

## 2-13-19 Board Meeting Transcription

### [PRESIDENT WILLIAMS BEGINS THE BOARD MEETING BY STRIKING THE GAVEL 4 TIMES]

**Williams:** Okay. Will everybody take their seats? I welcome you to the monthly County Board of Education meeting and for the benefit of the record, I officially call this regular meeting to order. We normally hold our meetings monthly at 10 A.M. Today is a different day because our agenda is quite full and so, we decided to begin 1 hour earlier. Our board...agendas are posted online and of course, you can go to our website to get everything in greater detail, and we do have agendas at the back table. Anyone wishing to address the board or express their free speech rights is requested to complete a particular card that is at the back table there, and we'd ask that you give them to our good Associate Superintendent, Nina Boyd, or our Recording Secretary, Darou.

Each individual is allowed 3 minutes per meeting and they may not give up their time to others. This is a public meeting and we're obligated to be respectful of and demonstrate civility towards the board, staff, Superintendent and the other guests who are here today attending this public meeting. Anyone deemed to be disruptive will be requested to leave and removed by the Orange County Sheriff's Department pursuant to Penal Code section 403, and that is posted on the entry toward our door here. Penal Code 403 is defined as every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting.

Examples of disrupting a public meeting include but are not limited to verbal outbursts, standing up during the meeting to draw attention, clicking fingers and clapping of hands. Again, thank you for attending the board meeting of the Orange County Department of Education. It is the policy and the long-standing way of methods of beginning our meetings to have an invocation. I asked the good former School Board Member from Los Alamitos, Dr. Jeff Barke, to lead us in the invocation and that will be followed by the Pledge of Allegiance by Beckie Gomez. You can all stand.

**Jeff Barke:** Good morning, President Williams, Board Members, Superintendent, staff, community. It's my honor to be able to give this invocation. I thought I'd start with a very brief history lesson...that I think is relevant. The Declaration of Independence was adopted in 1776. And, by the way, I put a copy of the Declaration and the Constitution on each Board Members' seat, and for the Superintendent as well. For the first time in human history, the Declaration declared that our rights do not come from the government but rather come from our creator. We hold these rights to be self-evident that all men are created equal, that they are endowed by their creator with certain unalienable rights that, among these, are life, liberty, and the pursuit of happiness.

The Declaration was signed by 56 delegates and interestingly, Dr. Williams, also signed by 4 physicians. The Declaration of Independence is the why of our founding. Our Constitution is the how, which was ratified 12 years later in 1788. Following the adoption of the U.S. Constitution, one of the first education laws that was passed in the Northwest Territories was called the Northwest Orient...Ordinance. It read, in part, "religion,

morality and knowledge being necessary to good government and happiness of mankind.” Schools and the means of education shall forever be encouraged.

The national motto of the United States of America, adopted formally in 1956 by the U.S. Constitution, is of course, “in God we trust”, and this is enshrined on every minted coin and displayed behind many government dais’, as is the case in this chamber. Invocations or prayers prior to official government business has been a long-standing tradition of the U.S. Congress and other government agencies. Just recently, a Federal Court ruled that this opening prayer tradition is, in fact, constitutional and can...continue.

It is my honor to continue this tradition. Dear Lord, I ask that you bless this school board, Superintendent and hardworking staff, to give them wisdom, courage and insight to reflect the vision of our great founders. I ask that you give us all courage to fight for the children of Orange County. I ask that you guide our elected officials to represent the best interest of our children, and I ask this all in your name. Amen.

**Gomez:** Please join me in saluting our Nations’ flag. Ready? Begin.

**[AUDIENCE MEMBERS RECITE THE PLEDGE OF ALLEGIANCE]**

**Attendees:** I pledge allegiance, to the Flag, of the United States of America, and to the Republic for which is stands, one nation under God, indivisible, with liberty and justice for all.

**Gomez:** Thank you very much.

**Williams:** Very good. For the purpose of having a meeting that can be heard well and the board can focus on the matter at hand, the individual who is translating, I can hear every single word you're saying, sir. I would ask...this is the first time anyone has done this in this board meeting, and we're not set up in a special room for you. But, if you can go to the back, that would be sincerely appreciated by us. Thank you very much. The next on the agenda is the roll call, and I need to formally announce that our good trustee, Jack Bedell, was injured in a fall and is under medical care with a fractured pelvis, and he will not be attending the meeting today. Darou, go ahead with roll call.

**Sisavath:** Trustee Sparks?

**Sparks:** Here.

**Sisavath:** Trustee Barke?

**Barke:** Present.

**Sisavath:** Trustee Williams?

**Williams:** Present.

**Sisavath:** Trustee Gomez.

**Gomez:** Present.

**Sisavath:** Trustee Bedell? **[OUT DUE TO A MEDICAL SITUATION]**

**Williams:** Very good. May I have...excuse me. Any introductions, Nina?

**Boyd:** No, there are no introductions at this meeting.

**Williams:** Very, very good. May I have a formal Motion for Approval of today's agenda?

**Barke:** I'll make a motion.

**Williams:** And I need a second.

**Gomez:** Second.

**Williams:** Okay, the second by Trustee Gomez and Motion by Dr. Barke. All those in favor say, "aye".

[ALL BOARD MEMBERS SAY, "AYE"]

**Williams:** All those opposed? None. Motion passes to adopt today's agenda. We have meeting minutes from December and January to approve, and as a...I need a Motion on that. I...can have a Motion?

**Gomez:** I'll Move the minutes as presented.

**Williams:** And a second?

**Barke:** Second.

**Williams:** Second by Ms. Barke, Motion moved by Ms. Gomez. All those in favor?

[ALL BOARD MEMBERS SAY, "AYE"]

**Williams:** All right, very good. Okay, so we have a special day today where we have counselor recognition, and we have some incredible individuals who we get to be acknowledge for their contribution to the community in making the children's lives in our educational institutions stronger and better. But, before that, we have Public Comments and because of the nature of today's meeting, we have over 40-45 individuals who have asked to make Public Comments. So, what we have done, today's meeting is very, very full.

We have 30 minutes that we've dedicated to Public Comments initially and then the remainder of the Public Comments will be at the end of our meeting. So, being that we have 45 that means there's going to be a lot of people who won't be able to speak. So, we're going to be taking the Public Comments in the order that they were received and our good staff will help us to get the names of those who will speak. And, there will be a second name given for follow-up. So, if you are in follow-up, go ahead and come to the front so we have 2 people ready to go.

**Boyd:** Al Holguin and Leslie Sheridan.

**Holguin:** Good morning, Council. Just recently, as you have heard, Chino Valley School District lost their case regarding invocations at their school board meetings. Their attempt to assert their religion at school board meetings and challenge the...U.S. Constitution has failed. Chino Valley School District is now on the hook for hundreds of thousands of dollars for plaintiff attorney fees that could have gone to teachers and students. Again, this is not a church, this is not a temple, and this is not a mosque. I have spoken several times on this issue and have requested the removal of invocations at these meetings.

I again request the removal of invocations at these meetings and place it on next month's agenda. Constant...constitutional law has always been on our side and we plan to enforce constitutional law if necessary in Orange County. Your actions will inevitably deprive teachers of students and...teachers and students of hundreds of thousands of dollars

towards attorney's fees. While you risk nothing, you can do the right thing and drop invocations from these meetings. Thank you.

**Williams:** Thank you, Al. Next speaker.

**Boyd:** Please state your name for the record and then, Rocio Galeno.

**Sheridian:** Good morning, President Williams, Board of Trustees, Superintendent and staff. My name is Leslie Sheridian and I am the President of the Parent Teacher Student Roundtable at the Ocean View School District. I'm the PTO President at Springview Middle School and my children have attended school in the Ocean View School District for over 9 years now. I am here again to address the request of Sycamore Creek Community Charter School in the Ocean View School District. After listening to our local neighbors describe how signatures were initially gathered, it seems certain segments of our community were misled.

In contrast to that, the charter school's plan to address the immediate need of our community falls short, to say the least. Our Ocean View School District is award-winning, educational staff that has been recognized at the National, State and County levels for expertise. This is a school district where relationships and achievement are of highest priority. Having tremendous...innovative and...innovative programs...I'm sorry, innovative programs such as the STEAM program: Science, Technology, Arts, Engineering, Mathematics; the environmental sciences; Visual and Performing Arts Academy; the Gate Program, as well as everyday hands-on staff to meet the needs of special needs children.

This is a district where they are supporting the social and emotional growth of the student. The commitment and communication partnership between teachers, staff, students and families is a strong relationship in place to support the success of our students. There is truly a place for all students at this school district. I am here because I oppose the charter school in the Ocean View School District. Thank you for your time.

**Boyd:** Rocio Galeno, followed by Laura Lavin.

**Galeno [MS. GULINO UTILIZES A SPANISH TRANSLATOR]:**

**Translator:** Good morning. I'm coming from Oak View Elementary School and I just want to tell you that some people approached me and asked me to fill out some paperwork that I didn't fill out. They filled out the paperwork for me. They told me that...paperwork was intended to help my school and do better things for my school, but I didn't know exactly what it was about. Thank you, that is all.

**Boyd:** Laura Lavin, followed by Noel Clancy.

**Lavin [MS. LAVIN UTILIZES A SPANISH TRANSLATOR]:**

**Translator:** Good morning. My name is Laura Lavin. I have 2 children, 1...of these is the one that's going to Oak View. Right now, I should be at home with my son who has therapy today because he is autistic and he doesn't speak, but I decided to come to this meeting because we were deceived in our community. And because this Sycamore charter school doesn't sound to me as an option. First of all because when they talked

about this school, they never told us where the school will be at. They told us there would be an after-school program, but after a while, I realized...I discovered that the...such an after-school program doesn't exist.

They also didn't explain to us if the teachers will be dually certified for teaching our children. There are other things that probably my friends will explain to you later. I know for a fact that having a charter school inside another public school create division. Many times the staff working at the charter school has superiority feeling or behavior related to the rest of the staff at the public school and that creates, of course, a complicated environment for the kids. I wouldn't like that someone come home, use my resources, just because they believe that I don't use wisely my own resources. Would you like that? Please, I ask you that the decision that you are going to take not only has to be on the basis of the law, but this is also a moral issue. We were deceived. Thank you.

**Boyd:** Noel Clancy, followed by Stephanie Green.

**Clancy:** Honorable Board President Williams, Trustees, staff and community members. My name is Noel Clancy and I am a proud middle school teacher in Ocean View School District for 15 years. I am here today representing over 500 elementary and middle school teachers. On behalf of my colleagues at the Ocean View School District, I am respectfully requesting that you support our Ocean View School District board members' unanimous vote to deny the Sycamore Charter. Within the Ocean View School District, and specifically, at Vista View Middle School where I work, we're able to address the needs of the whole student.

Teaching a student, as we all know, goes way beyond the content of the classroom. In my first year at Vista View, there was an official Mentor Program we were all a part of. It helped build relationships with students who might slip through the cracks. That program is still in place today, unofficially. We make sure that no students going to slip through the cracks. Our school climate is that the students are all of our students, even if they're not actually in my class. In fact, our district has adopted a motto this year and that is "relationships matter". Sycamore charter states that they are, "strongly committed to creating a healthy community which reflects and supports our common values."

They believe that children develop social responsibility and feel a greater sense...of significance in a supportive environment which promotes close, long-term relationships with classmates and teachers. Well, personally, I know this is no different than Ocean View operates already. In addition to building relationships that matter and supporting the needs of all of our students, Ocean View school offers a variety of innovative and rigorous academic programs for students. I am lucky enough to get to teach Language Arts, History and 3 electives. We have a school focus on STEAM, and within our district, we also have STEAM, BAFA, Environmental Science and a Gate Program.

The district also has electives and after-school classes: Robotics, Computer Coding, Engineering, Marine Biology, Graphic Design, Dance, Chorus, Bands and Performing Arts. Personally, I have the chance to teach, like I said, 3 of those electives. I often have students in those classes who may not always excel in the core classes academically or

behaviorally, but my elective classes give these students a chance to work on a variety of engaging projects ranging from anything from Google Drawing to 3D design and printing, right in my own classroom. In my 3 elective classes, I teach a Google Technology Class, a Robotics and a Design Thinking and Engineering class.

The students are constantly working and being exposed to new technology that they can have a career opportunity later in life. This year, my Google electives favorite projects were anything from green screen videos to choose your own adventure stories through Google Slides, creating their own spreadsheets. In my Robotics Class. Students are able to take the robotics. Anyway, we have some great programs in Ocean View and thank you for your time.

**Williams:** Thank you, Noel.

**Boyd:** Stephanie Green followed by John Briscoe.

**Green:** Good morning. Is it...

**Boyd:** Either one.

**Green:** Either one? Okay. Sorry, I was in the hall. Good morning, my name is Stephanie Green and I'm a resident of Huntington Beach, and I also serve as a commissioner on the Huntington Beach Community Services Board. I come here today when I should be celebrating my birthday. I'm 51 today, but I come here today to speak up against the Sycamore Charter School. They...we...and, sorry, I need another cup of coffee. Geez. And, the need to allow local control to prevail. The Oak View community is a unique...is very unique in Huntington Beach. While some will call it unique because it's primarily a minority community, I would call it unique because it is a very close-knit community.

Most recently, I've had the pleasure of participating in a few projects with Oak View, working on the Parks Commission, and we've received a grant for a project to put in new playground equipment. I was shocked...I was shocked to see how many people showed up at the last minute to participate in the process to determine what playground equipment went into that...to that new playground. There were kids; there were parents; there were teachers; there was all kinds of stuff and that type of community spirit. I'm a little jealous of because it wouldn't happen in...where I live; wouldn't happen. It's very close-knit committed...community. These things all happen...these great things all happen when the school district and the city and the community work together.

I fear a charter school will not be able to...will not participate in the betterment of the entire community, only in it...in the education of a handful. Allowing those few school sites to be an open charter school in this neighborhood doesn't promote choice. It divides a community that is easily overlooked and divide...and when divided are purposely ignored. I don't want to pretend that I'm some sort of expert. I know that there are people here that can speak to the unethical ways signatures are collected, or testify how great the Ocean View School District is.

And how they can, excuse me, how the community partners with each other for the betterment of the entire community, but I did want to make my voice heard and my

experience to be taken under consideration as you decide what to do today. I will also add that our Huntington Beach schools were purposely built in our neighborhoods because they serve as a community center for each neighborhood. This one, I would say especially. I don't believe it should be left to 80 signatures and count and then, excuse me, for County Legislators to take that away. Our local school board were voted into office. We all take time to vet them. We all take time to go to the meetings. We take time to do our research and I ask that you with...you uphold their decision today. Thank you.

**Boyd:** John Briscoe, followed by Jason Bozarth.

**Briscoe:** Before you turn on the timer, I have a point of parliamentary procedure for the chair. You asked everybody to stand up for the invocation. Some Christian denominations prefer to pray sitting down with their arms wrapped around themselves. Some fundamental Christians pray prostrate in front of the Lord, our God, and don't stand at all. And, some other religions pray in a lotus position and others on their knees. I would draw your attention to a violation of religious rights by asking everybody to stand up for an invocation.

A normal and customary greeting would be, please rise or as is your custom, which then covers yourself. So, if that helps you, I'm delighted to help you today in your religious work with invocations, which I support. I'll begin speaking now. You can turn the light on. Good morning, County Board, members and staff. That was a point of parliamentary procedure. Did you turn it on before I started speaking?

**Boyd:** The light goes on when you come...

**Briscoe:** No, this is point of parliamentary procedure. It doesn't count for speaking time. Chair? Who's your parliamentarian?

**Williams:** Mr. Briscoe, thank you for your comments, but...

**Briscoe:** Who is your parliamentarian?

**Williams:** Mr. Briscoe, I will not have a conversation. The purpose of public comments is to hear from the public.

**Briscoe:** I'm part of parliamentary procedure.

**Williams:** You are not a part of this board to allow that introduction of parliamentary procedure. Your 3 minutes started...we'll give you 30 seconds back because this is not going to be of any event. So, go ahead and begin, sir.

**Briscoe:** Who is your parliamentarian?

**Williams:** You're looking at him sir.

**Briscoe:** Right, and what's your ruling? None? Thank you. Good morning, County Board Members and staff. I'm John Briscoe, President of the Ocean View School District Board of Trustees. I'm here today on behalf of the district to reinforce our disapproval of the Sycamore Creek petition. Today. I'd like to ask that the County Board consider why it would be proper...irresponsible for them to approve Sycamore's petition despite its legal flaws. The district board's resolution and OCDE staff have report...now have unquestionably put the County Board on notice that the Sycamore petitioners lack the comprehensive understanding of public education.

The intent of the Charter Schools Act is certainly that charters become an integral part of our public school system. However, the intent is also that charter schools be held accountable. The Sycamore petitioners should be held accountable for failing to include accurate legal standards in their petition, especially when this is their second time submitting this charter. The legislature's intent is to support school choice and that cannot mean that Sycamore be awarded for a flawed petition with up to 5 years of state and federal funding to be carried out. The County Board should not approve Sycamore on the condition that it materially revises its major deficits in its petition.

Both the District Board and Department of Education staff here have found that the Sycamore's leadership lacks a comprehensive understanding of Special Education. That's a direct quote, and also quoted of the services required by law for English Learners. We also agree with OCDE staff that the petition does not comply with California Education Code with respect to teacher credentialing. County Board should not approve Sycamore on the condition that petitioner simply rewrite these and other substantive flaws. Nothing in the County Board policies permits material revisions as a condition of approval. Petitioners should have to restart their charter submission process until they get it right.

Otherwise, the County Board's approval today would tell the public that charter petition is essentially a rubber stamp formality. The charter petitioners do not have to demonstrate a basic understanding of public education, and that's the basis for the denial under the Charter School Act, and that makes it merely a superfluous standard for the local agency to disregard. The bottom line, you are an approving body, not a forgiving and we'll give you a second and third chance redo body. So, you need to approve the charter or not...not go help them do it right over and over and over again.

**Williams:** Thank you, Mr. Briscoe. Jason, you're next.

**Boyd:** Followed by Joy Hogate.

**Bozarth:** Good afternoon. My name is Jason Bozarth and I am the Chapter President for CSEA #375. I have been a classified employee for almost 11 years at the Ocean View School District and I would quickly like to tell you a story. 14 years ago, I was enrolled at Cal State University Fullerton trying to get my single-subject competency degree so that I could become an Art and Art History Teacher for the high school level. That was about the time that a family member, my sister, Christine, was diagnosed with Stage 4 malignant melanoma. Many things changed that day as I set aside my educational goals to help our family cope with this tremendous tragedy.

She passed away 2 years later, but unfortunately from my...for me, the damage was done and I would need to find some kind of stability outside of a teaching job. I bumped around for a while at dead-end jobs until I went to work for Ocean View School District as a Groundskeeper. Now, fast forward 11 years and I am now the Heavy Equipment Operator as well as President of the Classified Union Chapter that serves nearly 600 employees. January was the final payment towards the \$35,000 that I owed for my schooling so long ago. I would not consider myself a rich man by any stretch but I'm able to pay my debts and keep my head above water at the same time as I contribute to society and help provide the children of our community with a quality education.



If I had attempted to do this at a charter school with minimum wage pay, no benefits, paltry medical, it's doubtful that I would even be alive, let alone able to stand here before you now, which brings me to my point. Ocean View School District does more than just provide a quality education to our community. It employs hundreds of solid middle-class jobs. Every time a job is lost to a charter school, it tears away at the middle-class foundation that makes our society, our country, even possible. I stand before you now as a single representative and a voice for...of the 600 classified employees in our district. Please do not grant this appeal. Teachers have stated their misgivings.

Administrators have stated their misgivings, and the parents have expressed their outrage. If you uphold the OVSD board decision, you lose nothing, but if you strike down their decisions, then there will be members of our bargaining unit who will lose everything, and the children of our district will be impacted for the worse. Please do not grant this appeal. Thank you.

**Boyd:** Joy Hogate, followed by Marissa Cardenas.

**Hogate:** Honorable Board President Williams, Trustees, staff and community members. My name is Joy Hogate and I am a proud teacher of the Ocean View School District at Mesa View Middle School. Ocean View is a district very dear to my heart. I have not only worked there for 20 years, but I am a product of the teachers that I had at Hope View Mesa View in my youth. I am here today representing 500 elementary school teachers. On behalf of my colleagues, I am respectfully requesting that you support our school board and deny the Sycamore Charter. Ocean View is a district that meets the needs of an extremely diversified group of learners.

All Ocean View Middle Schools house programs to address the needs of all learners. I teach at Mesa View and in addition to general education classes, we offer special day classes addressing the needs of learners with low cognitive functioning, ED classes for those with severe emotional needs – which is only 1 of 2 within our Special Education Local Plan Area – Co-Lab classes where a Special Education Teacher works collaboratively with a general education teacher, English learner support classes, study skills classes, honors courses, as well as being a Magnet middle school for Ocean View's gifted and talented education program.

In addition to the incredible array of academic programs and support we offer, Ocean View Middle Schools also provide opportunities for growth, interest, artistic and athletic expression through courses, clubs and sports, such as...the following: Associated Student Body, Web – Where Everybody Belongs; the California Junior Scholarship Federation, Beginning Band, Chorus, Advanced Band, Strings, Robotics, Coding, Theatre Arts, Year Book, RAK, or Random Acts of Kindness, Volleyball, Basketball, Cross Country, Track and Field, not to mention our schools embracing VAPA, STEM, STEAM, and much more.

Ocean View schools offer tremendously more choice and diversity while welcoming...all levels of learners, far more than any charter could ever hope to do within our boundaries. I ask that you please honor the unanimous decision of the Ocean View School Board

made with the support of their constituency and deny the charter request. Thank you for your time.

**Boyd:** Marissa Cardenas, followed by Marais...I'm sorry, Moradrum? I'm just...I can't make out the writing. Marcy Drum? Thank you. Go ahead.

**Cardenas:** Thank you, honorable Board President Williams, Trustees, staff and community members. My name is Marissa Cardenas and I am a proud teacher at Mesa View Middle School in the Ocean School...Ocean View School District. I'm here today representing 500 elementary teachers and middle school teachers. On behalf of my colleagues at the Ocean View School District, I am respectfully requesting that you support our Ocean View School District Board Members' unanimous vote to deny the Sycamore Charter. I'm also here on behalf of our English learner population and their families.

Ocean View...the services and programs provided by Ocean View School District exceed many other districts and charter schools. At the district level, we have an EL Committee consisting of administrators and teachers, and we make sure every year that our reclassification criteria is the most rigorous and aligned with the state standards, and our reclassification criteria is actually above what the state guidelines suggest. And, because of this, our reclassified fluent English proficient students statistically every year score higher on the Smarter Balanced Assessment than our English students, so, we are definitely reclassifying the students who are ready and not going to be supported in their other classes.

Additionally, at the district level, we offer trainings on both integrated and designated strategies in the classroom by ARTOSIS, and we also track and support our recently classified students for 4 years to make sure that they stay on the right track and they're receiving the education that is needed. Additionally, we offer both integrated and designated ELD as required by the state at all elementary and middle schools. Our elementary students receive integrated ELD components in their regular classes as well as the 30-minute designated shelter ELD class provided...suggested by the state.

In our middle schools, our sheltered, designated ELD classes are 53 minutes and we use a current program called English 3D, and we have seen the success of our English learners score higher and be more successful in school, at all middle schools. Please stand with us and honor our school board's unanimous decision to deny Sycamore. Thank you.

**Boyd:** Marcy Drum, and she will be our final speaker for this 30-minute period.

**Drum:** Honorable President Williams, Trustees, staff and community members. My name is Marcy Drum, and I am a proud teacher at the Ocean View School District at Vista View Middle School. I'm here representing 500 elementary and middle school teachers, and on behalf of my colleagues, I'd like to respectfully request that you support our school board unanimous decision and deny the Sycamore Charter. As I said, I'm a teacher at Vista View Middle School. It's a Title 1 school in Ocean View School District. Every year, many of my students are students with special needs.

Having been a teacher for 25 years, I have earned a Master's degree in Human Development and work diligently and consistently to be the best teacher I can for all my students. I know that students with special needs require daily support in order to learn, grow and progress in their education. I'm extremely concerned that the Sycamore Creek lacks the ability to meet the special needs of these students. In their charter application, Sycamore Creek plans to contract out services. This is alarming because it suggests that students with special needs only require support when the contracted staff members' present.

At Vista View Middle School, we use a team approach based on each student's individual education program which provides multiple adults in my science classroom...to provide daily support for students with special needs. This has proven effective for my students with special needs and for the general education students. As a voter and educator in Fountain Valley, I request that you deny the Sycamore Creek Charter. The Sycamore Charter does not provide sufficient support for students with special needs. Please stand with our local school board who unanimously denied the charter in order to show all our students that their academic success is our collective priority. Thank you again for listening.

**Williams:** Thank you, Marcy. Moving on with our agenda, we are very pleased to have a special presentation for, again, those individuals, those counselors who assist in making our communities in Orange County much improved and helping those kids with diverse emotional, psycho-social, cognitive-related issues, so I'm going to call upon the good Dr. Christine Olmstead. If she can come up and lead us in this special presentation.

**Olmstead:** Thank you, Trustee Williams. If I could just ask if people could make some room for anybody who's here to celebrate our counselors and allow them to come in if they're out in the lobby. I know Dr. Phillips just came in. So, if we could...from Santa Ana, if we can find a place for...oh, she's here? I see her now. Okay, and anybody else who's here to celebrate our counselors, if we could make a little room for them. We good? Okay. Good morning, President Williams, Trustees, Dr. Mijares. I have the tremendous pleasure of recognizing our school counselors who have made an impact in helping students achieve school success and build a strong foundation for their future.

They are the students' advocate when they need a voice, active listener when they need nurturing, and the compass when they need direction and guidance. It is certainly not an easy task. Last week, the National School Counseling Week was held, and I would like to take a moment to recognize our amazing counselors in Orange County who were selected as finalists in our School Counselor Recognition Award Program. There were 3 categories in which counselors could be nominated: Elementary, Middle-Intermediate and High School. This year, for the first time, we also wanted to recognize the incredible school counselor advocates who work tirelessly to support and advocate for the school counseling profession.

Please join me in congratulating our outstanding school counselors and school counselor advocates and recognize them for all the hard work they put in for our students and families. [APPLAUSE] We'd also like to say a special thank you to the Site and District

Administrators and family members in the room who enable them to do such incredible work. We appreciate you being here today and supporting school counselors every day. [APPLAUSE] We're also honored to have Executive Director of the California Association for School Counselors, also known as CASC, Loretta Whitson. Loretta, please stand. [APPLAUSE] With us today who will also be giving each award recipient a recognition certificate for their accomplishments today.

So, thank you for being here. She's been a huge advocate for getting this program up and running and recognizing the role of the School Counselor here. So, how this will work is I will read each person's name. We ask them to come up front. They will be given a certificate by Dr. Mijares and one of our Board Members, and I'll read each name as they're coming up. You'll get to take a picture as we say nice words about you, then we'll ask you to move to the side because at the end we're going to all take a picture together. Okay? And then, afterwards we'll have a reception.

So, the first award we're looking at is the Orange County K-12 School Counselor of the Year award, and these people demonstrate commitment to develop and provide a comprehensive School Counseling Program within the 3 ASCA domains: Academic, Social-Emotional, and College and Career supports. They also demonstrate leadership and advocacy on behalf of School Counseling profession, and they demonstrate leadership to support a multi-tiered system of support through data-based decision making in order to support the whole child. So, Katerina Sorrell, please come up to be recognized as our Elementary School Counselor. [APPLAUSE] We'll have you stand in the middle. You're front and center.

**Williams:** Don't stand right here Congratulations.

**Olmstead:** All right, she's being joined by Dr. Mijares and Mari Barke, and also, Loretta Whitson. Loretta, come on up, too; all going to come up together. So, as I speak about Katerina, she is a Professional School Counselor at Gates Elementary School, plus 6 other elementary schools in the Saddleback Unified School District. Katerina is extremely passionate about MTSS within the school counseling profession, In all 7 of her schools, she has implemented Tier 1 and 2 supports by recruiting professional speakers, such as Olympic gold medalists, military officers and children's authors to interact and motivate her students.

For her Tier 3 interventions, she has already conducted over 375 individual conferences this year in order to offer intensive supports and guidance for those who need it. She has served on the Executive Board of OC CASC and believes, in her own words, that being a School Counselor is simply a heart to show every child their enormous value, their inherent greatness, and their world-changing power. Thank you, Katerina, for the work you do. [APPLAUSE] Loretta and Dr. Mijares, she'll stay up there and Lisa Sparks, if you could join us next. Our Middle School Intermediate School Counselor Award goes to Andrew Fredriksz, and I'm so sorry if I mispronounce your name. Can you correct it for me? Fredriksz?

Well, it was that easy. Thanks. [APPLAUSE] Andrew is a professional School Counselor at Aliso Viejo Middle School in the Capistrano Unified School District. Andrew is 1...is the 1 and only School Counselor on his campus of more than 1,000 students. In order to best serve his students, he has employed the use of data to drive his MTSS interventions. Every year, he administers a school-wide needs assessment to students, parents and staff. Based on the data collected, Andrew creates monthly lessons which he delivers to his students through their tutorial period. In addition, he uses the data to create quarterly parent presentations for schools PTA.

He's delivered several presentations to CASC regarding the use of technology and a unique groups curriculum he's created. He's also currently writing a research paper on a 6th-grade Transition Group, which will be...he will be submitting for publication. Andrews principal perhaps put it best when she states, "Mr. Fredriksz is selfless, kind and always listening to others to find ways to serve. We, Aliso Viejo Middle School, are better because of him." Thank you, Andrew, for the work you do. [APPLAUSE] Next, Trustee Gomez will join us to give out our High School Counselor Award, and we'll have 2 recipients for this one. Beau Menchaca, come on up. [APPLAUSE]

Bo is the Professional Counselor at Central High School in the Santa Ana Unified School District. In the 19 years that Bo has been at Central High School, he has made it his mission to improve the school and the lives of the students her serves. One area in particular that he transformed was the Higher Education Center. His goal is to make it a welcoming, all-inclusive center. In a 5-year span, Bo raised the FAFSA submission and completion rates by 78%. [APPLAUSE] Here's another one. The number of students attending college rose from 21% to 92% [APPLAUSE], and the senior A-G completion – if you're not familiar with A-G, that's the requirements to get into a UC or California State School – rose by more than 13%. [APPLAUSE]

Last year, under Bo's leadership, Century High School was #10 in the entire state for FAFSA submission and completion [APPLAUSE]. He has also brought in almost \$100,000 in grant monies to fund higher education activities. As one of his colleagues' states, "Bo's vision is to give every student the opportunity to pursue their college or career of choice. He wants all of the students to have the opportunity to be successful." Thank you, Bo. [APPLAUSE]

Dr. Williams has joined us to give the next pre...award to our other high school recipient and I can tell you as a parent in this district, I have been full of gratitude for the Yorba Linda High School counseling team for the support they provided my own daughter. So, Lorri Walls, come on up. [APPLAUSE] Lorri is the Professional School Counselor...at Yorba Linda High School in the Placentia/Yorba Linda Unified School District. As one of the founding counselors of Yorba Linda High School, Lori was instrumental in creating a counseling department and program that was responsive to the needs of our students and community.

She was the pioneer of her district's College Entrance Acceptance Data Collection Program, institute...instituted her district's College and Career Fair and was the creator of the district's Out-of-State College Fair. Lorri also has her administrative credential and

has been called on several times to fill in as an Assistant Principal of Curriculum and an Assistant Principal of Student Services. In these roles, she was able to further advocate for the counseling profession by securing increasing support and fewer supervision duties, allowing our counselors more time for direct connections with students.

Lorri's passion for her job and her students is evident and she puts it, "I'm happy to wake up every day to laugh and to be inspired by my students and colleagues. For me, school counseling is a dream job." Thank you, Lorri, for all of your work. [APPLAUSE] Wait, come back, come back. 2 more awards to give out. We are also recognizing K-12 School Counselor Advocates. Again, we'll do the same process where we'll ask you to come up, be recognized by Dr. Mijares and Loretta, and then our Board Members as well.

So, the criteria for our School Counselor Advocates is that they support the implementation of a Comprehensive School Counseling Program, which incorporates the ASCA National Model, demonstrates advocacy for the school counseling profession, support school counselor leadership role in the implementation of an MTSS model framework promoting instruction and interventions for all students, supports the professional learning needs of School Counselors, support School Counselor engagement and ASCA professional duties and demonstrates respect for their prescribed ethical and legal boundaries, supports the use of data and making decisions that are in the best interest of students, promotes a positive school climate and culture for student and staff.

Our first recipient who will be joined...with us from Trustee Gomez, is Dr. Sonia Llamas [APPLAUSE], and Sonya is the Assistant Superintendent in the Santa Ana Unified School District. She's a previous School Counselor and Social Worker and understands the importance of a whole child approach to education and the value-added role of School Counselors. While many others focus on achievement and testing, Dr. Llamas has brought focus to student support and well-being. Under her leadership, School Counselors and other student support professionals have a voice at the cabinet level and the ear of the school board.

At Dr. Llamas' insistence, School Counselors are represented on the district MTSS Implementation Leadership Team in addition to numerous other district-level committees. She is ensuring that School Counselors are at the table during important conversations that impact students and School Counselors district-wide. According to her District Counseling Program Specialist, Dr. Llamas' everyday actions have earned her the trust of our Santa Ana Unified School Counselors. She's empowered them with her support, fueled their leadership and ignited within them a deep passion and purpose. Thank you, Dr. Llamas, for your work. [APPLAUSE] And our next Counselor Advocate Award goes to Rebecca Pianta. [APPLAUSE] She'll be joined by Lisa Sparks.

Rebecca is the Coordinator Counseling and Student Support Foster Youth Liaison for the Capistrano Unified School District. Rebecca's the only nominee in any category this year to receive 3 separate nominations from her colleagues. It is evident she deeply believes in professional growth and has encouraged her counselors to strive to become recognized for the ASCA Model Program, RAMP. Hearing the voices of the counselors themselves best paints the pictures of how diligently Rebecca advocates for those in her district. One

colleague writes, “Rebecca works tirelessly on behalf of the profession and us, as her counselors, and continuously fights for access to stakeholders that she can educate about school counseling.”

She worked on a team that supported the hiring of 50 counselors in our district and constantly supports our visibility and appointing us to leadership positions. Yes, I would agree, that's a huge applause to get 50 new counselors. [APPLAUSE] Another writes, “I've been a School Counselor for over 25 years, spending much of that time in leadership positions, and I have never been as encouraged and challenged to excel as I have been by Rebecca.” And lastly, another of her school counselors' states, “We are fortunate to have such an influential leader at our district, continuously promoting advocacy, collaboration and leadership, which in turn teaches us to create systemic change.”

Thank you, Rebecca, for your tireless work. [APPLAUSE] And, if I could ask all of our honorees to come back up and let's take a group photo with all of our Board Members. Did everybody get one? All right. Trustee Williams, I'll return the meeting back to you to adjourn for our special reception.

**Williams:** Thank you, Dr. Olmstead. That was well done and again, to all of our recipients, we thank you for all the hard work that you've given to our community and to Orange County. The board will be taking a recess to have the reception. We encourage everybody to go next door to congratulate and to talk. There's some...food. For those of us who need to lose a little weight, there's some vegetables, and for those who don't care, there's some cake and some goodies and cookies. But, the board, I would ask that you would be back here in 10 minutes. We will be going into Closed Session. That Closed Session will last approximately an hour and 15 minutes. The board will be in recess until then.

**[PRESIDENT WILLIAMS STRIKES THE GAVEL 3 TIMES TO SIGNAL THE RECONVENING OF THE MEETING]**

**Williams:** Okay, the Board of Education is back into session and we have to report out for what occurred in the sessions. By the way, for Session #2, nothing was discussed; no decision was made. For Conference #1, we have...Mr. Jonathan Brenner. Can you report out in public, sir?

**Brenner:** Thank you, President. Session #1 was to discuss the...an update of the litigation between the board and the Superintendent's office. An update was provided. Also, counsel's bills were reviewed in total by the board. The board resolved to approve payment of those bills and that is the only thing that was resolved and approved in Session #1. And, that is the update.

**Gomez:** We need to report the vote.

**Williams:** And the...vote for the approval was 3-1. Sparks, Barke, and Williams voted in favor of approval, and Trustee Gomez voted against the approval of legal fees.

**Brenner:** That is correct.

**Williams:** Okay, very good. Thank you, sir. Moving on to Session #3. Mr. Rolen, if you can provide a public comment on it.

**Rolen:** Thank you. Mr. President. Session #3 was the discussion of a matter of anticipated litigation. The board received information and counsel from Board Counsel and no decision was reached.

**Williams:** Thank you, sir. Moving on with the Board Agenda Item #2: Resolution #03-19. I make a Motion for this. As the maker of this resolution, I make the formal movement of this. May I have a Second?

**Sparks:** Second.

**Williams:** We have a Second. Okay, so now it moves to Board Discussion. Are there any board comments or discussion on this item? Barring that there's none, we'll go ahead and because it is a resolution, can we take an individual vote, Darou?

**Boyd:** Darou.

**Williams:** We poll the board?

**Sisavath:** Okay. Trustee Sparks?

**Sparks:** Can you state the...can you state...

**Williams:** Yeah, so, the Motion is to intervene in the 9<sup>th</sup> Circuit Court in the case of Freedom from Religion Foundation versus the Chino Valley Unified School District. We have a Motion. We have a Second. We had no discussion. And so, we're putting it on official vote.

**Sparks:** Okay. Yes.

**Sisavath:** Trustee Barke?

**Barke:** Yes.

**Sisavath:** Trustee Williams?

**Williams:** Yes.

**Sisavath:** Trustee Gomez?

**Gomez:** No.

**Williams:** Motion passes 3-1. Moving on with the Board Agenda, bear with me here. Move to Consent Calendar. May I have a Motion for the Consent Calendar?

**Gomez:** So Moved.

**Williams:** May I have a Second?

**Barke:** Second.

**Williams:** Second. We have a Motion and Second. Any discussion? It is Consent Calendar, so, all those in favor say, "aye".

[ALL BOARD MEMBERS SAY, "AYE"]

**Williams:** Opposed? None. Abstain? None. The Motion passes 4-0. Okay, moving on to Item #9. I would like to call Ms. Chastain to the podium to facilitate the vote on the Sycamore Community Charter School. Thank you.

**Chastain:** All right, good afternoon, President Williams, Members of the Board. Today, the board will take action regarding the Sycamore Creek Community Charter School petition...which was submitted on appeal at the December 12<sup>th</sup> Orange County Board of Education meeting following the November 27<sup>th</sup> denial by the Ocean View School District. As legally required, the petition has been reviewed according to California



Education Code regarding charter school petitions received on appeal by a County Office of Education.

You've been provided the Orange County Department of Education staff report and findings of fact based on information gathered throughout the entire review process, which included a clarification meeting held with petitioners on January 17<sup>th</sup>. OCDE staff recommend that the Orange County Board of Education adopt the staff report and extend the timeline to either grant or deny the charter petition until the next regularly scheduled board meeting. As noted in the staff report, there are significant concerns with the charter petition. The proposed agreement included in the board packet contains charter-specific conditions that addresses the issues outlined in the staff report.

The board has 3 options for action regarding the Sycamore Creek Community Charter petition. Option 1 grants the appeal and approves the charter school petition inclusive of the standard agreement. Option 2: adopts the staff report and findings of fact dated January 31 and extends the timeline to either grant or deny the charter petition until the next regularly scheduled board meeting. Education Code permits an extension of up to 90 days if both parties agree to the extension. The extension will allow petitioners and OCDE staff time to negotiate a mutually acceptable amended agreement that addresses the issues and deficits outlined in the staff report and may be adopted by the board as a condition of approving the charter petition at the next board meeting.

Alternatively, if the petitioners do not agree to the extension, the required timelines may lapse without the board taking action today and the petitioners may appeal immediately to the State Board of Education. Option 2, as you've noted, is different from past practices as we are asking the board to delay making a decision in order to avoid potentially approving a charter school and then have to go through the revocation process should the parties fail to negotiate a mutually acceptable agreement. We feel this option meets the concerns raised by the board and their discussion last month. At the March meeting, we will present the board with a mutually acceptable agreement, and at that time you can either vote to approve with the conditions outlined in the agreement or deny the charter petition.

Option 3 denies the appeal and denies the charter school petition. Prior to Board Discussion, representatives from Sycamore Creek Community Charter School and Ocean View School District will each have 10 minutes to address the board. I now call Amy Green-Bosinoff, President of Sycamore Creek Community Charter School, to the podium.

**Green-Bosinoff:** I'd like to initially thank you all again for having us. Superintendent Mijares, President Williams, board and staff. I'd like to give Kimberly Telfer Radzat just a quick moment to relay, in just a moment, the concerns in comments of our public that did not get a chance to speak this morning while I deliver our redlined MOU and rebuttals to the findings. And then, I'll begin my...rest of my presentation.

**Telfer Radzat:** Hi, I'm Kimberly Telfer Radzat. I just wanted to speak briefly on behalf of the large parent community that has stood behind Sycamore Creek Community Charter

School and who supported its creation. We have over 270 move-on signatures in support of our petition and despite the characterization to the contrary, this has been truly a grassroots initiative and it's brought by parents who live and raise their children in OVSD. Due to a lack of understanding about the politics and what goes on here, none of our community members had the opportunity to speak this morning.

They're working parents and they didn't have access to funding to hire a bus or to provide childcare and they couldn't be here. They are working. They are part of the families who have left public schools and transferred to private or charter schools over the past 15 years. According to the National Center for Educational Statistics, in 2018, an increase of over 600%. I just wanted to make sure that they had a chance to say how much they support this measure and that they are here in spirit.

**Green-Bosinoff:** Thank you, Kimberly. Would you mind clicking for me as we go? All right. So again, thank you for having us back. I'd like to speak to some of the highlighted concerns that we have sent in for the assurances and the clarification meeting, but just to hit those, especially something like Special Education capacity. We have submitted a petition...an application and we have been invited to have an interview with Desert Mountain SELPA on February 25<sup>th</sup>. Not at all. We're also applying to El Dorado SELPA. Our budget does include funds for a Special Ed Teacher in the 1<sup>st</sup> year, part-time or full-time and the 2<sup>nd</sup> year full-time, as well as funds allocated for contracting Special Ed Services with a certificated non-public agency.

We will work closely with staff, SELPA and paraprofessionals to meet FAPE and an LREE for all students at Sycamore. One purpose of the Charter Schools Act is to allow administration the freedom to employ unique pedagogical strategies. Our Executive Director will be thoroughly vetted for their qualifications and ability to lead and govern our school successfully. We've posted ongoing job announcements for an Executive Director / Principal. We're working on all of those announcements for Special Ed., multiple subject credential teachers with Waldorf training in the foremost organization for Waldorf School hiring and Waldorf today.

We've also consulted with the Firm for Good which also specializes in recruiting leadership for Charter Schools. Our specific, inclusive, direct instruction provides an immersive environment for English Learners. We fully intend to comply with all laws applicable to ELL students in public schools and as demonstrated by both the Alice Bernie School, a Waldorf charter, and numerous arts-based research programs in San Diego conducted by Dr. Leanne Brea. I believe that our comprehensive liberal arts education will more than meet the needs of our EL students, as you can see in the slide. Of course, all of our teachers will be CLAD certified.

Sycamore's main lesson includes 5 best practices to support ELL's based on the research by Dr. Chow with Ocean Charter School in LA. Our curriculum co-alignment: We have as a resource the Alliance for Public School Waldorf's education 390-page handbook detailing the Common Core Standards for each grade and where those standards are typically addressed in an arts-integrated Head, Heart and Hands Waldorf curriculum. With the use of this handbook, we created our own 187-page scope and sequence

working document found in our appendices detailing public Waldorf curriculum with Common Core and NGSS.

Because public Waldorf curriculum focuses on child development as a foundation, there are places where our scope and sequence diverges. This living document is meant to evolve and change to continue to increase curriculum alignment with Common Core and NGSS whenever possible. Successful Waldorf Charter Testing Prep: we will adopt a mobile lab that will support the acquisition of technology skills through Cyber Civic classes, Keyboarding and Digital Literacy, and practice test taking on the CASP website. Standard Plus, a useful supplemental curriculum and test prep and grades, will be used to expose children to the unique language presented on the SBAC tests.

Common Core-aligned textbooks, such as Houghton Mifflin, GoMath, Pearson Investigations, Singapore Math, All About Reading, and Step Up to Writing will be available for lesson planning and reference in the classrooms. U-Cubed, a math program by Standard professor, Joe Boler, will be used to support lessons and mathematics. We'd like to note that this past spring, 100% of the public Waldorf Sebastopol Charters 3<sup>rd</sup> grade scored above expectations on the CASP and we intend to work hard to follow suit.

The Charter Schools Act, the intent of the legislation is to provide opportunity for teachers, parents, peoples and communities numbers to establish and maintain schools that operate independently from the existing school district structure as a method to accomplish all of the following: improve pupil learning. Public Waldorf Education focuses on a Head, Heart and Hands approach and research shows improving social-emotional learning has an effect on pupil learning to increase learning opportunities for all pupils with special emphasis on expanding learning experiences for pupils who are identified as academically low-achieving.

Learning through concrete, experiential methods are found to support academically low-achieving students including those with special needs. Encourage the use of different and innovative teaching methods: public Waldorf Education uses a completely arts-integrated method to engage and enrich student learning, to create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site. Teachers are the school's primary resource and they enjoy ample responsibility and freedom, and to provide parents and pupils with expanded choices in the types of educational opportunities that are available within the Public School System.

Sycamore's program will be one of only two public Waldorf charters in Orange County. To hold the school's established under this part accountable for meeting measurable pupil outcomes and provide the schools with a method to change from rule-based to performance-based accountability systems, our program requires students to engage content in a deep and meaningful way so their performance is enhanced. And, to provide rigorous competition within the public school system to stimulate continual improvements in all public schools. Currently, there are no other charters and OVSD to provide competition. The redlined MOU I provided shows clearly that we are happily able and willing to agree to most of the conditions and/or corrections asked.

However, there are just a few that we don't agree with. We feel confident that we can come to terms today. If approved, we can submit our charter numbering package by February 22<sup>nd</sup> to get numbered at the May state Board Meeting. This time is crucial in getting the County District School Number in a timely fashion and being eligible to file for the PENSEC.

Due to the upcoming deadline for a Prop 39 facility and those ongoing negotiations, as well as the need to recruit highly-qualified teachers and staff based upon an approved petition, work to establish our school, other upcoming deadlines such as negotiations for a backup private facility, a loan application and a SELPA interview all by before the end of the month, we respectfully request that the board vote "Yes" on our petition today rather than delay for an extension. Thank you again for your time and thoughtful consideration with gratitude.

**Williams:** Very good.

**Chastain:** Thank you. I now invite the representatives from Ocean View School District to the podium.

**Clayton-Tarvin:** Good morning, honorable Board President Williams, Trustees, Superintendent Mijares, staff and community members. I'm Gina Clayton-Tarvin, the Vice President of the Board of Trustees for the Ocean View School District. Our board represents over 100,000 constituents in the communities of Huntington Beach, Fountain Valley, Westminster and Midway City. And, the last time I spoke before you in January, I talked about my opposition to the deficiencies of the Sycamore Creek Charter School petition. Today, I stand before you again not only as an elected Trustee, but also as a 23-year classroom teacher.

I have been teaching in nearby ABC Unified School District in Cerritos for years, and I also held the position of Magnet School Coordinator at a large junior high school for 10 years. I am the author of a U.S. Department of Education Magnet School Assistance Application for a grant which was awarded in the amount of \$4,000,000. I also created and wrote the entire 7<sup>th</sup> grade curriculum for science for the Magnet Program, and then worked to oversee the school in its entirety. I currently teach the 6<sup>th</sup> grade in the Gifted and Talented Education Program, and prior to that taught 7<sup>th</sup> and 8<sup>th</sup> grade math and science, and I worked as a homeschool teacher for the Special Education Department.

I hold 3 teaching credentials with one being multiple subjects, K-12, a single-subject in Biology, and a credential to teach English Learners. Why am I telling you all this today? Well, I want to give you some background on my education management experience and knowledge base, and explain why I've come to this hearing with the students in mind, and to maintain high standards for all of our students no matter their English language capabilities or their special needs. I'm very concerned after reading Section 2 of Orange County Department of Education staff report on how OCDE staff agreed with our OVSD staff in that there is no leadership for Special Education Program at all for this charter.

There will be no Principal hired until Year 2 and this is completely unacceptable. There will be a vacuum of leadership, no stability and to make matters work...worse, there will

be no requirement that any Principal hired will even hold a California credential. I must emphasize that this petition gives no assurances that perspective leaders of the school will have the capacity and the Special Education area among other crucial areas of public education. This is not right to me as an educator and elected official, and most importantly, a taxpayer whose hard-earned dollars go to funding our public schools. If every teacher and Principal in this state that teaches in our public schools has to have proper credentialing to do work for our children, so should this charter school.

Would you go to a doctor who has no license to perform surgery on your brain? What about your heart? Maybe your foot? Well, I make this analogy to get you to realize that children are precious and require the same level of expertise no matter which teacher they sit before or which Principal's office they may sit in. This is your chance to support real public education and do the right thing, and to deny the Sycamore Creek Charter School and to send a message to your constituents in Orange County that only the best and most experienced should educate our children. Respect our local control and the unanimous 5-0 vote of the Ocean View Board and deny this petition.

**Hansen:** Good afternoon, President Williams, Board and Superintendent Mijares. I am Carol Hansen, the Superintendent of the Ocean View School District, and on behalf of the district, I strongly encourage you to deny the appeal filed by the Sycamore Creek Community Charter. And as you can see, I'm not alone here today. As you can see, the sea of Ocean View blue that are here to represent our support of the Ocean View School District. And, it's unfortunate that not everyone got to speak today. I did submit a request to...President Williams and that has been denied. I want to bring to your attention as my other colleagues will, our concerns.

In November, our Ocean View staff carefully reviewed the Sycamore petition and found many deficiencies within the petition, which led our board to deny the petition 5-0. Now, the recent staff report by the OCDE Charter School Unit also makes it clear that there are deficiencies. I wish to bring to your attention that over 2 years ago in 2016, Sycamore attempted to have their charter petition approved by Ocean View and it was denied back then, and at that time we shared, after a thorough review, that there were many deficiencies, yet those same deficiencies are still present. This raises concerns.

If Sycamore is capable of making the necessary changes to provide a sound educational program for all students by simply changing a document, what guarantee do we have that the staff have the capacity to deliver a program that you want to have delivered with fidelity? Many of the instructional methods within the Waldorf Teaching Method are overly-generalized. We're concerned that this blanket practice of Waldorf model doesn't provide enough sport...support for our students with disabilities and our students who are English Learners. We just feel like it's kind of a little too late now. We're very concerned that the staff, as my colleague has shared, will not have the same level of support as the staff that we have here in our Ocean View School District.

The petition acknowledges that the delivery of the charters curriculum will differ in sequence from the Common Core State Standards. Teachers will have the freedom to deliver the content. With the use of the Waldorf model, the introduction of concepts or

subjects will take place in varying times, not aligning with the current academic grade-level standards, and this different progression of Common Core could create learning gaps for students...for charter students who then later leave and decide to transfer to one of the districts in...your...under...your purview. This lack of consistency is concerning. Instruction in technology for students in grade 3...through 8, as your staff has pointed out, is lacking.

You're fully aware that beginning in 3<sup>rd</sup> grade, students take the California Online Assessments and the petition lacks a clear plan of how students in grades 3-8 will be provided instruction on how to use technology in order to adequately prepare them to be able to have the basic skills to take those online tests. In Ocean View, students are provided technology, instruction and keyboarding, including a free online typing program, for all Ocean View students that they can use in school and at home. Above all, the Ocean View School District believes in a sound educational program with access for all students.

We are concerned that Sycamore has the capacity to deliver the best possible option for our Ocean View students. We believe in local control, and on behalf of the school district...the Ocean View School District, I encourage the County Board to deny this appeal.

**Singer:** Good afternoon, County School Board Members and staff. I am Patricia Singer, member of the Ocean View School District Board of Trustees. I am here today on behalf of the district to remind the County Board that Sycamore Creek promotes a costly educational model that is unlikely to be implemented without private donations. Since petitioners first submitted their charter to the District in 2016, Sycamore has modeled itself after the Journey school, the only other public Waldorf-inspired Charter School in Orange County. Information about the Journey school is relevant to the counties board action today.

As stated on its website, Journey relies on private donations from affluent community in excess of \$100,000 in order to fill the funding gap. That inevitably results because it's Waldorf program is not sustainable on state and federal funding alone. Sycamore has continuously failed to propose how it would legally cover the cost of its program. Like Journey, the Sycamore petition promises pervasive art integration and highly specialized activities. The OCDE staff recognized the Sycamore's budget does not support the ongoing professional development needed to implement that proposed program.

The County Board should also question whether Sycamore really plans to target underserved communities and socially, economically disadvantaged populations as promised in its petition, or if it plans to target families willing to provide excessive private donations to support their school motto. In addition, both the District Board and OCDE staff found that the petition lacks a comprehensive understanding of the services required by law for English Learners. These collaborative concerns of 2 separate local agencies about...Sycamore's inability to meet the needs of students subgroup should not merely be revised as a condition of approval.

This charter is unlikely to be successfully implemented and we urge you to please deny Sycamore's appeal. I also want to say that we had a group of parents that were really excited to come and talk, and they weren't able to. I have the petition. It was 360 signatures in less than a week, so we have plenty of support as well.

**Chastain:** Thank you. To reiterate, OCDE staff recommended that the board adopt the staff report and approve the resolution to extend the timeline to either grant or deny the charter petition until the next regularly scheduled board meeting. If the board agrees with staff recommendation, we will work with the petitioners to negotiate a final agreement. At the March meeting, we will either present you with a negotiated agreement or notify you that the parties did not reach an agreement, and the board can vote to either approve or deny the charter petition. President Williams, I now turn the meeting back over to you to facilitate deliberations and take action on the charter school petition.

**Williams:** Very good. Thank you very much, Ms. Chastain. So, we're taking up Item #1, which is board action on the Sycamore Creek Community Charter School. Do I have a Motion?

**Barke:** I'll so Move that we take action.

**Williams:** Okay, the...so, the Motion was to – and actually have to be very specific. What option were you talking about here? Option 1, 2, or 3?

**Barke:** Okay.

**Williams:** I would recommend Option 2 and that would be open to discussion.

**Barke:** All right, I will so Move Option 2.

**Williams:** Okay. So, the Motion is to move Option 2 and approve the Sycamore Charter School appeal. I need a Second on that.

**Sparks:** Second.

**Williams:** A Second by Trustee...good Trustee Sparks. So, we have a Motion and a Second, and the item is up for discussion by the board. I'll move to my right. Good Trustee Gomez. Questions? Comment?

**Gomez:** Thank you, Dr. Williams. If I could have some folks from Sycamore come up so I can ask a few questions. Can you tell me when the Principal will be hired?

**Green-Bosinoff:** In April, 2019.

**Gomez:** Okay, that is before the school opens?

**Green-Bosinoff:** The contract, of course, will be negotiated about when on whether or not we can offer any back pay before we receive funding. As I've said, we've looked into loans and are eagerly anticipating filing for state funding upon approval. But yes, we do have a myriad of talent in our community and people that we've already been discussing with and we have a hiring committee in place.

**Gomez:** I just needed to know when they were going to be hired. That's all.

**Green-Bosinoff:** Okay.

**Gomez:** Okay, because there was something that I read that says it wasn't...they weren't going to be hired until Year 2.

**Green-Bosinoff:** I'm sorry. Let me clarify then. The Principal...what I took that as is being rolled in with the Executive Director. That administrative...person will be hired this year in April 2019. With our current budget, we plan to separate and hire a separate Principal at a later date.

**Gomez:** Okay. So, the Executive Director will be hired first?

**Green-Bosinoff:** Yes.

**Gomez:** Okay. The Executive Director, according to your job description, does not have any information about Special Ed., so, how are you going to address that?

**Green-Bosinoff:** I...we...as we have agreed in the MOU, we're happy to clarify or add in a line about Special Ed. knowledge and experience to that position, and certainly we do intend for that, but we can clarify that language.

**Gomez:** Okay, I have some concern about professional development, which I had 2 years ago, which I expressed the last time you were here that you have budgeted \$300 per teacher, but yet, you are saying in your put...in your proposal that your teachers are going to go to numerous workshops in order to get trained and to be able to teach more than one grade. I don't think that's efficient. That doesn't even seem to make...I mean, most of workshops I go to as a teacher, I'm lucky if I can find one for \$300; one. How am I going to do that for an entire year?

**Green-Bosinoff:** To answer that question, I would speak to the Multiple-Subject Credential. For one aspect is that they are already credentialed to cover multiple grades and each year, they re-gear. You take a chunk out of the...after the year of the summer to re-gear and renew your lesson block plan for the following year, for the following grade, and you move along with them. That's one aspect. I'm sorry.

**Gomez:** Go ahead.

**Green-Bosinoff:** As far as the \$300, many of the professional developments are...free. They're online and free. Some of the other ones are accessible through grants and are affordable, that we know of within, that are listed.

**Gomez:** So, for example, if you were going to have a teacher do an online class, would you pay them to take that online class?

**Green-Bosinoff:** Yes, there'll be in-service time provided for that.

**Gomez:** Okay. So, is that going to come out of that \$300, or is that going to come out of your personnel costs?

**Green-Bosinoff:** That...would be included with their salary.

**Gomez:** Thank you.

**Telfer:** That would be part of the Personnel Expense.

**Gomez:** Okay.

**Telfer:** Staff time.

**Gomez:** Okay.

**Green-Bosinoff:** Also...ideally, the school wouldn't need to pay for a teacher to get 4 years of Waldorf training. They would come and apply with the Waldorf training in hand or part of it completed. Many of the Waldorf trainings also offer...offer significant discounts for schools.

**Gomez:** Okay, but...and that's...great if that's what your methodology is going to be, but just like any other teacher, they need constant training.

**Green-Bosinoff:** Absolutely.

**Gomez:** And so, again, I'm concerned about that small amount that's listed in your budget. That same thing...

**Telfer:** It should be \$1,200, actually.

**Gomez:** Well, that's not what your budget says. So, I'm looking at your budget.



Okay...unless you've got it somewhere else and it's in the wrong line then...I don't know. Okay, you also have Marketing and Student Recruiting at \$5,000 per year. What have you spent so far?

**Green-Bosinoff:** Nothing on that. We have been posting with free events through Facebook, holding dine outs. We're having one tonight. Right. So far, those have been utilized through 3...you've got 3 venues...

**Gomez:** You've not printed anything? Brochures or anything? You've not...

**Telfer:** If I...if I can comment on that? We have had volunteers in the community who have donated their resources to print marketing materials for us. So, the events that we have held, all of the marketing has been of no cost to us. That's where...

**Gomez:** So...where is that in-kind of information in your budget? Is it?

**Green-Bosinoff:** In-kind donations aren't explicitly included in the budget.

**Gomez:** They're not included. Okay, so, there could be gaps but they're not in your budget? In other words, you're supplementing some of the things that you're doing with in-kind donations, but yet they're not shown in your budget. Is that correct?

**Green-Bosinoff:** Correct. In-kind donations are not explicitly included in the budget.

**Gomez:** Special Ed. Somebody mentioned Special Ed. Teachers but yet, again, it's not in your budget; in the first year.

**Singer:** In the first year, there's Special Educated Contracting...

**Gomez:** I'm looking at a budget, and, you know, if there are changes, we don't have them. Okay? So, here's where...my rub is, okay? Is that, these are questions that were asked 2 years ago. They were asked previously and I still don't see how you're going to support your program in order to make this a viable school for students. You're asking for us to approve this today but yet, there are so many gaps. I'm just really concerned. \$20 you're talking about all this art integration and field trips and yet, you have \$20 per student per year.

**Green-Bosinoff:** So, something that is different and hard to grasp is that we don't have these high costs for textbooks and the kind of programs that have a higher cost because they're part of a district-wide, and the companies can charge whatever they want for them. So, there are...I know it's hard to believe but it is true. I've been part of pioneering schools. We don't have those kinds of costs so it's...very easy to...this is a grassroots initiative to...I don't know how you say it...to find ways to meet the curriculum without having those expenses because it doesn't have that bureaucracy.

**Gomez:** I'm not even talking about curriculum. I'm talking about all the other stuff.

**Green-Bosinoff:** The curriculum...all of that is part of the...budget, so their crayons, their main lesson books, that is...the basis of everything that we do. Those 2 things.

**Gomez:** Okay, I'm finished.

**Green-Bosinoff:** Special Ed. She has...the budget. I don't...

**Gomez:** Yeah. I'm finished with my questions. We can move on.

**Williams:** Okay.

**Singer:** Special Ed. Contractors is where the Special Education Budget was originally budgeted. That's where you'll see the line item there. It's \$94,000. They plan on evaluating the student population and understanding going through the staffing model and maybe adjusting some of that staffing, depending on circumstances on the ground.

**Gomez:** All right. Thank you, thank you.

**Williams:** Okay, moving to my left. Trustee Sparks.

**Sparks:** Well, I would just note that I commend you for your efforts. I know it's not easy to put these kinds of things together and making sure that you're answering all of our questions is very, very important. I would just note that in your district, in the Great Schools.org, it shows that 9 of the schools in that district, of the 16 schools that are listed when you do a cursory search, there are 9 of them listed where they're rated 7 or below where the scores are listed; is very concerning and there's a worrisome sign of a lot of scores. So, that's telling me that their...likely is room for a successful charter school that has dotted the I's and crossed the t's, so that's what we're asking of you. So, thank you for your...efforts.

**Williams:** Trustee Barke?

**Barke:** I have no questions. I feel my visit to Journey showed me a lot of information that would be hard to gather otherwise, so, I commend you for your efforts.

**Green-Bosinoff:** Can we just clarify that we would ask the board to please consider Option 1 for us today for the reasons that were outlined during the presentation? Mainly, we are pursuing Prop 39, which is based on a very strict timeline. We are potentially pursuing litigation for a facility with the district. There are...and that is something extremely important obviously, to have a facility. So, with a "yes" in hand today, with looking at the standard MOU that is completely agreed upon. And, the language is here that was handed out to you that was given to us by staff to accept that there were, I think, a total of 3 items in an Exhibit B that are negotiable that staff told us would be negotiable and among the probably 12 items, we are asking for the board to consider negotiating 3 of those items with us.

And, upon that, we believe from communication with staff that they would then be confident in supporting a yes vote for us today. Regarding Special Education, in our budget, it was clarified that we have almost \$100,000 dedicated to Special Ed. We have a healthy, strong application that was submitted to Desert Mountain SELPA. We have been invited for an interview with them in...on the 25<sup>th</sup> of December...February, and we anticipate that we will be with that SELPA. We have in the budget our flexibility to either have a part-time Special Ed Teacher...certified Special Ed Teacher, or we can make that teacher a full-time Special Ed Teacher.

It's dependent upon the population that we receive. We also have outreach to at least 3 or 4 non-public...Public Certified Agencies that would work closely, and do work closely with districts, with charter schools right here in Orange County. Community Roots is one that they use and they're very successful with. So, we've done a lot of research for this. We care deeply about this. We believe in staffs...their report to you talked about their concern that that Executive Director / Principal would have a familiarity with Special Ed., and we agree with that too. We agree with adopting that language in the Exhibit B section, so that's 1 of the 3 items that we want to negotiate slightly.

The other one is about...preferences; is about allowing the founders of this hard work to allow their students to attend the charter school along with district students also having a preference. It's basically those 2 items and then the item about testing, which we thoroughly researched on the CDE website; what the responsibilities of the authorizer is for LCAP, and measurable student outcomes. And, we understand the law to say that the LCAP is a separate document. It's included in the petition for...you to have that understanding but it changes year to year. So, we just want to make sure that we're following CDE in terms of that and that is item #1.

So, there's about 3 items in total that we think we can work out within...very quickly. We just found this document yesterday and with the help of YMC and research that we've done, and we so appreciate all of the work that staff has done to take a look, thoroughly, at our initiative. And so, we're just really asking that the board consider all of this today. We really cannot afford at this time to wait another month because of the many things we mentioned, as well one other item that we want to emphasize. Our Plan B for facilities. We have a center that is going on the market. There's about 30 owners that are going to meet to decide whether or not they want to work with us as a Plan B facility option, and they have a meeting coming up February 17<sup>th</sup>.

So, we can walk to them in hand with an Authorized Charter Petition. We'll be in...we'll be set up for success to open this year and that's really what we want. That's why we submitted the time...this charter petition way back to OVSD in September. That's why we have tried to dot all of our I's and cross our t's and be available for communication to yourselves and to charter staff. So, we're just asking that you consider all of these things. Please continue to ask us more questions if need be.

**Williams:** Okay, so, may I ask some questions and then we can do a Special Motion. Okay, so to begin with, it's not uncommon that there's a lot of issues that we deal with that is incomplete and of great concern to the board and to the staff. There's issues that my...good colleague Trustee Gomez brought up here. There's issues that the good Trustees from Ocean View, Gina and Pat, and of course, the Superintendent, brought up. By the way, just for the record, I was criticized for not allowing Public Comments further. Just so for wherever they are, the good leadership there, how we do this at the board level is last month, we gave an ample amount of time.

We actually went over to allow Public Comments. So, that's when we give Public Comments. So, we would have given a little bit more time, but it would have been 3 hours and that's just really too difficult to conduct the business of the County Department of Education. So, let me validate that we did receive lots and lots of letters, 400-something...along that line; close to 500. So, we are aware of the community input, the community understanding of this event. We don't ignore that or marginalize that. So, just to continue on here, your particular charter is modeled after the Journey school and...yes or no?

**Green-Bosinoff:** I would add that it's the nearest example, especially within the Orange County District that is also a Waldorf charter. We're not necessarily modeled exactly on them. And, of course, we're independent and will strive for our own excellence.

**Williams:** But some of the basic concepts of the Waldorf pedagogical approach, educational...

**Green-Bosinoff:** Absolutely.

**Williams:** ...is incorporated into your school.

**Green-Bosinoff:** Yes.

**Williams:** The same as the Journey. Okay, there was something that was mentioned by the good Trustee Singer about donations that would be required to maintain your budget. What is your response to that remark by her?

**Green-Bosinoff:** I think the reality for any school is that we do fundraising. Right? At any public school, private school, charter school, there's fundraising to increase your available budget. But, of course, we do have a working budget now that's sound...that's very sound and as we grow and become more sound after those initial outputs, we will only get stronger. Will we ask...

**Singer:** The original budget does not include philanthropy in order to maintain a strong operating income. So, any additional philanthropy that was received would be above and beyond.

**Telfer:** And our budget was balanced without any extra donations and it...and our whole charter, just to reiterate, has been vetted thoroughly by CCSA. We have EdTech as our back of house. We have a very thorough budget. In fact, the charter staff did not have complaints, I guess, or findings about her budget, but they did want clarification about Special Ed., and we believe we have...done that. Again, it's a working budget. So, as we find out what our student population is, we'll have the opportunity to address Special Education or higher costs if needed.

**Williams:** So going...

**Green-Bosinoff:** Other than that, it is completely sound.

**Williams:** Okay, so, going on with that concept. EdTech is your business administrative folk and you looked at the budget. You've...this isn't your first time in the rodeo. You've been on the saddle for a few years. What do you think of this budget? Is it realistic? Is it achievable?

**Singer:** It is. I believe it is realistic and achievable; absolutely. I think they planned a budget that will make them sort of start small as...and be able to grow with their enrollment. And so, when...as they're adding staff over time they're going to be adding associated students over time and be able to grow and...improve, but their budget is sound the way it is. And, if I can just comment on Professional Development.

It is actually \$1,200 per teacher. There's 2 separate line items where Professional Development is included. So...

**Williams:** It's not \$300, it's \$1,200?

**Singer:** Correct; correct. There's Professional Development Services and then Conference Dues, Conferences and Membership. So, 2 different ways that teachers will be provided Professional Development, and that's why it's included separately in the budget.

**Williams:** Your experience working with other charter schools, is that a normal, reasonable, fair number to work with in the budget?

**Anderson:** Yeah, I do. I think that is a fair number. I think there's also that their charter

school community really helps each other out in terms of Professional Development as well. So, they're going to be relying on...those to complement the...money that they're spending.

**Williams:** Okay, to the attorney. I see the good attorney back there. If you can come to...state your name and you're going to get a whole bunch of questions from me.

**Ruley:** Sure. Janelle Ruley with the law offices of Young Minney Corr.

**Williams:** Yes, and you've been here before.

**Ruley:** I have, yes.

**Williams:** It's good to see you.

**Ruley:** Thank you. You too.

**Williams:** Questions regarding the staff recommendations here. As a background to kind of help you answer the question, I'm going to set this up. In the past that we've approved, there have been problems with actually implementing what we were approved and what we wanted and what the staff recommended. I'm in...favor of this charter school, but as it is written there, there's some concern there, and the board takes very seriously that we approve good charter schools that have sound fiscal prudence and budgetary oversight, and all of the crossing of the t's and dotting of the I's that's required to perform a charter school.

There was a conversation and 1 request to approve Option #1. I have problems with that, just to approve it as is, and the reason I do is because that gives carte blanche to anything to happen and if it doesn't pan out in the end, if after a year or 2, things aren't followed properly and there's problems, then it comes back upon this board to go through the revocation process and that's way, way too difficult and lengthy. So, we'd rather take care of the problems up front rather than waiting for the end. So, with that as a background, what is your...what is your drop-dead timeliness that you need approval to do all those things that you mentioned here?

**Ruley:** Well, you know, so, the one...I would say first of all, the process is onerous, is also the one that's laid out in statute, you know, so that's what the legislature invented for all of us to work from. So, I just got to make a plug for the legislature in this instance, anyway. The...I can tell you that the drop-dead date for Prop 39, the charter, has to be approved before March 15<sup>th</sup>. So, that...that's our drop-dead on that...before the 15<sup>th</sup>, which means the 14<sup>th</sup> or sooner, right? However, there are a number of mitigating circumstances that are kind of bringing to bear on this particular charter school. They've got their SELPA meeting coming up, Plan B facilities.

I know this board has heard a lot from charter schools about how difficult it is to get facilities and you've wrestled with a lot of charter schools coming to you and saying, you know, we thought we were going to be here but now we have to be here, and we have to seek a Material Revision. So, having this Plan B and being able to walk in to those owners and there's that negotiation with a firm "yes", I think would be very helpful. So, it...when it comes to drop-dead dates, you know, I have to be truthful and say before March 15<sup>th</sup> is the Prop 39 deadline.

**Williams:** Okay. So, our next meeting is March 6. Is there any reason why we can't do Option #2 and you folks work with our staff to make this an improved charter school and get you...and get it to meet your March 15<sup>th</sup> deadline?

**Ruley:** Yeah, I mean, I think the...outside worries are around student recruitment, getting the facility, all of the things that you've heard about. You know, to answer your question, I believe we can negotiate most of these. There...are some where we have some pretty strong disagreements when it comes to, for example, admission preferences, that residents of the district get carte blanche above anybody. It's difficult in this particular situation where you've got several...districts within probably half a mile of each other.

So, you could live on the other side of the street and suddenly not be living in this particular district. So, there are some things that will take up some massaging and you know, we always appreciate direction from the board to maybe ease up on some of those, you know, I...but I remain confident – we've certainly done it before – I remain confident that we can come to an agreement.

**Williams:** So, what can the petitioners accept in the outline by the 15<sup>th</sup>? What is it that you have problems with?

**Ruley:** Well...so I mentioned the admission preferences. I think what's so difficult is the way that the staff have interpreted the legal requirement, and this is unique in this state. Staff have interpreted the requirement for admission preferences in the event of a lottery to mean that since we have to give a preference for residents of the district, that means that that preference gets the top billing right, so residents of the district get essentially, absolute preference over anybody else who would be coming in from outside of the district. Again, in this unique situation some of the founders, some of the parents might live in other districts.

Again, you could live across the street and be in a different district, so, that's what's difficult here. In Los Angeles Unified, for example, you know, you could live 35 miles away from where the school is and still be within the district. So, what's unique here from...staff's perspective...staff... legal counsel's perspective is that residents of the district have to be...have to get that preference over everyone else. So, that one we find problematic. I think the other ones that...were of particular concern was, yeah, I think the language around the familiarity of the Executive Director with Special Ed. So, there's a difference between having familiarity and for example, having a credential or having specific experience.

You know, those kinds of phrasings. And then...so another concern, too, was that the...this first requirement is that the charter school has to show increases in all subgroups every single year, which is not what was written into the charter. The goal is in the charter were for the 5-year term that was being contemplated. So, you would be hard-pressed to find a single school that has increases every single year in every single subgroup. I'm not saying we're not up for the challenge, but to have the whole charter rest on that is challenging.

**Williams:** Okay. The...big concerns, and again, Trustee Gomez is real good on these is the budget-related issues. I'm hearing that from EdTech, the representative, you've done this before. You've seen this. You feel that \$1,200 for Teacher Education and Training and such; that would be ample? What about the...addition of the Executive Director later on? Is that something that is going to be a problem...problematic with the budget?

**Singer:** The budget includes the Executive Director on Year 1 and the Principal to be added in Year 3. So, that is already...

**Williams:** Okay, so I said a preference.

**Gomez:** Wait a minute. You just said the Principal would be added in Year 3?

**Singer:** Year 2. My apologies.

**Gomez:** Okay.

**Williams:** So, the Executive Director's Year 1 and then the Principal is to be added Year 2. Okay, and that doesn't affect your budget-related issues?

**Singer:** It's inclusive.

**Williams:** It includes that? Okay.

**Singer:** Can I just say one thing on the timing issue? Cash flow is often a struggle for...start-up schools as you likely know. And so, there's a deadline to get approved on the State Board would impact their ability to apply for the PENSEC and then to get the funding that's based on a new school. It would be impacted. And so, they would need to submit by February 22<sup>nd</sup> to the State Board in order to get a CDS number to then be able to apply for the PENSEC.

**Williams:** So, is the drop-dead date not March 15<sup>th</sup>, but February 24<sup>th</sup>? Is that what you're saying?

**Green-Bosinoff:** The 22<sup>nd</sup>.

**Singer:** 22<sup>nd</sup>.

**Williams:** 22<sup>nd</sup>.

**Ruley:** It's related to...specifically to their ability to get the charter number in time to apply for the PENSEC.

**Williams:** Okay, so let's hear...

**Ruley:** So, that would be an advanced...be a...getting advanced apportionment. The CDE allows for us to get a CDS code later in the year, but we would not be eligible for advanced apportionment, meaning startup dollars to get the school off the...state dollars to get the school off the ground.

**Williams:** So, is the budget then depending upon that you get the state apportionment then?

**Singer:** So, it's a cash flow issue. So, there...the budget does include some alternative cash flows to...save, but generally, yes, the budget, from a cash flow perspective, it doesn't change the operating income and it doesn't change the operating expenses. But...from a cash flow perspective, the school's relying on getting the PENSEC and they could apply for it pending if they have the charter number.

**Williams:** Okay. So, let's say we go with the March 6 meeting date and you get your official number then. You won't get your official acceptance of this advanced

apportionment then. Is that correct?

**Singer:** Likely.

**Ruley:** So then, they would get numbered at the April 26<sup>th</sup> meeting and get their number in July 10<sup>th</sup> or 11<sup>th</sup>. Yeah. There's a little bit of unpredictability with the Department of Education. I think the most conservative would be if we're numbered during that May meeting which is May 8<sup>th</sup> and 9<sup>th</sup>, then we would...have those numbers. I mean, I'm sure you've seen state forms.

You have to have like certain numbers in order to fill them out, right? So, we would have those numbers in hand in order to be able to fill out and so, you know again, it does become a cash flow issue. Do we have the dollars, state dollars, in the bank to be able to lift the school off the ground? The dollars are coming. It's just a question of when they come.

**Williams:** So, you may not get the money up front early like you're wanting, but let's say we go and we approve, officially approve you March 6<sup>th</sup>. Those funds would come during the April meeting? Is that what you're sharing with us?

**Singer:** It's...so it's just a matter of the school being able to get their first payment from the state in September. So, if they don't receive that then they wouldn't get their first large LCFF state payment.

**Williams:** But, you can start in September, so then it may not be the next month or two, but it may be what, April, May, June?

**Singer:** Well, the way that the state funding timeline works is you either receive the advanced apportionment per this PENSEC that they would apply for, or you receive the regular funding schedule and you receive your payment in January. So, it's really just a timing issue of when the money that, like she said, is going to be allocated to the school regardless, based on their ADA and attendance, but it's a matter of when they actually receive that money.

**Williams:** So, will your budget be okay if we approve you...in May...March 6<sup>th</sup>?

**Singer:** I mean, yeah, the school will be able to operate.

**Williams:** And to open, you'll have your funds and be able to...

**Singer:** Well, they will receive the funds later in the year than they would, otherwise.

**Williams:** When would they receive it?

**Singer:** The big portion of it, which would be the LCFF portion, would...the first payment would then come in January.

**Williams:** January of 2020, and you want to start September 2019. So, what are you going to do with 4 months without money?

**Singer:** So, another...there's a loan that they're going to apply for which is through the...state as well. And so, they'll apply for that loan, also due the end of this month; February. They'll plan on applying for that loan as part of a carryover and then some additional outside financing will carry them over.

**Williams:** So, you can't apply for that loan without adopted approval. Is that correct? Is that what you're sharing with me?

**Singer:** The loan...you can apply for the loan without it...without the approval, but it's



preferred that they...everything is done on time.

**Williams:** I see. And, do they...give a tentative approval in this situation, where you would get it March 6<sup>th</sup> rather than today? Is there a problem with that?

**Singer:** Well, be...the loan process, the application for the loan is due in February with the process occurs of them reviewing the documents over that...over a few months and so, an update would be communicated to CSFA when appropriate.

**Williams:** That does not seem like too much of a problem or burden, then.

**Singer:** It prefers...CSFA prefers that...but it's not a drop dead. Correct.

**Williams:** Okay, on item or paragraph 7: the missing requirements. Do you have any problems with correcting those missing requirements?

**Green-Bosinoff:** Absolutely not. All of those were instituted September of 2018. I have a document I wrote up and...as well as a rebuttal in the memo to that effect addressing each one.

**Williams:** Okay, and the SELPA issue. You're not sure if it's going to be a part-time or full-time teacher at this moment?

**Green-Bosinoff:** Accurate.

**Williams:** Okay, and probably start out with a budget of part-time and then work its way up as it needs...

**Green-Bosinoff:** Absolutely, if that the population calls for it, we'll make that budget adjustment.

**Williams:** Okay, and you're working with El Dorado and what other SELPA?

**Green-Bosinoff:** Mountain.

**Williams:** Where is Mountain?

**Green-Bosinoff:** Desert Mountain, pardon me. Desert Mountain.

**Williams:** Desert Mountain. Okay.

**Green-Bosinoff:** Right they're in the local...

**Sparks:** Option #1 with the red line demo that...was submitted. Would that be a problem?

**Williams:** Okay, so hold on here. I have to catch up with that. I'm getting a little old and processing these things sometimes can be difficult and challenging. So, you're asking that we would take up Option #1 with a red line?

**Sparks:** The red line.

**Williams:** Where is...?

**Boyd:** You don't have it because we've...we have all the documents...the documents that she handed me I have for you because we haven't handed them out to you because we've been directed not to hand you things while we're at the dais.

**Williams:** Okay.

**Boyd:** So, we have the documents she's referring to. Also, the red line that you're talking about considering, Counsel hasn't seen, staff hasn't seen, so if you take that option then you're taking something blindly that none of us have reviewed, or...so, we don't know the what's in there.

**Williams:** Okay, so I'm not aware of any red line. I wasn't privy to that. Does that help you answer your question?

**Sparks:** Are we not able to see it?

**Boyd:** The boards pleasure in terms of whatever they would choose. I'm just saying that practices, the board doesn't want to see documents that are handed at the dais because they're trying to have the dialogue and so, that confuses the issue, but you all tell us what you want. Darou has documents here that were handed to you. There's a number of stapled documents. I don't know, 3 different documents that were...

**Sparks:** Those are issues that we're concerned about right now, that we're talking about. So...

**Gomez:** I know, but I don't feel that I have adequate time to absorb something on the dais, and that's why I prefer not to get things on the dais. Things should be given to us and...with adequate time so that we can review them to be prepared. Getting things on the dais now, I think, is very inefficient and inappropriate.

**Williams:** Yeah, it's difficult to get information without digesting it, taking time and going over with Counsel on that. So, that...policy is reasonable. Does that help to answer your thoughts and where you want to head with this, Trustees Sparks?

**Williams:** Okay. So...just for parliamentary overview, we have a Motion and a Second for Option...#2. I heard words that were expressed about changing that to Option #1. To do that would be a subsidiary Motion and we have to vote on that separately. And then, if that fails, we go to the original Motion. So, if the subsidiary Motion changes to Option #1 passes, then we would vote on that matter. So...currently, before the board, we have a Motion and a Second to approve the charter based upon Option #2, which has according to the staff, their concerns and what I see is...the timeline here, I think, maybe if I can get staff up here, that would help me answer that question.

Aracely, so, the substance of the charter, I don't have any problems with. I don't want to hurt the charter, but then I want to thoroughly vet some of the issues of concerns that the staff has iterated here. That's...very important and we've been through this process before, and we don't want to go through...if those items aren't met and there's problems, we don't want to go through the revocation process. So, we work on this for the next 3 weeks with the petitioners. We come back to March 6<sup>th</sup> to have the official approval. What happens if we don't work out everything. What happens if there is a few things that...are outstanding?

**Chastain:** If we...in March, we'll either come back to you with an approved, you know, with a negotiated agreement that we're comfortable with, or we'll let you know that we weren't able to come to agreement and then at that point, it would be up to the board to either approve or deny the charter. We also haven't seen the red line that they provided to you, so I don't know what issues they have necessarily exactly as written. From listening to what they're saying, I know that, for example, the preferences for enrollment, those...we follow Ed Code for those.

All of our charter schools have had to follow it and the way that we have interpreted that to be, and that we believe is the correct interpretation. This school is trying to give preference to their founding families and they're, you know, and we have a lot of schools that do that. They give preferences to founding...members of the charter school, but it's not before residents of the County or of the district, if it's a district school, and

that's...pretty clear in Ed Code for us. And so, you know, these are the types of things that we would need to talk through and negotiate and work with their legal department and our legal department to make sure that we're following the law.

However, without having seen what you've been provided, I don't...I can't give any sort of recommendation based on that and without the charter-specific conditions that we put into the agreement, staff is not comfortable recommending approval. Our recommendation would be for denial.

**Williams:** Okay. So, there's just a...it sounds like there's only a few issues here that would...that we're talking about.

**Chastain:** Correct. I don't know which ones they are.

**Williams:** The red line we haven't seen...for reasons that we previously talked about. How many, by the way, founding families are there that we're talking about, that would be outside of the district boundaries?

**Green-Bosinoff:** It's less than 10 and that provision that we stated also caps at 10% of student enrollment for those preferences.

**Williams:** Okay, so, it's 10 children, 10 families?

**Green-Bosinoff:** Some of them are...have moved out of the area and won't...don't plan to attend. It's between 10 and 15 children, I believe.

**Williams:** 10 or 15 children? Okay, and what will be your school size at the first year?

**Green-Bosinoff:** 192. I'm thinking total first year, 192.

**Williams:** Okay. So, we're talking about less than 10%, and that's your cap that you're capping outside of the district. Is that correct?

**Green-Bosinoff:** Right. Any outside district member of...some of the founding families are, of course, within the district, but any that happened to reside outside, getting a preference is a cap of 10%.

**Williams:** So, what we've seen in the past is the charter schools that we have approved, they exceed their expectations. You're probably going to be exceeding your expectations, enrollment and everything is going to grow. That's typically what we've seen in the past here. So, your growth in the outside of the district, families will also grow with that?

**Green-Bosinoff:** Potentially. But again, those OVSD students would have had at that point their preferential enrollment. Right. That number doesn't grow as far as the founder...the founding families.

**Williams:** The founding...

**Green-Bosinoff:** That exists now from the petition, those who have their, you know...

**Williams:** Okay, so, in the future, anybody outside of the district, will they get priority over district?

**Green-Bosinoff:** No, they would be taking their chances it...given a waitlist...on the waitlist.

**Williams:** Okay, so, it's a waitlist. It's kind of first...in line. You wait and it's...fair and equitas, and...

**Telfer:** Or a lottery rather...

**Green-Bosinoff:** I'm sorry, I apologize.

**Williams:** Lottery is the other option.

**Sparks:** Are you allowing 10% outside no matter what, or is it as it grows in the district, then they're on the waiting list, the ones outside the district?

**Chastain:** The preference is for 10% cap on founding family children to be...to have preference to enroll into the school. The board is able to approve other preferences. Once you have met the preferences in Ed Code, and Ed Code only lists in-district students, and then other preferences as the board wishes. And so, that's how we've interpreted it and that's how we apply it to all of our charter schools. So, for our charter schools that have come on appeal from a district, their first priority is in-district students as we feel should be appropriate, and then after that the board is then able to do siblings or founding families.

You know, we've approved a variety of preferences for our charter schools in the past year as they've done them. I understand that there's a little bit of a different interpretation with our charter school attorney, but that's the interpretation that we've put across the board for the charter schools that are approved by the County Board of Education.

**Williams:** Okay, let me get the two attorneys, Mr. Rolan, to come up because I...we have to ask some questions here. So, the issue that our staff has is that the...out of district...founding families doesn't meet the Education Code, and I'll leave this to the...2 attorneys; the question. I don't have a problem with 10 families or founding members to get them across that starting line here. I don't think that that's a real issue. In future years, that...might remain an issue. Mr. Rolan, would there be a problem if this board would, say, 1-time vote or a decision that that would be a separate...

**Rolan:** There would only be a violation if you violate the Education Code. And if the numbers...I'm not familiar with the numbers in this particular circumstance, but if the numbers work out, the numbers work out. Does that make myself clear? The Education Code says there's one preference only.

**Williams:** Right.

**Rolan:** You have to follow that and then after that, whatever preferences you want to put in place, but there's only a violation if you exceed the preferences.

**Williams:** Is there any...because there's no mention of charter schools and founding family...members being a part of the original enrollment, could that be excluded from the Education Code?

**Rolan:** Be excluded from the Education...it is because it's not mentioned. Go ahead.

**Ruley:** You see, the statute changed. The statute does now actually contemplate that there...you could have a preference for siblings of students who are attending. You can have a preference for children of teachers and staff, and you can have a preference for children of founding families. So, that...that has now been written into the Ed Code, effective January 1, 2018. Mr. Rolan respectfully used the word "after", but the statute doesn't say that. The statute doesn't make it clear. I know this is such an esoteric issue. So, we appreciate your grace here, but it is an important one in this particular circumstance.

**Williams:** So, what I'm hearing from you, and this is going to help the staff, is that we can do this. We can make this one change.

**Ruley:** Yes...

**Williams:** According to the...these new laws that we're just seen in the last...

**Ruley:** Yeah.

**Williams:** ...few months.

**Ruley:** Yeah, and the statute makes it clear that the preferences have to be approved by the authorizer and in that case, the authorizer is the board...in this case, the authorizer is the board.

**Williams:** Staff, what do...

**Chastain:** This is the same Ed Code that we were talking about, that we've been applying across the board to all of our charter schools. When the Ed Code says that you shall give a preference to in-district students, we interpret "shall" to mean that you are required to do that. We don't see there being any leeway in that interpretation.

They can also do, for example, the preference could be that founding members and district staff within district students have priority over out-of-district students. I mean, there could have multiple layers here. We just want to ensure that in-district students are given priority to attend the school that's within the district, and that's...and we're interpreting "shall" to mean that it's a requirement of Ed Code.

**Williams:** And that excludes these founding families?

**Chastain:** It doesn't exclude them, it just doesn't put them above in-district students. They are able to do those at the board's discretion, to allow founding family preference. But, not in...not prior to in-district student bounds.

**Williams:** But the good counsel for the petitioners are saying that's not true, that there are exceptions with these new state laws.

**Chastain:** It's the same state law that we're referring to. It's a matter of interpretation between attorneys, which happens.

**Williams:** Are you an attorney?

**Chastain:** I am not.

**Williams:** Okay, so I'm going to trust her rather than you.

**Ruley:** We have the utmost respect for your staff.

**Boyd:** Dr. Williams? Our staff is counseled by in-house counsel, so, if you'd like in-house counsel to speak to...but I think in fairness to staff that they're reiterating what they have worked with, with our in-house counsel. And, as Aracely has said, we have done this across the board for all of the charters that have been authorized by the board. What they're asking for is something that is different and in the past, we have negotiated with Young Minney and Corr with regards to...because they represent other charters that the board has authorized.

So, this is not a new conversation that we've had but we've had conversations with other attorneys and I know the District's Attorney is standing there also, so whether you choose to, you know, acknowledge. So, I think depending, and Mr. Rolan has said before, I mean, you get a lot of attorneys in the room, you're going to get a lot of different opinions.

**Williams:** We know that. So, Aracely, we have approved charters where founding families were part of the original enrollment. Is that correct then?

**Chastain:** As part of the preference...?

**Williams:** The agreement.

**Chastain:** ...that they have?

**Williams:** Okay, so past precedence, we've done that, then?

**Chastain:** Yes, but not... that was not since this law...the Ed Code reads in the way it does. And, I can actually read it to you if you're trying to interpret it in a different way if you'd like. So, it's Education Code 47605D2B. Says: the number of pupils who wish to attend the charter school exceeds the charter school's capacity. Attendance except for existing pupils of the charter school, shall be determined...shall be determined by a public random drawing.

Preferences shall be extended to pupils currently attending the charter school and pupils who reside in the school district, except as provided for in section 47614.5. Preferences including but not limited to siblings of pupils admitted or attending the charter school and children of charter schools teachers, staff and founders identified in the initial charter may also be permitted by the Chartering Authority on an individual charter school basis. Priority order, for any preferences shall be determined in the charter petition in accordance with all of the following, and then it goes on.

**Williams:** Okay. This is a unique conversation that we're having here. It's never really been a part of the staff recommendations and issues in the past. May I hear from the good attorney again? So, what you're...saying is there are new laws that took place 4 months ago that will allow this; the original kids, the founding families here, the founding fathers, to have their children a part of it, but after that, we have to go to the lottery?

**Ruley:** No. So, anytime we exceed the enrollment capacity, we have to go to a lottery, so there is no first come, first serve, ever; any time, right? So, you know, we set an open enrollment deadline and let's just say, it's May 1<sup>st</sup>, right? If we've got 192 openings and we end up getting 200 applications for those 192, then we run a lottery for those 200. If we get 150 applications for the 192, then all 150...of them are admitted, no matter where they live. What we're saying is that in the event that we have that lottery, we would like to be able to utilize an admission preference that allows for children of founding families who live outside of the district to possibly be...to receive a preference above students who reside in the district and don't have that preference.

So, the law...what's absent from the law is yes, we shall give a preference to the district residents and we do, it just doesn't say how much preference we have to give. It doesn't say where it has to be, right? In fact, what the statute said that...Ms. Chastain just read is that the order of the preferences is to be determined in the charter and then approved by the...board, by the authorizer.

**Williams:** Are you the district's attorney?

**Ahluwalia:** I am.

**Williams:** Well, then, let's get another opinion here.

**Ahluwalia:** All right. Sukhi Ahluwalia, from Atkinson Andelson, Counsel for Ocean View School District, and I would concur with the staffs' recommendation that this...and their interpretation of this particular statute. This is an interpretation and, with all due respect to, you know, the petitioners here, we've also worked with Young Minnie and Corr throughout the state. I've never seen a charter petition that gives preference to anyone except for existing students and district students first and second, and then everybody else is allowed a preference thereafter. In this particular case, I think it's particularly troublesome for the district because you'll remember that when they sought the petitions for the Prop 39 request, they went to Oak View.

You see many of the Oak View parents here. They sought signatures from those parents and yet today, they're telling you that they don't want to give them a preference? That they want to have people from outside the district, the founding members get a preference over the people that they went and asked to sign the petition for the Prop 39. I have never seen an interpretation that is consistent with what has been proper today. I don't believe and, you know, Ms. Ruley is here. There's other people that...from other law firms that also, you know...applying on this and in every instance, it's been the students that are at that school, the students that are within the district and then, of course, this board has the authority and the discretion to allow other preferences as well.

**Williams:** Okay. I'm going to throw it back to the...my Trustees and board here. Do you have any other questions or concerns? Okay, so, what we have then from a chair perspective, we have a Motion and Second for Option #2, which would not officially approve this charter until March the 6<sup>th</sup> meeting, and that gives the...petitioners and the staff a few weeks to work things out and officially would come back March 6<sup>th</sup> for approval or disapproval. I sense there is no more questions. Being that there are no more questions, let's make a vote. All those in favor of this Motion and a Second, say "aye".

[TRUSTEE'S SPARKS, BARKE AND WILLIAMS SAY, "AYE"]

**Williams:** Okay, so, there are 2 ayes. All those who oppose?

**Gomez:** Oppose.

**Williams:** One Oppose, and those...all those who Abstain? Trustee Sparks, what was your vote? Lisa?

**Sparks:** Yes.

**Williams:** Yes? Oh, okay, I didn't hear that. So, we have a yes by Trustee Sparks, Trustee Barke and Williams, and we have an opposition by Trustee Gomez. So, we did pass this. You have a few weeks to work things out. I think it's a congratulations and I thank you very much. So, we will move on. We'll give about a 5-minute break before we move on to the next item on our Agenda.

**[THE BOARD MEETING ADJOURNS FOR A 5-MINUTE RECESS. AFTER THE 5-MINUTE RECESS, THE MEETING CONTINUES BY PRESIDENT WILLIAMS STRIKING THE GAVEL 6 TIMES]**

**Williams:** Let's move on with our meeting for the Orange County Board of Education. We're taking up Item #10, and that's board action on the ISSAC Charter School. I will ask Teresa Johnson to come to the podium to facilitate this part of our meeting.

**Johnson:** Good afternoon, President Williams, Members of the Board, and Superintendent Mijares. Today, the board will take action regarding the International School for Science and Culture Charter Petition, which was submitted on appeal at the December 12<sup>th</sup> Board of Education meeting following the November 15<sup>th</sup> denial by the Newport-Mesa Unified School District. As legally required, that petition has been reviewed according to California Education Code regarding Charter School Petitions received on appeal by a County Office of Education. You have been provided with Orange County Department of Education staff report and findings of fact.

Based on the information gathered throughout the entire process, which included a clarification meeting held with the petitioners on January 18<sup>th</sup>, OCDE staff recommend that the Orange County Board of Education adopt the staff report and extend the timeline to either grant or deny the charter petition until the next regularly scheduled board meeting. There are significant concerns with the charter petition. The proposed agreement include...included in the board packet includes charter-specific conditions that addresses the issues outlined in the staff report. The board has 3 options for action regarding the International School for Science and Culture Charter Petition.

Option #1 grants the charter appeal and approves a charter school petition inclusive of the standard agreement. Option #2 adopts the staff report and findings of fact dated January 31<sup>st</sup> and extends the timeline to either grant or deny the charter petition until the next regularly scheduled board meeting. Education Code permits an extension of up to 90 days if both parties agree to the extension. The extension will allow the petitioners and the Orange County Department of Education staff time to negotiate a mutually acceptable amended agreement that addresses the issues and deficits outlined in the staff report and may be adopted by the board as a condition of approving the charter petition at the next board meeting.

Alternatively, if the petitioners do not agree to the extension, the required timelines will lapse without the board taking action and the petitioners may appeal to the State Board of Education. Option #2 is different from past practice as we are asking the board to delay making a decision in order to avoid potentially approving a charter and then having to go through the revocation process should the parties failed to negotiate a mutually acceptable agreement. We feel this option meets the concerns raised at the board...by the board in their discussion last month. At the March meeting, we will present you with a mutually acceptable agreement and at that time, you can vote to either approve with the conditions outlined in the agreement or deny the charter petition.

Option #3 denies the appeal and denies the charter position. Prior to the Board Discussion, the representatives for the International School for Science and Culture and the Newport-Mesa Unified School District will each have 10 minutes to address the board. I now call Patricia Gould, lead petitioner for International School of Science and Culture to the...podium.



**Gould:** Good afternoon, Board President Williams, Board Trustees, Superintendent Mijares. I want to thank the Charter Schools Unit for their thorough review of our petition. I would also like to introduce my team. We have Ms. Janelle Ruley. You met with her this afternoon, a Partner with Young Minnie Corr. Ms. Jessica Normanexit, Senior Advisor, is not here with us, but she did send me her write up. And we have Mr. Anthony Morenco, Special Education Consultant, Elementary...former Elementary High School Principal, as well as the formal...former Legal Principal and Michonne Alab, Measure Ed Consultant Data in Compliance.

So, I will briefly address the findings. First one was governance. ISSAC and its non-profit organization affirm that the charter schools governing board will comply with conflict of interest laws and the Political Reform Act of 1974. We will submit a Conflict of Interest policy. Additionally, we will submit completed Form 700 statements of economic interest for all board members and applicable employees, as well as rosters, biographies of founding ISSAC Board Members. Regarding our Education Program, our daily schedule and instructional minutes. Yes...ISSAC's daily schedule will fulfill the required instructional minutes.

We will present an updated schedule with social studies, math and science to reflect the hour of instructional minutes, and even though some primary grades do not participate in state testing, ISSAC will have assessments for all grades in the form of MAPS, which stands for the Measures of Academic Program...Progress, which are interim assessments from NWEA, which will demonstrate the increasing proficiency of our students in language arts, math and science. Regarding our English Language Development program, there will be an updated ELD program description which will be updated. It was submitted but we'll be updating it.

Our English learner students are not pulled out of English language arts and social studies for ELD. English Learners are provided designated ELD during the English language arts block and ISSAC's schedule will positively support EL students in meeting state standards, and our reclassification rates. Regarding the Local Control and Accountability Plan, or LCAP, this charter petition will include a specific effort to promote the parental participation of pupils with exceptional needs, Special Education in this case, which is required by the LCAP. Some of these activities are to include parents; will be site-based parent education, training, a parent information meetings, conferences and advisory committees.

And, all of these will be added to the LCAP. The charter petition will also identify a metric or percent of English learner pupils making progress toward proficiency, which is also another requirement of the LCAP. We will match or exceed Newport-Mesa Unified School District and reclassification rates which, right now, their current rate, I believe, is about 15%. Regarding admission requirements, yes, we will submit a full breakdown of admission preferences and weights to comply with AB1360. Regarding the finance and budget, which Ms. Jessica is not here to present, but I will read it to you. So, the staff expressed concern about the enrollment of 390 students as proposed in the original submitted petition budget. New charter schools are indeed often under-enrolled, so ISSAC and ExEd prepared a contingency budget for low enrollment of 270 students, or a

reduction of approximately 30%. This contingency budget was presented to the OCDE staff as well as a budget of 250 students, or a reduction of 35% upon the request of staff. Both budgets make modest cuts and maintain a balanced budget. Furthermore, to be conservative, none of these budgets includes the \$4,700 or, excuse me, \$475,000 preliminary PCSGP Grant award which would significantly support existing and additional startup and Year 1 expenses.

Now, regarding Special Education, the cost will of course vary based on the needs of students. ISSAC will be an inclusive program in which its Special Education students are in the regular classroom and receive additional support as needed, per their IEP's. In addition to 2 full-time Special Education Staff, the budget includes nearly \$200,000 for outsource Special Education Services such as Occupational and Speech Therapies. In Year 1, this is \$857 in spending per student, increasing to over \$1,100 per student in out years. And, this is per-student spending level is maintained in the low enrollment budgets as well.

So, the ISSAC budget results in a very strong year... Year 1 net income of over \$235,000 and higher in out years. The school would end Year 1 with a reserve cash of a \$170,000, or about 5%. The budget was built to reflect the program, the model, and priorities of the petition while providing the school, staff and students with all of the supplies, equipment and services needed to be successful all based upon a prudent financial plan demonstrating sustainability and public funding alone. Regarding Special Education, we will apply to both El Dorado County of Education, their SELPA, and Los Angeles County, LACO, and submit verifiable written assurances that the charter school will participate as a Local Educational Agency and a Special Educational Local Plan Area.

ISSAC's team has solid experience in managing a strong inclusive Special Education Program. Regarding the potential private school, we are no longer considering that property identified earlier in our petition. We will pursue and continue with Prop 39 facilities. We will provide Notice of Intent to occupy or a signed lease for a private facility within Newport-Mesa Unified School District, and we will ensure that the facility is clean, safe and meet the Americans with Disability Act compliance and have the necessary local approvals to operate prior to the start of school. I hope you consider and approve our charter petition. I agree to the charter-specific conditions in the MOU, so, please approve us with the standard agreement so that we can get started. Thank you.

**Williams:** Very good. Okay, Ms. Johnson. So now, at this point, Teresa, we take it over and...

**Johnson:** Not quite. It's the district's turn.

**Williams:** Okay.

**Johnson:** Thank you. Almost. Thank you, Ms. Gould. I now invite Russell Lee-Sung, Deputy Superintendent Chief Academic Officer from Newport-Mesa Unified School District to the podium.

**Lee-Sung:** President Williams, Members of the Board, Superintendent Mijares, on behalf of the Newport-Mesa Unified School District, our Board President, Charlene Metoyer.

our Superintendent, Dr. Navarro, and I will each speak to the ISSAC Charter. President Metoyer.

**Metoyer:** Good afternoon, colleagues. I am here representing the Board of Education of the Newport-Mesa Unified School District. As a board, we unanimously approved a resolution to deny the ISSAC charter based on a thorough review by Newport-Mesa staff. We have now read the County staff report and I am here to clearly convey that we wholeheartedly agree with the County staff's findings concerning the numerous fatal defects in the charter, but we are shocked by and strenuously disagree with the recommendation that the County resolve these deficiencies by no...negotiating an agreement with ISSAC.

We believe it is impossible to fix these violations by means of contract. Fundamentally, the proposal undermines our local control as the elected body of the Newport-Mesa Community and it usurps the role of local school districts in the charter review and approval process. The Charter Schools Act favors approval by Local School Districts, not County Boards or State Boards of Education. Given the nature and extent of the defects of the ISSAC charter as found by the Newport-Mesa Board and now confirmed by the County staff, ISSAC charter clearly cannot implement the program that it proposed in its charter and advertised in its effort to recruit families.

The type of changes required would make ISSAC's proposed program unrecognizable. This is inconsistent with the Charter Schools Act. The only fix for ISSAC's defects is a wholesale rewriting of the educational program, which is not appropriate for an MOU on appeal. It is the creation of a new charter. If ISSAC's petitioners want to propose a new program, they need to create it and start the process over again by submitting a new charter to a Local School District.

Our district requests that this board not usurp our local control and Newport-Mesa's authority by allowing ISSAC to circumvent the intent and letter of the law requiring charter petitioners to seek approval from local districts. The District Administration will provide more detail, but on behalf of the Newport-Mesa Board of Education, I encourage you to remain true to the objectives and requirements of local control and deny this fatally deficient charter. Thank you.

**Lee-Sung:** While we agree with County staff's...findings as President Metoyer stated, we do not agree that this matter should be granted an extension for 30 days in an effort to remediate the deficiencies with the contract. This recommendation goes beyond the scope of a charter appeal. ISSAC's charter is presented as a half-baked, unworkable plan and a contract with the County won't...fix the significant problems. Here are some examples taken from the County staff report itself. First, ISSAC's illegal conversion of a private school is prohibited by law. There is no contract term to overcome that problem. Next, a contract cannot resolve the fact that there simply is not enough time in the school day to implement the program they have promised.

County staff found the daily schedule is, and I quote, "incomplete and does not include all required courses". The real problem is that ISSAC cannot provide a working schedule

because it is impossible to put the proposal into that available time. The lead petitioner effectively admitted this during the public hearing. For example, ISSAC claims to have a STREAM focus, it proposes a mere 90 minutes, 4 days a week of combined instruction in math and science. As the County agreed. I quote, “it is unclear how students will become proficient in meeting math and state standards”. ISSAC unconvincingly claimed that core instruction will be integrated into other subjects.

Then, the lead petitioner stated that ISSAC’s trilingual instruction, the cornerstone of its proposal, may be offered as a before or after-school enrichment instead of during the school day. This new explanation is entirely inconsistent with the charter and its promises to parents. You can't negotiate more minutes into the day, so, a contract won't fix this problem. ISSAC and the County also cannot resolve the critical lack of interest via a contract. For many reasons, we don't believe that ISSAC’s interest forms reflect real interest. Between all the public meetings with ISSAC, parents have only 2 or 3 students express interest in enrolling. There is no demand for the school.

The County staff validated this concern and determined the projections were unrealistic and, I quote, “will adversely affect all aspects of the schools budget”. In addition, the County report accurately states quote, “even if ISSAC were to make its enrollment projections each year, there may be insufficient funding for students requiring exceptional needs support”. No contract with the County will produce students, multiply available funds or decrease the cost of serving all students. When Trustee Gomez asked about the budget, the lead petitioner was unable to answer basic budget questions, then speculated that she might be the Principal and Executive Director, putting her in charge of all finances despite her obviously lack of historical expertise.

Neither the lack of funds nor the lack of expertise to oversee operations can be remediated by a contract with the County. What ISSAC proposed cannot work as written and it is not the County's role to rewrite the charter or to prove a fundamentally different program.

**Navarro:** While unfortunate, it's necessary for the district to address the lack of integrity demonstrated by the ISSAC petitioners throughout this process. The district is disappointed that the petitioners have camouflaged the facts. As previously discussed and notwithstanding ISAAC’s denials, their strong connection to the failed Adrian Hands Charter, including the fact that Adrian Hands also proposed an illegal private school conversion.

The ISSAC leader specifically chose not to disclose the plan location, which we can only assume was an intentional effort to disguise the convey...the conversion issue that was uncovered by County staff and clearly documented in the findings of fact. Obviously, if charter...if ISSAC were to situate the campus...situate on the campus of a private school that offers the same trilingual program, the private school families would simply re-enroll in the free charter, illegally converting the private school to a charter school. We believe that ISSAC has misled both the district and parents in our community. ISSAC has directed Spanish-speaking families who simply wanted more information to complete Intent to Enroll forms, a practice that ISSAC has continued despite the district pointing

out its inappropriateness. ISSAC also included different and misleading information on the Spanish versions of the recruiting flyers. Additionally, ISSAC told the district that it had used Spanish versions of its website and charter to recruit Spanish-speaking families and ISSAC's charter specifies that ISSAC has created all of its outreach materials, including its websites, in English, Spanish and Chinese. That is not true. ISSAC is now been forced to admit that it does not maintain multilingual websites. The so-called Spanish version of ISSAC's charter is actually an incoherent auto-translated document that the district believes ISAAC created only in response to the district request for a copy.

It is not a coherent Spanish-language charter petition. This can be made clear by just a couple of absurd examples. ISSAC's Spanish charter translates the reference to the proposed STREAM focus literally, using the Spanish word "corriente", which is a body of water, not an educational program. Similarly, the reference to Ms. Gould as the lead petitioner had been translated as "plomo", which is the Spanish word for metal lead. And when my Spanglish background, metal lead is what we put at the end of the fishing line that we call the dead weight to fish off the pier, off the break waters. This, I'm sure, is not what they intended to describe the leader as.

This demonstrates a lack of respect by ISSAC for the Spanish speakers it is trying to recruit, and also makes clear that ISSAC was not being truthful when it told the district that it had used a Spanish charter and website to recruit Spanish-speaking families. I have extensive experience overseeing charters. I oversaw 6 charters as a Superintendent of the Lennox School District. 2, I found, were solid educational programs that I would be happy to have my own children attend. The other 4 were deeply flawed and I would not recommend them to anybody. Unfortunately, ISSAC's charter felt...falls into the latter category.

The flaws in the charter and the breaches of trust by the ISSAC leaders should not be ignored or rewarded by approval...by this...of this defective charter. It's also important to point out we are very disappointed that many parents and community members who were here to speak in opposition of this charter were not given an opportunity to speak and...all public comments that were...not given priority as a single item.

The district represented that the County Board only interested the...only, I'm sorry, requested that the own...that the County Board allow only interested person of a chance to speak before the...action is taken, but this board a denied this request; the Board President denied this request, which is in opposition to your board policy. So, I would ask that we respectfully...that you respectfully consider a request that the board deny ISSAC's charter and adopt the OCDE staff's finding in support of that denial.

**Johnson:** Thank you. Newport-Mesa District representatives. To reiterate, OCDE staff recommend that the board adopt the staff report and approve the resolution to extend the timeline to either grant or deny the charter petition into the next regularly scheduled board meeting. If the board agrees with staff recommendation, we will work with the petitioner to negotiate a final agreement. At the March board meeting, we will either present you with a negotiated agreement or notify you that the parties did not reach agreement and the board can vote to either approve or deny the charter petition. President

Williams. I now turn the meeting back over to you to facilitate deliberations and take action on the charter petition.

**Williams:** Thank you, Teresa. And, for the public record, Dr. Navarro, you are totally wrong. You're incorrect. Your false, misleading statements are not appreciated. Public Comments were done at the last meeting. You heard me say that at the Sycamore Charter, so your words and comments are not true, sir. So, just to correct the record, I'm saying this at this time. So, I'll go ahead and I'll start by asking, is there a Motion for this petition? And, let's be specific. It has to be Option 1, 2 or 3.

**Barke:** I will make an Option...I will make a Motion for Option 1.

**Williams:** Okay, so you have a Motion for Option 1. Do I have a Second?

**Sparks:** Second.

**Williams:** Okay. We have a Motion; a Second. We are now at the discussion phase and the Motion is to grant the appeal and improve their charter as it is inclusive of the standard agreement. Okay, so I'll go to the left. We started with Beckie last time. Lisa, any comments? Questions?

**Sparks:** Just a comment that I would make is that I noted, again, in searching the Great Schools that organize the test scores in the district, particularly, there's 16 Costa Mesa Schools rated 7 or below, with many at 3 and below, in terms of school rating. So, it seems to me, and also on those same descriptions, they say the scores are very concerning. These scores are very worrisome signs, and not to say that all schools are doing that. I'm just saying that that shows that there may be room for a charter school to serve those needs of those kids.

**Williams:** Is that it? Very good. Trustee Barke?

**Barke:** I would...agree with Lisa because we all know she's all about data and so, she collects a lot of data. I also know that...ISSAC has agreed to the staff's recommendations. And so, I think that's important.

**Williams:** Any further comments?

**Barke:** No.

**Williams:** Okay, moving on to my right. Trustee Gomez.

**Gomez:** Well, again, I look at the budget and they don't seem to...their...I think more reasonable. But again, I am concerned. I go back to...and the staff report, again, emphasized this about the educational program and the instructional minutes. I just canceled one of my own faculty the other day about making sure that they met all of their instructional minutes. So, trying to cut short some of these instructional minutes and to promote a strong program concerns me quite a bit. The first year enrollment of 390 students is...really concerning, although they, you know, the...what the petitioner talked about adjusting the budget if need be, but I still even think, you know, getting two-thirds of that is still pretty...aggressive.

I...when I read the staff report about the admission requirement and about non-district residents...student residents having priority over students who are residents in school district, I have a big no by that, because that does concern me. If you're trying to serve the

population that you went out and got signatures for and now you're...you want to push aside those...families and those students, that's not something I can...support. So, you know, again, I just feel that there's some real gaps in this petition and although the petitioner has said that they will, you know, adjust things, this is where, again, I have difficulty is that there's been plenty of time to make those adjustments before it got to us, and to...address those with the school district.

And, for sort of the last chance to come to us with these, again, big gaps. Again, I have great concerns. We want to...you know, our job here is to serve the students of Orange County and when we are going to submit to a program that lacks, we're not doing our job. We're not doing our job to support our kids and make sure our kids...I mean, all kids deserve a great education and we, as parents, have choices as to where the students want to go. You know your child best and you know how that child learns. I have 3 children and they all learn very differently, and so, I had to make some decisions about where my kids went to school and I...and they were tough decisions, but I made them.

And so, although I agree that there should be choices, I don't want a parent to believe that there's a great choice out there and then not have the support out of a particular school, and then have the parent be disappointed and the child not learn because what if that child moves? What if that, you know, the parents move? Is that child going to be, you know, ready to go in another school? So, I have some real concerns about this petition. I don't really have any questions. I just feel like I have to address those things.

**Williams:** Very good, very good. Okay, so, if I can get the lead petitioner back up to the dais, or the podium there to answer some of my questions here. So, are you, if I may ask, are you contesting any of the findings by the staff?

**Gould:** No, I'm not. We had a concern because we wanted...and we were integrating math and science like anything you do at a school. You integrate curriculum to give students the option and provide them a more enriching...experience. We're going to be cutting down lunch and we're going to do our social-emotional piece in the morning a little less, in order to increase the math and increase the science so that each of them will get the 60 minutes. I mean, we were only short like 20 minutes. Okay, so we'll cut it down a little and adjust for that and we're okay with our minutes in terms of that schedule. I mean, that was the only piece there with the math and the science that came up as in the finding.

**Williams:** Okay. So, let's go through this one item at a time. So, governance and...operations. You don't contest anything?

**Gould:** No, we will...make sure we get the policy and take care of all of that signature...

**Williams:** So, you're going to fully comply?

**Gould:** Yes, we'll get our board together and do all that.

**Williams:** Okay, the education program. There are 3 items there: the schedule and instructional minutes, the English Language Development Program, and the LCAP. Do you have any problems with any of those decisions?

**Gould:** No, the instructional minutes, again, was the whole piece on the social...originally in our petition, we had social studies/GLAD/ELD, because the intent is with GLAD, their instructional strategies to teach and enhance ELD strategies and social studies because that's what ELD is about. But, we separated it so that it's all standing on its own with English language arts. GLAD was taken out because GLAD...our strategies that we added to just kind of emphasize and make it look good. But, we took it out. In terms of ELD, the whole ELD piece. We did give a clarification paragraph during the clarification meeting but we're going to pull it back out and...provide it again, because we described it. ELD will be done during English Language Arts.

It is not a pullout program because you don't pull out students during designated ELD. You provide ELD during their...ELA period. Integrated, I mean, designate. Yes, so integrated ELD, it's done throughout...the day in the classroom. The other piece on the LCAP. LCAP is a living document. You need your stakeholders, you need the parents, you need the teachers. You need the Board Members...your board to approve your LCAP policies; your plan. So, when we get started we'll have all of that presented to them and implemented and done. So, yes, we'll add those pieces that are missing for now, but then when we get started, we'll be...

**Williams:** So, when you created your...original petition, oftentimes we've seen that these are oversights that you weren't aware of the specific things that the staff would be looking at and criticizing your charters, but you do realize they're important.

**Gould:** It's important, no, of course. I mean, I created the one for our last place, the LCAP. So, yes, yes, yes.

**Williams:** Okay, so you have no problems with...

**Gould:** No, no, no problems at all. No, nothing. Nothing with any of that. No.

**Williams:** The admission requirements? Preference? Do you have founding fa...founding families?

**Gould:** No, we don't.

**Williams:** That's not an issue with you?

**Gould:** No, it won't be.

**Williams:** Okay, okay, and you're going to give district students the priority?

**Gould:** Of course. We're in the area that...that's our population. Those are students that...will be priority. Yes.

**Williams:** Okay, moving on with Item #4: the finance and budget. Your SELPA is going to be El Dorado and LA County?

**Gould:** El Dorado or LA County. We're applying...we're in the process still...

**Williams:** What...when will you find that out?

**Gould:** I'm not sure. We're still...

**Williams:** And for your Special Ed. Kids, you're going to have...you budget for 2 full-time staff members. Is that right?

**Gould:** Yes.

**Williams:** Okay, and you have \$200,000 budget for outsourcing?

**Gould:** Yes.

**Williams:** Okay, and the...final issue on the potential private school conversion. What's the genesis of that? Why...is that even in the discussion? You're telling me that you're not a private school, you're not...



**Gould:** No, no, no.

**Williams:** ...what kind of operating is that?

**Gould:** So, we...when we went to check out this church, this...facility, the property manager assured us that the owner said that it was okay for us to lease with him because the owner guaranteed us to add additional trailers, additional bungalows, and make it...compliant for students, right? To add additional staff...additional students. And so, he reassured us so we're like, okay, so give us...a letter, which is the letter that we put into our charter petition and submitted it. During the clarification meeting. Ms. Johnson said, you know, could you verify all this? You know, there's...there's another...school there, and I go well, I know there was a couple teachers there.

There was a couple classes there, but I thought it was just, you know, like a tutoring or a little class going on. So, I'll go check. I'll ask. So, when I asked, I got the same kind of response. Don't worry. We got it covered. You'll be taken care of, but we need the reassurance from you first that you're okay in order for us to begin the process. Now is the response I got from them...so now, when I found out that this came out, it's like you almost want to say it's kind of...I mean, I hate to say shady. I mean, it's really sad and...unprofessional for them to have done that and it's like really? We're trusting that this came down and a few months ago, we received this from them.

So, it's like we just, obviously, we can't do business with them anymore. So, that's out but in the meantime, we had submitted paperwork for Newport-Mesa Unified School District Prop 39, right? And, we did receive information from them on how many students they're willing to...support and so, we're...that's...still in the workings.

**Williams:** So, just for the record, you are not the petitioner; had any involvement with the Adrian Hands petition and academy that was submitted...

**Gould:** No.

**Williams:** ...earlier, the year or 2 before. Is that correct?

**Gould:** No, no.

**Williams:** You weren't at all involved?

**Gould:** No, that's why...no.

**Williams:** Okay.

**Gould:** No, I have nothing to do with that.

**Williams:** Okay. I see the good administrator there from Newport-Mesa. If you could come up, you...have...you have something to say. I want to hear it.

**Lee-Sung:** Thank you, President Williams, for the opportunity to, you know, we obviously are listening to what's being stated here and we're very troubled by the fact that there were glaring significant deficiencies with this charter as it was presented and validated by our district, validated by the OCDE staff and the school is making all these promises and commitments to you as a board.

However, we have not seen the details of what she is promising and committing, and the adjustments that are being made. You have not seen it; our public has not seen it and we deserve an opportunity to review those things and have an opportunity to comment on them because these are significant deficiencies as we stated in our...statement. And, I

want to have Vanessa Gailey, who spoke at the last meeting, to talk specifically about 1 of the items that was just asked by you, Mr. President Williams.

**Williams:** Very good. Vanessa, tell me your concerns with what you heard.

**Gailey:** I think that for us to get a good understanding of what their instructional minutes and their instructional program looks like, we should see a rework of their instructional day. Ms. Gould demonstrates a fundamental lack of understanding of what Integrated ELD and Designated ELD is. They are 2 different things. She's correct, Integrated ELD is provided during English language arts. It's provided during mathematics and social studies and any other content because you are using the ELD standards, a secondary and the content standards is primary. You're using scaffolds and supports during all of those...content areas, but you're supporting student. That's Integrated ELD.

Designated ELD is separate times set during the day to focus on Designated ELD; designated on ELD standards first. It's a focal time. It's not necessarily a pullout. You can have groups in the classroom, but you have them grouped according to proficiency level. You would know that if you've read the framework; the ELA and ELD framework. It talks specifically about designated time and you are grouped by proficiency level. You do not group students by proficiency level during the rest of your content areas because you want them to be working with their English-only and reclassified peers.

So, I would recommend...you would want to see the regular scope of the day and how they're going to work in all of those elements. What are your reclassified students doing during Designated ELD? What are your English-only students doing during...ELD? I would be concerned that she thinks that during ELA, they're going to be pulling students, and these kids are going to be missing content. We don't want them missing content. I also want to know how they're going to do their trilingual approach. When are they going to give the kids this foreign language exposure that's part of...a fundamental part of their charter? Lastly, I heard them talk about NWEA MAP. I believe there's significant costs associated with that, so you would want to make sure that that has been budgeted.

**Williams:** What was that last...?

**Gailey:** The NWEA...the MAP assessments issue she was talking about?

**Gould:** The term assessments? Yeah. It's been budgeted.

**Williams:** Oh, okay.

**Gailey:** It wasn't in the original budget that I saw.

**Williams:** For the record, your name and position and relationship...

**Director:** Sure. Vanessa Gailey, Director of Special Projects at Newport-Mesa. I oversee the English learner program as well as Federal Compliance in our Local Control and Accountability Plan.

**Williams:** Very good. Thank you.

**Director:** And Williams Compliance as well.

**Williams:** Okay, very good.

**Lee-Sung:** Just the last comment; that we respectfully request that if these concerns that were brought up by the County Staff, that...it's the board's direction to have them submit those changes and give the public, give our district an opportunity and the board to fully

see what those changes are, and to be able to comment on them in the future. Thank you.

**Williams:** Sure. And...for the record, unfortunately, that's not the process of the state law. So, what happens is the appeal process, for the record, it comes to the County Board of Education and then we take it and hear it and render our decision. So, with all due respect to the good...the Newport-Mesa, again, I...I'm a TeWinkle Estancia High School grad, so you guys are awesome. I had a great experience, but at this time we really can't reconsider and send back down to Newport-Mesa any of this. This is a consideration before the board. Who are you?

**Harden:** I'm the attorney for the District. May I come up?

**Williams:** Absolutely, come on up and state your name and...

**Harden:** Davina Harden from Atkinson Andelson, for the district, and I think that there was maybe a misunderstanding of what Mr. Lee-Sung was suggesting. What we're asking is first of all, the petitioners for ISSAC have admitted that all of the defects that the County staff found were, in fact, the defects and that they need to make changes in order to address them. And, County staff has recommended that...there be a continuation of 30 days in order to see if, in fact, ISSAC can make those fixes.

Simply saying we're going to fit the minutes into the day isn't an actual plan for doing it. And so, what we're asking is if the...if this board is inclined to approve this charter that you adopt Option #2 rather than Option #1, so that the actual fixes, including the contract that you're going to enter into, are available.

**Williams:** Very good, very good. Question...thank you, very much. I appreciate that. Question for the petitioner. Are there timelines we need to be aware of for you?

**Gould:** I think just like the previous charter, the Prop 39 issue, but I believe it was the March 6<sup>th</sup> board meeting. So, March 15<sup>th</sup>. So, I think that was okay, but I believe it was the CDS number at the end of the month and the monies and so, getting...

**Williams:** So, yes or no? Can you...accept a decision by March...6<sup>th</sup>?

**Gould:** Yes.

**Williams:** Okay. So, the reason I'm bringing this all up because, again, this is an ongoing evolving process here. The district essentially said, and they agreed with the...our staff, our wonderful staff here who looked at this, there are some deficiencies and issues. And...the...one of the reasons for this hearing and the appeal is an opportunity to correct that with the contract and...what you shared with me earlier is you plan on correcting all these things, including what...I'm sorry, your name again?

**Gailey:** Vanessa Gailey.

**Williams:** Including what Vanessa said because that's very, very important. So, with that you...you're okay then if you...we actually...what I'm going to make the Motion for is exactly what the last attorney said; to make a subsidiary Motion to Adopt Option #2 rather than consider Option...#1. So...that's a Motion. I need a Second to...confirm that, to vote on Option #2. Being that I do not see...

**Boyd:** Dr. Williams? Can I just...point of clarification because I want to make sure that all board members are clear. Option #1 does not incorporate staff findings in that agreement. So, the agreement is the standard agreement that's part of your policy; has nothing to do with any of the deficiencies. If you move forward with Option #1, basically all the staff findings, the deficiencies that they've talked about, will not be incorporated. So, I want to make sure that you're clear on that.

**Barke:** Even though they've agreed to incorporate them?

**Boyd:** The agreement is what you have in your board packet. And so, there's nothing...it says that it would be the standard agreement, so, that's what you are taking action on, based on your Motion.

**Williams:** Yeah, so...

**Sparks:** Can we amend Option #1 with conditions?

**Williams:** Well, that's Option #2.

**Gomez:** Option #2. an option.

**Williams:** So, I'll...kind of restate it again. My Motion is to substitute or make a subsidiary Motion to consider Option #2 rather than Option #1, and in order for us to go forward with this to...I need a Second on that.

**Gomez:** I'll Second.

**Williams:** Okay. So, we have a Second. So, before us is the reconsideration of Option #2 and so, we have to ...vote on that. If Option #2 gets the majority, help me out here, from our Parliamentary Board Regulations, it automatically secedes #1, and we don't have to vote on #1. Is that correct?

**Boyd:** True.

**Williams:** Okay, so...in essence, what I just said is...and we have a Second. We're going to be voting on Option #2, and if that passes with the majority, then we will not vote for the original Motion, which was by Trustee Barke?

**Boyd:** Correct.

**Sparks:** Yes.

**Williams:** Okay. Is that perfectly crys...crystal clear or muddy?

**Barke:** And, if it doesn't pass, my Motion is back on the table?

**Williams:** That is correct. If so, if it ends up by not getting a majority, or if it ends up in a tie then we go back to your original Motion. So, I have a Second and so, now I'm going to throw it back out according to our parliamentarian rules for discussion on...on my subsidiary Motion. And, I'll go to my right.

**Gomez:** I have no other comments.

**Williams:** No other comments?

**Barke:** I have no other comments.

**Sparks:** I have no other comments.

**Williams:** Okay, so...I'll finish up then on my subsidiary Motion. I didn't hear anything in the lead petitioners' objection to the items here. I didn't hear a date...a drop-dead date that they had to meet any deadlines. You know, we've gone through this before and this is...not new with MOU's. We've just kind of made this more concrete and more consistent with our past habits and how we've approved these; the charters.

They worked out but...through the last couple months and dialoguing with the board, we know that sometimes the revocation process could be laborious and difficult if a charter does not work out. So, what Option #2 does, it allows us to get rid of some of those potential problems that may occur in the future. Again, I didn't hear any objections by the lead petitioners. In fact, they were for it, and we're going to comply, so I see my subsidiary Motion as being reasonable and prudent.

**Boyd:** Dr. Williams? Trustee Sparks wasn't at the last meeting, so, maybe we just...for a quick refresh of the dialogue that occurred between you and Dr. Bedell with regards to past practice in terms of approving with conditions, and us trying to go back and rework agreements and so forth. And, I think that might be where some of the confusion is because that is not an option that was included in this dialogue, and part of the concern that was raised and the conversation that the Trustees had was that once the petition is approved, it's approved.

And so...as Mr. Rolan and in-house Counsel have also counseled the board that any negotiations that occur at that point are based on mutual acceptance of the party, but there's nothing there that is still hanging out there in terms of you can do something or not. It's basically...it's already approved, which in charter school or the Charter School Act doesn't take into account normal contract law that parties are mutually agreeing to things. And then, if you can't come to an agreement, then it's null and void.

Once the board has approved a charter petition, it's approved and so, as working...as you know, we've been working for some months on one of the charter petitions that was approved back in November, and we just have finally got to a point where the attorneys on both sides are agreeing to move forward and so, we can sign that agreement but it's taken, you know, 4...almost 5 months to get there and they were already approved. It's been just basically because of the fact that, you know, we've been massaging and trying to go back and they're trying to move forward and so forth.

So, we took that into account, had conversation with Dr. Williams, Dr. Bedell, because they initiated the initial conversation and came up with this Option #2 to ensure that we're protecting the board, protecting public funds in terms of not granting approvals prior to the board, at least having the benefit of seeing a negotiated agreement and then the board can act either to approve or disapprove. So, just to provide you some background that...that's why we're where we are today.

**Williams:** Very good. Any questions then? Okay. So, from a parliamentary perspective, there's a Motion; a Second. I sense the dialogue and the conversation is...over. I will go ahead and call the question. All those in favor of Option #2...is my subsidiary Motion, say "aye".

[TRUSTEE SPARKS AND TRUSTEE WILLIAMS SAY, "AYE"]

**Williams:** 2 "ayes". All those Opposed? All those who are Abstain?

**Barke:** I guess I'm Abstaining.

**Williams:** You're Abstaining and Lisa, are you Abstaining, too? Okay. So, what that

means, we have Option #2 that was passed by 2-0-2. Two members voted for and two Members Abstain. So, congratulations. You have a little bit of work to do and I trust that the staff and you will work out all the details. I want to thank the Newport-Mesa Unified School District for presenting a very good case here and hopefully we will have a good charter school in your district. So, thank you very much. The board will stand in 5-minute recess.

**[PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF THE 5-MINUTE RECESS]**

**Boyd:** Dr. Williams? The audience seems to be confused with what occurred. So, to restate what just occurred. It was Option #2 that...

**Williams:** It was Option #2 that passed...

**Boyd:** ...moved forward. Right.

**Williams:** ...two to zero, to two...

**Boyd:** 2-0-2. Thank you.

**Williams:** ...with 2 Abstentions. Correct.

**[PRESIDENT WILLIAMS STRIKES THE GAVEL PRESIDENT WILLIAMS STRIKES THE GAVEL TWICE TO CONTINUE THE MEETING]**

**Williams:** Okay, the Board of Education is back in session here and continuing on with our Agenda, we have Charter School Submissions. Item #11. Kelly.

**Gaughran:** Good afternoon, President Williams, Members of the Board, and Mr. Rolen. Today, Vista Condor Global Academy is submitting a request for material revision to their charter. The school is requesting to revise their admission preferences to align with requirements to receive charter school...Charter School Facilities Grant Funding. The board will hold a public hearing on this matter next month in March and will render a decision at the April board meeting. Thank you.

**Williams:** Very good. Thank you. Thank you, Kelly. Okay, so, for the record, the...board will be in **[PRESIDENT WILLIAMS STRIKES THE GAVEL TWICE]** Closed Session because of the opposition...Expulsion Appeal Hearing that we have, so at this time for the...record, the door is closed and we have certain people in here that are allowed, and I will allow Mayu, for you to intercede and go forward.

**Boyd:** They went to get the party.

**Williams:** That is a little important. Yes, Mr. Rolen and Mr...who were these people that were here? Oh, they're the charter school? Okay.

**Boyd:** They wanted to make sure that it was heard so that the timing and they knew the clock was running and so forth.

**Williams:** Got it.

**Boyd:** They said they opted not to speak to the board because of the timing and so forth.

**Williams:** Okay. The board will continue on with our board meeting. We'll open the doors and we'll move on to Information Items.

**Rolen:** We're waiting for Dr. Mijares.

**Boyd:** He will not be back. He is in another meeting.

**Williams:** Okay. Yes, please.

**Boyd:** The CCBE County Board Governance workshop is March 8<sup>th</sup> and 9<sup>th</sup>. We've sent information to the board, we have no Board Members attending or that have confirmed attendance. So, there's no registrations. CCSA Annual Conference in Sacramento, March 11<sup>th</sup> and 14<sup>th</sup>, we have Mari and Lisa both attending, and we'll have myself and staff will be there as well. NSBA Annual Conference in Philadelphia, March 30<sup>th</sup> through April 1<sup>st</sup>, we have Mari and Jack both attending, provided Jack is back up and moving, and our office will be closed next Monday to honor Presidents Day. And, in your red folders is a first-draft reading for Notice of Violation.

That is the document that President Williams asked us to work on to provide to the board for consideration in their policies. As you recall, we do...we have Notices of Concern that staff initiate when there are deficiencies or things that are not measuring up to the petition that was provided, or if legalities have changed and there are concerns. Most cases we work with the charter petitioners through email and things are corrected. If it isn't corrected, then we move to a more formalized process and we issue them a letter and we define a timeframe. So, there are many things that never come back to the board just because they're taking care of; things that are either health, safety, welfare or things that have come from parents or the community or the petitioner.

Then those things, Kelly mentions to you in her reports to the board, but we did want to make sure that we add the component of Notice of Violation because one, we think it's important that those that have been authorized by the board understand the seriousness if they don't take care of things in a reasonable timeframe. And so, this is a methodology to do that. And also, if there is ever a point in time in the future that the board has to look at revocation, the only way that the board is able, for at least what has been proven in courts, is that you have to have so many Notices of Violation that have been issued by the authorizer which would be you.

The Notices of Concern that we issue don't carry the same weight. And so, what we're asking you to take a read, we'll put it on the agenda for discussion at next month's meeting and then in between time, if you have some comments or some additional language or anything, then please let me know so that I can make amendments, corrections, what have you, and get that out to the rest of the board so that you all will be operating off the same document when we come back.

**Williams:** So, this is going to come back March 6?

**Boyd:** Yes.

**Williams:** It's going to come back as...

**Boyd:** A Discussion Item.

**Williams:** ...an Action Item, or...

**Boyd:** Well, it depends. It would be a Board Discussion Item so that we could talk about it. And then, we'd move to action in April.

**Williams:** Okay.

**Boyd:** There's not an urgency on it from our perspective so it's really up to the board. Now, if you decide you want it as an Action Item next month, that's under your purview. We're just recommending that you read it and depending on the response we get back then, you know, we can have the dialogue with the Executive Committee with regards to where it fell and what we heard, and you all make that determination.

**Williams:** Right. I mean, my thoughts...all right, time is not the essence of this issue, but we've talked about this enough in the...past several meetings. I...can make it and see it going as a Board Action Item actually sign a Board Policy to it. The only...because I want to put that in our agreements and MOU's that they have to acknowledge that this Board Policy is important from a legal perspective, so...does anybody have any problems with the putting it on our...?

**Barke:** Well, I think...

**Gomez:** Well, I guess after we have a chance to comment on it, we'll know if it needs to come back for more discussion.

**Sparks:** Just on the face, I think, there's a big difference in health and safety of students compared to, you know, submitting documentation. So, I mean, those are really different. They have different weights to them, you know?

**Boyd:** Right, and I'll be happy to dialogue with you all with regards to that because submitting documentation is really...it's not about the health and safety. It's because they have...right, they've done something that have it and we need the documentation to show that it's been corrected. And so, that's what we're trying to get to and if we keep going round and round and round...

**Sparks:** Are they related or separate, those 2 issues? Is the documentation related to the health and safety, or are those 2 different...

**Boyd:** Documentation related to whatever the deficiency is. So, it could be health and safety. It could be something totally...it could be a legality. Maybe they don't have a credentialed teacher and...the law says that they have to have credentialed teachers and so from that standpoint, we've tried to work with them and maybe there's been a 6-month time span or a 3 month. We try to give them reasonable time.

**Sparks:** No, I get it. It just seems to me those would be 2 separate violations; complete separate...

**Boyd:** And we don't give weight to them. We're just saying that it could be any of those conditions where you issue...and you all determine when the Notice of Violation. We don't determine that. We just let you know we've issued multiple Notice of Concern. You may tell us we want you to show another Notice of Concern or you may want the petitioner to come in and dialogue with you to explain why they haven't remedied it, and then, you may want to take action in terms of either you're going to move forward with a Notice of Violation or not. It's not...none of that is automatic. What it's just showing as Dr. Williams is saying is there's a method for you to get there and we're currently...we don't have one.



**Sparks:** Okay.

**Williams:** So, do I hear a consensus? We don't want to vote on it? We just want to bring it back?

**Boyd:** I think the consensus would be to let the Board Members respond to us in terms of what's there so that they can digest it, and then I'll have a conversation with you all. Board deadline for the next board meeting is next Wednesday. So, you know, if it's going to be an action, we need to know by next Thursday morning. We'd be having that conversation to, you know, because we'll be building the agenda at that point.

**Williams:** Sure, sure. Okay, very good. Anything else?

**Boyd:** Renee, you have an Esplanade report?

**Hendrick:** So, this is just our quarterly update for the Esplanade; our buildings next door. And so, you can see we're running very well with our budget right now, and so, we did give notice to the 1 tenant who will be vacating, supposedly by June 30<sup>th</sup>. I think that date will probably get extended a little bit. Our plan is to modernize that building and relocate staff because right now, that's the one where it's at Irvine Sensors that has had a problem paying us in the past. And so, now they're saying well, we promise we'll pay you but I think for as many years as Dr. Williams has been here, we've...we're constantly having issues with that, so...the market is so well right now; we're at 99% occupancy.

And so, now would be a good time to make that move, so if you kind of go through that budget actuals here, so, remember this is a standalone. We can't use any of these funds for anything in our General Fund. It's left just for this, so we do have a good balance left there. The renovations for that building will probably exceed 2 million dollars though, just to let you know, because they have like tanks and all kinds of things in their building they've had for probably 20 years.

So, those...funds will be used to rehab that. The other good news I have for you is we actually received notice that we will go to the...State Allocation Board in the spring to start construction on our community school #9, which not sure I...thought I would still be here when that happened. It's taken so long, but we do hope that'll move forward. So, I'll give you updates as we move through them. So, any questions on Esplanade report? Did you...I know it's all pretty straight forward, and it's late...

**Williams:** Good job as always.

**Boyd:** Maybe...Renee, at the next board meeting, you could give some background on Community School Number #9 for our new Board Members?

**Hendrick:** Yes, and I'll actually bring over a little rendering, yes.

**Boyd:** At least bring them current in terms of the property that...

**Hendrick:** I think, probably, Dr. Williams was the only one here at that time when it was actually approved. So, we actually have...it's been approved for like 6 years, I believe. So...

**Williams:** Very good. Thank you for staying. Just...real quick and more discussion of the Board Minutes. Jack and I went back and forth and the resolution of amending the Board Minutes as you can recall from our January meeting, was that Jack didn't want to

do anything. So, he said leave it as is. Also, Beckie and Lisa, you guys had a meeting with Renee and Nina. As I recall, you guys were going to meet. Could you kind of report out what the results of that meeting?

**Gomez:** You want me to try and then we'll...you can chime in? We basically went over the budget and tried to clarify a couple things that Trustee Sparks wanted to see some things in more detail. I think your emphasis was on grants and a couple other things which I don't recall now, but we gave some suggestions to the Superintendent's Office, and they were going to, I think, come back with a couple of different ideas and see if that...kind of met up with the expectations without overwhelming us with budget information.

**Williams:** Okay, thank you. Thank you. Lisa?

**Sparks:** Yeah?

**Williams:** What specifically were you interested in?

**Sparks:** Yeah. Interested in a list of all the grant activities which is around 7...almost 8 million dollars, and then there was another section that I'm looking for; I can't find right now. I didn't know I was going to be asked. And then, the fees and other income category. I wanted to have a breakdown of the...that category, specifically the section on Professional Services, including expenditures for Maintenance, Service Contracts, Custodial Contracts, Instructional Consultants, Consultants, Non-instructional Hearing and Legal Cost, Data Processing Contracts and Contracts for Fingerprinting Services. That...particular section of that larger piece of the pie was 16 million.

**Williams:** Wow.

**Sparks:** I was curious about that breakdown.

**Williams:** Okay.

**Gomez:** And I think the other thing was looking at some trends...over the past couple of years.

**Sparks:** In addition...

**Gomez:** ...and what was projected for next year's trends.

**Sparks:** ...in addition, trends from last year to this.

**Gomez:** I think that's the thing we're going to try with a couple of sections and then see if that's what we wanted to see.

**Williams:** So, just so I can chime in here, so, we're talking about old grants. Is that correct? Those that are approved and those that are not approved by the board because, as we know, the Superintendent can go after federal grants without board approval. It still has to come into the budget which I...think needs to be approved by the board. Nonetheless, there are funds and grants and money. For instance, millions of dollars in MTSS funds that have come in that the board doesn't even know about. I think a lot of that should be on this report. I'd like to see them.

**Boyd:** That's not accurate, Dr. Williams. The board...all of the budget information the board has and has received, and Renee has provided the full scope of the budget. And, as we went through with both Trustee Sparks and with Trustee Gomez that the level of

detail that Trustee Sparks was talking about, it was located in other places and so forth. What we talked about in our takeaway was that she would like to see specifics with regards to how much, you know, line item and so forth for the different things. Although it's in there in terms of the dollar value, it's not broken down into the specific detail because of, again, the weight and the number of pages.

We dialogued about giving her a sampling of what she's asking for and also trying to create something because on the Summary Page, you get new income. So, in terms of how much additional money has come in, that's all been broken down. And, as you know, when we met with Trustee Lindholm and Trustee Boyd, you know, previously and they asked us to redo budget information, those things were incorporated. So, all the dollars that come into this organization are provided to the board, so, there's no...money that ever comes in that you don't see because you approve the annual budget every year. And so, I want to make sure that that's clear.

The format of receiving that information may be in question and I know that over time, many Board Members have had questions with regards to that. So, what we agreed to, at least my take away, was that we would provide some samplings of what we understood both Trustee Sparks and Trustee Gomez were looking at, for them to let us know whether or not we were on the right mark. And that...based on that, we would either continue down that path or come back to the full board. We also reminded the board that it's a board decision. It's not an individual. We're taking the input from the committee and we're going to provide that to them to make sure that we're understanding what they requested.

And if so, then that would be coming back to the full board over the next couple of months. The target is that we'll have worked this all out prior to the May Budget Summary Workshop meeting that you all have. And so, there's some time frame within here to try to do this because as you know, the board does not get a new budget presented to them, nor do they take action until June. So, we're trying to back into those things, make sure that we're hearing everything and getting actual documentation for what the requests are.

**Williams:** So, please correct me if I'm wrong, but the board has not approved all the grants and funds in this budget.

**Boyd:** They have approved it by virtue of approval of the...

**Williams:** Approval of the budget.

**Boyd:** ...budget.

**Williams:** Right, but my point being, and I think you made the point, that not all of that is documented in our budget report that we receive. We don't know every single grant, every single dollar that has come into that. We don't know where those grants are going to. For instance, the MTSS where the Superintendent said that there are funds that came in there, millions of dollars, and they were sent out. We don't know where they're sent out.

**Boyd:** Because they're passed through funds. So, the pass through...

**Williams:** Well, that's the type of detail I want to know. Where those funds...

**Boyd:** And that's exactly what Trustee Sparks asked for, so, that's what we'll be responding to.

**Williams:** Yeah, so it's just another layer; degree of details...

**Boyd:** Correct.

**Williams:** That we're not getting and that the...so that's what I'm referring to.

**Sparks:** Where are they?

**Williams:** Where are they?

**Boyd:** They're in the pages in your background because you should...go ahead, Renee.

**Hendrick:** So, the way it was designed based on a prior committee in that Budget Summary, it actually will list that out, plus your Assumption Page, it'll say any new revenue and actually the MTSS, I went back and checked, it was in those budgets when the money came in at that time. So, an example is the legislature passed another amount for this year. We've just received that letter and I'm sure if you received it yet, I think they're going to be sending it, but that was through legislation. That wasn't a grant we applied for. That was done through the Budget Act.

As we get those funds in, I will report that the next budget, you'll see in second interim, that we've received ex-manager dollars for this and so, we do list those every time we have the new funds coming in. In those budget assumptions that go on top, the budget and also in the Budget Summary Page. So, we have tried to do that based on our prior committee so you have seen those, but I know it's a lot of documents to work through. I know that. It's very large.

**Williams:** We all have particular concerns and interests. Okay, very good. Anything else, Nina? Darou?

**Boyd:** Just...I have some Public Comments here.

**Williams:** Oh, okay.

**Boyd:** So, I have a bunch. I don't know who's in the audience so I'm going to just call names. If they're here then we'll move forward. So, Marie Schools, Lisa Sears, Mariana Gill, Nolita Sanchez, Louise Almond, Alda Briceno, Brian Suiza, Rabbi Steve Einstein, Rosalba Tunechi, Ruth Kobayashi, By Tram, Kimberly Telfer-Radza, Alicia Walker, Magda Gomez, Ashley Espinoza, Lisa Thompson, Mayelin Zip, Jenika Santa Cruz, Jessica Apalea, Tatiana Gutierrez, Perry Auto, Kate Mullah, Michelle Anderson. We have one. Bingo, bingo.

Is Leslie Sheridan or Tim Walter, Cindy Borkeman, Katie Lockhart, Carol Anne-Stoltz, Suzanne Gauntam? I have some more. Michael Jackson, Jose de la Seda, Sandra Martinez, Erica Gonzales, Carol Crane, Nathan Sarki - on behalf of assemblywoman...he actually left a document for the board, so, we made copies of that. Ashley Anderson? Okay. Martha Floor? Okay. Vicky Snell and Karen Yeltsin? Yelsey. Okay. So, we have 5, I believe.

**Anderson:** Okay.

**Boyd:** Michelle, thank you for waiting.

**Anderson:** Good evening, I guess it is now, and Dr. Bedell, when you listen to the minutes, I hope you're feeling better and that you have a quick recovery. Thank you very much. Today was a long day and I would like to register some things that CCSA has seen and would like to have thought about. First, I certainly recognize how you guys do the comments and for those who are complaining that they weren't allowed to comment, well, nobody on the pro-charter side got a chance to comment at all this morning.

So, just for the record...so, there was only 1 school that got addressed and that was all anti-side, so whether we are going to go through this again on March 6<sup>th</sup> and have this same process go, or do we somehow take turns and go back and forth, or you might want to make it clear. Otherwise, I can picture that I will have that parent union out of the door at 5:00 in the morning waiting to give comments. So, I'm just letting that float out there right now for that discussion.

The second piece is that as we look at some of these dates, this was a really critical time, and we're in a critical time period regarding approvals, grant funding, Prop 39 and so, when an extra...as it is, charters submit to a board meeting and that starts the clock, and they have to make sure that they're aware which is unusual compared to San Diego; some other places. Then, there's a public hearing, then there's a decision vote and now we just added another vote. So, we just extended the time. So, either we need to somehow consolidate or start negotiating sooner. I'd like that to be thought of, or we need to get more staff because I recognize staff is up to their ears.

There's a lot of work with charters. I know it, so there are those things, so I would like some of that matter to be thought about in a...thought. It's not going to happen in 1 meeting but in a thoughtful process if we can all...maybe a few people, few charters, CCSSA, staff, come to the table and maybe figure something out, because I think there's a way that we can do this that will have everybody aware of what's going on, what the deadlines will be, if there's going to be an MOU process or a negotiation process. Why that didn't happen before it came to the meeting today. So, thank you very much.

**Boyd:** Ashley Anderson, followed by Martha Fluor.

**Anderson:** Hi, good evening. I have 2 letters to read, 1 from a parent who emailed her response in and they just wanted to read it out loud, and then 1 a different letter. This morning we had over 20 parents that were here and several wanted to make comment. They had been given really false information and we're quite upset and wanted to share that with the board, and they didn't get an opportunity to. 1 parent is a special needs parent and she has English language learner children. Her name is Maria Martinez, and she wrote, "I'm a Newport-Mesa parent. I want to let you know that I'm not happy about the ISSAC charter. I'm opposed to having this in our schools.

Our students do not need new programs or new schools. This change will put them at risk. Our kids need funds to stay at our schools, not going to a new charter school with

bad programs. A really bad result I can see if this thing happens. We need special attention on Special Ed. Sincerely, Maria Martinez.” The other person that I’m reading her letter, she was here this morning. “Good morning. I’m...Carol...Crane, a 30-year-old...30-year resident of Orange County, a mother of 3 who have attended and graduated from Newport-Mesa schools, a retired educator and community volunteer. Today, I stand before you because I have grave concerns regarding ISSAC’s application to become a charter school.

First, why add another school to our district? NMUSD already provides numerous enriching academic choices throughout the district, such as David...Davis Magnet School for the Sciences, Adams Elementary School Scholar Program, College Parkstill Immersion Program, and Mandarin and Spanish Immersion Dual...Immersion at Whittier Elementary. There's no compelling need to add another school. 2) our own knowledgeable NMUSD Board of Trustees rejected the application. Their vote of no confidence of ISSAC should serve as a red flag. The red flags are numerous. ISSAC’s governance is loosely written and includes grave fiscal accountability concerns and gaps and funding as mentioned by our own staff report, dated January 31<sup>st</sup>.

Additionally, ISSAC’s proposal lacks an educational substance and academic pedagogical curriculum in areas such as the social sciences. Its covenant also doesn't provide for specific sustainability in about long-term financial planning included for students with learning disabilities and Special Ed. These financial shortfalls will befall on Newport-Mesa and thus, by default, upon the property owners that live in this Basic A District. This is a grave concern. Lastly, I'm concerned that if the school application with gaping holes is granted by OC Board of Ed, this action will be setting a precedent and a very low bar and educational standards and in fiscal responsibility for future charter school applicants.

You have been entrusted by your constituents to be the gatekeepers of all the students in Orange County and of all the school districts that you oversee. I urge the board to be analytical, thoughtful and use prudent fiscal judgment. I stand with the Newport-Mesa Board and ask that you please deny this application. Thank you for your time and your service. Carol Crane.”

**Williams:** Thank you, Ashley.

**Boyd:** Martha Fluor, followed by Vicki Snell.

**Fluor:** Good afternoon. My name is Martha Fluor. I'm a member of the Newport-Mesa Unified School District Board of Education since 1991, and also a past President of the California School Boards Association. However, I am here because a constituent was here this morning and was unable to make her comments and so, she called me and texted me the...her comments and so, she's asked me to read them to you. “Good afternoon...good morning – this is good morning – Superintendent Mijares and Board Members, Ms. Gomez, Ms. Barke, Dr. Bedell, Dr. Williams, and Dr. Sparks. My name is Suzanne Gauntlet. I am a resident of Newport Coast.

I have a daughter at Corona Del Mar High School and my husband is an alumni of the Newport-Mesa School System. I am active in all levels of PTA in NMUSD and first chair of 4<sup>th</sup> District PTA, Sacramento...Safari. We are all here today because we believe every child in our country and our state deserves world-class education, especially given California is the 5<sup>th</sup> largest economy in the world, and that includes providing schools that all of us will be proud to send our children and grandchildren to. I would say that that is the ultimate litmus test. That is literally why I became nauseous when I read the OCDE staff report that...for the ISSAC Charter School.

The cover memo states...starts out with “this report reflects only this most serious of areas of concern and does not include findings deemed less significant or items that are technically incorrect and inaccurate in the charter petition”. That statement alone tells any reader that there is a danger ahead and it is bad for our community. But most of all, it's bad for our most valuable and vulnerable people, our children. According to the vision, mission and values of OCDE, under values it states the OCDE is dedicated to the fundamental human values of respect, responsibility, integrity and professional ethics.

Our priority is...service to students, districts, families and community members. We hold ourselves, and each of other accountable to the highest level of performance, efficiency, resource management and professionalism. With these statements in mind, I'm absolutely perplexed how a staff report can point out so many major deficiencies and then recommend to approve to extend the ISSAC charter for 30 days to allow ISSAC and OCDE staff to negotiate a mutually acceptable, amended agreement. Just for starters, the fundamental premise of a start...of a charter is to be non-profit, but ISSAC...but charter fails to comply with Government Code 1090. Strike 1.

ISSAC is supposed to be a STREAM school, but it's curriculum oddly combines Math and Science and shorts students of valuable weekly instructional minutes. Strike 2. As all of you are aware, Newport-Mesa is a locally funded school district. Okay, so I respectfully request that you outright deny ISSAC's charter now and not spend any additional tax payers for having your staff create a workable plan. ISSAC charter is not just qualified to run a publicly funded school at this time. Please do not forget the vision of OCDE. Our priority is...service to students, districts, family and community members. Thank you.”

**Williams:** Thank you, Martha.

**Boyd:** Vicki Snell, followed by Karen Yeltsin, who will be the last speaker.

**Snell:** Is it this one? Okay. Good afternoon, President...where are you? Williams?

**Williams:** Right here.

**Snell:** I'm looking.

**Williams:** I'm the only guy here, so...

**Snell:** Trustees. You are.

**Williams:** You can't miss me.

**Snell:** We have the same problem on our board as well. We have no guys anymore. I'm Vicki Snell. I am a Trustee of Area 1. I am also here to read a letter from a parent that was here this morning but had to leave to pick up her children. And that woman is Ruth Sanchez Kobayashi. Her letter reads as follows. "Our 2 children have attended private and public schools in the Newport-Mesa District. I am a fan of any type of school that offers an outstanding education for its students.

While I am very open to an exceptional charter school that would provide a uniquely exceptional education, the petition and presentation from this organization have demonstrated that they are woefully missing the mark, would provide an inferior education to our students and are not consistent with the educational standards of our community or our school district. Bad school choice is not a school choice. Your staff has pointed out glaring deficiencies that put our students at risk. The NMUSD is funded entirely by local property taxes. It's hard to imagine our tax dollars paying for an inferior school and one that plans to include students from outside our district boundaries.

At the January meeting, ISSAC leadership lacked the ability to articulate coherent responses to any of the questions asked by this board. As leaders, you are confident enough in ISSAC and its leadership that would be...that you would be proud to send your own children or grandchildren to this school. Are you? Are you willing to stake your reputation as an educational leader on the ISSAC team?

I respectfully urge you to continue to welcome charter schools but to deny this appeal." And, as a parent whose children went to Newport-Mesa schools, I...think the most important question you can ask yourself is what Ms. Kobayashi pointed out. Would you send your children to this school? In the state that was presented to you and/or your grandchildren, whatever. Thank you so much for your time.

**Boyd:** Karen Yeltsin.

**Yelsey:** Yelsey.

**Boyd:** Yelsey. Thank you.

**Yelsey:** Hi, my name is Karen Yelsey. I'm also a Board Trustee at Newport-Mesa. Since it's after 5 o'clock, I will be the last and say good evening, President Williams, and rest of the board. I, too, would like to read a letter on behalf of a resident, a Newport resident who could not stay and was quite disappointed that there was not time allocated this morning. "Good morning, and thank you to the Board of Education for your service and time. My name is Kate Maloof and I am a current parent and community liaison in Newport-Mesa Unified School District. I am a strong supporter of charter schools. However, I believe that the proposal brought forth by the ISSAC is a poor written proposal and will do nothing to benefit the children or the community within our school district.

Prior to suspending my campaign for school board, I spent several months last year preparing to be a candidate for...the Newport-Mesa Board, and during that time I educated myself significantly on the subject of charter schools. I, myself would like to see a charter school introduced into our district. However, as stated previously, I don't



believe the current proposal before the board is the right solution. Let me briefly highlight 3 of my concerns. Not enough instructional time designated to math and science within the school week; the insufficient support for English Learners, and additionally, those with special needs; the unconfirmed availability for an appropriate location.

Most of us in favor...most of us are in favor of providing choices to the families and the students in our district. However, we want to provide them the best choices possible. So, why would we choose to approve this proposal knowing that it's not the best choice? I strongly and respectfully urge all of you to decline the petition. Thank you. Kate Maloof.”

**Williams:** Thank you, Karen. Any other Public Comments?

**Boyd:** That was the last one.

**Williams:** Okay, very good. Thank you all for sticking to the end here. There's really nothing to report out from Executive Committee. Any other Board Member Comments before we depart? It's now 5:06 P.M. I want to thank you all. This is the longest some meeting in history, 8 hours and 6 minutes or so. Thank you. All I need a Motion for adjournment.

**Barke:** Motion to adjourn.

**Williams:** We're adjourned.

**[PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE CONCLUSION OF THE BOARD MEETING]**