clarification on that.

N. Boyd: We have a representative from OCASA to answer that question. That really is a question related to what they're doing to meet the space needs for Capistrano Unified.

Gomez: OK, perfect.

Mathur: Thank you so much for hearing our request.

N. Boyd: Would you state your name again?

Mathur: Yes. My name is Kapil Mathur, I am the founder and executive director of the Orange County Academy of Sciences and Arts. I believe the question was related to the finances or the expenditure for facilities? The attachment that is in your board packet is a February 1 letter from the Capistrano Unified School District which is their preliminary offer of space or facilities for the 17-18 school year. The way that they determine the cost is they look at the total cost for the school district to maintain their facilities. They divide it by the total square foot area that the school district has and then they multiply that by the square footage that they provide to us. We don't have any control over the amount of square footage they provide to us. This is through a year-long negotiation process which we have to do each year. We're just at the very beginning of that process now, it started November 1 for the 18-19 school year. The actual per square foot cost was significantly higher than what was in that February 1 preliminary offer and I'm happy to provide you with a copy of the final agreement with the school district if you're interested to see the cost. I believe it ended up being something like \$5.86 a square foot. Their initial offer was something in the \$4.00 range.

Gomez: Yes, it seems like some big gaps here between February and October that the gap wasn't filled in.

Mathur: Right. And there's actually some...if you're looking at that letter, there are actually some calculation errors. They didn't multiply correctly and so they corrected that in future...

Gomez: OK, could we just get a copy of that...going forward?

Mathur: You would like a copy of the final agreement?

Gomez: Yes. So we can see it because otherwise this doesn't make sense.

Mathur: The reason why that's included is because one of the school district's objections for the 17-18 school year request for space was that we are requesting more space and was approved in our charter petition. So that's why that letter is in there. That is actually not a valid objection in the facilities discussion. Facilities and the education program are completely separate.

Gomez: Well, yes, and that's where I saw the discrepancy. So maybe if we can get a clarification that would just help me.

N. Boyd: Kapil, if you could submit our charter schools unit, we'll make sure that the board gets a copy.

Mathur: Absolutely,

Gomez: Thank you.

D. Boyd: Trustee Lindholm?

Lindholm: Just a comment, and as you know Vice President, I visited the campus and I wanted to share with our other trustees. It is very exciting. It's unbelievable, just what you've got going on there for the students. We toured the campus and the facilities and the chrome books and everything else they have going on and it's a pretty exciting site.

Mathur: Thank you so much.

Lindholm: So I wanted to share that with my fellow board members.

D. Boyd: Dr. Williams?

Williams: So, just to help me review, it's been about two years ago that we approved?

Mathur: We were approved on February 10, 2016. We're half way through our third semester, just starting our second year.

Williams: And each year your enrollment has increased?

Mathur: Substantially.

Williams: And you want and need more class space?

Mathur: Correct.

Williams: Seat space. And the need or the request to get into the school, will it exceed the 30 or so enrollment increase that you're looking for.

Mathur: So, it absolutely will...we have much more demand than space available. We're trying to grow responsibly but we also want to provide parents and students with the opportunity to go to the school of their choice. So we have to balance those two.

Williams: And how were your test scores the first year?

Mathur: They were ok. We are...our standardized test scores were above the state average. It was our first year in operation. They weren't where we want them to be. They are very similar to other schools that Capistrano District operates that are in their very initial stages of new programs. So they have 7 elementary schools that they're making charter-like organizations where they're trying to bring in some of the innovation and our scores and their scores were very similar. For most of the schools they had one school that performed slightly better than us and they had one school out of that group of 7 that performed significantly lower than us.

Williams: I remember almost 2 years ago when you came before us and the preceding months before the actual vote. It was a rather contentious relationship between you school and Capistrano Unified. Could you give us an overview of your relationship now?

Mathur: Absolutely. If you remember back to our original petition one of our goals in our very first section was that we want to partner with the school district and the Orange County Department of Education. Our first priority and loyalty is to our authorizer and so while we maintain that relationship with OCDE, we wish to have a good relationship with Capistrano District. We were able to schedule a meeting this past summer in July to meet with the superintendent of the Capistrano School District and with key members of her assistant superintendent team. She did outline what she would like as a relationship with us and what information that she would like from us. So she requested the ability to tour our school at any time without any prior appointment. She just wanted to be able to show up and we agreed to that. We said you're welcome at any time. If you can give us a half an hour heads up we're a very small staff so we have somebody available to actually take you around. She requested more data on our school so obviously being a school that's only been open for a year some of those items like on the school dashboard, they're just blank because we don't have that information. We did at the end of October, provide her with our standardized test score data and the analysis that I provided to you just now about the new programs that the Capistrano District has come out with. We also looked at it and compared it against other elementary schools that are authorized by OCDE and you have three of them. Other elementary charter schools, you have three of them, we're number two out of the three. But the number three school, we're significantly higher than the number three school. So one and two are fairly close, number three is significantly lower. So, she asked for data, she asked to be able to visit. We extended that offer to visit to all the members of her cabinet and all the members of the Capistrano board. We do have an appointment scheduled for the end of December for two of her assistant superintendents to visit. We have tried to work with them on facilities issues. Proposition 51 was passed last year by the California voters providing funding for charter school facilities. We prepared the application to the state for that funding. The school district had to make one very simple motion that needed to be included in that application packet and they wrote us a letter and they said that they are not interested in us having our own facilities. They have recently closed an elementary school and we requested that for subsequent years that we be allowed to move onto that elementary school campus. Every other charter school that is in the Capistrano district has their own campus, and every other of the district schools have their own campus. We are the only ones that don't. Their response was that they planned to demolish that school and put up a parking lot. So, we are, I am trying my best to work with them. I think that it's a learning experience for us, I think it's a learning experience for them too. We are a unique school within their very large district in that we are not authorized by them but we are in their facilities. So, some of the things that they ask for from other schools, they ask for from us. But there are some student privacy laws like the FERPA regulation because we accept federal money that prevent us from providing some of the information that they request but unless our attorneys tell me no, I give them everything that they ask for. I know they work very closely with county staff both Aracely and Ms. Boyd, requesting information about OCASA and we're all trying to satisfy what it is that they want. I'm not exactly sure, I think that they're understanding the difference between when the school is authorized by the school district and when the school is authorized by the county. And when we're authorized by the county, it is the county's drum that we march to.

D. Boyd: Any other comments? Alright. A motion and second. All in favor?

Several ayes.

D. Boyd: 4 – 0. Moving on to Item #7. Approve the material revisions to Samueli Academy Bylaws. Motion?

Williams: So moved.

Lindholm: Second. Do we have somebody who wants to speak or no?

D. Boyd: Yes, I believe...

N. Boyd: Does the board have questions? We'll ask...

Gomez: I got my questions answered earlier.

D. Boyd: I have my questions. The next one, I think we'll have Mr. Saba come up. My principal concern, Ron, you've reviewed this for compliance purposes?

N. Boyd: Anthony, you can make your way up because they will have some questions for you.

Wenkart: So on Item #7 you had a question?

D. Boyd: Any compliance issues?

Wenkart: We didn't see any...no, we didn't see any compliance issues or anything that wasn't consistent with law.

D. Boyd: OK. With that then we have a motion and a second, all in favor?

Several Ayes.

D. Boyd: Moving on to # 8. I'll introduce Anthony Saba, head of school for the Samueli Academy, will submit to us formally their petition renewal.

Saba: Distinguished board, good afternoon. Superintendent Mijares, good to see you again. We humbly submit to you our renewal for the next five years to continue operation in this great collaboration we have with OCDE. As you know, five years ago when you first approved us we weren't really sure what to expect. It was broken down in Santa Ana Hospital that had been long defunct and we've buried that and built a school on it and now the school is thriving. I mentioned last month, we have a 99 percent graduation rate, 97 percent of our kids are in college right now as we speak. So we're extremely excited about that. Our test scores are significantly higher than any schools in the area and most schools in Orange County and in the state of California. We have a long waiting list. We're very financially sound. We're not a perfect school though, no

school's perfect but things are going extremely well and we look forward to hopefully continuing this great collaboration for 200 more years, let alone the next five. I'm more than willing to take any questions at this point.

Williams: No questions. You guys are great.

Lindholm: No, it is a great school.

Saba: Thank you.

D. Boyd: Thank you. As I understand the process it works more or less that same as the initial charter. Board has to act within 60 days if I'm not mistaken, Ron?

N. Boyd: They'll actually do a presentation next month for the board, on their...

Wenkart: That's correct. The process is basically the same as initial petition.

D. Boyd: OK. So two meetings from now. That's all I have. There's no vote required on this. So we will move on to Items #9 and #10. We'll bring up Laura Strachan. How do you pronounce your last name? Stracken. I'll get it eventually.

Strachan: That's ok – everyone gets it wrong. Good afternoon vice president Boyd, members of the board and Dr. Mijares. Back in 2013 when the California State Legislature passed the Local Control Funding Formula they did look at a different type of measurements for our schools. They've gone to multiple measures. The new system required that the local educational agencies report progress on their local identifiers in the priority areas of the LCAP each year that we report to the board. These priorities, the 10 priorities, I know you have them listed but in case someone's here that...the first one is basic services that include adequate teachers assigned in the proper locations, safe clean facilities, and curriculum. Priority two is the implementation of state academic standards. Priority three is parent engagement. Priority four is pupil achievement, five is pupil engagement. Six is school climate. Seven is course access. Eight is course outcomes and then there's a nine and ten only for county offices of education. Number nine is coordination of services for expelled students and ten is coordination of services for foster youth. And I say that because on your paper you'll only see certain ones and that's because those are the ones that we self-report. So what we've reported in priority one, two, three, six, and then our nine and ten priorities. ? Some are self-assessments, some are by a rubric they provide, and five and six are done by state CalPads information, we do not do that, it's auto-populated. The state actually for seven and eight do not have a method of reporting yet developed. So this is still very new in the process. The Dashboard has just come up so that's a new process. We are pleased to report that we have a rating of all met in our local indicator priorities.

N. Boyd: So this is just a receive for the board, the information. Do you want to do #10 while you're...?

Strachan: And for our College and Career Preparatory Academy we have the same priorities to report except we do not have the nine and ten because that is not a county office of education. And those have also been met.

N. Boyd: Does the board have any questions?

D. Boyd: Yes, any questions? Trustee Lindholm?

Lindholm: You do a great job, I just miss the ABI, I think it made a lot more sense.

D. Boyd: Trustee Gomez?

Gomez: No, thank you for all your responses.

D. Boyd: I went to the state site and just picked my old high school and my old elementary school. And quite frankly found it very confusing as far as the amount of relative information. And I know this has nothing to do with you but, it must have taken me ten minutes to determine I even had the right school. I went to Jordan High School in Long Beach and if you type in Jordan High School, the search function will give you about 20 different items and OK, there's one Jordan High School Long Beach. There was...but it had no address attached to it so I never was convinced I was actually looking at the correct school. I think the state has a lot of work to do to make this a useful tool for parents.

Strachan: Thank you very much.

D. Boyd: Thank you. OK, so we have received 9 and 10, and 11 is approve the agreement between the Orange County Board of Education and Oxford Prep Academy and designate the Associate Superintendent to sign the agreement on behalf of the board of education. Do I have a motion?

Williams: So moved.

D. Boyd: Second?

Gomez: I'll second.

D. Boyd: OK. Questions, comments, Trustee Lindholm?

Lindholm: Is there a presentation?

N. Boyd. There is no presentation. If the board has questions we have Oxford rep and we have Ron if you have questions.

Lindholm: I do have questions. This is basically the agreement we had initially two and a half years ago, when we approved Oxford Prep and we took out the 29 pages. We had concerns at

that time, not at that time, but concerns at this time a little conflict of interest and having a possible fire wall. So I wanted to ask the representative of Oxford Prep, and who are you?

Hall: I'm Lisa Hall. I am the interim managing director. Thank you for having me today. I was recently named the interim managing director so I am here to represent Oxford Preparatory Academy and thank you. I hope to be able to answer your questions.

Lindholm: Questions for you. We went from having a 7-page agreement with you and this becomes a very, very extensive agreement. Now the issues that we were having, some of these are much more in detail, they aren't the concerns that we had with Chino. That was our biggest concern with Oxford Prep. Not your academics, you do an excellent job with academics, both campuses do that. So you have presented this to your board, and they've read through this all and they understand this is a major change?

Hall: Yes, they do. It was presented to them at a board meeting in September and they were asked to hold off and because there was still some negotiation occurring and then that negotiation occurred and it was brought back to them and I presented that to them on October...

Lindholm: What was the vote on it?

Hall: It was 4-0.

Lindholm: 4-0. Were there any concerns with any of the items here. I have concerns. Some of them have two days notification. Ten calendar days notification. 30 days after each meeting. There seems to be quite a change as you go through it in terms of dates and times things must be submitted. How are you going to keep track of all these different dates and times? I was hoping for more of a standardization in terms of dates and times. I understand the two business days; I did talk to you about that if a board member resigns but you had no changes you wanted to make in this?

Hall: We were happy to move forward with the MOU as presented once the negotiations were completed.

Wenkart: There were changes made, there was a back and forth. There was a negotiation.

Lindholm: Well, that's good to know.

Wenkart: it was one of the attorneys on my staff. But there was give and take and there were changes made. There were changes requested by Oxford and some of them were made and some of them were not.

N. Boyd: I would say that; I was part of the conversation. My charter team, myself, an attorney from Ron's office, an attorney from Oxford Prep along with one of their board members and the interim director at that time met with us here in our office on two different occasions and then there was back and forth emails. We started the conversation after the June meeting when the board asked if they would be amenable to having an agreement and they mentioned that there

was an agreement. They went from 7 pages, actually they went from no agreement to this agreement because they had a 7-page agreement we had reduced it down to but then at the board's pleasure we did not do an agreement with Oxford when they were authorized. As a result of our conversations with them and going back and forth and they did have a number of things that they brought up with regards to things that they felt would be in their best interest and we have no problem working with them on that. A number of email exchanges going back and forth as well and then we worked with them in terms of their timeframe because they were also bringing new board members on and they wanted to have some time to work with the new members of their board to make sure that they had clarity and understanding and their attorney mentioned on several occasions some of the things that they needed to go back and make sure that they understood. So, this was not something that we rushed the process with them. We worked within the timeframe that worked for Oxford knowing that they were going through a lot of changes.

Lindholm: Was the executive committee, the president and vice president of our board part of this negotiation or did they see this on Friday?

N. Boyd: They received this at the same time as the rest of the board. I did let the executive committee know that we were working with them and I kept them updated just in terms of the fact that we were still meeting with them and I didn't know what the timeframe in terms of where they were going to be in terms of because we knew they had presented it in September but we weren't sure if it was going to be a longer length of time and so forth.

Lindholm: OK. Let me ask...I'm going to ask our council. So one of our big concerns was money being spent from our schools, I call them our schools, Capo and Lake Forest to be spent on the other. On page number 5, no, that's a conflict of interest. Where in here does it say that? Where in this document does it say that the money will not be passed from one campus to another.

Wenkart: I don't believe there is anything specifically like that. I'd have to look at it again. We don't have direct control over how they do their finances and you know, if they do get into trouble, and they have a deficit in their Chino budget, they will have to take it out of Saddleback Valley and South Orange County, and we can't prevent them from doing that.

Lindholm: So, the purpose of this contract for me was to create a firewall. And you're saying that's not here?

Wenkart: I don't believe that's the purpose of the MOU. The purpose of the MOU is for us to have a working relationship with them to oversee what they're doing and to protect this board from liability. We can't protect the board from liability if we don't have a MOU. I mean we need to have some type of operating agreement. As far as being able to stop them from transferring money it's one organization that was approved by this board. So this corporate arrangement is something that we have to deal with but we can't prevent them from moving money from Saddleback Valley to...I mean we can try to pressure them. And that's what I think this board has done well. This board has pressured Oxford at the last board meeting and the prior board

meeting not to do that. And we will continue to follow the lead of this board in doing that. But we can't legally prevent them from transferring the money.

Lindholm: OK. So for me, this doesn't accomplish what my goal was in having them come back with an MOU.

Wenkart: I didn't realize that was your goal. But we can't legally do that.

Lindholm: That was my goal. Well then, this just gives more detail... and there's one other issue is a conflict of interest. Now that, that I did care about. I mean of course I care about that but that you do have included in here and that is of course all new language.

Wenkart: Let me take a look again.

Lindholm: I think that's on page 5.

Wenkart: Yes, we do have the conflict of interest at the top of page 5 there, we have language about the conflict of interest and everybody was comfortable with that.

Lindholm: OK, but I did have one other item # C says they may not associate with people from the FCMAT. How do they know who those people are?

Wenkart: It's listed in the report. The FCMAT report.

Lindholm: In the FCMAT report, but not...

Wenkart: They have a copy of the FCMAT report.

Lindholm: How many companies are there; do you know?

Wenkart: I don't know, I'd have to go back and read the report.

Lindholm: I'm just saying in terms of compliance, if they're trying to comply with this they need to know exactly who those people are because the penalty you set here is quite large.

Wenkart: Yes, it's specifically in black and white in the FCMAT report.

Lindholm: Can you send us that page? The board members...the information on who they should not associate with.

Wenkart: Yes.

Hall: I can provide you a copy of the letter that we provided to Capistrano Unified, and all of the companies are listed.

Lindholm: Oh, that would be very helpful.

Hall: So I did bring copies, I did not bring them to the podium with me but I'd be happy to provide that to you and the letter, which has a number of attachments. We are fully prepared to follow this memorandum of understanding and our board was very agreeable to it because...

Wenkart: This was not a point of contention. Everybody was comfortable with this.

Lindholm: It's new, it's 29 pages. It's a dictation to say you will do these...

Wenkart: These are complicated matters but it does...this was language that everybody agreed to and everybody was comfortable with.

Lindholm: I just know they have a lot of new board members and I just wanted to make sure that they were aware of what they were agreeing to.

Wenkart: Yes, they were fully aware. That part they, it's like laid out in the FCMAT report, this has been an issue with Capo as well. So it's pretty clear.

Mijares: Mr. President, may I comment?

D. Boyd: Yes, sir.

Mijares: I did have a chance to speak to Mr. Diaz and we spoke for probably about just under an hour. The nature of my conversation was based largely on the collegiality between our department and the school and if he felt that this process or anything in the MOU was onerous? And I was pleasantly surprised and I shouldn't be surprised but he was very complimentary of the relationship, the process that was followed, the fact that we met, it was very productive and positive meeting and meetings that were held. We talked about the dependency on the Chino school and I think what we have to keep in mind is that this is, this MOU buttresses the petition that you approved. It does not change that petition and you can't just summarily pick things out of that petition at this stage. So, in other words, the Oxford organization with the three schools they are married, it's a marriage. You can't just walk away summarily or impulsively on any aspect of that and we're not doing that here. We're simply creating a document that serves alongside that to assure that both you are solvent and we are solvent and we're working together. And I was happy to hear that he had no issue at all because I had heard that there were some things that might have been controversial and that's the reason I called him.

Wenkart: And I would just add that now that they've settled the Turner-Agassi issue that makes them much more solvent. So, the likelihood that there's going to be a problem with the transfer of money is less likely. But if we were to insist or force them not to transfer the money and they couldn't pay Turner-Agassi for example, if they hadn't settled, then Turner-Agassi could sue not only Oxford but could sue this board for not allowing Oxford to have the assets to pay them. So we have to be very careful about how we handle the situation.

D. Boyd: Dr. Williams?

Williams: I want to echo my good colleague Lindholm regarding that was the recollection, but it sounds like the good advice of our counsel and our superintendent we created this document. I always thought that we had a document but I guess we didn't have a document. So, it may be my old age, lapse of memory, grey matter disappearing, but now this is a new MOU that will supplement the original petition, is that right, Ron?

Wenkart: That's correct. That's exactly correct.

Williams: OK and so as our good superintendent said we can't do anything to change the petition language so this is augmenting making it stronger. Making it more clear?

Wenkart: Yes, and this is to give both parties a guide on how to proceed forward. We've been working with them and you know, they had a few issues, a few problems as you know. I told you about a lot of those. So we're working with them and they've been trying to solve them and they did solve the Turner-Agassi issue which was a big one, so we're moving forward. This is a guide for us to move forward together.

Williams: And just for the record, the Turner-Agassi could you put it into record what happened?

Wenkart: Yeah a claim with Turner-Agassi over a lease purchase there was a potential liability of over a million dollars. It was settled by the insurance carrier for Oxford, paying 1 million dollars and I believe it was a minimal amount that was paid by Oxford directly. \$7,500 which is not significant budget-wise. So, that removes that potential \$1-million-dollar liability from the equation. Certainly, puts them on a much for solid ground, fiscally going forward.

D. Boyd: Now if I recall the potential liability was well beyond ... 19 million dollars?

Wenkart: Yeah, in that neighborhood. It was a large potential liability.

D. Boyd: So that's a major hurdle.

Lindholm: I just want to thank our superintendent because I brought some concerns to him several months ago on this issue. And he has been very kind and thorough and responsive in helping us ensure that financial liability is not over the top and I just wanted to thank him and thank him in public.

D. Boyd: Dr. Williams? Ms. Gomez?

Gomez: Well I was kind of following Trustee Lindholm's lead on this too. On page 9 of the agreement where it talks about the insurance and risk management. I had a little heart burn over B2 where it says the deductible per occurrence for said insurance shall be up to \$100,000 as long as OPASV has sufficient reserves. So, what if they don't have sufficient reserves? Then what?

Hall: I just want to add that we have healthy reserves and the what if is certainly there. Currently our reserve for Saddleback Valley is over \$250,000 so we're very confident that we'll be able to uphold our end of this memorandum of understanding.

Gomez: Hopefully we never have to use it.

Hall: Hopefully.

Gomez: It was the language as long as the reserve...that gave me a little heartburn.

Wenkart: That's one of the things that staff will monitor to make sure that they maintain the reserve. But if they don't and they have to come up with the deductible they may have to take the money from somewhere else in the budget. But hopefully that won't happen. We'll be monitoring them to make sure that they maintain adequate reserves.

Gomez: Ok, thank you.

Hall: And we'll happily provide our budget updates and I do have our most recent one and I'm happy to provide that to staff, to you. And I do want to say that Mr. Diaz was very sorry that he could not be here today, he made every effort, and he was very grateful for the opportunity to speak with Dr. Mijares and if there are any other questions I can answer, I would certainly be happy to.

D. Boyd: No, just a comment. I'd like to thank your board for entering into this negotiation. You didn't have to do that, there's no legal requirement. But I think your board probably recognized that it was in their best interests at this point in time given all of the events that have taken place. Going off topic for just a moment, Ron. Next month we'll be considering the Vista Condor application. That's a different corporate structure than what we have here so it will not be under one umbrella. The elementary school will be separate from the middle school.

Wenkart: They are also, well, the corporate structure is pretty similar because Dr. Wilson is the superintendent of the overall corporation, the nonprofit. And the nonprofit runs approximately 4 or 5 schools. He's not still here, he could explain it better but in the petition there's a chart, an organizational chart that shows how they're organized and they have the school in Los Angeles, they have the school here in Orange County. I believe...

D. Boyd: So there will not be a separate entity?

Wenkart: It's a similar structure to Oxford's.

D. Boyd: So conceptually, I hope this never occurs, but we could be faced with the same situation?

Wenkart: Right. One board for all the charter schools.

D. Boyd: Alright. That's all I have. We have a motion and a second to approve the MOU between the board and Oxford Prep. All in favor?

Several Ayes.

D. Boyd: Opposed? Abstain?

Lindholm: Abstain.

D. Boyd: Alright. Any closed session today?

Wenkart: No closed session item, just a quick, if I could just give you a quick update on what's happening with the litigation. There was a notice of appeal was filed so the next step is a record, you have to designate the record on appeal and then there's a briefing scheduled and the court then sets briefing schedule then you have oral argument then the court issues its decision. So it's a relatively slow process. It could be several months before they designate the record on appeal. It could be several months before they issue the briefing schedule and that usually goes about 3 or 4 months and then they set oral argument which is usually 6 months or so down the road and then it could be anywhere from 6 months to 2 years before the court of appeal issues its decision. Sometimes it goes a little faster it's just hard to say. That's kind of it. There's nothing more substantive to report at this point just that they filed the notice of appeal and it's moving forward.

Williams: Question.

Wenkart: Sure.

Williams: So, during the appeal process is the ticker moving for legal bills for us?

Wenkart: Well, it will as they have to file a brief. But right now there's nothing much happening and that's the reason I'm giving this short report so that we don't incur any legal fees. Very little attorney's fees right now. Once they designate the record on appeal and the court issues the briefing schedule then we'll have to review the other side's brief then they'll have to write a brief for the board and then they'll have to...then we'll start incurring legal fees again.

D. Boyd: Regrettable but here we are. And of course we have no idea what those fees are going to be but at the appellate level, do you think the fees when all the dust settles, assuming it doesn't go up another level, be equivalent to what we paid to date?

Wenkart: I'd say in that range. I would say in a range of \$20,000-\$40,000, somewhere in there.

D. Boyd: OK, thank you. We'll go to announcements, to our superintendent.

Mijares: Thank you Mr. President, members of the board. Great to be with you today, a great meeting we had. I really loved the presentation by the charter school. All of the charter schools, by the way. I just wanted to acknowledge the wonderful work our staff did on the Teacher of the Year celebration. Which took place on the 24th of October. Thank you Mr. Boyd and Becky and Jack for coming. It was wonderful to see you there. I think that the teachers enjoyed that too. As you know, we celebrated 62 distinguished educators which really if you compare that to the 24,000, that was the size of the pool, these were really the cream of this past year. It was a spectacular event. For the record, I thought I would just mention the names of the finalists that

we had. One is Gregory Paul Gardiner, from Edison High School. In fact, he was named one of the five state finalists in California. And we're very lucky, fortunate really and actually talented is a better word in Orange County because we've had that many times. Our teachers out of the county rise up to the state level. So we'll see what goes on with that as the time moves on. Barbara Bennett of North County Continuing Education at North Orange County Community College was also a finalist. Vincent Saporito from College View Elementary School in Ocean View School District, who by the way is deaf and hard of hearing. He comes in that category as his challenge in life and he's just an amazing teacher. I knew him from Santa Ana because he used to teach there and it was fantastic seeing him again. He's now working for Ocean View. Tiffany Badger of El Dorado High School in the Placentia Yorba Linda Unified School District, and Carlos Primiani of Leo Carrillo Elementary School in Garden Grove School District. Those were the finalists and I wanted to acknowledge that. You know that also on the 2nd of this month, I attended the Irvine State of the School Breakfast. Fantastic opportunity. Some members of the staff were here and had the chance to listen to Terry Walker the Superintendent talk about the school district's vision for the future. It was very exciting, very exhilarating to see what was going on with Irvine. I probably don't have time to get into all the stuff there but it was great. Then, I want to let you know that I had the chance to meet along with Dr. Hittenberger we met with Susan Mas and the Dean of the School of Education at UCI, Dr. Arum, and perhaps the possibility of a school of humanities here in the county that would be a relationship with the University of California Irvine and potentially the Orange County Department of Education. We're working to see how that might look in terms of its development in the future. I thought it was very heartening to have UCI as a school of ed step up and want to do something for the county on the K-12 level. Then I want to let you know that on the 7th at the CSBA meeting, I will be moderating a panel on the Local Control Funding Formula. The panelists will be a person from CCSESA, it's the superintendent of the El Dorado County Office of Education, We'll also have Carl Cohn from the California Collaborative for Educational Excellence and then the head of Pivot Learning will also be present. I threw out Carl's name because he's well known in the state and if you have any desire to hear more about the California Collaborative for Educational Excellence, we will be meeting on the 7th of December. So, if you're at the CSBA Conference and you want to come to that, it would be great to have you. That's all I have under my reports, Mr. President.

D. Boyd: Thank you. Nina?

N. Boyd: Just as a reminder we'll be closed this Friday in observance of Veteran's Day. Wednesday, December 13th is the next board meeting, submission deadline is November 29. The Office is going to be closed for the winter holidays December 25, 26, and 29. We'll send you a reminder with regards to that. And we've just received notification of the Sunburst Graduation which will be Saturday, December 9th at 9:45 am, in Los Alamitos. Invitations to the board are extended and you can RSVP to Darou so that we can recognize you if you are able to go to the graduation. We'll continue to update you on graduations as they're occurring throughout this year for both the ACCESS program and our Special Schools. We also are receiving an award, Golden Bell Award, at CSBA. So some of you have RSVP'd that you would, since you're going to be at the conference you'll be able to go to that reception on November 30th. So we want to remind you about that and if you have any questions contact Darou or myself. That's all I have, David.

D. Boyd: OK. Since Dr. Bedell is not with us, he's our legislative person so we'll not have an update. Board member comments, do you want to start us off Trustee Lindholm?

Lindholm: Yes, thank you. Two comments basically. Let's, because we've had a lot of challenges with charters and conflict of interest code, ask that every time we have a workshop, the conflict of interest is part of that. Can we do that? Do we have one a year or two a year?

N. Boyd: We have one formal meeting with them per year but then we have informal meetings with them or if we bring clusters, depending on circumstance. But in August of each year we have, where we bring all the charters together.

Lindholm: I would just suggest if it's ok with everybody that we include at least 15-20 minutes on the conflict of interest and not having a business interest if you are a board member. Not for us, for the charter school people. Then the other thing I just wanted to share because I've been reading this in the Orange County Register talking about the digital generation. We often have people say what about the kids that don't have computers at home or tablets at home and if you actually look at what the studies have said, it's astounding among 0-8 year olds with 95% having a smart phone in the home, 42% have their own tablet, own a mobile device, like 99%, high speed internet, 95%. With a tablet it's 74% so we're actually, they do have access. I just wanted actually, statistically, to see that they do. It's pretty amazing. Oh, they also spend 2 hours and 19 minutes a day on mobile devices. Watching television, dvds videos, video game players, computers, iPod and virtual reality headsets. So, it's that generation and we need to keep up with it. That's all.

D. Boyd: Dr. Williams?

Williams: Oh, just a couple thoughts. I like the updates we get. Maybe we can, I don't know how my colleagues feel about setting a time limit on them? They get a little long.

N. Boyd: We actually do have a time line. We haven't put a timer on them which would be the question to the board, and I was going to ask you because I noticed that. We brief them on that they cannot exceed 15 minutes because that's what we were told. So we've tried to encourage them that they're just giving some updates 5-7 minutes and then field questions from the board. This one went a little bit different. So, the question would be if you want us to put a timer on them as opposed to just having the dialogue or we can continue to encourage them that they don't want to go beyond 5-7 minutes because they want to allow time for questions.

Williams: I think that's reasonable.

D. Boyd: I do too. And if it turns out to be a complex topic that is going to be longer than 10 minutes, needs to be longer than 10 minutes, perhaps the Executive Committee could make that call.

Williams: Also, a comment. We last month discussed the website issues and going through the website I did not find our board logo on our website. It has the OCDE logo so I would just request that we put our board logo up there.

N. Boyd: I did receive that information from you Dr. Williams. We are going to try to bring at the next board meeting all of the changes pursuant to what came from the last conversation. They are going to be able to put the logo on there. Also looking at some reformatting. They're working on a request from Trustee Lindholm with regards to being able to do a search within the board pages. So they are working through that right now. They're trying to separate that. So, we're hopeful that by the next board meeting we'll be able to show you something to satisfy some of the concerns and separate some of that.

D. Boyd: Trustee Gomez?

Gomez: I was just honored to be at the Teacher of the Year dinner. I really love that event and hearing all the stories. That's always very fun. I would like to share with you, and it got brought up today that Currie Middle School teacher, Zachary Samarian was actually honored at the Tustin Business Records lunch for his class. I actually started working with him about 3 years ago where he actually brings his class in and they do a shark tank type of thing. I sit there, our deputy city manager, some of our economic development as well as local business leaders, so there's a panel of about 5 people and these students come in and present their ideas to this group. He was honored at the Tustin Business lunch for inspiring young minds. I think that was a good example of our local schools and our businesses collaborating and recognizing some innovation in the schools. That's all.

D. Boyd: OK. We have no additional public comments. So with that do I hear a motion to adjourn?

Several voices.

D. Boyd: We are done.