

Board Meeting 9-12-18 Transcription

[MUSIC IS HEARD PLAYING SOFTLY IN THE BACKGROUND AS AUDIENCE MEMBERS AND BOARD MEMBERS TAKE THEIR RESPECTIVE PLACES. PRESIDENT WILLIAMS BEGINS THE MEETING BY STRIKING THE GAVEL FOUR TIMES]

Williams: Good morning, good morning. Our regular meetings are typically held at 10:00 a.m. unless otherwise noted. The Board schedule can be found on our website. Agendas are available at the back table. Anyone wishing to address the Board or to express their free speech rights is required to complete a card so we can know what you're interested in doing. Please submit the completed card to our board reporter, our good Darou. You will be allowed three minutes per meeting and you cannot give your minutes or time to another person. This is a public meeting and we're obligated to be respectful of and demonstrate civility towards the Board, our good Superintendent, our good staff and the other guests that are attending this public meeting.

Anyone deemed to be disruptive will be requested to leave and removed by the Orange County Sheriff Deputy, pursuant to Penal Code 403 and that's posted on the left side of the door entry there. Penal Code 403 is defined by every person who, without authority, willfully disturbs or breaks up any assembly or meeting. Examples of disturbing a public meeting include, but is not limited to, verbal outbursts, standing up during the meeting to draw attention from the dialogue, clicking fingers, clapping hands or other undefined actions.

Thank you for attending the board meeting of the Orange County Board of Education. I now call this meeting to order. Typically, we begin our meetings with an invocation and we have the pleasure of Pastor Lebsack from Plaza Bible Church, here in Orange. If you may, you want and desire we usually and typically stand.

Pastor Lebsack: Let us pray. Lord, we come together and as we do, I am honored with the task of being able to come and to seek to add some kind of inspiration and to help us all remember that what is done today is going to affect over half a million students. And as I walked in and I saw that they have right in front a motto saying that, "In God We Trust". I was the one who was inspired and I am the one who is honored to be here, because as a citizen of so...of Orange County since 1966, me and my family have been the beneficiaries of the good work of the people who have served here in this building. And I am most grateful for them and would ask that you would in a special way bless them for their service.

We ask today that you would give to them wisdom, that they would be good stewards, and be able to focus the resources that are available today and hopefully available tomorrow, to do great good for many students to prepare them for a life that is going to in many, many ways, help support us when it comes our time to need that generation to come forward. Lord, there are inherited challenges and I ask that there would be great discernment and how to deal with those. There are present opportunities and there are future obligations, and I pray that this board will be given that capability today to be aligned, and their solution making processes, and that as we go forward, we remember that leadership is a privilege. And each one here, in a special way, may they be granted your wisdom in the name of our Lord. We pray.

[BOARD AND AUDIENCE MEMBERS REPLY, “AMEN”]

Williams: Please stand as we will have our Pledge of Allegiance led by our good...good Jeff Hittenberger.

Hittenberger: Please join me in the Pledge of Allegiance.

[BOARD AND AUDIENCE MEMBERS JOIN IN AND RECITE THE PLEDGE OF ALLEGIANCE]

[ALL]: 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.

Hittenberger: Thank you.

Williams: Very good and for the record, Trustee Sparks is out of the community. She's actually in France enjoying herself with Chapman University staff and board, so she will not be physically present, but her image is up on the computer there. Trustee Sparks, are you there?

Sparks: Bonjour.

Williams: Okay, wonderful. So we will have roll call. Darou?

Sisavath: Trustee Sparks?

Sparks: You see, I'm here.

Sisavath: Trustee Barke?

Barke: Here.

Sisavath: Trustee Williams?

Williams: I'm present.

Sisavath: Trustee Gomez?

Gomez: Present.

Sisavath: Trustee Bedell?

Bedell: Here.

Williams: Very good. May I have a Motion for the adoption of today's Agenda?

Barke: I make a Motion to adopt today's Agenda.

Williams: May I have a Second?

Gomez: Second.

Williams: Second. We have a Motion; a Second. Any discussion? Being none, all those in favor say, “Aye”.

[THE BOARD MEMBERS SAY “AYE”]

Williams: Nina help me out here, because Trustee Sparks is not here, does it have to be a Roll Call?

Associate Superintendent Boyd: We do need to do a Roll Call on all Action Items.

Williams: Okay.

Boyd: So, yes.

Williams: Oh.

Boyd: So, Darou would make sure that she's doing Roll Call for everything.

Williams: Okay, so my bad. Trustee Sparks, because you're not here we've got to do things a little bit differently. So, we're going to have Darou do the roll call for the Adoption of the Agenda.

Sisavath: Trustee Sparks?

Sparks: Okay.

Boyd: Do it again, she...

Sparks: Yes?

Sisavath: Trustee Sparks?

Sparks: Here.

Bedell: Point of information.

Sisavath: Trustee Barke?

Barke: Yes.

Bedell: We're voting on whether to Approve the Agenda?

Williams: Yeah.

Bedell: Okay. My question was why wasn't this information on the Agenda? Wasn't that required to where the Agenda's supposed to have listing of where people are?

Boyd: It is listed in the back of the Agenda.

Bedell: And the...on the new one? I'm sorry, then I apologize, Mr. Chairman, I missed that. I see it right here.

Williams: No problem, no problem.

Bedell: Thank you. Thank you.

Boyd: And it was posted on...we verified the posting last week as well.

Bedell: Thank you very much. Thank you, Lisa.

Williams: An unusual oversight for you, Doctor.

Bedell: Yes, yes, yes.

Williams: Usually...

Bedell: You can blame my new eyes.

Williams: Yeah, I mean your critique of my writing is always dotting the eyes and missing slashes across...

Bedell: And your dangling participle.

Williams: And my grammar. Yes, yes. Okay, so...

Sisavath: Trustee Williams?

Williams: I'm here.

Sisavath: Trustee Gomez?

Gomez: Yes.

Sisavath: Trustee Bedell?

Bedell: Here.

Williams: Very good. Moving on with our meeting. May I have the Motion to Adopt the Minutes from our August 7th meeting?

Barke: I make the Motion to Adopt the Minutes from August 7th.

Williams: Motion. Do I have a Second?

Gomez: I'll Second but I do have some corrections.

Williams: Okay, what are those corrections?

Gomez: Page 5 in the Call to Order? I believe you called the Meeting to Order, not Dr. Bedell. I think that's probably just an editing thing, and then on page 8 under the Inter-District Appeal Hearing, third paragraph where it talks about the Motion: "Uphold the decision of the School District." Well, the School District is School District. So, I think we just need to indicate which School District we were upholding because it's very confusing.

Williams: Okay. What was that?

Gomez: Number 13.

Williams: 13.

Gomez: Third paragraph where it has the Motion. I'm on Page 8.

Barke: Number 15, is that the one?

Gomez: Number 13, Page 8, third paragraph.

Williams: Where is 13?

Gomez: Under Inter-District Appeal.

Williams: Oh, they're out of order.

Barke: Okay, I see.

Gomez: Okay? Where the third paragraph. It says: "To deny the appeal and uphold the decision of the School District." Well, these were two School Districts. So, we need to clarify which...which decision we upheld, and in that case it was the Tustin School District who was refusing the...

Williams: That...that is correct.

Gomez: Yes.

Williams: From my recollection.

Gomez: Yes, so it needs to indicate that it was Tustin, not Orange because it's...it's vague. We don't know which district it was referring to. So, with those corrections, I'm fine with the Minutes.

Williams: Very good. Excellent observations. Thank you very much, Trustee. Okay, so we have a Motion; a Second. We have corrections. All those in favor. Darou?

Sisavath: Trustee Sparks?

Sparks: Yes.

Sisavath: Trustee Barke?

Barke: Yes.

Sisavath: Trustee Williams?

Williams: Yes.

Sisavath: Trustee Gomez?

Gomez: Yes?

Sisavath: Trustee Bedell

Bedell: Yes.

Williams: Very good. Moving on with our meeting to Public Comments.

Boyd: We have...

Williams: How many Public Comments do we have?

Boyd: 10 Public Comments and then 2 Public Comments for Item Number Four, specifically. So, I'll start with...I will call off the first two names. So, the first person would go to the podium and the second person line up next to the wall. And then, we'll continue in that order. Jill marks followed by Michelle New.

Marks: Good morning, President Williams, Superintendent Mijares, and Trustees. My name is Jill Marks and I wanted to drop by and introduce myself. I am the new and permanent Executive Director for Oxford Preparatory Academy and my first day at work was August 13th, so it's been pretty...about a month and I am looking forward to working with...with you. I have begun working with your...with personnel from the Charter Schools Unit and we're...we're have maintained frequent communication. I am looking to bring even more stability and sustainability and vision to our...both are Charter Schools, but to Oxford Preparatory Academy on Saddleback Valley campus and I...I come with Charter School experience.

I founded two Charter Schools in Riverside and Riverside County and I...my track record has been such that all the audits have been very clean. No legal actions. So, I believe I've run those schools very well. I also bring with me a...a vast experience with Early College High School and dual enrollment development. So, please feel free to tap on me as I know you have some Early College High Schools and may be looking at developing more dual enrollment relationships. So, I'm here as a resource as well. So, I look forward to attending your meetings in the future and I think that's it. Thank you for your time today and look forward to seeing you next time.

Boyd: Michelle New followed by Christina Gonzalez, and Lisa, we're going to turn you so that you can at least see the person at the podium.

[RENEE HENDRICK MOVES THE LAPTOP TO FACE THE SPEAKER PODIUM]

Sparks: Okay, great. Thanks.

New: Thank you, Board, for hearing me today. I just want to point out before I get started that my daughter, knowing...in public school daughter knowing what we're up against gives me these little cards, tells me she loves me because I won't let her come here and speak for herself because she's only 11. I have another daughter who wants to come speak but I told her she needs to stay in class, get her good grades. So, I speak on behalf of both of my two daughters. Let us not fall into these biased curriculums and the argument that AB 329 is law. So, who cares if the law is inaccurate and biased which, in fact, breaks Education Code 5193 OB4 while taking away parental rights at the same time?

One of the most...one of the most common tactics of the local electeds and a group pushing a specific agenda who support AB329, CHYA, is to scream equality while demeaning and insulting anyone that disagrees with them. We've seen this firsthand by the way they've treated some of the Board Members here just because their values and beliefs are different, and you know whom I'm speaking to. These curriculums are not supported scientifically or medically, not to mention the sociological consequences on our children. These progressive groups are very adept at exploiting anyone who doesn't adopt their views by crying out lies of hate and bullying, trying to divide the LGBTQ+ from everyone else, stating their rights are more important than everyone else's individual rights.

They use the language of liberal discourse, Free Speech, anything goes, blame anyone with religion identity even if religion doesn't play a part of it, blame them anyways. All the way to push their way into the public sphere and potentially drowned out anyone with a different view. They use the platform to argue that anyone that isn't in the LGBT community or their allies as they refer to are out to get them, hurt them and even eradicate them. Eradicate; crazy. They say that we are a threat to LGBTQ and must be silenced by muddying the waters with their lies of crying out hate. However, when we look past their lies and smoke screens for truth, we will see that this is not a question of hate, religion or opinions, but rather a constant struggle for parental rights and protection of our children.

We are not asking you to break the law. The law is settled. I think we can all agree to that. What we are asking you to do is to adopt curriculum that is medically accurate and unbiased. We're asking you to make sure the curriculum doesn't include and teach over and beyond what the law requires. From what I've seen and researched all the curriculum currently that's out there goes far

beyond what the law requires. We are also asking you to incorporate a parental opt-out under Education Code 51932B, gender identity, gender expression.

Boyd: Your time is up.

New: How much can we...how can we claim inclusive...being an inclusive environment if we're only protecting one group?

Williams: Thank you Michelle.

New: Thank you so much.

[AN AUDIENCE MEMBER CLAPS]

Boyd: Christina Gonzalez...

Williams: Please no clapping.

Boyd: ...followed by Shonda Labatos?

Gonzalez: Good morning Board Mem...Members of the Board. My name is Christina Gonzalez. I'm a parent, a grandparent, and a lesbian. I read the recent Register article about the Sex Ed controversy. Because I'm a lesbian you may assume I endorse these teachings. I endorse non-discrimination, anti-bullying and safe school climate. However, I do not think the state approved curriculum is helping that cause. Yes, it's important that no one is marginalized and that every child is valued no matter race, size, gender or whom they choose to love. However, that does not mean parents should lose their rights. Sex Education should be objective and factual so kids can make informed decisions. However, teaching the values behind it should be left to the parents.

I come from a very diverse family. Some are very religious. Some are not. We may not always agree on everything but we...that doesn't mean we don't love each other. I was appalled at some of the quotes I read from the Teen Talk curriculum in the news article. I'm mostly appalled that this is coming from our state and being pushed by the ACLU. If the ACLU really wants the LGBT community to be safe then why are they promoting medically inaccurate curriculum? The GLSEN's website, which stands for Gay Lesbian Straight Educators Network. It states that LGBT youth are at a higher risk for HIV. Therefore, all the more reason our LGB kids need medically accurate information in order to prevent HIV.

I looked up the parent notice for a comprehensive sex ed online, a template created by the ACLU and the first promise to parents in that letter is the kids will be taught FDA-approved contraceptives. So, parents are being lied to. I did my own research about condoms not being FDA approved for anal sex and found it was a gay HIV National activist who uncovered this with documentation from the FDA. His site is accredited by the HIV/AIDS web archive and health on the net, which is the same accreditation as the Health Line and WebMD. Many lesbians do not embrace this Gender Spectrum idea that gender is based on perception and not biology, that you can be both male, female, neither, fluid or make up your own gender identity.

Many lesbians feel this is a bad...this is bad for kids and since the mind does not fully develop until 25, these ideas should not be taught in school. Kids are not social experiments. Please don't assume everyone in the LGBT community supports this. If you don't believe me just Google get the L out of LGBT, you'll see a lesbian movement that is angry with the attempt to blur the gender lines. Thank you for listening.

Barke: Thank you.

Boyd: Shonda Lobatos followed by Nina or Nina (sounds like Neena) Simonds?

Lobatos: Good morning, Board Members. My name is Shonda Lobatos. I'm from Anaheim. I don't really have a speech prepared. I'm here as a mother and I don't know if the Board is familiar, but I've been working with Anaheim Elementary School District upon realizing that there were Safe Zone signs on the school. With those signs being displayed, there were different emails sent out, diversity weeks coming from welcoming schools. I've been going back and forth. The Board has Earth School Board and the administrators saying that they have not implemented any type of welcoming schools or things of that nature. Unfortunately, I'm getting the FOIAN and they've been planning for months: Safe Zone signs, taxpayer monies.

Lots of trainings regarding this information. So, there's a discrepancy in what's being told. I'm still getting the information in and I have a severe problem with it and it's concerning that I feel as though and I'm... I'm assuming that I'm being lied to as a parent. As I stated before, I have a Master's degree in Psychology. I supervise in-home behavior programs. I'm a Case Supervisor. I do functional assessments. I understand where developmentally children are supposed to be.

So, if there isn't this collaboration with the school district and you're implementing ideas and concepts that are based upon ideology, and I say that because the data in which Gender Spectrum comes from was skewed data, then we're having an issue with where the children are receiving the information and it's not fair. I just found out from a parent after speaking to a parent that at Ball Junior High, this is a little bit off subject. There is a transgender child there, but guess what? He claims bisexual. How is that even safe for the other children at Ball Junior High? Thank you.

Boyd: Ms. Simon's followed by Lynn Riddle.

Simonds: Good morning, President Williams, Trustees, Superintendent. My name's Nina (Neena) Simons. I'm a resident of Laguna Niguel. I have a small business there and I have two school-age children. I am very concerned about the proposed forum and believe it is a waste of taxpayer dollars. I believe that the Board is actually biased and that this bias is harmful to the children of Orange County. Here is why I believe this. As I understand it, the Board wants to hold the forum to present medical research and focus on the facts. The research has already been done. CHYA is informed by research and it is validated by rigorous standards.

The California Health Youth Act insists that the information taught be medically accurate already, and it is already been...my understanding is it's been recognized and they've used professional organizations such as the Center for Disease Control and Prevention, the American Public Health Association, the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists, has already been built into the law. The Board also states in the resolution that public schools cannot command students to use specific words or pronouns that conflict with their religion. The law as written isn't commanding any such thing. The intention of the CHYA is to provide inclusive and comprehensive language for all of our students.

It requires teachers and educators to recognize different sexual orientations and be inclusive of same sex relationships. I believe this is what is most fair to all of our children. If a parent doesn't like the way sex education is being taught in Orange County schools, they do have the ability to

opt out. They don't have to send their children to school that day. As far as I understand, that's the way the law is written. The CHYA interpretation implementation maybe offensive, you mentioned in your resolution. It is not the job of public education, in my view, to sanitize the facts about students reproductive health. Sex education by its very nature is messy and an embarrassing topic for a lot of kids.

It is not...it is our responsibility to share facts and medical research and to make sure that all of our kids have the information that they need to feel safe and to know what their responsibilities are as they're growing into adulthood. So, as the resolution has stated and as the forum has been presented, I as a taxpayer in Orange County, cannot support what you guys are planning for September 26th. I believe it is...is going to do little to provide the education the community actually needs and I believe that you will be actually validating inaccurate information and we will be taking unnecessary...unnecessary action in relationships to the law. Please don't waste our resources on this forum. Thank you.

Boyd: Lynn Riddle followed by Shannon Boccignone. I'm sorry.

Riddle: Good morning, members of the Board. My name is Lynn Riddle. I'm a resident of the County of Orange and I am a retired federal judge and I served here in Orange County. As I was at your meeting on July the 11th, I'm here today as an advocate; an advocate for the law and for the respect of law. I recently sent to you, I actually delivered hard copies to each of you, a memorandum of law, but I call it a teaching memorandum that sets out my legal research summaries and my understanding of the legal context regarding the duties of this County Board of Education to facilitate, not to hinder, the duties of this County Board of Education: to uphold all statues...statutes that are passed by the California legislature including, of course, the California Healthy Youth Act.

And once again, and for the reasons that I've stated in my memorandum, I do implore you, this Board and the...and the Board's President, to today rescind your Resolution 1418 and to cancel this Board's planned September 26th forum. I begin by reminding you as I have in my memorandum that this Board, like every other Board of Education throughout the state, is an administrative agency of the State of California. Our California Constitution delegates all educational authority the absolute authority over all schools in the State of California to the California legislature, and this Board is an administrative agency of the State of California and it was created for one purpose and one purpose only, and that is to carry out all of the directives issued to it and through the California legislature and its administrative agencies.

Let me remind you as well of what I think is the wrongheaded thinking you've followed in getting to a sorry point where you're hosting a forum to, and I say supposedly, have a debate on the pros and cons of the California Healthy Youth Act and more wrongheadedly, even, to have a debate with respect to what is the status of the law regarding some suggested notion that parental rights somehow call into con...to question the constitutionality of the California Healthy Youth Act. And let me remind you how this Board got here, how we got to questioning whether or not this is a viable and enforceable law. And I remind you of what your President Williams said at a meeting on April the 11th, 2018 and I quote directly, and this is was with respect to both the California Healthy Youth... Youth Act and also with respect to our California legislature. And...and he said this.

Boyd: Your time is up.

Riddle: Please let me finish.

Williams: Let her finish.

Riddle: “I am so troubled by the ruling political class that's in Sacramento dictating to parents what they can and cannot teach their kids, and that's the troubling aspect and this very, very fascist like and that's troubling.” This is very, very fascist like. The legislature is saying you will listen to this even if it disagrees to your religious values, and that's the problem with this. You can opt out of Sex Ed but you...but as far as political indoctrination, political correctness and cultural issues for these parents who feel so strongly they're going to break the law, and we're going to force some of them to become criminals. That's what led us to where we are today. CHYA is the law. I implore you to implement it as you're required by law. Thank you for listening.

Boyd: Shannon...and I'm sorry. Is it Boccignone? Followed by Susan Mayer.

Boccignone: Hi. I guess I'm just troubled that I don't want it to be a fight and us against them because we all have kids in school. We want all of our kids safe and I feel like really sad about if kids aren't feeling safe, but I feel like it's very graphic and I think it's overboard, and I think they should just stick to the facts and biology and not sexualize the kids. I think that's the parents' choice and there should be an opt-out for the transgender stuff it be. I don't know when it starts but I feel like it starts really early and it's confusing for the kids and I just wish that there could be something we could all agree on to just teach the basics and include everybody but not graphically. That's all. Thank you.

Boyd: Susan Meyer followed by Gia Gaffaney.

Meyer: Good morning, Board. My name is Susan Meyer. I'm a resident of Orange County. I'm a parent of a student in high school. I am opposed to this Board holding a forum on the California Healthy Youth Act as I believe the purpose of this forum is to thwart the law. It's a law. It is your duty and responsibility to fulfill the law and to assist and help the school districts in Orange County to perform their duties and follow this law. I believe that because of the personal religious beliefs of Trustee Williams that he is trying to prevent the comprehensive program that is before you. On Items 4, is the mission statement posted? I'm not sure that it is. On Item Number 5, how much of the taxpayer's money is to be expended on retaining the legal counsel?

On Number 6, how much money is to be expended for retaining the legal counsel as moderator of this forum? And on Number 7, how much of the taxpayer's money is to be expended? Is the \$6,000 in here the total amount? Does that include retaining the attorneys both as legal counsel and as moderator? It doesn't say that in here but I'm here to tell you that I am opposed for any money to be spent...any of the taxpayer's money to be spent on a forum and the forum's purpose is to thwart the law. In fact, I am demanding that no public funds be spent to thwart a law enacted by the California legislature. It is not your position to do that. Your position as Trustee is very important.

The Trustee of a trust has a fiduciary duty to the beneficiaries of the trust to take only those actions that protect and benefit of the beneficiaries and to never while acting as a Trustee take any action prompted by or benefiting the Trustee's own interest. How do I know that this is the

own interests of Trustee Williams? Because of his statement. If you just go into the Orange County Board of Education, look under Trustee Williams' name. You will see his statement.

Boyd: Your time is up.

Meyer: Trustees who violate their duty to trust they serve may be held liable for damages to the trust.

Williams: Okay.

Meyer: You may be held liable for this.

Williams: Thank you, Susan.

Woman: I'd prefer you don't say my name because someone's live blogging on a propaganda website and I don't feel safe, if that's okay. Anyway, may I begin without saying my name?

Williams: Please hold. So, civility is very important in this meeting and respect for everybody despite...despite our differences of public policy and governance is important. So...

Woman: I don't feel safe though. That's not being uncivil.

Williams: Yeah. So...so, I'm not saying anything negative or in toward. I'm just generally addressing the guests who are here today. So, let's...let's be civil and finish up the...the Public Comments are not for a dialogue with the Board. That's not the purposes. The purpose is to express your free speech and to tell us your ideas and concerns.

Woman: Great.

Williams: You may begin.

Woman: Thank you. So, I have one child in elementary school in Orange County public and then the other one is in a private Christian school and it's interesting to me how much religion has already been mentioned today. So, I just wanted to make the point that religion used to be the reason used to segregate children by race in schools against the law, and the argument was that if God wanted races to mix he would not have created separate continents, and that argument has even made it into more than one Supreme Court opinion. Religion has also been used to suppress scientific evidence about Evolution under the theory that the Bible should be interpreted literally and that the world was created in seven days, even though that goes against what we know about science.

And now it seems to me that a gang of parents are trying to use their political power over you to hijack the law and argue that God is somehow the reason we should withhold scientific information about gender identity and sexual orientation, and this would be a mistake. For one thing it would prevent teenagers from making healthy choices and I teach at a local community college and can tell you that there is a disproportionate impact on girls and boys because half my female students drop out Freshman year because of pregnancy. They have maybe not been given enough information about how to make healthy choices. We know now also that information is important to prevent extreme harm to vulnerable student populations not just LGBT students.

Autistic students, lots of different groups of students. And speaking of autism, we know that learning about autistic students does not somehow turn children autistic, does not confuse them about whether or not they have autism or other learning disabilities. It gives them more information about how to be a friend. My daughter, for example, her best friend is autistic and she explains to me, "Here's how he feels fabrics. Here's how he hears noises." She also has a friend who's transgender and she tells me, "Do you know that she does this or the other thing?"

So, I would posit to you that this transgender stuff is not confusing to children. It's confusing to their parents and it's not your job to educate the parents.

This gang of parents appears to believe that learning about these things will somehow confuse their children and...and that their children will somehow decide to be one thing or the other. None of the medical or scientific evidence backs that theory. There is well-documented data on this that goes back actually hundreds of years. In the interest of time, I'd like to provide just two practical examples of choices that present themselves to almost every teenager and I mean the straight, white, rich, cisgender; all the privileged in the world teenagers to: 1) the opportunity to choose an effective form of birth control; 2) the opportunity to have a part-time job where you do not get disciplined for discriminating against your fellow workers or supervisors who might be LGBT...

Boyd: Your time is up.

Woman: ...because you have been given the information about what those words mean and that everyone deserves equality.

Boyd: Michelle Anderson? You want...okay. I'm sorry. Stephanie Yates?

Yates: Hi, I'm Stephanie and I just want to thank you and I want to think that you guys are holding this meeting because I know that we're going to hear from both sides of the argument and that it's going to be based off of medical and science, and I think that's what we all want. I know that there is a lot of confusion regarding the...the opting out and I have your memo that was released and I'm going to read it. I'm going to read the second and third paragraph. "In short, Education Code 5193A allows parents or guardians to excuse their children from all or part of comprehensive sexuality health education and HIV education.

However, Education Code Section 51932B states that section 5193A and the chapter entitled, The California Healthy Youth Act does not apply to the instruction materials or programming that discusses gender, gender identity and gender expression, sexual orientation, discrimination, harassment, bullying, intimidation, relationships or family, and does not discuss the human reproductive organs and their functions." So, it clearly states on here that it does not apply. And so, we can't fully opt out of the full two...two weeks that this is being taught, because it's not just one day. That's two weeks minimum and...and there's many parents that want this; many taxpayer parents that want this so I don't think it's one particular person on the Board or certain Board Members.

There is a whole County of parents that are very concerned about their children and...and don't...they know that a lot of the stuff in the...on the curriculum and the problem is not with the law. It's with the curriculum because we keep on hearing about the law and the issues with the curriculum being medically inaccurate. And it is biased and there's a lot of stuff that puts our children at health risk, and we're very concerned about that and we've had CHOK doctors, specialists, come to Board Meetings sharing about all of these things and we need to take those things into account. We need to have a curriculum that is medically accurate that...and that abides by the law; medically inaccurate does not it goes against the law.

So, we're not debating the law. We're talking about the curriculum. So, and...and I think that there's a lot of us out here that see that the Board Members are being bullied and threatened and I don't think that's okay because that's what goes against everything that's being taught to our children; not to bully and threaten. So, I hope that you know that there are many parents out here that support your guys' decision and we appreciate that you're taking the consideration of all parents and all children, and...and I appreciate that. Thank you.

Boyd: That's all of the Public Comments.

Williams: Very good. Okay. Are you still with us? Trustee Sparks?

Sparks: Yes, sir.

Williams: Okay, awesome. Okay moving on with the meeting agenda. May I have a Consent Calendar note for Approval?

Bark: Motion to Approve?

Williams: Motion to Approve, yes, and I need a Second.

Gomez: I'll Second.

Williams: Second. Okay. For Consent Calendar we typically do not debate on this. All those in favor?

Boyd: Roll Call.

Williams: Roll Call.

Sisavath: Trustee Sparks?

Sparks: Aye. Yes.

Sisavath: Trustee Barke?

Barke: Yes.

Sisavath: Trustee Williams?

Williams: Yes.

Sisavath: Trustee Gomez?

Gomez: Yes.

Sisavath: Trustee Bedell?

Bedell: Yes.

Williams: Carry on, moving on with Board Recommendations. Number 4. May I have a Motion to Approve the posting of the Board's mission statement regarding the California Healthy Youth Act?

Barke: I will make a Motion to approve the posting.

Williams: Motion. Do we have a Second? I will Second that.

Bedell: Thank you.

Boyd: And Dr. Williams, you have 2 speakers on this item.

Williams: Very good. Okay. So, let's have those two speakers now.

Boyd: Michele McNutt. Excuse me, 3 speakers. Michelle. Yes, and then I followed by Carol Crane or Crank?

McNutt: Good morning. My name is Michele McNutt. I'm a parent in Capistrano Unified. I have two children in 3rd and 5th grade and one son who's already graduated. I'm here to talk about your proposed social meeting for the Resolution for the California Healthy Youth Act. Medically based...medically evidence-based and medically accurate sex education is a basic human right and a core public health principle. The content of the California Healthy Youth Act has already been thoroughly researched and documented and it is supported by mainstream medical

associations as well as public health and educational organizations. The Ed Code is clear as to what constitutes medical accuracy and what is considered age-appropriate content.

There is absolutely no value in holding a community forum to discuss material that has already been meticulously reviewed, vetted and is now the law. Gathering a handful of your so-called experts to obtain additional evidence and facts will have no effect on the law or the way that it will be implemented within our districts. You are simply encouraging subjective appraisal of CHYA, much like we've already heard today and prior Board Meetings, which leads me to believe that you unfortunately lack a clear understanding of the law itself as well as your role as Board of Education Trustees. I'm from Capistrano Unified where CHYA has received its share of resistance.

However, I've personally been reassured by our Superintendent that CUSD must and will follow the law despite the fact that some parents disagree with its implementation. This sentiment has been noted publicly at several of our Board Meetings this year. Your proposed special meeting to debate an imaginary both sides of this issue have absolutely no impact on Orange County districts implementation of CHYA and your agenda only serves to create more fear and confusion in our community. Your role as Trustees does not include redefining the law.

You are all aware that you have absolutely no power to do this. You cannot change the law from this boardroom. Therefore, the public forum that you are proposing is completely without merit. Please ask yourselves are you...is the proposed Resolution and forum about supporting the health and the safety of your students, or is it based on politics and just another self-serving way to promote yourselves?

Boyd: Carol Crane followed by Laura Kanter.

Crane: Good morning, Board Members and Superintendent. My name is Carol Crane and I stand here before you as a 30-year resident of Orange County, a mother of three children whose attended...who've attended public schools as a retired educator and just concerned citizen. As a representative group, the Board has a social and moral responsibility to enact the law that has been deemed essential by our state government and its prominent health experts to our youth. STI's are at an all-time high. More than two million cases of chlamydia, gonorrhea and syphilis were reported in the United States in 2016, the highest number ever according to the annual sexually transmitted disease surveillance record...report released by the CDC.

The education will increase awareness and prevention. The harm of negative gender types is directly alienating and stigmatizing LGBTQ kids. For example, self-harm. With each instance of verbal and physical harassment, the risk of self-harm among LGBT youth is two and a half times more likely. Education and awareness will help prevent that. The Board's duty as an agent of the state is to carry out the law. The Board has a responsibility to ensure that all students have access to state mandated acts such as the California Health Youth Act. All right urge you to rescind your plan for the upcoming forum on September 26th and save the taxpayers \$6,000. Thank you very much.

Boyd: Laura Kanter.

Kanter: Good morning. My name is Laura Kanter. I am the Director of Policy Advocacy and Youth Services at the LGBT Center in Orange County and I'm here once again today to share that I am opposed to the forum and I have a couple of questions. I had actually written an email to the Board some...many weeks ago asking if we could please receive a list of the people who are being invited to be experts on this panel. I would like to know who's going to be on the panel so that we can find out if they're actually experts in this area or not. Secondly, I believe that it is absolutely ridiculous to spend \$6,000 of taxpayer money on this forum that is not going to do what needs to be done, which is education for the public about LGBT students so that they can understand why CHYA is important.

So, I do...I am requesting a list of the people who have been invited to be speakers and I am also asking that the forum be canceled. And lastly, when I was going to school both in middle school, high school and college, graduate school, I was taught that when you quote something that you should quote it exactly, and that to add something to a quote is actually wrong. And...and if you're a college student, you can get in a lot of trouble for that, I believe, and...and I think that in terms of your posting your mission statement, which I haven't seen but I'm gathering that the Resolution that you passed is going to be part of that mission statement. And in the Resolution, there is actually language that was added that is not part of the actual legislation.

So, I don't know what you want to call what that is, but I can read it to you. It's in the 1...2...3...4...5...6. I don't know how many 1...2...3...4...5...6...7 whereas before Section 13. If you go down to the one of the sentences it says there, "dot-dot-dot and the legislature recognizes that while parents and guardians overwhelmingly support medically accurate comprehensive or abstinence-oriented sex education, parents and guardians have the ultimate responsibility for imparting values regarding human sexuality to their children." The legislation does not include that. The California Youth Act does not have the words or abstinence oriented in it.

So, you all voted on a Resolution and passed a Resolution that basically has, I don't know what you call it. I don't know. Is it called a lie? Is it...I don't know. It's perjury. It's not perjury. It's...I don't know what the word is for it. Sometimes difficult...I have trouble with some words because...because I had a stroke, actually, so...so...but whatever that word is for what that's in in your Resolution, you have added words to this Resolution in quotes saying that this is what the legislature says...

Boyd: Your time is up.

Kanter: ...and that's very shameful.

Williams: Is that it for public comments?

Boyd: That is.

Williams: Okay. So, moving on with Item Number 4. We had a Motion by Trustee Barke and Second by my self. Any questions on the mission statement? I gave it out at the last meeting asking for any sort of input by my fellow Board Members. I received none. Any discussion on the...the purpose and the goals and the mission statement? This will be posted on our Board website. Yes, sir?

Bedell: Thank you, Dr. Williams. When this was approved to have this forum, my memory is it was a Board majority of 3-2, right? It was not unanimous. Am I correct on that? I know I was incorrect on the Agenda. I don't want to be correct...incorrect twice in the same meeting. Was it a 3-2 vote that got this, the forum?

Boyd: That's my recollection.

Bedell: Good, good. And that has been of concern to me because people have come to me and said what does that mean? But that's another story. I'm...that's minor to me. I like to go down to the 4th bullet of the 9 bullets. And I am the only one on this Board who was served on a local school board, I believe. I served 9 years on the Fullerton board and to my knowledge and I need this is the staff, I can tell you this is just a Bedell-ism off the top of my bald spot. If I got that from us, that would really tick me off.

Guidelines how...we're up here giving guidelines to the Local District who may not be having any issues. So, I don't know how we're going to do these guidelines coming out of a forum. That's a non-sequitur to me. It seems to me that we're going to have conversation. Hopefully it's intellectual and I like intellectual conversation, so I'm not as opposed to the idea of a forum, per se, as an intellectual arena. Okay, I like that. Okay, but, we're gonna...there's almost in that 4th bullet. How dare we tell the local districts, many of whom...and I...have we had complaints from the local districts that they want guidelines?

Boyd: Not that I'm aware of but their Board Members have indicated they've had some communication.

Bedell: From the Board? Is the Board has vo...because you're not saying here provide Orange County Board Members or select Board...you're saying school districts can. That's different than 1 or 2 Board Members coming to somebody in a grocery store with all due respect. That's my viewpoint as a school Board Member. That's very different. Also, if you go down to the 8th or the 9th bullet...

Williams: Jack, if I can...before I lose my...my tiny little brain thoughts...

Bedell: No, you have big brain thoughts.

Williams: I'm helping you understand this. I don't think there was ever any intentions of providing guidelines. I think the meeting itself would help those schools' Superintendents and the school Board Members, which a letter was sent out inviting them to the special forum and meeting so they can take from that meeting whatever guidelines and whatever they want. You never asked me what it meant, but it doesn't mean...

Bedell: And I don't apologize for not asking.

Williams: It doesn't mean...it would have been helpful because it was not meant to be written guidelines.

Bedell: But the word "guidelines" is there and so, I don't know what else I'm supposed to take with that, with all due respect. Provide Orange County school districts with a tape of the meeting so they could hear what people said. Is that...that's what I heard you just say.

Williams: No, no, no.

Bedell: No?

Williams: No, Jack.

Bedell: I'm not trying to misinterpret. I just...

Williams: No.

Bedell: 'cause I'm telling you. School districts...my school districts are not lined up with me and saying oh, give us guidelines and guys, we're going to provide school districts with guidelines, but I don't want to beat a dead horse, all right?

Williams: You're beating a dead horse.

Bedell; But then I shan't...

Williams: Okay.

Bedell: ...anymore, but now I want to go down to something that is very concerning to me and that's bullet Number 9.

Williams: Well, they're not numbered...

Bedell: Well, it's 9...

Williams: Is that under Goals?

Bedell: Yes. Topics should focus with the goal of how to best serve the medical, physical and physical health and needs of children. Should is a hortatory word. It is not a man...mandatory word. And so, to me, that should read; should, sorry: Topics only will focus on. That's a huge difference because if you say topic should, well if somebody's off topic then they're saying well, you just said should, you didn't say must or you have to, so that last bullet, Ken, my dear friend, gives a lot of license to go off the rail.

Williams: And that's not what we want. But I must be honest. Our good Trustee Sparks, who is in France...

Bedell: En Paris.

Williams: She is the one who created these topics and goals and purpose. Lisa, can maybe you address Dr. Bedell?

Sparks: Yes. Sure, sure, sure. I think we should just be really clear that we're just trying to provide leadership to the 27 districts. We're certainly not telling anyone how to implement this in their own district. That's obviously up to each district. I think there's a lot of confusion out there. Many of the districts are not communicating very well with parents and kids and that's what we're hearing.

And so, the point of having this is not to kind of dissect each word, but you're making...although you're making some good points, but I think the spirit of this is to, you know, unpack this in a way where parents and kids and families have a better understanding of the picture from a County perspective because some districts are doing a very good job of communicating whether they're implementing, and other districts are not. And so, we're just providing that kind of broad brush, you know, set of standards of what is mandated in the law, what's not mandated in the law? What districts, you know, have license to do or not? And so forth, from a County perspective.

Williams: So, Trustees Sparks, I want to validate what Dr. Bedell was saying. So, would you have any problems within removing "should" and put "shall"? Is that what you're asking for, Jack? And, if you can help us find the word that would make you feel more comfortable with this?

Bedell: Well, it's certainly not "should". And so, I think "topics must focus on the goal of."

Williams: Okay.

Bedell: I'm not promising you I'm voting for it, so I'm not being funny here.

Williams: No, I know that.

Bedell: I'm not being funny.

Williams: We're real good friends.

Bedell: I know because I'm not done yet. So, I don't...you have to understand we go back 14 years and we rarely agree on anything but we're good friends. Right?

Williams: And the only reason he's here is because I abstained...

Bedell: You did, and you made all of this possible.

Williams: Because I liked you.

Bedell: Well, that's nice, but I hope that doesn't change because of September 26th.

Williams: No. It won't my dear friend.

Bedell: Okay. So, may I make my comments and then you can see...?

Williams: Sure, sure.

Bedell: Okay, then on go up 2 bullets, you're going to say demonization, ad hominem attacks on opponents, and I think one of the conversations that a lot of people brought to the dais and I don't like these words on both sides, are that there's an opponent thing here. And to me that would read more civilly if it said, "demonization and ad hominem attacks and instability will not be tolerated." That's very different than saying on opponents...

Williams: Okay.

Bedell: ...will be avoided. They're not going to be tolerated, period, and if you're in the room you're going to be out of the room because they ain't going to be tolerated. Does that...does that...do you hear what I'm saying on that?

Williams: Yea, yeah. So, what I'm hearing you saying is demonization, ad hominid attacks, get rid of "on opponents", and incivility will not be tolerated?

Bedell: Yes.

Williams: Okay. Dr. Sparks, because you are the author of this, are you okay with that?

Sparks: Yes. I never liked the word demonization anyway, if you recall.

Williams: Yeah, so, what...

Sparks: Then I'll take those edits.

Williams: So, what our good Trustee Bedell is saying is that he'd like to remove, I don't know if you have the...you should have the Agenda in front of you. He wants to remove in that one bullet point the two words, "on opponent" and he wants to remove, "will be avoided" and say, "incivility will not be tolerated." Is...

Sparks: Sure.

Williams: Okay, you have no problem with that?

Sparks: We welcome...we welcome the input. Let's get the edits in there and let's move it forward.

Williams: Very good. Okay, so Darou, how are you doing? Hopefully...are you up to date and you're following every of these changes? How is my Board Members doing? Are they following the suggestions by our good Trustee Bedell? Okay. Anything else sir?

Bedell: Well, the 3rd one...

Williams: What...

Bedell: The 3rd one, the 2nd goal. "Discussion based on politics, ideology, or religious proselytizing will be rejected." What were the author's points on that bullet? Can you refresh my

memory on...? I'm not so sure I understand the word "proselytizing" within this context. If something...is that a way to be sure what's coming in is medicine and facts and religion is not facts? Is that what you're saying there?

Williams: That's the question to Dr...

Bedell: I don't care. Whatever's most comfortable.

Williams: Dr. Sparks, since you were the author.

Sparks: Yeah. I...I did not write the particular word proselytizing. So, that was not my word. I...I did much of the writing here, but I did not put that word in there. So, I, you know, whatever you guys want to do.

Bedell: So, I'm hearing you say that "discussion will be apolitical, non-ideological and areligious."

Williams: Correct.

Bedell: Is that what...is that what was intended for bullet?

Williams: Yeah.

Bedell: Okay, thank you.

Sparks: Yeah.

Bedell: Thank you.

Williams: I think...I think that was the intent here. So, if you can just again, for the record, tell me what you just said so we can correct.

Bedell: "Discussion will be apolitical, non-ideological and areligious." Areligious is of course one word.

Williams: Good, good, I like those. Trustees Sparks, since you're the primary author...

Sparks: Yeah.

Williams: You're okay with that?

Sparks: Yeah, that's fine. Yeah, that's fine.

Williams: Okay. Did we get those changes, Darou? Nina? Okay. Dr. Bedell, any further...?

Bedell: Yeah. I want you to help me. Again, I'm not trying to be beating a dead horse. All right, but I'm sure some people may not believe that, but my goal is the kids. Okay, so I'm not...and I'm trying to think of how we translate guidelines to the District, because it's my original point. And I know again, not belaboring it but speaking as a former school Board Member, and I know there may be some in the audience, provide Orange County School District with guidelines if they so desire, if they ask, or here comes a memo under your byline. I'm not trying to be cheeky here, Ken, I'm just trying...

Williams: No, no, no, no.

Bedell: ...worry about relations with our 27 districts. Just so, you know, what are we giving them? They're going to come to a meeting. They're going to hear hopefully a lot of good science, a lot of good law and then guidelines are going to poof.

Williams: Yeah, so...

Bedell: See what I'm saying with that?

Williams: So, we'll get Trustee Sparks to give her thoughts to on this, but I don't think there is, Jack, any intent to give written guidelines. I mean we can wordsmith the...the...

Bedell: Sure.

Williams: ...concept that it was a forum to help provide Orange County educators information.

Bedell: That's a much better word.

Williams: Okay.

Bedell: So, you...but you could say, “provide Orange County school districts with information garnered during the session.”

Williams: I think that's reasonable.

Bedell: But that...that's what...that's not your intent; rather be...

Williams: Dr. Sparks. I agree with Dr. Bedell. Just...I want to be fair to you.

Sparks: I think that's fine. I...my understanding is the state hasn't provided very clear guidelines. And...and I'm that's what I've heard from a number of, well, some Superintendents and some people all over Orange County. And so, that's why that word was chosen, but I'm fine with changing it to information. I mean, that's great.

Williams: Okay, did we get that, Darou? Okay. Dr. Bedell, you are so wonderful and awesome on the attention to details. Anything else?

Bedell: I'm fini, as we say en francais. Trustee Gomez, any thoughts?

Gomez: Well, who...who were the authors on this?

Williams: Well, if you recall back in July, it was discussed that Dr. Sparks and myself would be writing this.

Gomez: Okay, that's...that's what my recollection was. So, if you were to ask us for input, we would be violating the Brown Act because that would be more than two of us not discussing something that's not in the public sphere. So, that...that was that was a danger when you asked for input when two people have already discussed that and you would be doing that privately. So, that was my concern. That's why I didn't respond because it was...it was already understood that there were two people that already worked on it.

Bedell: That was my understanding as well, Dr. Williams.

Gomez: Yeah, that's what...

Sparks: And that's why...and that's why Ken sought out my assistance and you know, we couldn't really share it with anyone else until now. So, I'm sorry that the folks there have to go through the wordsmithing, but that's why.

Gomez: Well, that's exactly the point and with Dr. Williams indicating, “I didn't get any feedback.” there was a reason you didn't get feedback because we were trying to protect ourselves and each other...

Sparks: Yeah.

Gomez: ...by not violating the Brown Act. When we talk about inviting these experts, who's vetting these experts and why...I guess I'm really struggling as to why we need this forum to begin with. I mean, we've...we've already...it's already law. We cannot...I agree with Dr. Bedell. I...when I saw provide Orange County school districts with guidelines, I about had a stroke because that's not our role. We have local control with these local School Boards, and it's up to them, you know, we can certainly give them feedback which is what we did last year when we had all the issues with the inter-district transfers. We gave them feedback. We did not give them guidelines. We did not tell them how to manage that.

We did tell them there were some procedural issues and some feedback. Anytime you word...use the word “opponents” in anything, that creates divisiveness. That already says there's two sides to an issue. If we're giving information there really shouldn't be two sides. It should be this is what the information is. I find this whole thing very divisive and honestly, I don't know why we

need this forum. I think it's a waste of taxpayer money. I think it's a waste of time and effort on a law that's already been established. So, I really don't have any other feedback on the...on it because I can't...I can't support it.

Williams: Okay, so my...

Sparks: I would just jump in for a second. Certainly you're entitled to your opinion as we all are and I would just add and reiterate that I've gotten a lot of feedback from people at every level that they would like some leadership on this set of issues. So, I think to have a forum can provide that, that's our idea, is to take the emotion out of it and to bring evidence-based science and experts to talk about it. And I think any time you can have free expression, it's a good thing. So, the more free expression we can have on this issue, you know, related to the folks who have...who have graciously come and given some of their time at the beginning of the meeting to talk for their three minutes.

I think these things are very important, and this is going to be one where we can actually bring in experts and not...and that will add to the opinions that we hear from the community. So, I think it's very important and I think, you know, we plan to move forward with it and I understand if some people aren't on board, but I hope after the forum you might change your mind because we're going to bring experts, and I think that will be very clear about taking the emotion out and really concentrating and bringing evidence-based science to the discussion.

Gomez: Okay. Well, I am this Board's representative to the Orange County School Board Association. We had a meeting a couple weeks ago and not one of those Board Members expressed any concern or felt as though they needed guidelines to do this implementation. So, and I'm in contact with a lot of school Board Members. So, I guess perhaps where we're hearing our information from is, you know, pretty wide, but I'm...I'm saying that with my representation on that Orange County School Board Association, not one of them expressed any concern about obtaining guidelines. So...

Sparks: Fair enough.

Williams: Very...

Sparks: Well again, if we're going to wordsmith, I'm not talking about guidelines, I'm talking about feedback and understanding. We are not holding the forum as I said...I've said many times, we're not holding the forum to tell districts what to do at all. We're just providing expert testimony, expert evidence-based science to the discussion and that will in further inform what they're going to be implementing in their own districts, which many already have, but it's never static. You know, fellowship is never static. Scholarship is always meeting; adding...

Gomez: Okay, once again, there's...there's no list of experts or their qualifications that I've seen in this packet or with any of the information. Perhaps that might change my opinion if I actually had facts that I could hang my hat on, but I don't have that.

Sparks: Understood.

Williams: Okay, if I can help my Board Members, we're on...we've already had this discussion previously in July to adopt to this forum. The issue before us is the mission statement. I think

we've had a lot of good thoughts. Thank you all. I...I didn't look to you, Trustee Barke. Do you have any thoughts on this?

Barke: Well, I agree, we've discussed this, you know, way too much already and the only feedback I would give is that even before I was a Board Member, I was here listening for 6 months and I heard a lot. And, what I heard is some people don't want it, some people do, but if there's people that want it, I think we should have it. I think the more information we have the better. It won't hurt anything by having additional information, but I think some would be upset with us if we didn't and so, in order to please as many people as possible, I did vote for the forum because I think there's enough people that do want it, although I recognize it. There's people that don't, so I think more information cannot hurt us and that's why I...I vote to...for the forum.

Williams: Okay. We have a Motion and a Second on Item Number 4 there. Pardon me?

Boyd: Dr. Williams?

Williams: Yeah.

Boyd: I just wanted to point of clarification. Dr. Bedell had also asked for information related to panelists who have been invited. So, in your red folders, although you all have not finalized, we did provide the information related to those that you have sent out invitations to so that they would have that information. So, it is in your red folder. Trustee Gomez was just asking if she had information on those individuals, so there is a document in there for their review.

Williams: Very good. Okay, so, moving on then, a Motion and a Second. I think we're finished with this discussion. All those in favor and it will be a Roll Call vote.

Sisavath: Trustee Sparks?

Sparks: Yes.

Sisavath: Trustee Barke?

Barke: Yes.

Sisavath: Trustee Williams?

Williams: Yes.

Sisavath: Trustee Gomez?

Gomez: No.

Sisavath: Trustee Bedell?

Bedell: Abstain.

Williams: Okay, moving on, the Item passes 3-1-1. Moving on to Item Number 5, may I have a Motion to Approve the retention of outside special counsel, Mr. Greg Rolen from Haight Brown and Bonesteel?

Barke: I will make a Motion to retain outside legal counsel from...Greg Rolen, from Haight Brown and Bonesteel.

Williams: Do I have a Second? Dr. Sparks, are you still there?

Sparks: Yes. Second.

Williams: Okay, very good. Motion and a Second. Okay, so going on to discussion of this Item, but before that I would like to make a couple of comments and I'm going to make a subsidiary Motion here. So, we've had good, honorable conversations between our good Superintendent and the Board on certain items and this is an issue that will be in Closed Session. The issue of whether hiring outside legal counsel is a gift of public funds as well as the Board authority to

hire special counsel has been brought up. So, my subsidiary Motion would be to ask Mr. Greg Rolan, should we approve the Item, that he would give us his expert opinion, a written opinion on those two...two issues.

Gomez: So we clarify, what are the two issues that we're...we're deciding upon and what is the cost estimate?

Williams: Yeah. So, the two issues that has been brought up is...and...and I believe the entire Board has received information from the Superintendent and from Mr. Wenkart on this...this item, would be that if we...

Gomez: But this is for the public's knowledge as well, so...

Williams: Very good. Yes, it is. So, it is whether hiring outside special counsel under the unique circumstances that this Board is under is actually a gift of public funds and also the issue as to whether this Board has the authority to hire outside counsel has been questioned. So, that...that is the issue. Now, as...you ask another question about the cost? Why don't you...because I don't know the answer to that. We can ask Mr. Rolan himself as well as introduce him. So...so that is the subsidiary Motion. Would you like to talk with Mr. Rolan about what these would cost?

Gomez: No, I think it's...I think it's in the public interest so that we know how taxpayer funds are being spent, but just to clarify we're talking about whether or not it's a question of public funds and whether we have the right to hire counsel. Those are the two questions, correct?

Williams: Well that is what has been brought up by the good Superintendent's legal counsel and in previous letters to the Board by the Superintendent and Mr. Wenkart, those issues were brought up. So, I think it just gives the Board better clarity on the issue by asking for that legal opinion. Mr. Rolan, a question was asked by the good Trustee, Gomez, about the cost for...for such legal opinion. If you can come up to the dais.

To my Board Members, this is Mr. Greg Rolan from Haight Brown and Bonesteel. You have before you information about his law firm and his personal curriculum vitae and experience and education. He is an education attorney and only does education and he's down here from San Francisco to help us out. So, the question to you, sir, is what would be the cost to do this?

Rolan: Of a legal opinion on this issue? It's as much or as little as you would designate. We could spend a number of hours on this issue. It's somewhat nuanced, but if the Board wishes to set a limit on the amount of funds expended and the number of hours expended, we'd be happy to work within those constraints.

Gomez: Can you give me an estimate as what...as to what that cost might be?

Rolan: 10 to 15 hours.

Gomez: At what rate?

Gomez: \$300 an hour, right?

Gomez: Okay, you're pointing to something that we just got on the dais, so we have not had an opportunity to look at this, so...

Rolan: Understood.

Williams: Okay, so, if we were to go with the lower hours, let's say 10. Would that be something that would still be broad and comprehensive and answer the question?

Rolan: Certainly.

Williams: Okay. Trustee Barke or Trustee Sparks? Thoughts or comments.

Barke: I have no questions.

Sparks: I have no comments or questions. That seems very reasonable.

Williams: Trustee Bedell?

Bedell: Yeah, I guess I'm trying to figure out where this fits in. By the way, I appreciate your coming to our meeting.

Rolen: Thank you.

Bedell: My understanding is we have four attorneys plus the one about which we have a dispute. Is that correct?

Boyd: Correct.

Bedell: Is it safe to assume that each one of these four attorneys fully bene...fully – forgot my verb I'm looking for – fully costed out, pardon the grammar, would want each one of those four positions would be well over \$100,000 each out of the county budget. Is that correct? Would you say that's fair?

Boyd: That would be correct.

Bedell: That would include health insurance, all the auxiliary stuff that goes with it. So, on a conservative side, we already have \$400,000 spent for in-house attorneys. We've already had a wonderful experience with an in-house attorney dealing in inter-district appeal. I'm sure what that will be repeated this afternoon. So, again, I guess I don't...I find myself in the peculiar position because I'm a Conservative. I'm a Libertarian on social values and a Conservative fiscally. The taxpayers are already spending \$400,000 for lawyers. And now, we...do you work in San Francisco?

Rolen: Yes.

Bedell: So, we're going to have to pay your travel to get here?

Rolen: Yes.

Bedell: Okay. Mr. Chairman, with all due respect, with the \$4,000...\$400,000 plus that I would like at some point in time the full actual burden, I'm sure that's low, but I just cannot in good conscience vote more taxpayers money for it's...what I consider a duplication of staff. We've already had an opinion from Wenkart on this, we've already had an opinion from Cota Cole on this, and I feel like we're almost shopping for opinions and that's not derogatory, but we've already spent money on lawyers.

We already have a staff lawyer deal with this and now we're going to go hire another lawyer and while we already got across the hall, a whole library of lawyers. So, I just...I, with all due respect, Mr. Williams, I appreciate the effort and I appreciate that you're finding an educational lawyer, but I think this is a duplication of cost and I would much rather spend the money for computers for our kids in jail.

Williams: Dr. Bedell, thank you for your thoughts. They're very reasonable. There are conversations that the Execu...Executive Committee are privileged to that the remainder of the Board is not privileged to. So, I'm going to ask our counsel, Mr. John Brenner, to help explain to the Board, explain to the public why the retention of special counsel in these circumstances is important. Mr. Brenner.

Brenner: Thank you, Trustees and Superintendent for having me here today. I will address the comments from Trustee Bedell very briefly. Happy to take any questions or have a lengthier discussion if any Trustee or the Superintendent would like. The bottom line and the position from which any client starts is the sacrosanct principle that a client has to have trust in his or her counsel and part of that principle is the ability to choose one's own counsel and to have that counsel be free of conflict or the appearance of a conflict. My understanding is that the Board, or at least members of the Board, have concerns regarding the use of counsel that is employed and managed by, and ultimately reports to and is influenced by, potentially, the Superintendent's office, which as each member here knows, currently is adverse to the Board.

And...and it's anticipated will be an adverse party in litigation to the Board. The reason we're here is because the Board was not allowed to participate and exercise its lawful right to appoint the General Counsel that, by law, it has a right to appoint jointly with the Superintendent and must utilize under law for its legal advice, except in circumstances where special services are retained or there's a conflict of interest. I believe the Board believes, and certainly it's our view as litigation counsel...outside litigation counsel for the Board, that there are conflicts of interest at least two layers of which exist, if not more, and that even without those conflicts the Board would be within its authority under California Education Code 1042 D to obtain the advice of outside counsel on a special services basis where, in it's good faith discretion, such is warranted by conflicts or otherwise.

I do want to respond and I think that's what the basis for the Motion is here, and obviously the Board's view as expressed by its vote, is what can and should prevail with regard to the retention of counsel. I do want to respond very briefly to the Trustee's comment about Mr. Rolan's travel. As the Board will recall from the last meeting, the Board made efforts, or at least the Executive Committee made efforts, to identify a local and highly qualified lawyer here from Orange County and it did so. Unfortunately, after initially agreeing to be retained, that lawyer declined to be engaged, notwithstanding the Board spoke to engage her. And I am personally very troubled about the circumstances under which pressure was brought to bear on that lawyer that led to that decision.

Had that not happened, the travel expenses the Trustee refers to as a concern which, in my view, would not be unreasonable in any event, would not be an issue today. And, I think the Board should view itself as fortunate that it's been able to locate a lawyer of Mr. Rolan's impeccable qualifications who's willing to serve in this role. Thank you.

Williams: Going around. Trustee Sparks, are you still there?

Sparks: Yes, I am.

Williams: Okay. Any questions for Mr. Brenner?

Sparks: No, I think he stated it very artfully.

Williams: Looking to my right. Any further questions from my Board members? Trustee Barke? Okay. So, we have a subsidiary Motion to ask for an opinion from Mr. Rolan regarding the issue of gift of public funds and the Board authority to hire special counsel under the unique circumstances, and I'm going to limit that to 10 hours of work just so we set up a budget for that. So, I'll amend my own subsidiary Motion. Okay, so, I need a Second for that.

Barke: I will Second.

Williams: Okay, Second. Any further discussion? Barring none, all those in favor of the subsidiary Motion, we'll go to the original Motion afterwards, say "aye". It has to be Roll Call, excuse me.

Sisavath: Trustee Sparks?

Sparks: Aye.

Sisavath: Trustee Barke?

Barke: Yes.

Sisavath: Trustee Williams?

Williams: Yes.

Sisavath: Trustee Gomez?

Gomez: No.

Sisavath: Trustee Bedell?

Bedell: No.

Williams: Okay, moving on to the primary Motion to retain Mr. Greg Rolen for special counsel. We have a Motion and a Second on that. Any further discussion before we take the vote?

Bedell: Isn't it superfluous, given what was just passed?

Gomez: Yes.

Bedell: You passed the Motion to hire him at \$300 an hour for 10 hours. Right?

Williams: Well, that was to get a...an opinion.

Boyd: His subsidiary Motion was to get the opinion, not for...

Williams: Not for hiring.

Boyd: ...actual hiring of him. So, should he be hired then...

Bedell: We would need...so we needed...so he's going to work on one issue for 10 hours, and then he's going to be hired in general? Is that what...?

Williams: Correct.

Bedell: Okay, now I get you.

Williams: Right. Okay, any further questions? Barring none, all those in favor, Roll Call. Darou?

Sisavath: Trustee Sparks?

Sparks: Yes.

Sisavath: Trustee Barke?

Barke: Yes.

Sisavath: Trustee Williams?

Williams: Yes.

Sisavath: Trustee Gomez?

Williams: No.

Sisavath: Trustee Bedell?

Bedell: No.

Williams: Very good. Moving on.

Bedell: Mr. Chairman, I'd just like the record to show, I don't know this person. I'm not making an ad hominem attack on this person. I'm sure he's fine. My view is that we're spending already \$400,000. I don't want...I've never met you, I don't think, and I just don't you to walk out of here and say, "the man with the New York accent and the horrible tie". It has nothing to do with you. I'd hope you understand. I was...

Gomez: He's talking about himself, not you.

Bedell: Oh, yeah, right. Horrible tie? I'm sorry. Thank you. Mr. Chairman, can we have a 5-minute break? Are we in the Break Room?

Williams: If I can, let's just go on here. By the way, you forgot to mention the balding head while describing your tie.

Bedell: I know, I know.

Williams: Okay.

Bedell: I must tell you, he told me I was too old for his services a few years ago, but we are good friends.

Williams: Okay, okay, so, we have the vote. Moving on to Item Number 6 which is the Executive Committee's recommendation to hire Maggie Chidester as the moderator May I have a Motion?

Barke: I make a Motion to Approve Maggie.

Williams: Do I have a Second?

Sparks: Second.

Williams: Second. Okay, any...any questions or thoughts?

Bedell: Is she doing this pro bono?

Williams: She told me she was.

Bedell: So, approve the Executive Committee's recommendation, blah, blah, blah at no cost. Is that...can...approve the Executive Committee's recommendation...

Williams: I don't know if that's necessary, Jack, because she's already said that.

Bedell: I know and she's wonderful. I mean, I would...I would...I recommend her for anything, so...there is no cost to this, and...

Williams: That is correct.

Bedell: I am great. Thank you.

Williams: No further questions? Okay, all those in favor. Roll Call. Darou?

Sisavath: Trustee Sparks?

Sparks: Yes.

Sisavath: Trustee Barke?

Barke: Yes.

Sisavath: Trustee Williams?

Williams: Yes.

Sisavath: Trustee Gomez?

Gomez: Since I don't approve of the forum, I cannot support this. So, my vote is, No.

Sisavath: Trustee Bedell?

Bedell: Yes.

Williams: Very good. Moving on to Item Number 7. By the way, for the record, the Motion passes 3, no, 4-1. Moving on to Item Number 7, may I have a Motion for the budget?

Barke: I make a Motion for the submitted budget of 6...not to exceed \$6,000.

Williams: Okay. may I have a Second?

Sparks: Second.

Williams: Second. Okay, any discussion? Yes, sir?

Bedell: I thank you for your patience. Okay.

Williams: It's always my pleasure.

Bedell: Yes. Under...this \$5,800, does count in any way for the hours or the minutes that the staff has put into this date? Or is this just the evening itself is \$5,800?

Boyd: That would be correct.

Bedell: So, any of the prep time or...but has the staff done any prep time for this?

Boyd: Just the communications with Dr. Williams and the letters that Darou has sent on his behalf and checking on a few things. So, yes, there's been some time put in but I don't know how we would quantify that...

Bedell: Sure.

Boyd: ...at this point.

Gomez: Who is taking the time to vet the panel or the proposed panel?

Boyd: That's Dr. Williams.

Williams: The Executive Committee.

Gomez: Okay, okay.

Bedell: And then, thank you. Dr. Williams, that's very helpful. Also, the \$3,500. Could you...I would like from staff what account this money is coming from, as far away from children as I hope, and...but also, these...this must mean somebody's not getting paid money to travel from Laguna Niguel or Fullerton and that would account for \$3,500.

Boyd: I don't know that the parameters for the travel, Dr. Williams. I don't know...

Bedell: Thanks, Ken. Thank you.

Williams: No problem, great question. So...so, some are flying in. One has a speaking fee. So, the primary bills will come from the staff itself. I think, Nina, if you can help me out, you gave some estimates based upon the Common Core meetings that we had a few years ago.

Boyd: The OCDE staff, \$1,800 for our media to tape and do what they need to do. Our food service, our facility assistants in terms of setting up, and the cost of Executive Assistants and so forth in terms of the clerical is for the \$1,800. We will have some uniformed security and so, there's a fee associated there. We don't have the...actually the Orange County Sheriff's cost is not captured in there. The...we'll have combination of security and two Orange County Sheriff's at that particular meeting.

And the panel travel expenses and fees, we just guesstimated based on the potential number of panelists and not knowing...I saw some out-of-state and then some for Northern California, so I wasn't sure if they were actually individuals charging, if it's mileage, if it's airfare, you know. And as Dr. Williams is saying, one has a speaking fee. So, that is...it may be less than this but it represented, you know, the typical based on, you know, if there are six panelists what that might be for six individuals, not thinking that all of them would be charging something.

Williams: Jack, as a matter of information the number...the financial number that is put there is purposefully high. I don't think it's going to be anywhere near that.

Bedell: So, where is the furthest one coming from as an example?

Williams: So...Texas, Utah and somebody from Northern California.

Bedell: Okay.

Williams: Not all of the individuals wish to be known publicly, so, they're not willing to make their names known...

Bedell: But they'd be on a program, wouldn't they?

Williams: But...until the actual event. Until the actual event when we put it, according to the Brown Act, on the Agenda. So, we will meet the Brown Act requirements and all the names and everybody will be there. Also, I have to state that due to our good Superintendent's

recommendation, the...the theme, and I think I might have brought this out last time, is not meant to be a we versus them. The idea and concept of having opponents, I agree, is not...not a good one. This is meant to be a civil scholarly discussion about public policy and governance on a controversial issue, and you will not see two different panels on two different tables. In fact, you won't even know who they are until they're actually speaking.

So, the idea is to have again a very civil discussion. That is the hallmark of this great country, is having discussion civilly on issues of great controversy. So, I'm hoping to achieve that where as you see in the goals, we're not going to have any of the incivility that's going to be tolerated. I'm working...the Executive Committee is working with Maggie. She has some great thoughts on how to moderate this. So, I think it will be something that you both, because I know you both opposed this, will be...when you walk away I think you'll be happy with it.

Gomez: Well, and that's all the more reason for us to understand who these experts are. When you're talking about a California law and we're getting experts out of the state, do they represent a National Medical Organization, like the American Academy of Pediatrics, or OBGYN...something like that, because that's, you know, it's troubling to me when we say...that's what got me about these expenses. Is that...are we...they're coming from out of state and are they familiar enough with California law or they talking about some national guidelines, some national protocols in dealing with some of these issues before us?

Williams: Yeah. So, it's been quite an endeavor for the Executive Committee and myself to...to put this panel on; to make it fair. I would say that the panel will be well represented on the specific intents of CHYA with the law, the implementation. We're going to have constitutional lawyers. I'm a little disappointed that the ACLU, who was invited, said they didn't want to participate because they, I believe, wanted to undermine the process. And so, it's been a real...real challenge to get people to be here and I think when you hear the credentials, when you hear the academic backgrounds, everybody...everybody in this room will be very happy.

Boyd: Dr. Williams, just a point of clarification. You mentioned that some of the people have requested confidentiality. If in fact we've confirmed with these individuals, we can't assure confidentiality prior to the meeting because it's public information, so I just want to point that out so that they're aware of that.

Williams: Okay, and so...so, that's a good question. So, you sent out the letters...

Boyd: Confirming the...

Williams: ...have they...have they sent back...?

Sisavath: The letter does not request...

Williams: it doesn't request that.

Sisavath: ...for them to accept...

Boyd: Because they had already confirmed to you. So, it was just confirming that...it was a confirmation that they were participating based on their commitment...their verbal or written commitment to you.

Williams: One of those individuals may have to teach that night. So, trying to...just trying to find a substitute for her, so...

Boyd: Okay.

Williams: ...so it may not be entirely accurate. It's still a process and we're still working on it.

Gomez: When will we have that panel fana...finalized? Do we know?

Williams: Oh Beckie, I wish I could say it's done now. It's...it's...so, between my private practice and finding this panel, there's been no staff that's been helping me to do this. It's only been Mari and myself. It's been a Herculean task to try and be fair and equitable to everybody to have issues of the CHYA that we can discuss in an academic and scarlet...scholarly level. So, will you get it? I hope so. I hope it will be done by then. There's...there's...because one now withdrew, I have to find two more.

Gomez: Okay.

Bedell: So, Ken, what would be for you the net effect...it never occurred to me, I must admit, and that's my naivete that we would be paying somebody to make of viewpoint. But that's...that's just my narrowness. I'm not making a judgment about that. That just...I can see, following up on Trustee Gomez's point, if somebody's coming from Texas to talk about this is an ovary and that's a...that's a body part, that to me is, as an academic, that's okay.

But, the notion that somebody is coming here from Utah to tell me about how to implement the California law, I must admit, that's a little (grunt noise) for me. Okay? Just being candid. Science part I'm okay with that,s because you may have an extraordinary expert out of Utah's...they have that Huntsman Medical School. That may be totally appropriate but I just...what would happen to you if that item was deleted and we save \$2,300? Would that devastate the panel?

Williams: Yeah.

Bedell: It would?

Williams: Yeah. Again part of the discussion, I believe it was at our August meeting, it could have been in the July meeting, that we would follow a lot of the guidelines that you established. You have a great amount of input into the Common Core forum, so, we're going to follow that same number, budget...follow the same style and even have Maggie be the moderator.

Bedell: Right.

Williams: I thought those were very, very successful and well done. Trustee Barke and Trustee Sparks, any thoughts; input?

Barke: No, no. I stand with my Motion to Approve it.

Williams: Okay. Trustee Sparks?

Sparks: Same. No, I'm good.

Williams: Okay. Any further questions? Barring none, it's a Roll Call vote. All those in favor.

Sisavath: Trustee Sparks?

Sparks: Yes.

Sisavath: Trustee Barke?

Barke: Yes.

Sisavath: Trustee Williams?

Williams: Yes.

Sisavath: Trustee Gomez?

Gomez: No.

Sisavath: Trustee Bedell?

Bedell: No.

Williams: Very good. Okay, the request by Dr. Bedell for a break. We will go ahead and...

Bedell: Much appreciated.

Williams: ...and give us that break. The Board will be in Closed Session. We will not be having

Closed Session One, it would be...excuse me, we will be having Closed Session One. Closed Session Two will not be occurring at this time. So, let's take a break. Oh, by the way, if I can bring to my colleagues...my good colleagues' attention, the music. Did you hear the music?

Barke: No, I didn't.

Williams: Yeah.

Barke: Was it playing?

Williams: Do we have the music cued up so, as we go on our break, it will give a more informal, nice, relaxing thought?

Boyd: We have some instrumental music that we're trying out for prior to the Board Meeting and during the break. And then, we'll discuss it during Discussion and then we have another playlist for the Board to consider.

Gomez: Okay.

Williams: Okay.

Boyd: So, Lisa, you can mute yourself and then the Board will call you on your cell phone in Closed Session.

Sparks: Okay.

Boyd: Okay.

Sparks: All right.

Barke: So, how do I know when to start Closed Session?

[EASY LISTENING MUSIC BEGINS TO PLAY IN THE BOARD ROOM AS THE BOARD MEMBERS TAKE A BREAK. AFTER THE BREAK COMPLETES, THE BOARD MEMBERS RETURN TO THEIR SEATS AND DR. WILLIAMS STRIKES THE GAVEL ONCE TO CONTINUE THE MEETING]

Williams: Okay, the Board of Education is back into session. The time now is about 12:51 and our counsel, Mr. Brenner, is going to report out to the public.

Brenner: So, in Closed Session for Item Number One of the Closed Session on the Agenda, we provided an update to the Board regarding the Board's earlier resolutions and decisions on anticipated litigation, and specifically the Board's request for documents. The Board's...the status with respect to the Board's anticipated demand that will be made on the Superintendent regarding the issue for anticipated litigation and the status of the anticipated litigation itself. The...we had a robust discussion and the Board's questions were answered in Closed Session, and no resolutions or decisions were made. The meeting was by way of status and update only.

Williams: Very good.

Brenner: Thank you. And, for the record, Closed Session #2, it was not held nor was there any discussion on that. Moving on with our Agenda, we do not have any Charter Schools submissions, so we're going to Item #9, and I'm going to ask...Hi Teresa, come on up to the podium and lead us in our next Item here.

Teresa Johnson: Good afternoon, President Williams, Board Trustees, Superintendent Mijares. Today we will hold a Public Hearing to consider input regarding National University Academy petition, which was submitted on appeal at the August 7th Orange County Board of Education meeting following the July 12th denial by Saddleback Unified School District. A clarification

meeting is scheduled for tomorrow with the lead petitioner and other Charter School representatives and the Orange County Charter petition review team.

For today's Public Hearing, representatives from National University Academy and Saddleback Unified School District are each allotted 15 minutes to address the Board. Then the hearing will be open for Public Comments. I now call Miss Kimberleigh Kopp from National University Academy to the podium.

Kopp: Thank you very much and good afternoon, Board of Trustees and Superintendent. It's a pleasure for us to be here. I am joined by our leadership team, Jennifer Carrete and James Gianelli, and they are going to be helping me present our school to you today. So, without further ado, here's National University Academy home school and independent study program. [THE LIGHTS DIM AND A POWERPOINT PRESENTATION IS SHOWN ON THE SCREEN IN THE BOARD ROOM] So, I'll just begin by saying that this is our mission and vision. I won't read it to you. You can see it. It is consistent amongst all National University Academy Schools and it was created and agreed upon by all of our staff.

We did have a number of our staff here. We do have some. If you're with the National University Academy, would you please stand? Thank you. That's our guys. We understand with a Public Hearing that it's important to show support, so, these are our team members. Our core values are what helps tie us to the National University system. We are part of the National University system and we are integrated through the National University System's division of pre-college programs. National University system is truly supportive of us in many different ways, and we'll get to that a little bit later in our presentation. But first, let's...let me show you some specifics about our school and turn it over to Jennifer.

Carrete: Good afternoon, my name is Jennifer Caretti. I am the Principal of Orange County's home school program for NUA. We serve students in grades TK through 8. We're an existing home school program, so we've built a really strong community of parents, students and staff through academic, social and emotional support that we offer. In our program, the parent is the primary educator to their...to their child but they're supported every step of the way by our credentialed teachers who assist with curriculum choice, pacing and progress monitoring.

All of our students have their own individualized academic plan based on their academic level, learning style and interest. Our families are further supported with social events, field trips, service-learning, parent workshops, student workshops, enrichment classes at our enrichment centers, and we also offer instructional funding to...for pre-approved vendors and vendor services. Here are some pictures.

Gianelli: Hello, I'm James Gianelli. I'm a Program Lead for National University Academy. I lead the Independent Study Program. As you know, one educational model does not fit all students. Our world is changing and our students must be ready for the challenges that lay ahead. National University Academy offers the programs to meet those challenges. Independent study is for middle and high school students.

Independent study is a program for the older students that need flexibility to either work, take care of a loved one or if they are credit deficient or wish to move faster. We offer enrichment

classes, tutoring and support for every one of our students. Our students participate in the science fair, field trips and house presentations. We have clubs like the Guitar Club and RC Playing Club. These options give our students the opportunity to involve themselves as much as they wish.

Carrete: And so, why the need for a home score independent study program? Research is showing that homeschooling and independent study is on the rise and a big part of it is these programs are allowing for flexibility and customization while still ensuring that students are meeting academic standards. Homeschooling also allows for individualized learning environment that addresses areas of growth for students. So, if a student maybe is behind in reading, we find that a parent can pull their child out of a traditional setting, work on that reading and maybe put them back into a traditional setting. Or, students that are very high achieving and their needs are not being met in a traditional setting, they're able to meet those needs with this individualized learning plan.

Homeschooling is also legal in the State of California, so, there are a lot of families across the state that will file a private home school affidavit and file independently on their own. With programs like NUA, we are able to come in and offer support, guidance, accountability and community for these families that would homeschool, regardless of having a charter or not. Our program meets the needs of our community in different ways. We support all students and meeting individual academic, social and behavioral needs through customizing educational programs for each student.

Also, providing an alternative environment that works for the child. Our staff is trained in restorative practices which we use to build relationships and solve behavior issues. We also offer flexibility for students pursuing athletic...Athletics, Visual and Performing Arts. We have actors. We have some students in the high school program that may need to work or may have a family of their own, so, addressing some of these needs where it wouldn't be addressed in a...in a regular school setting.

Kopp: Speaking of our amazing staff who are right there for us, all of them are California Credentialed teachers. All of them have CLAD certification. A professional development is very important to all of our schools and including this one, so staff participate in trainings as a large group of all NUA staff and they also participate in professional development that speaks to their individual schools. So...and that's based on data, so, we use data to drive our instruction. That's very important to us. Staff are also evaluated every year. These are some of our student demographics. I know it's tiny...tiny to see but I'll just give you some highlights from our last school year. So, our percentage of students who qualify for free and reduced lunch, it's at 26.36%. English Learners are at 5.45% and students with disabilities are at 12.72.

Carrete: So, curriculum and standards in the home school program. The students have curriculum choice, but under the guidance of a credentialed teacher, we focus on the interest level of the student, the academic level of the student, the learning style of the student. We work with pre-vetted vendors and we have a wide variety of curriculum options. We have a resource library in where parents can borrow manipulatives, games, novels; what they need. We also have a lot of supplemental online programs that parents can use such as Dream Box, Raz-Kids Tales To Go, and then in the high school program, we use Edgenuity and talk about that.

Gianelli: The Independent Study Program offers GD options as well, as well as A to G approved classes as well as AP classes. We also follow...follow the UC model of class scheduling. In independent study we use Edgenuity to ensure quality and rigor. We offer STEAM...STEAM classes such as Computer Programming, Coding, Digital Arts and Robotics.

Carrete: One of the highlights of our program and one of my favorite aspects is our enrichment centers. We have an enrichment center for home school here in Mission Viejo. We offer enrichment classes two days a week from 9 A.M. to 2 P.M. They're an optional part of the program. We provide classes that the parent maybe wouldn't be able to replicate in the home. We do a lot of hands-on science classes, art, music, public speaking. We have a lot of events there like an Author Share where the students can share their writing. We have an entrepreneur fair where the kids can make a product and sell it. We have showcase events where the kids can perform. We have a character education program.

We...the...basically and you can see some of the pictures here. We do egg drops. We do...we brought in a lady that was on Shark Tank and she did an entrepreneur workshop for the kids. We do all kinds of things. So, it's really a hub for community building and supporting the students, building friendships and also supporting the parents and their journey with homeschooling. So, it's one of my...my favorite parts of the program. Community collaborations, this is also a very important piece for us, so, we do a lot of community outreach. Those pictures up there, those are the students performing at the Tustin Senior Center. We make beanies for the Jessie Rees Foundation for kids with cancer. We make toys for the Humane Society.

So, we're doing a lot of things to kind of reach out to our community and the community is also our classroom with homeschool, and so, our program does a lot to facilitate getting our students out into the community. So, some of the things that we do, we do Naturalist-led hikes where the students learn about the local flora and fauna and animals. A lot of our students are active in the arts and performances. We go to a lot of plays where we have a Running Club. We participate in local races. We do about twelve and up field trips per year where the independent study students, as well as our homeschool students, attend with their families and it's another great way to build community among our...our students. So, here's some more field trip pictures.

And then, support for parents and guardians, and this is a really big piece of what we do. We want the parents to feel like they are supported every step of the way, that they can come to us with their concerns when they're struggling with something and there's a very strong relationship between the credentialed teacher and the parents and the students that they're supporting. We offer parent workshops and forums. Just this last year we did...we brought in a math expert.

He did some workshops with the parents. We do curriculum swaps where we teach the parents about different types of curriculum. We have monthly newsletters that we send to parents with ideas. We have a resource library. We have a website. I've started doing for the first time last year using Zoom to do online parent trainings for the parent. So, just having resources for them so that we can empower them to...to help their child.

Gianelli: In independent study, students are monitored on a weekly basis. Teachers sit down weekly with students to review their work. We use multiple forms of formative and summative assessments. We monitor the students pacing and work closely with the families to ensure

student success from the beginning. For example, in student independent study, parents are sent weekly reports via email that inform them of their progress and grades. The online program that we use allows parents, teachers and administrators to monitor and follow the student's progress.

Carrete: And with the homeschool, with the progress monitoring, we are in constant contact with the families. We meet and we review student work and we connect all the work that they're doing to state standards and making sure that they're meeting needs and making growth. We have a lot of in-house assessments, NWEA Map Testing. We have reading tests, the John's Reading Test. We do writing testing. We have the ELPAC for our EL students. We have portfolios, report cards, a lot of different ways. So, this is our...our test scores and homeschool made a lot of growth this year and I, you know, I feel like in homeschool, state testing has always been...it's always been really hard to get the parents to participate in the state testing.

And this last year, we did a lot of different things. We did some test prep workshops and different things because I know I haven't been really happy with our test scores, but I know based on our holistic approach to monitoring our students progress that the ability has always been there, but I think the familiarity with that type of test wasn't there. And so, we have done a lot this last year to get those test scores up. We...we've been doing the parent trainings. All of our staff participated in mathematical mindsets through Stanford online training. Teacher workshops. Parent workshops. We do academic collaboration meetings for our students that are falling behind where we meet and we brainstorm ways to support them and do SST process.

We allocate instructional funds to getting them tutoring if they need it. We use assessment data to make sure that they're making growth and I'm confident that with...we continue to expose them to the format of the state test that they'll continue to do really well, because we...I do see that ability there and I think a lot of the work they do is kind of outside the scope of what can be measured in that type of test. But I do know they are important and we are committed to keeping those scores high.

Kopp: As you heard that parent support is very important in our program. Community...supporting our community is also very important. We feel being responsive to our chartering district is very important as well. I wanted to talk a little bit about our relationship with National University. We are very much integrated with National University system. They provide a lot of back office services for us with IT, HR, payroll, a legal counsel. We have access...all of our students have access to the same student Support Services National University students have access to so the writing center, the math center, the library; all those things are available to us.

Our relationship with them is very strong and they're here in support of...of us as well. So, what is our benefit to you? Well, we've been around for about a decade. We are originally chartered out of Lakeside Union School District. Oh, I see my time is going. We're at one of those Anderson Shasta schools. We were able to find new authorizers for all of our smaller schools. This is our last one and we hope, hope, hope you will take us on and bring us into your community.

Boyd: Your time is up.

Kopp: Thank you.

Johnson: Thank you, Miss Kopp and the National University Academy team. Next, I would like to call Dr. Crystal Turner, Superintendent of the Saddleback Unified School District to the podium.

Turner: Good afternoon. I'd also like to introduce Dr. Ed Wong. He's a Trustee on our school Board, and we also have Dennis Walsh, Trustee on our school Board and some staff here today. On behalf of SVUSD District Board and all of us, we are here to encourage this Board to deny the Charter of Bill filed by NUA. The SVUSD Board has carefully considered and denied the charter petition because it presents an unsound educational program. The petitioners are unlikely to successfully implement this program and it does not contain the required number of signatures. The charter also does not include all of the required elements. The District Board adopted a number of factual findings specific to this charter supporting its denial which are set forth in a very lengthy resolution that you have, but I'm going to highlight just a few.

Finding Number 1: the charter proposes to replicate and continue the educational program that it currently operates, but as self-reported by NUAOC in the charter, it doesn't work. NUA's SBAC results as we just heard do not support their claims regarding the soundness of its educational program. The percentage of NUA students who meet or exceed standards in both ELA and math are notably below California Orange County and SVUSD. In fact, their ELA scores for independent study dropped rather than increased over time from 47% proficient in 2015 to 35% last in 2017. Orange County, California, and SVUSD all increased or held steady during that time.

NUA's math SBAC was 27% meeting standards in 2015 and then dropped to 26% in 2017, compared to our score of 52% proficient. The description of NUAOC's plan for English Learners is also inadequate. The issues of concern regarding the EL plan, they don't include any oral components. The charter complains that all of the EL students receive ELD and make one year growth of progress every year but does not provide any evidence to support these claims. NUA does not describe what is being done to ensure students make this growth or include NUA's criteria for reclassification of those English Learners. Number 2: petitioners are unlikely to successfully implement this program as set forth in the charter.

NUAOC's proposed Murrieta site location does not comply with the Charter Schools Act. The charter specifies that it's proposing to campuses at the specified address, one within the district's bounty...boundaries and a second campus in Murrieta. The charter itself, however, makes no mention of this proposed second campus including in the required description of the facilities to be used for this proposed charter school. NUAOC may not obtain approval of the initial charter that includes a site outside the district. Ed Code specifies that a petition submitted to a district proposing to establish a charter school shall identify a single charter school that will operate within the geographic boundaries of that school district.

An additional site may be established only through an approval of a subsequent material revision. The number of projected students is also difficult to follow. The NUAOC charter projects 340 students in its first year of operation, which it describes as conservative growth of approximately 3% from the current school year with a projected enrollment of 434 in Year 5, which is a total of over 27% growth. Interestingly, the NUA charter submitted to Hemet USD and makes the same enrollment projections and claims. First, NUA has actually experienced

declines in enrollment every year since at least 24...2014-15 from a high of 376 students to a low of in 17-18 of 330, more than a 12% decline.

NUAOC's presumption of growth in 2018-19 and a 27% growth over 5 years seems overly optimistic. This is particularly true given the fact that NUA submitted its charters to the district and Hemet so late in the school year that NUA could not secure charter approval during this 2017-18 school year for the current 18-19 school year. In addition, NUA had a total of only 330 students spread throughout all of its campuses in 2017-18, but as proposing a total of 340 students at NUAOC 340 at the Hemet school as well. The entire purpose of the NUAOC charter is to separate its current charter into multiple separate schools operated in different school districts and counties in order to comply with the Shasta decision.

Thus, part of NUA's planning process must include dividing its current enrollment among those proposed sites. NUA would also have to comply with the requirements that a majority of its students are residents of the County where it is authorized. It is not reasonable for NUA to think that its entire current population from all sites, plus a few more students would enroll at this particular charter as well as equivalent student enrollment at one or more other schools. Additionally, if NUA's budget projections are based on these false enrollment projection assumptions, the budget revenues would be drastically overstated. The budget documents within the charter are also inadequate.

The hard copy references Riverside County including the LCFE calculator referencing Murrieta Unified and appears to only be addressing the potential Murrieta campus while the electronic copy of the budget documents references Orange County. The two sets of budget documents appeared to be quite similar, but it's not clear whether each budget represents all of the potential students revenues and expenses for both proposed campuses or if each budget is intended to cover only one of the two proposed campuses. The electronic budget addressing Orange County includes a large number of fields that specify REF, meaning an error in Excel, and was incomplete and we could not be as...we couldn't assess it in the school district. I'd now like to introduce Dr. Wong who has a few more things to say.

Wong: Thank you. Dr. Turner, Members of the Board, Superintendent Mijares. Thank you for allowing us to speak this afternoon. I'd like to highlight a few additional things that Dr. Turner has already mentioned, but maybe in some greater detail. First, the charter does not contain the required number of signatures. The Charter School Act specifies that a charter may not be submitted to a school district unless the petition is signed by half the number of teachers they expect to hire or is signed by half the number of parents and students they anticipate enrolling in the charter school the beginning of the year. A failure to comply with this requirement is a basis for denial.

NAUOC projects opening the school with 340 students, thus signatures from parents and guardians representing at least a half of that, 170 students, is a requirement. They have submitted only 127, thus the parent-guardian signatures do not meet the minimum requirement for submission for a charter school. It's also noteworthy to realize that the signatures indicated by parents expressing interest in NAUOC, a full page of those parents' signatures are on the same charter for Hemet Unified, and you could check out Hemet Unified's School District website

where they have a charter there. It just appears likely to me that NAU simply used all the signatures it gathered for its charters and applied them to all.

The district is aware that it has submitted a charter school application...application to Hemet Unified as it's seen on the website. 16 of the 17 teacher signatures submitted by NAU are the same signatures submitted on the Hemet application. So, these teachers cannot actually be teaching in multiple charter school sites at the same time. Either the charter itself or any information provided by the petitioners addresses this issue. How could you be teaching at multiple sites in San Diego, Orange County and out in Hemet? Secondly, the charter does not contain reasonable comprehensive descriptions of all the required elements required in the charter. The proposed description of governance structure is very confusing.

On one hand, the charter specifies that NAU will be the governing body of National University Academy, the existing nonprofit corporation that is operated down in the Lakeside Union Elementary School District in San Diego County. The NAUOC is...is as well as additional National University Academy Charter Schools include corporate documents for the existing corporation. On the other hand, the charter also claims that NAUOC will be governed by an independent Board of Directors, though there are no corporate documents for such as independent entity and most of the descriptions of proposed governance instead relates to governance by the existing corporation. NAU versus their own governing body.

Their organizational chart indicates six separate Boards of Directors for six separate schools and does not specifically account for the existing corporation, NAU, and the authority of it or National University itself to exercise of a proposed NAU Charter. These petitions are inconsistent and unworkable and the description of the proposed governance structure is not reasonably comprehensive. For these reasons and the reasons that Dr. Turner has already addressed, we do not recommend approval of this charter, even if they cannot meet the more simplified requirements of getting their correct number of signatures, how can we expect them to compete with the more complicated and intricate details of, especially the physical side of running a school district? Thank you very much.

Johnson: Thank you, Superintendent Turner and Dr. Wong. The hearing is now open for Public Comments from individuals who have submitted a comment card to address the Board. Each individual will be allowed three minutes to speak with a total of 30 minutes allocated for comments. For those speaking today, the Board Clerk will time each speaker. A red light will flash and a buzzer will sound when time is up. President Williams, please call for the first speaker.

Williams: Thank you very much, Teresa. Okay, how many speakers do we have?

Boyd: You have about 10, I believe.

Williams: 10? Okay, and...

Boyd: 11.

Williams: Okay, 11, so, we have 11.

Boyd: Depending on how long they...

Williams: Yeah. It'll be about the right time, 30 minutes to get the 11. Okay, so, let's call the first one then.

Boyd: And prior to my calling the first, I just want to announce to the Board that the inter-

district appeal has been settled. And so, the Board will not hear that today. Michelle Hass and Sandy Chou.

Hass: Good afternoon. I...just before I start I want to thank you. It's been kind of a heavy day and I just want to thank you for your leadership. And, I have four boys to have gone through Beckman High School, two are there now. And so, anyway, I just appreciate your service to Orange County. So thank you, but that's not why I'm here. I'm actually here with NUA. My name is Michelle Hass. I'm a credentialed teacher with NUA and work as an Education Advisor serving the home school community in Orange County. As education advisors, our role is to support student learning and to ensure that our parents and students are successful in their home schooling endeavors.

Over the past four years, we have created a solid learning community that has been built on trust and collaboration. Our success is largely a result of the strong relationship between teacher, parent and student. Because of the intentional and specific support and service extended to our families, we have seen NUA's students and families thrive. Parents are willing to share their struggles and concerns, receive feedback and make necessary changes, and that only happens with time. A strong foundation has already been established and we look forward to continued growth and success for our families. Our support begins by working closely with parents to generate an individualized learning plan for each student that...that will enhance his or her strengths and improve areas of growth.

We ensure that our students have exactly what they need to maintain a high-level education, personalized to their needs. We have worked hard to develop a strong community through a variety of means including our enrichment center opportunities, field trips, running clubs, service projects, park days, day hikes and both parent and student workshops. At NUA, we realize the important role the community plays in a successful homeschooling experience. Our enrichment center classes promote collaboration and community from teacher-taught classes in Spanish and STEM to vendor-taught classes comprising of marine animal dissections and Robotics.

Our students have developed a bond of unity that is powered by friendship, curiosity and discovery. I wish you could have seen our community yesterday. It was our first day of fall classes and students were beaming. They were excited to see familiar faces and meet new friends. As I peeked in each class, I saw happy, engaged and connected students. We are proud of our community and honored to work with parents who are passionate about their children's education and who work tirelessly to cultivate a positive learning environment that will promote critical thinking skills and cultivate lifelong learners.

Our charter gives homeschool families guidance and support. Because of the close relationship between parent and teacher and an educational plan custom made for each student, we see kids thriving in our NUA home school community. In closing, I strongly urge you to please consider approving NUA for County sponsorship. Thank you everyone for your time.

Boyd: Cindy Chou followed by Jenny Feliciano.

Chou: Hi. My name is Cindy Chou. I'm a Professor at Chapman University College, Wilkinson University. I teach Business Law and Health Care Law. I earned my Ph.D. from the University

of Chicago and have been teaching for ten years. I have a 2nd grader, Joshua. He' has been with the National University Academy since Kindergarten. This is our third year and we had benefit a lot from NUA enrichment classes. The guidance from our education specialist and NUA community. NUA enrichment classes are in depth and the teachers always welcome parent participation. The teacher endeavor to give the student a diverse view and encourage them to engage in charitable activities.

For example, when Joshua learn to read music and sing, the teacher brought them to a nursing home during Christmas. Joshua come...came home telling me that the elderly people have a huge smile on their face when they heard the children singing. It really make him happy. And our education specialist meet with us every 20 days. He sit down with us and go through everything that Joshua had learned during this time. He's always encouraging and supportive and a great resource for different learning methods, different and various learning materials, and this really allow us to learn at our own pace. This also help us keep our learning experience new and refreshing. NUA, the Charter School allow us incredible, incredible flexibility that would otherwise be difficult.

Joshua is able to experience classes in Taiwan for almost a month during the school year, allowing him to greatly improve his Chinese language and learn about his Taiwanese heritage. He's also able to take focus classes at NUA in areas which interest him such as Space Science, Pottery, History and Robotics. NUA has encouraged Joshua to develop in ways which has made him more creative, more engaged with learning and a better person. Thank you.

Boyd: Jenny Feliciano followed by Michelle McCoy.

Feliciano: Hi, I'm Jenny Feliciano. I'm an Education Advisor with National University Academy, and I've been asked to share a letter from one of our parents who couldn't be here today. "Dear Members of the Board. Thank you for considering...for your consideration in the opportunity to write to the Board on behalf of National University Academy. It is my intention to advocate for your approval to NUA for charter sponsorship. Please allow me to highlight my personal reasons for desiring to see the school under the banner of OCDE. Through NUA, my family has had opportunities for support and resources that we would have formerly thought unimaginable.

In my personal experience growing up as one of the first generations of homeschoolers in the State of California, I saw my parent's pioneer educational territory that was often without support and with limited resources. In contrast to their experience, the support and resources of our family...that our family has received is immense. Before joining the charter, I homeschooled under a private school affidavit for three years and like many parents, I pressed on because I believe in the benefits of home schooling as an adaptive education. My parents accomplished their educational goals of seeing all their children matriculate to university level education. They instilled a devotion to service and community that came straight from their own examples.

My two siblings and I moved on to work in CLAD and educational administration, nonprofit management and humanitarian aid work. All that to say my experience with homeschooling was such that it seemed obvious to me that this would be the path for my own children. I am individually investing in them to assure that they will be strong, highly educated individuals and

valuable community members. I feel that NUA's program matches my investment in a way that will help me to accomplish what my parents did before me. I hope that you will consider this dedication as you decide whether to allow my son's and other NUA students to join the larger community of OCDE.

In a great stride forward in education programs like NUA's bridge the gap between private school affidavit homeschoolers and the public school system. Your sponsorship of this program will allow homeschoolers like us to continue in the public school system instead of returning and going it alone. Growing up watching my parents keep exhaustive records apart from the school district, arranged for standardized testing, find appropriate curriculum, create lesson plans, and pay out of their own pocket for resources for field trips or extracurricular activities. I learned what a commitment it is to home school. To have NUA share in all the work necessary for my child's education is more valuable than I can express.

The record keeping, the curriculum and testing resources are just a few of the ways NUA charter...NUA charter has mitigated the challenges faced by our family. Our school has assembled a knowledgeable and caring staff that makes them stand apart. I have observed that the NUA staff is prodigious in the way it complies with the educational state standards. These are the...

Boyd: Your time is up.

Feliciano: Okay. Thank you for letting me share my letter.

Boyd: Michelle McCoy followed by Laurel Evans.

McCoy: Hello, Board Members. Thank you for letting me share. My name is Michelle McCoy and I have four children. We are located in the Saddleback Valley Unified School District. I have homeschooled all of my children from the beginning of their school career and I homeschooled independently under the private school affidavit with the State of California. And, about three years ago I decided to join NUA. It has been a great support for me in homeschooling, so I'll read you just a few of the ways that being a part of NUA has supported our family and homeschooling. Number 1: first we chose to home school so that we could have the freedom to choose the curriculum that best fit our educational goals.

Secondly, we love NUA because we have had our children attend the enrichment center twice a week. They've taken classes in Art, Science, STEM, History and PE. These classes are very difficult for me to teach as a parent and I have greatly appreciated the expertise of the instructors that teach my children. Thirdly, I meet monthly or every 20 days with an educational specialist who reviews our curriculum, offers feedback, answers questions and helps me make wise choices to educate my kids.

Lastly, it's been very important to me to find outside support and teaching my kids social skills and healthy interpersonal relationships. During the day at the enrichment center, Mrs. Carrete and other NUA staff have taught my kids respect and team building lessons. At lunch and play time, my kids have learned important social skills from being with other students. These classes, the social interaction and the support of my education advisor have all contributed to supporting my educational goals for homeschooling my children. So, thank you for considering NUA.

Boyd: Laurel Evans followed by Keeley Dean.

Evans: Good afternoon. Can you hear me okay? All right. Thank you so much for the opportunity to speak to you. My name is Laurel Evans. I have two sons and our family lives very close to student North Tustin here, and I'm a proud NUA parent and I hope that you will seriously consider our charter, and take us on. So, I looked up your mission statement and I was actually thrilled when I read it because I thought oh, this is perfect. This is so in-line with what we do and to quote from it, so...here's my quote? "It is the goal of the OCDE Special Schools Program to provide the most meaningful education program designed to meet each student's individual needs" and that is exactly what we are doing for our children.

We are making their program meaningful and meeting their needs. As a little bit of background, I never planned a home school. I was a classroom teacher up in Lawndale for 13 years. I worked for Cal State Fullerton as a student teaching supervisor for two years and just assumed my kids were going to go to public school, and my oldest son did go for two years. And, for various reasons...and he was in a Magnet school, too, which you think wow, that's the best it could be. It wasn't the right fit and for various reasons, we decided to home-school him and my other son, and as I homeschooled, I was so intimately involved with their education and I had a background. I could see something's just not quite in the norm.

There are things...there are some things they excel at and some things it's like this is, you know, this isn't quite right. Over a period of years, I work with my educational advisor and we did different things and found out that each of my boys had different learning disabilities, which I don't think in a traditional setting would...we would have been able to identify as early, if at all, because some of it's just a weird thing to explain it. So, both of my son's do have learning disabilities. They both have 504 plans which, in a sense, when you're homeschooling and working with your kid doesn't matter because it is so individualized. I've been able to work with them with support to meet their needs.

My older son actually has returned to a traditional setting. He came back as a 6th grader. He's in 8th grade now and he is thriving. He is great. He is excelling academically. My younger son is still benefiting from being in a home school experience and I love that we have resources at our disposal to find the curriculum that matches it. I also want to make sure we're following the standards, so I'm glad that we can get that support to have the curriculum and the people to, you know, learn like ah, is this right? Is it not right?

We meet with our educational advisor every 20 days. They do participate in State Testing, so it kind of helps me as a parent still make sure that we are on track, but it gives them the education they need. You know, my 10-year-old knows how to weld. How many 10-year olds can weld, do woodworking, do 3D printing, do all that stuff? There's so many opportunities and it gives parents a lot of additional resources, so I hope you will support our charter. Thank you.

Boyd: Keeley Dien followed by Megan Perkins.

Dien: Good afternoon. I am from Fountain Valley and I started homeschooling in 2009. I registered with the state on my own, similar to some of the other parents that spoke. I began with NUA charter in 2012. All of my six children have home schooled at least two years. Currently, I

have one in college in Michigan and she's majoring in Engineering and Theatre. I have two in high school that go to Orange County School of the Arts. I have an 8th grader who's in her fifth year with NUA homeschooling and a 2nd grader who's with me today, back there. There are several reasons why I chose to home school and they're just from my personal experience as a parent through different educational settings.

I think there will be more and more students choosing the homeschool route or families. And I shopped around when I started with the charter and one of the charters I looked, at least one of the charters that are currently under that are chartered and I chose to go with NUA, and there are reasons for that. First, my educational specialist who's here, Jennifer Schutza, is a huge help in collaborating with my family and suggesting curriculum. For example, I was doing algebra with my 8th grader at home on our own curriculum and she suggested to me to do it through NUA, which has the A through G option, which we can get credit for in case my daughter doesn't home school in the future, which I really appreciated.

Another benefit to NUA is the access to resources, not only the material items. For example, the Rosetta Stone that my students are doing in Mandarin at home that we have and field trips like the immersion trip that two of my children did on Star of India last year, but also funds for local vendors. My 8th grader is in her third year...fourth year, I think, with South...South Coast Repertoire and is now part of an audition only ensemble there. So, I appreciate that that's here in our community; the vendors. Finally, the institutional weight and resources behind NUA that is here in our community is unique and highly valuable.

The testing facility that we go to is, which is right in Costa Mesa to do the sum of the State Testing, or the State Testing exposes...has exposed my children to higher educational options as they go through that building there that's National...National University's, and when we actually drive by my younger children have said oh, that's where, you know, the siblings go to take testing and when do I get to go there to do the testing on the computers? So, I...which is kind of funny he asked to take a test. I appreciate the educational opportunities that National University Academy provides in our community and supporting us in our home schooling. I hope that you will approve their charter. Thank you very much.

Boyd: Megan Perkins followed by April Sonnenberg.

Perkins: Good afternoon. My name is Megan Perkins and I am an Education Advisor for National University Academy homeschool. I can't say enough how great our school is but I'll focus on a different aspect of what makes NUA unique and valuable. For the past two years, I've been the SELT NO LPAC coordinator for NUA home school. My family, some of whom are not yet English proficient, choose homeschool for a variety of reasons. Some of the reasons include scheduling, strengthening family bonds and preserving cultural traditions. While these students are not in full-time class, we still provide them with a quality education that fits their needs.

Using instructional funds, we provide the students with a curriculum that includes videos so the students receive direct instruction. We have compiled a list of curriculum that we have found to be most helpful for English language learners. Also, families can use instructional funds for tutors to help with difficult subjects, checking work and specifically working through the new ELD standards. After speaking to many of my students and families of English language

learners, I have learned that the parents like the flexibility in their schedule and having a certified teacher to help guide them. The students like the flexibility and showing their work at the monthly meetings.

They like the communication they receive and feel comfortable calling, texting or emailing with questions. They like that they receive answers quickly. We recently received our LPAC scores for last year and I'm very excited and proud to say that each of the students in our homeschool program who took the summative assessment, earned 4's. This shows that National University Academy home school employees' beneficial strategies to support this particular population, which I know has been in question before. NUA is a valuable school that would work well with Orange County Department of Education. On behalf of me and my families, we appreciate your consideration. Thank you.

Boyd: April Sonnenberg followed by Michelle Anderson.

Sonnenberg: Good afternoon and thank you for your time. I want to share as a parent of a National University Academy student today. According to the National Home Education Research Institute in the United States, there are about 2.3 million home-educated students, and that number is growing. The main reason we homeschooled was for the many opportunities afforded our son at NUA. A few of these include one-on-one and small-group instruction. Also, the curriculum choice. We're very excited about that. I just want to share a small story. My son has an IEP and the school that he came from the traditional school, he was tested and showed Auditory Processing Disorder as well as Dyslexia, and they did not have a specific spelling program.

So, we paid out of pocket at the previous school. So, when we were enrolling NUA, we were very excited about the opportunity to have multiple curriculums that could help him with his academic needs. With our instructional funds, we were able to pay for him to have a private math tutor as well as take classes at an off-site home school campus that offers core classes. As I stated before, our son has an IEP and he was able to also receive special education services through NUA with an outstanding RSP teacher that we could be in contact with weekly on both of the NWEA Maps, which is the in-house assessment that's offered. My son showed growth and he was very excited about that, which motivated him, as well as the SBAC.

He showed growth in math and so, we were very excited about that. In closing, we want to thank you for your consideration to please support our academic program that's offered at NUA. Without it, like we said before, many of the families would probably go on their own because they believe in this and it's only a win-win opportunity. And again, I thank you.

Boyd: Michelle Anderson followed by Nancy Rohland.

Anderson: Good afternoon, Superintendent Mijares, President Williams and honorable Board Members and staff. I'm Michelle Anderson here with the California Charter Schools Association. I'm the Regional Manager for Southern California for advocacy issues, and I'm here today to speak first in support of this charter school, but also in support of this Board and the decisions that you've had to make and in helping us to get these charter schools authorized legally. We're

here because of the Shasta decision. This school, NUA homeschool, happens to be a school that has been in existence since 2013.

They have been operating successfully, so to hear the reason for them being denied at the level because they're demonstrably not able to show a sound program really kind of goads me a little bit because they have been operating and they have been operating successfully. They happen to have a program that meets the needs of their families. It's a homeschool program. It's a program by choice. If these families were not being educated through this school system, most of them would choose to be private school affidavit parents. That is not, I don't think, the direction any of us would really like to see kids go. In some cases it's great, but do we all remember the case and Marina Valley of those 13 kids and that family that were held hostage?

Basically, those were privately schooled kids, so to have families that can now have an academically approved program with the help of a school such as National University is by far a more beneficial situation for kids throughout Orange County, and in particular the Saddleback area. Authorizations have been a situation and we as California Charter Schools agree that schools should be locally authorized. So, what we're going through is a process and it's been a process that has taken a long time for these schools. In this case, National University has been through and is going through a process of six. In all cases they've had to go through at least two submittals and some cases to the same district and they were approved at San Diego.

They were also approved at San Diego County and some cases, they've had to go through on appeal. They are here to you on appeal. This takes time and in doing so, we've had to run into issues where waivers are now being truncated on them and we're going to have schools that will be affected in this case, this school could be affected because it will come out of their pocket if we don't get them approved by September 30th, so I know there's some things going on and there's certainly the forum so I would like to propose potentially that you all would consider listening to this as a Special Meeting on the 26th before your...your forum meeting and possibly render a decision before September 30th. So, again, I thank you. It is a program that CCSA wholeheartedly supports. Thank you.

Boyd: Nancy Rohland followed by Connie Cavanaugh.

Rohland: Good afternoon, Superintendent, President Williams, and distinguished Board Members. I'm here on behalf of National University and the National University system. My name is Dr. Nancy Rohland Heinrich and I represent the Presidency of the division on pre-college programs for the National University system and we are the liaison with our charter schools and our other K-12 programs we serve. National University has been a leader in K-12 education for over 40 years. I've been there for almost 39, so, I've worked with K-12 districts, 1100, throughout the state and what I do know is we have an opportunity with our school of education and all of our other schools to be able to support these programs.

We have been the greatest producer of teachers, administrators and counselors throughout the state for over 15 years now. We embrace the idea of supporting charter schools, providing resources, professional expertise and have been doing so since our charter started in 2008. We are sort of a victim of the Shasta Anderson decision and yes, all of these programs have been operating but they were operating under Lakeside. So, there seems to be some clarification

issues. Unfortunately, with Saddleback, with all due respect to the Superintendent and the Board there, we presented the charter but we never had an opportunity for a clarification meeting.

So, some of the information...we had 928 students last year so we had very sound enrollment and have had sound enrollment the last several years, especially in this...the particular programs that are before you today. There was concern about the elements of the charter. 100% of those elements have been met. The governance issues. We are proposing a new governance structure, which, I'm sorry, we didn't have an opportunity to clarify, but we did have one Board under Lakeside. We are proposing independent Boards for each of the charters so, each charter would have its own autonomy. That's what was approved and endorsed by San Diego County Office of Ed, La Mesa Spring Valley as well as San Diego Unified and they had...we had 5-0 votes on all of those charters. They understood the way the document had been presented.

We had collaborative meetings where we were able to clarify that. We really did want to work with Saddleback Valley and I'm sorry we didn't have the opportunity to do so. And if we could have, you know, better expressed some of the information, we certainly would have loved that opportunity. We had enough signatures from the teachers. You can either qualify by signatures on the teachers or the students and we will be able to provide that in the clarification meeting tomorrow, but we definitely had enough.

So please have 100% confidence that National University has commitment to our charter success, both academically, operationally. We help provide the funding interest-free on the front end and we want our schools to thrive and provide an academic environment with our students engaging in a high-quality program. Thank you very much for your time.

Boyd: Connie Cavanaugh, and she's our last speaker.

Williams: Thank you.

Cavanaugh: Good afternoon. My name is Connie Cavanaugh. I'm the Assistant Superintendent of Business Services for the Saddleback Valley Unified School District and I'm here today to address some of our concerns. I am a member of the district's Charter Review Committee, so I play a key role, I think, in evaluating charters as they're presented to our district. I want to point out that we do appreciate the dedication that the staff has at NUA. I don't think that's ever been in dispute, but part of what we had to look at is that due to the Shasta Anderson ruling, this is now an independent charter that's not part of the charter under Lakeside. So, can each individual Enrichment Center stand on their own fiscally as well as programmatically?

So unfortunately, we were unable to review the charter from a fiscal standpoint because we had inadequate data to evaluate the fiscal solvency. Part of the evaluation that I undertake is looking at enrollment because, as we know, enrollment and attendance really drive a lot of the funding sources from the state. And so, because we were unable to see what the actual projected enrollment was for Orange County. A lot of the documents we had were Riverside specific, which I believe would be the Murrieta campus, and so we weren't really able to see how the students at the Orange County Enrichment Center would generate ADA for the school site. And then, how that would implicate their budget and their fiscal solvency.

The charter also references the governance, but they weren't clear on who the governance was going to be. As I mentioned, they're going to have a local governing Board, but all of the documents submitted were for the initial charter in San Diego. So, all the corporation documents and the nonprofit status were really based in San Diego, and so they didn't address the Orange County component, so we weren't really clear on what the oversight of the local agency would be, which is a key element in my perspective, to the ability of the school to function. We did process the charter faster than we would. We received it pretty late before our deadline for our Board meeting, so we really made every effort to review it as quickly as possible in order for them to get our response prior to the end of last school year.

So, we did our best efforts to review it in a timely manner and you see the results of what our efforts were for further review. Like I said, I don't think there's any doubt that the previous charter was viable because it was part of a greater district charter that served, I think they said, six separate locations, but really our role at Saddleback was to review our...this individual portion of the charter and its viable status going forward. So, thank you for your time.

Johnson: This concludes the Public Hearing for the petition of National University Academy. At next month's Board Meeting, the Board will receive a Staff Report with findings and recommendation. Barring any unforeseen delays, the Board will render a decision at the October Board Meeting. President Williams, I now turn the meeting back over to you to facilitate any questions the Board may have.

Williams: Thank you, Teresa. Wonderful job. Just for the record, Trustee Sparks...it is very late in France, so I don't believe you see her anymore on the screen there. So, she is no longer with us. For the record, she's able to review audio and written transcripts of everything. So, she will be eligible to make her decision at our next Board Meeting on this particular charter. So, I will go to my right to my good colleague, esteemed colleague, Dr. Bedell.

Bedell: Do you know how scary it is to hear, I'm to your right? It's all that chocolate that I've had. I'd like to hear from the district first, please, and the representative of the charter as well. What I kept...the last five minutes of this presentation were, for me like, maybe the best decision for this Board, since there are so many unanswered questions, would be to remand it back to the district for further consideration. Is that an option for us? Does anybody...does anybody from the charter people tell us that?

Because it sounds like that there were questions that could not be answered or data that were not provided. So, if we could get that data...those data – pardon my grammar - if we could get those data and maybe the district...you see where I'm going with that? Because it was...sounds like there was some stuff that was not in there. And, while I'm saying I would like to hear from the charter because I would like to hear how the demographic data that you presented reflect the data in the district, which you submitted your proposal.

Boyd: So, on your question of could it be remanded back the answer is...the short answer is no. The petitioner would have to withdraw their petition and then resubmit to the district if they chose to do that.

Bedell: Okay, that's very helpful. Thank you. So, I would like to...if you have the data about the percentage of...the diversity piece...

Boyd: Can come to the podium.

Bedell: ...and Michelle will tell you on...this is something that can...the test scores make me very nervous. Test scores have made me very nervous. And secondly, we have homeschooling, do we not in the county that we run?

Boyd: Yes.

Bedell: So, I would like to know the articulation between our home schooling program and what you're proposing as it relates to possible duplication, I think, as the taxpayers funds.

Boyd: So, you want to start with the first question...?

Bedell: I don't care. Who's ever ready.

Carrete: You know, I think I can answer the question as far as, I know that you guys have some homeschooling programs under OCDE: Springs and EPIC, and I'm familiar with both of those charters. And, I think, you know, we have this community in Orange County in Mission Viejo, and we've been working with these families. We've built a community and you can't replicate that by just moving them to another school. We've built a foundation. We've built a community. We have this Learning Center and you can't just...you can't duplicate that, what we've built, so that's what I would say to that.

Bedell: Sure.

Carrete: And then, as far as the demographics and as far as test scores, and I...addressed that a little bit in the presentation. I know with homeschooling a lot of the families are a little bit anti-testing standardized...so, for...it's a big push just to get 100% of them to agree to the State Testing. And so,...and we do so many different measures of growth and we traditionally haven't done well in the test and with all this chartering we really pushed it this year. We did some test prep workshops and a lot of these kids will come in to take the test and we do it at National University, which that can be an intimidating environment for a child that's never...that's homeschooled. They've never seen the format of the test.

In the traditional school setting they might be practicing that...that test during the during the school day. So, we did some test prep workshops. We train the parents on get your kids on these tests; get them to practice. So, I do...our scores this last year for home school went up tremendously and they are in line with Orange County Department of Education, and I am confident that just with training of the parents and getting the kids familiar with this type of test, that they'll do fine because the ability's always been there.

Bedell: But you can't make enrollment conditional upon taking a test. Can you?

Carrete: You cannot, yeah.

Bedell: That's my understanding.

Carrete: So, in in the State of California, you have the legal right to opt out. So, it is...we do have families that legally want to opt out all the time, but I do know for our charter, it's really important that we have this data so that we can show our districts that we are agreeable to doing these things. So, for a while, it's been the big push just to get everybody agreeable to do the testing, and now we're moving into really advocating that this is really important. This is the measure that districts look at to look at the success of our program. And so, our parents are taking it serious...more seriously, our students are too, and especially with all this charter stuff

and they did great this last year. I mean...and I do think that they're going to continue to do well as long as we address it, some simple...

Bedell: Based on your experience - I really appreciate your passion for this – would you believe that the...your valedictorians of your program are less likely to take tests? Can you make any statement like that? I have a New York Regents diploma; was the pride of my mother. I never used it, it was ridiculous, but in my high school, they took the kids out who wouldn't take the New York Region, so that cool would look good.

Carrete: Yeah.

Bedell: Right? Right, you know, and so...and I'm thinking there were certain parents and I can see...because University faculty member...I know faculty wouldn't allow their kids to take a test. And then, they go to Harvard full ride.

Carrete: Yeah. Well, that's, I think...that's kind of the point I was trying to make, is that a lot of the work that these students are doing is so outside the scope of what the test is. So, we haven't put...I know that it's important as an educator assessment is important; progress monitoring is important. And we have those elements in place but we're not just looking at the standardized test, but right now as we're going for charter approval and our districts have this...it's important and I know that the students can step up to that and do well on the test if we need them to. You know?

Kopp: I may just add. As...we are currently an accredited school as Lakeside Union School. Accreditation is very important to us and we intend to pursue a separate accreditation for our program should you all approve it. And one of the key components of that is the cycle of continuous improvement. So, this is not – pardon the phrase, I know it's offensive – a dead cat bounce. We are committed to continuing the trajectory we are on with improving our test scores. When we saw the previous year's test scores, and we agree they were concerning, we took steps with hiring a math consultant. We sent teachers to professional development. We didn't sit on our laurels like if nothing was happening. We took measures to take corrective action, and we intend to continue with that thing, using our data to drive instruction.

Bedell: I just...two questions, and thank you for your patience. I would...do have some sense of your relationship to our county-run ACCESS programs and our County programs in general? And, is National University of for-profit?

Kopp: National University is a non-profit first of all, so that's very important. As far as using county resources, we would love your resources, but we do not have access at this time.

Bedell: But you would bring money to get them through enrollment?

Kopp: We could.

Bedell: Okay.

Kopp: Right now, the County...the County's that we currently work with for various services are largely San Diego-based.

Williams: Trustee Gomez?

Gomez: Just a few clarifications because I'm kind of all over the map here with questions that I have.

Bedell: That's now new.

Gomez: Yeah, I know, right? The population that you're serving, I heard TK through 8, and then there were some references to high school. So...so could you clarify that for me?

Carrete: Yes. With this charter petition, and we have...we have kind of two programs in one. We have TK through 8 as focused homeschool and then we also have 6 through 8 which is independent study...6 through 12, sorry; independent study. So, kind of the difference between that. Independent study is...it's not curriculum choice. The curriculum...it's one curriculum, but they're doing it independently at home online and then they have a learning lab where they can come a couple times a week for tutoring and things like that. Homeschool, it's every child is on an individualized curriculum path, so it's...it's kind of two programs in one.

Gomez: Okay. So, some of the parents that were touting their...their ability to select the curriculum that meets their needs, would not have that choice once they got into...8th grade or...?

Carrete: 9th Grade.

Gomez: 9th Grade.

Carrete: 9th Grade.

Gomez: Okay, so, they...so that...the thing that they were touting and they're excited about, they would not have if they stayed with you?

Kopp: Well, let me...let me address that a little bit. One of the concerns that we have as a K-12 program is that a lot of our parents reach a capacity with many of the subject areas when you get into middle school, and that's why there's that overlap.

Gomez: I would agree with that.

Kopp: Right. And so, that's why we have...

Gomez: I gave up on math about 8th Grade.

Kopp: Most people do. You know, that's usually when algebra hits hard right? So...

Gomez: I got passed Algebra.

Kopp: Oh, that's awesome.

Gomez: Yeah. Yeah, and Geometry, I think.

Kopp: Yeah, Geometry was more my thing too. I feel you.

Gomez: Yeah.

Kopp: But, that's what we see with our parents to and so, that's why we enlist the help of single-subject credentialed teachers who are subject area experts. They have curriculum that we use through Edgenuity for UC, A through G, and the assurances you have to give, the UCOP to use A through G courses is they have to be taught by credentialed teachers. So, I mean, so we try and have that compliance with...with that component, and that's why they lose curriculum choice in a lot of...when they get to high school.

Gomez: Okay. I guess I'm...where I'm getting a little heartburn is that it sounds as though you've been very successful in getting your charters in other places, but for some reason you didn't have enough information to give the district so that they could make a choice, and because you were lacking some information, they disapproved the...the petition here. So, that concerns me a little bit. If you've been successful other places, but not here because of a lack of information.

Kopp: If I may address that, too?

Gomez: Sure.

Kopp: This was the only time that we never had any sort of capacity or clarification meeting

through a charter review process and, usually, that's when we receive like an RFP or something to the effect of additional documents requested by the district. We didn't receive anything like that from Saddleback.

Gomez: But my point is...is that I think you would have been more prepared and you would have had all those questions answered as far as your enrollment and your signatures and those kinds of things. That's where I'm stuck a little bit...

Kopp: We...

Gomez: ...is that, I would have thought that would have been kind of your specialty, so to speak, if you had already opened all these other charter schools, you knew what was expected, but...

Kopp: We just didn't know that was a question for them.

Gomez: Okay. Well, that seems like there were a lot of things, but okay?

Carrete: We did have the appropriate amount of teachers signatures.

Gomez: Okay. Well, and again, I'm...I would...I'm flying blind on this because I like to look at budgets and what you're proposing. You have...you also mentioned professional development for your teachers. So, in order for me to...to make an educated decision, I'd need to see your budget because what you're proposing is some great stuff, but, unless you have the budget for that you're not going to be successful. So, that's where I'm...I'm stuck because I don't have enough information yet.

Kopp: We have submitted to staff, with our charter petition, a budget.

Gomez: Okay, that's all from me, for now.

Williams: Okay, thank you. Trustee Barke?

Barke: Well, with all those questions that they're really a tough act to follow. I think any questions I had were answered; member signatures, other things. One thing I have to say is I've never received so many letters from happy families, that it seems like you really play an important role in the...role in the community and that there's lots of families out there that would be heartbroken without you. So, that's nice to see that you're providing choice, which I think is really important for our families because I think families are in the best position to make choices and the fact that you provide a choice, that's important to a lot of families. This is wonderful.

Williams: Okay, that leaves me. So, great presentations. Thank you, the district, for coming out, Trustee and Superintendent. We appreciate you taking your personal time because you don't get paid the big bucks to come out here. We know that, so I appreciate all your words. Just a couple questions here, because there are some legitimate concerns brought out by everybody. So, you anticipate 340 students. Is that correct?

Kopp: Yes, yes.

Williams: Okay, so, this school is existing currently?

Kopp: Yes, it is.

Williams: And where's the campus again?

Kopp: We have two campuses as part of this petition. One is in Mission Viejo, off Jeronimo, and the other is in Murrieta.

Williams: Murrieta.

Kopp: Off Kalmia.

Williams: Okay, so Jack, help me out here because we've been through this with one of our

other charters where they had another school outside of the County, and there are some...I think we initially approved it, but then there was problems with that. Nina, please...

Bedell: With EPIC, right?

Williams: Please, help me.

Boyd: Actually, I would suggest that we wait until the Staff Report so that we can...there's a clarification meeting with the petitioner tomorrow, with our team, and so, some of the questions that you all, and especially around that issue...

Williams: Okay.

Boyd: ...will be answered and...and hopefully we will be able to provide more clarity. One of the concerns that we raised previously with the Board and actually the Board didn't approve anything outside of the County, and the rationale behind that is the oversight and accountability and how our team would be able to do that, and the resources involved, or that would be necessary to do that. And so, we had a lot of conversation with the Board with regards to what we might be able to do or not do and I think you're referring to one that was in north San Diego County.

Williams: Yeah, I can't remember...the biggest problem that we came to view is the two separate schools were so geographically apart from one another, and then, the administrative oversight and all of the other issues made it very difficult for that charter to be operational. And...and so, I voted for that charter, but I think when it came back, we...I voted against that because we're against two schools, one charter in different Counties. So...

Kopp: If I may. If the Board would, and with staff's recommendation and blessing, consider the contiguous County site in Murrieta, we would be happy to reimburse travel expenses or expenses in general for...for the oversight with regards to that. If not, we are absolutely willing to, with guidance from...from staff to remove that from our charter petition.

Williams: Could...so, you're saying and you're willing to remove the Murrieta school site separate and just have an Orange County....

Kopp: Yes.

Williams: ...site.

Kopp: The Book of the Children in this charter petition are here.

Williams: Okay, and you're going to...

Kopp: In Orange County.

Williams: ...present that tomorrow with the staff.

Kopp: My pleasure.

Williams: ...as an option, because the staff knows this very well and we've been through this the last many, many years, and that was a concern that we had generally as a Board several years ago when we reviewed that. Okay, so that's good. The other question that was brought up was, when do you need a decision? When does this have to be decided by us?

Kopp: Ideally, we would have loved a decision by September 30th, because that would have allowed us to continue operating under your guidance, I think for the school year, if...if I'm understanding that correctly. I understand...but before that opportunity or discussion occurred, we understood that the Regular Board Meeting where it would be approved was already scheduled for October 3rd. So, we are happy to come back on the 26th if you'd like to have us at the decision...

Williams: What would happen in those three days from the end of September to October...?

Kopp: We would stay with our current authorizer, Lakeside Union, for this school year if we were authorized on October 3rd, so, our authorization under you all would...should you go in that direction, wouldn't start until the 2019 school year.

Williams: Okay, so, you would still be in the business of educating kids and providing services and no one's going to be hurt. Is that correct?

Kopp: That is my understanding but we will need to go back to our current authorizer to have that discussion.

Williams: Okay, because it's...this Board has been very active in the process and we don't always accept staff recommendations and my colleagues can...can avow for that. That's happened, so personally for me, I'd like to see the two sites separate. We only have to deal with one. I mean, you can go to Riverside County to get approval, or you can operate with...with your current charter sponsoring.

Kopp: We would find a solution for the Murrieta campus. I'll just tell you from my standpoint. It's...it's not viable on its own because it is rather tiny so, we would find another solution for that campus.

Williams: How big is it?

Kopp: It's...it's got somewhere between 50 and 75 kids, 3 teachers, 1 teaching assistant.

Williams: And here in Orange County, how many kids do you have enrolled?

Kopp: About 200.

Williams: About 200? Okay. Are you at maximum potential?

Kopp: We can actually have more. We actually have the potential for quite a bit more. We're kind of holding onto our current enrollment because...and not recruiting, because we're waiting for a decision from you all.

Williams: Very good.

Kopp: We have a waiting list.

Williams: Thank you very much. I have no further questions. Any other questions on my Board Members? Very well. Thank you very much.

Kopp: May I just say one thing?

Williams: Sure.

Kopp: We just wanted to thank Saddleback Valley for coming out and for taking the time to review our charter petition. We know it was very large and I...and we appreciate the quick timeline. We also want to say thank you to OCDE staff for taking the time to review an even larger petition because we know it's a tremendous amount of effort on their part. We look forward to hearing the decision and I certainly in our capacity interview tomorrow.

Williams: Very good. Thank you very much. So, for the record, that concludes Item Number 9, the Charter School Public Hearing. For the record, it's already been announced by our good Superintendent Boyd, the inter-district appeal has been resolved and we will not be hearing that. So, at this point I'd like to take a recess, officially, and go to the Facilities Corporation Meeting so we can hold our meeting. So, we will be in the facilities.

Boyd: Yes, we'll call Renee up to give us the background, so...

Renee Hendrick: So, as a reminder, this is a Facilities Corporation that was instituted quite a few years ago, and this...we had to do this enable us to do the certificates of participation for our Esplanade project. And so, you guys get quarterly updates from this and so we only do an organizational meeting one time a year and that's why this looks a little bit different than normal. And so, we open the facilities Corporation. We will do our budget and our annual update and then close and go back to your meeting.

Williams: Very good. Okay, so, for benefit of the record, this Regular Meeting, the Facilities Corporation, is called to Order. Roll call.

Sisavath: Trustee Sparks? Trustee Barke?

Barke: Here.

Sisavath: Trustee Williams?

Williams: Present.

Sisavath: Trustee Gomez?

Gomez: Present.

Sisavath: Trustee Bedell?

Bedell: Here.

Williams: Okay, so, we do have a quorum. I have a Motion for the Agenda of this Regular Meeting?

Gomez: Move it.

Williams: Move it, and I have a Second?

Bedell: Second.

Williams: Second by good Trustee Bedell. All...any questions? Being none, all those in favor...before I...is it a Roll Call?

Boyd: Because she's not present then you don't need to...

Williams: Because we don't have to do an oral Roll Call. Okay, so, we're going to do it the old-fashioned way. All those in favor, say "aye".

[ALL BOARD MEMBERS SAY, "AYE"]

Williams: Oppose? Abstain? The Motion passes 4-0. May I have a Motion to Approve the Minutes from the August 16th, 2017 meeting?

Bedell: So Moved.

Williams: We have a Motion; I need a Second.

Gomez: Second.

Williams: Second by good Trustee Gomez. Questions? Clarifications?

Boyd: Actually, the...I'm sorry. The August 16th Minutes were Approved. We...a year ago, the Board had the...was concerned that it was a whole year that passed, and so, there was lack of memory sometimes, and so, what we did was we brought it back in September for the approval, and so, you actually approved your Minutes last...

Williams: September 3rd.

Boyd: Yes.

Williams: Okay, so, we...

Boyd: So, you don't have to Approve the Minutes at this meeting.

Bedell: Strip the record.

Williams: Okay, so...

Boyd: It's included to give you background information only, so that it's a refresher to some of

the things that happened and also because we had new members. So, my apology, that wasn't clear in there.

Williams: That's okay. No red line means dummies put some mouth or foot in mouth, so, what I see is, Dr. Bedell, you've withdrawn your Motion and you've withdrawn your Second, Trustee Gomez. So, being that the Minutes have already been approved, we'll go on to Public Comments. Any Public Comments?

Boyd: No Public Comments.

Williams: No Public Comments, very good. Special Recommendations? This would be for the appointment of officers for the facilitating or for the Facilities Corporation, and could you explain, Nina?

Boyd: Yes. The facilities...

Williams: ...how that process works.

Boyd: The...excuse me, the Education Facilities Corporation Board of Directors in your bylaws are always the current President and the Vice-President act as President and Secretary, and the only position that we ask for another Member of the Board to hold would be the Treasurer. Dr. Bedell has expressed interest in serving as the Treasurer for the 2018-19 year. So, unless there's another Trustee who is wanting that position.

Barke: Can I go ahead and nominate?

Bedell: Point of personal privilege. I answered the phone, that's all I did.

Boyd: So we just...and actually you can take it as a full slate if you'd like to accept the...

Williams: Okay. So, may I have a Motion to accept the whole slate that is...?

Bedell: So Moved.

Williams: Okay, and a Second?

Gomez: Second.

Williams: Okay. So, any discussion? Note being that there's no further discussion, all those in favor of Item Number 1, say, "aye".

[ALL BOARD MEMBERS SAY, "AYE"]

Williams: Oppose? Abstain? Motion passes 4-0. Moving on to Item Number 2 which is the Operational Report. We're going to have...Renee, are you going to give us a little bit of information? Do I need, from a protocol, to make the Motion and Second?

Boyd: No, because there's...there's no Action. You're just receiving the actual...

Williams: We're just receiving...

Gomez: It's just a receive and file.

Williams: Okay, so we really don't even need to vote on it.

Boyd: You just...no, you don't need a vote, you just need the information provided by...

Williams: What about Item Number 3?

Boyd: You will need to have Approval on that one.

Williams: We do need to have that, okay. Okay, very good.

Hendrick: And, I just want one point of clarification. This project does have to be a self-contained project. We cannot use funds from our General Fund of the budget to supplement this project, because that would affect our financial hardship for any of our state school building program. And so, that's one of the things that has to be very separate, and so, that's why we have

the facilities course also. So, with that, for this year, we had another successful year for this program and so, you can see that our...our net change in balance as we actually had more revenues than expenditures. We still have been holding a balance anticipating one of the buildings to be turned over.

So, we did extend that lease through the end of June, it looks like, with some negotiations with the current tenant. They have been in there since before we purchased the building, but they continue to have financial constraints. And so, we had said we wouldn't renew their lease and we wanted that building back because we could actually use that for staff space at this point, though they have finally caught up on all of their past due rent that they owed us. And so, in the budget, when we get to that, you'll see we've added in the money for improvement, so, we did not actually have the big tenant improvements that we anticipated because we thought we would spend that this year for that building.

And so, for the budget we thought that we would actually have an ending balance of 3.3 million. We actually end up with 5.3 million. We are actually at 99% occupancy at this time in that building, and so, the only ones we have left are very small suites that don't have windows. Are...we have a waiting list for our industrial space and so, that's part of our reasoning also to move this tenet along, because we continually have financial constraints with them. And so, since the market is so strong right now, now would be a good time to rehab that. So, that's part of our process for that. So, we will hold those funds back to do those improvements though. If you remember the last year, we end up...two years for we've done restroom rehabs and things like that.

We will do some roofing this year as needed, and we'd replace some air conditioners. And so, overall, the project has been successful. We do have our financing through 2019...December 2019 where we would have to go out and refinance again, because we have that fixed rate through that time period, so that's helped us because that's been fixed at 3.5, and that's the majority of what I have.

Williams: What is the fixed rate today, if we had to...

Hendrick: 3.5.

Williams: Okay, so it hasn't changed?

Hendrick: It hasn't changed because it is fixed through December 2019. We anticipate with interest rates going up that it would be a little bit higher rate. Last time, we could only fix it up to five years because this is a different type of property than, say, a home loan, and if we try to go to the like say a 30-year, the cost was actually at that...when we last time we did that, they wanted almost 7%, which is a lot higher, obviously, than the 3.5%, but we'll be bringing that back to you as we go through next year to kind of talk about what options we have.

Williams: So, we're up 2 million than what we thought we would have. Is that correct?

Hendrick: We are but...like I said, it's also because we didn't have the tenant improvements. We really thought we'd spent about a million...1.2 for tenant improvements.

Williams: I know our good past, Trustee Boyd, was very involved in the rehabilitation.

Hendrick: Yeah.

Williams: Were we, help me out here, were we going to put elevators in and we decided not to

do that?

Hendrick: Yeah, I think the last decision was we would not do that unless we actually went into a modernization phase, and so, that is something we've talked about if we take over that entire building, that we would do an elevator in that building because that would be staff, but the Board as a whole had decided not to move forward in that way.

Williams: Okay. Trustee Barke, any questions?

Barke: No.

Williams: Trustee Gomez?

Gomez: Nothing for me.

Williams: Dr. Bedell?

Bedell: Great report as usual; great brilliance on your part to buy the building.

Hendrick: I can't say...I wasn't... actually, Ms. Boyd was a part of that.

Bedell: She was? She's too modest and she doesn't like to be embarrassed.

Williams: Okay, so...

Boyd: You just need to take Action on the original budget.

Williams: Thank you. Okay, so we're on Number 3. So, Item Number 3 on this Facilities Corporation, I need a...Consent or Motion to make this thing go.

Bedell: So Moved.

Williams: Make that Motion, and I need a Second.

Barke: Second.

Williams: Okay, so we have a Motion and Second. Any other questions? Being that there's none, all those in favor say, "aye".

[ALL BOARD MEMBERS SAY, "AYE"]

Williams: Oppose? Abstain? Motion passes 4-0. Any Closed Session Items?

Boyd: Nothing on your Closed Session.

Williams: Very...no, it just says...

Boyd: Information.

Williams: Information?

Boyd: Oh, Closed..., I'm sorry, Closed Session for the Facilities Corporation. No, there are no Closed Session Items for that.

Williams: Okay, very, very good. So then, I will make the...[DR.WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE ADJOURNMENT OF THAT PORTION OF THE MEETING] decision to Adjourn and we're going to go back into our Board of Education Meeting, and let me turn the page. Okay, so we don't have the inter-district appeal, we did the facilities. We're now on Informational Items, and our good Superintendent is still here, and you get...you get the...the first shout out here.

Mijares: Well, thank you. Just some quick items, very, very quickly. One, I wanted to say that a few weeks ago, Dr. Olmstead and myself participated in a meeting in Sacramento with the Bechtel Foundation. As you know, the Bechtel Foundation is a large Engineering Management Company. They've been around for over 100 years, and we had a chance to work with them and people from CSESA. CSESA, As you know, is the California County Superintendent Educational Services Association and members of the state, California Department of Education

to look at science and math standards and, you know, how we can work together to solidify those in as much as the frameworks are developed or in the process.

Like in science, the process of being developed and I'm so happy that the state continues to engage the Orange County Department of Education and looking at how these standards are developed and how do they get implemented. So, I also wanted to do a shout out for Dr. Olmstead. She will be recognized by the Girl Scouts of Orange County and she will be winning an award for the Outstanding Female...it's called the Outstanding Female Leadership Award. You know she's been in our district, I mean our County, I don't know, I guess since...what is that? About 7 or 8 years, Nina, approximately?

And, she was formerly a teacher and a principal here in our County in Brea, and just has done a number of wonderful things for us including leading a...helping us to lead the Multi-Tiered System of Support Grant which was a multi-million dollar project that we have led across California. Then I wanted to give a shout out to our Communication and Media people...see two of them back there. I think Laura's back there is that...Shane, is that you? Or, okay, I think it is. We completed a Deeper Learning Podcast on Bilingual Education, so it's available. It's a podcast about 33 minutes. You can hear it. It's on our webpage and I'm excited with this one because so much has been said about bilingual education over the last several decades, and there's been a lot of misinformation about it, and, I think this is just a very summary attempt to put things in context in terms of what's going on today.

Because, you know, today the world is so different than it was, obviously, 20 years ago...30 years ago. Social media has just spurred on the connectivity, if you will. We've had an explosion of knowledge. I mean, just as we sat here over the last four hours, there's been several million pages, I'm sure, of technological literature that's been published as we sit here changing the world. So, we try to...you can only put so much into a podcast before people disconnect. I mean, some disconnect after the first minute, right Jeff?

And so, anyway, we did...we've done this in terms of bilingual education. Where I was going is that now we celebrate multilingualism; multi-literacy in terms of language development. And so, we're no longer an English-only society, although English is the main driver in a lot of ways in this country, so, the more languages you learn the better off you are. So, I wanted to let you know about that. That's all I have for right now. It's late and thank you for the opportunity.

Williams: Very good, Superintendent. Nina Boyd, anything that you need to report?

Boyd: I'm sorry. The Special Board Meeting Forum on 9-26, today would be the cutoff for us to finalize established Agenda. So, I know that you said that there were a couple changes. So, we have everything by Monday 9-17, we would be able to meet deadlines for finalizing Agenda, meeting with the Executive Committee, and getting packets out by the end of next week, because that's what would be our deadline to deliver packets to the Board, and for compliance with Brown Act because we're two weeks out. The next regularly scheduled Board Meeting is October 3rd, and so, cut off for Agenda items would be next Wednesday, 9-19. Just reminding you all of our time frames because we've got three events real close together and I want to make sure that the Board has clarity there. And then...

Gomez: That's the 9 AM, one. Is that correct? Oh, November's not, okay.

Boyd: So, 10-3 would be your Regular Scheduled Meeting and your regular timeframes and so forth, okay? And, that's all I have for you unless you have questions. We have CCBE this week which is County...County School Board's Conference in Monterey, and so, we have Dr. Bedell, Trustee Gomez and Trustee Barke attending and we will be...I'll be sending some information to you all with an invitation to dinner on Friday evening. Staff will be hosting a dinner, so if you go...

Bedell: Very nice.

Boyd: If your spouses are there then let me know and we'll include them. That's all I have.

Williams: Very good. Going on to...we missed Board Discussion. So, the boardroom music, did everybody get an opportunity to listen to the nice music that we played? No, not really. Okay.

[PIANO MUSIC PLAYS OVER THE SPEAKERS IN THE ROOM]

Boyd: They're putting it up for you.

Gomez: Can we get something that's a little peppier?

Bedell: I expected to see a body somewhere, and some flowers.

Boyd: Actually, we have two playlists for you, and what we did was put together some soft instrumental music. The Board's not in here, typically, when everyone else is in here for your recesses of what...there's a lot of conversations. You all were in Closed Session. We have four different clusters of individuals dialoguing and so forth, so, that's the reason for having the softer, more instrumental music to allow people to continue to converse, but to have something in the background. Actually, Dr. Williams and I also conferred that prior to the meeting, having something that kind of gets moods in a certain...

Williams: Calmness.

Gomez: Calm down.

Boyd: What...is...might be helpful, and so, we did that. We also have another playlist of some patriotic instrumental music. And so, we were thinking, depending on time and space, we would go back and forth between the two and so media also has that. And, I think they're almost ready to cue up.

[MORE PIANO MUSIC PLAYS OVER THE SPEAKERS]

Williams: For the record, Dr. Bedell...

Bedell: Is singing.

Williams: Okay...

Gomez: I like the music. I think it just needs to be a little bit more energetic.

Williams: Okay, well, this is important dialogue. So...the...Nina and...

Gomez: I couldn't figure out at first what it was. It was so slow.

Williams: We do have some patriotic...

Boyd: Do you have something peppier in there in that patriotic music that would help them? I think part of it is the time of day and the lateness of the meeting that is really...

[MORE PIANO MUSIC PLAYS OVER THE SPEAKERS. THAT IS FOLLOWED BY CLASSIC GUITAR MUSIC]

Williams: Okay, so I just...I gotta share this because this is fun.

[DR. WILLIAMS PLAYS “BORN IN THE USA” ON HIS CELL PHONE AND PLACES THE PHONE ON HIS DAIS MICROPHONE]

Williams: That's what I had originally put in there.

[A TRUMPET AND WOODWIND PATRIOTIC SONG PLAYS FROM DR. WILLIAMS' PHONE]

Williams: Little bit more lively.

[A CHORAL VERSION OF “MY COUNTRY TIS OF THEE” PLAYS]

Williams: It's another song version.

[A COUNTRY VERSION OF “THIS LAND IS YOUR LAND” PLAYS]

Williams: This is the one I love. This is Ray Charles. His rendition is very moving.

[“AMERICA THE BEAUTIFUL” BY RAY CHARLES PLAYS. A SLOWER VERSION OF “AMERICA THE BEAUTIFUL” PLAYS]

Williams: This is another; Leslie Greenwood.

Gomez: Okay, come on now.

[AN INSTRUMENTAL VERSION OF “AULD LANG SYNE” PLAYS, THEN “YOU'RE A GRAND OLD FLAG” PLAYS]

Williams: Okay, so throwing it open for discussion.

Bedell: I have no trouble with it. I would just hope that we will be assiduous in being sure nothing could be interpreted as being a religious son given the issues that are going on, so, I mean, country and western and no hymns, themselves. You know what I'm saying?

Williams: Sure.

Bedell: Learning from Rosh Hashanah, kind of thing.

Williams: Right, yeah. Trustee Barke? Anything?

Barke: I think keeping it, you know neutral patriotic is as good. A little bit upbeat, not too sleepy, you know, not too...not too crazy.

Williams: Okay, so, is our consensus you want to go a little livelier, or...I kind of like the mellow sound, but maybe we can mix it up.

Boyd: We can mix it up.

Barke: Yeah.

Boyd: We'll work on it. We'll have some more music for you later.

Bedell: Mellow would probably make it easy for them to converse and do what they want.

Williams: And that was the thought.

Bedell: That makes sense to me. Having too many strings in the background, that would be a distraction.

Williams: Yeah.

Boyd: If you were sitting here just listening to the music then yes, it would put you to sleep, but the design isn't that...you're not going to be here sitting and listening to the music. Something in the background and it's very soft and subtle.

Bedell: Yeah.

Williams: Okay, very good. Board Member Comments. We have...we have no Executive Committee Report. I think we've already said enough in Closed Session.

Gomez: I just have a couple quick ones.

Williams: Yes.

Gomez: As I mentioned earlier, part of our other discussion that the Orange County School Board Association met a couple weeks ago, and they set their calendar and identified the educational speakers that they're going to have for the upcoming year. So, you'll be getting a calendar and you'll be getting some other information when they have their dinners and speakers upcoming, as well as the fiscal seminars. I attended a ribbon-cutting in Heideman Elementary School for their new classroom and the upgraded school entry. Really...it's a two-story building, very exciting for those students as well as the faculty. I will be attending the Tuscan Public Schools...State of the School's Breakfast on Monday...Monday morning. I think there's a couple of other districts that are doing their state of the schools, and if you have the opportunity, it's really good to go to those so you kind of see what's happening in your District. You know, even though you might think you know, there's a lot of a lot of good stuff that goes on during those presentations, so...but that's all my comments.

Williams: Very good. Any other comments? May I have a Motion to Adjourn?

Bedell: So Moved.

Williams: So Moved. Second?

Gomez: Second.

[DR. WILLIAMS STRIKES THE GAVEL ONCE TO CONCLUDE THE BOARD MEETING]

Williams: Thank you all very much.