

Orange County Board of Education Meeting, January 13, 2016

Call to Order

Hammond: Alright the Orange County Board of Education is getting started here and as always I read a little something here and you know for a couple of our honored guests here as I see we've really packed out the place and um, basically you all know the drill. It's like in our meetings are held usually at 11:00 am and anybody wanting to address the board on any matter, whether it appears or not on the agenda, please fill out an "a request to address the board card" which is on the table near the door. If you got any questions obviously our staff can help you out. Each person is allowed 3 minutes and with that I will get ready to go. Ron, counselor, quick question for you. And thank you for the awesome job you and your staff do. Is there anything you feel on the agenda that there's any conflict?

Wenkart: Um, no. Not at this time. I just wanted to point out that when there's a difference of opinion between an individual board member and myself on a legal opinion, that doesn't constitute a conflict of interest. But when there is one I will certainly let the board know. Thank you.

Hammond: Awesome. Thanks Ron. Appreciate that. So for the benefit of the record this regular meeting of the Orange County Board of Education is called to order and with that we will now start off with our invocation and we have our good friend Pastor Gale Oliver back once again and would you be so kind as to lead us sir.

Invocation

Gale Oliver: Amen and I'm going to ask if you would if you're next to somebody just grab that hand amen. If you know don't mind grab a hand of a neighbor grab a hand of a neighbor amen. This is a picture of unity amen. Praise the Lord. I feel like preachin' but I'm not. Right now. Amen. Pastor Gale Oliver from Greater Light Mission and Baptist Church and we just thank God for this opportunity to invite Jesus Christ into this meeting. With a sign above us says, "In God We Trust," so it is a, it makes every bit of sense to pray according to the Orange County Department of Education's Vision, Missions, and Values. And so with that let us bow our heads. Father we come before you to say thank you for your love mercy and your grace. Thank you for this brand new year, brand new opportunity to seek your will Father. Brand new opportunity Father to serve you and to serve one another. To serve the students, heavenly Father, to serve this community to serve families Father. We lift up the vision of the Orange County Department of Education Father that the students will be, will lead the Nation in College and Career Readiness and Success. We lift up the Mission of the Orange County Department of Education and we pray dear Lord that they will ensure that all students are equipped with the competencies

they need to thrive in the 21st Century. Father we lift up the values heavenly Father as this is the fundamental values of respect but I also want to lift up Godly values and respect and responsibility, integrity and professional ethics and that the priority is to serve the students, schools, districts, family and committee members and to provide a faith and caring courteous and professional environment that fosters collaborative work and individual development for our employees. And Father that we hold ourselves and each and every one of us and each other accountable for the highest level of performance, efficiency, resource management, and professionalism. Father we pray for unity. Father we pray that we lead by love Lord God. We pray that we have loved one toward another that we will fellowship Lord Father that we will seek your will. Father that each board member will be blessed, each family will be blessed. Each school will be blessed Father. The Orange County Department of Education Lord God as you have chosen them to lead the way heavenly Father. Father we pray that you'll protect the families, protect the children Father. Protect us from the enemy in the name of Jesus Lord we pray, that you would bless your children Lord God for this is the day that the Lord has made and Father so bless us to rejoice in this day and since you make every day help us to rejoice in each and every day. Help us to walk in love, unity, kindness, and peace. We pray that you'll bless this board with peace that surpasses all understanding that will guard their hearts and their minds. We pray that you will be done Father for your word says in II Chronicles 7:14 if my people who are called by my name will humble themselves, pray and seek my face then you will hear from heaven, forgive us of our sins and heal our land. Father we need a healing in the land. We need a healing Lord God in our schools and in our cities and our counties. We need a healing in our families Lord God. We need a healing in this system, in this city, in this county. Father we pray that you'll allow these board members to lead the way Father. And Father we pray that we are praying according to your will, your way and your word. We thank you for a fresh anointing. Father we pray for that anointing to strive for Excellency your heavenly Father to strive to walk in unity Father. Bless this board oh heavenly Father. Allow this to be the best meeting that they've ever had Father as they lead by love Father, in the name of Jesus, bless this board with wisdom, insight, understanding and knowledge and we shall be careful to give you all honor, glory and the praise. Those that understand that we are here today everybody did not wake up but you allowed us to wake up. Everyone was not able to get out of bed but you allowed us to get out of bed and you gave us traveling grace. So therefore Father we thank you Lord God for this day that you've made. We lift up families, spouses, children, and grandchildren family Father but most importantly we thank You for this day that you have given us Father to be about your business and because you have given us this day we are truly too blessed to be stressed. In the name of Jesus let all of God's children shout amen.

Hammond: Amen.

Gale Oliver: Amen amen. Somebody give God some praise cause he's worthy of the praise.

Ken Williams: Amen.

Pledge of Allegiance

Hammond: Thank you, Pastor Gale. You know what? Pledge of Allegiance. Since you're here would you care to lead us in our Pledge of Allegiance at all?

Gloria Pruyne: I pledge allegiance to the flag of the United States of America. And to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Hammond: Miss Darou, would you help us with our roll call please.

Darou Phouangvankham: Trustee Boyd?

David Boyd: Here

Phouangvankham: Trustee Lindholm?

Lindholm: Here.

Phouangvankham: Trustee Hammond?

Hammond: Present.

Phouangvankham: Trustee Bedell?

Bedell: Here.

Phouangvankham: Trustee Williams?

Williams: I'm full of the spirit and here.

Introductions

Hammond: Alright. Introductions. Do we have any introductions please Miss Nina?

Nina Boyd: We do not.

Agenda

Hammond: Ok, um, for our agenda and it should be noted that I think that Item # 1 should read Golden Bell Award and not the Crystal Bell Award. So we probably need to make that a notation in our/for our agenda. Outside of that the chair seeks a motion in regards to the agenda.

Bedell: So moved.

David Boyd: Second.

Hammond: Moved and seconded. Any discussions? Dr. Bedell?

Bedell: None thank you.

Hammond: Alright. Mr. Boyd, anything?

David Boyd: No sir.

Hammond: Alright. Any other comments? No, hearing none, all in favor of approving the agenda signify by saying AYE.

Members of the board: AYE.

Hammond: Opposed? Motion passes 5-0.

Minutes

Hammond: Chair seeks a motion regards to the minutes from the December 16th meeting.

Williams: So moved.

Hammond: Moved by Dr. Williams is there a second?

David Boyd: Second.

Hammond: Seconded. Any comments? Dr. Williams.

Williams: No.

Hammond: Mr. Boyd anything?

David Boyd: No.

Hammond: Anybody else? Alright. Hearing none, all in favor of approving the minutes as presented signify by saying AYE.

Board members: AYE.

Hammond: Opposed? Motion passes 5-0.

Board Member Comments

Hammond: Board member comments. It should be noted that we did move up the board member comments from the tail end to now pretty much the beginning. And so we'll go with that. And we have a few things listed here.

Lindholm: Question? Sorry.

Hammond: I will listen. What's?

Lindholm: If the board member comments are moved does that mean any board member comments we have will be at this point and the agenda? Cause I do have one on the charter school policy? Comment.

Hammond: I wouldn't say all of them but I'd say we're just the last year or so we've struggled to try and get a lot of the board member comments up. We've had to table or whatever so.

David Boyd: I'd do it here.

Lindholm: Ok, thank you.

David Boyd: We're all here for one thing.

Lindholm: That's true. Thank you.

Bedell: I appreciate the moving up and I appreciate the ability to add because so often the public has no idea of what we've been doing or how we develop positions and then they always get rolled and rolled and rolled. I think this is a good transparency and information piece so thank you for doing it, trying it.

David Boyd: I will note if I may Mr. President that a couple of these are action items so I don't know that we wanna discuss at this stage the security and Executive Board Assistant.

Hammond: Point well taken. I'll probably just skip over those and just shove those down.

Bedell: You're referring to an agenda item.

Hammond: So with that, if there's nothing else then one of the first things listed up was board Executive Committee by Dr. Williams. Dr. Williams do you have any comment on that sir?

Williams: Yes, this is a carryover from previous board meetings. I think we've talked about it a little bit. I don't think it's an active issue at this time so I really have nothing to follow up on it. I think if there's a consensus that we all agree the Executive Committee does make the agenda.

Hammond: Oh, um...

Williams: If there's not, now's the time to talk about it.

Hammond: I think everybody's pretty much in agreement the EC oversees the making of the agenda.

David Boyd: Are we talking about the order of the agenda Dr. Williams?

Williams: Um, the entire agenda. So that would be included, yes.

David Boyd: But it doesn't change our policy about board members being allowed to put items on the agenda.

Williams: Oh heavens no, no.

David Boyd: Ok. Thank you.

Hammond: Alright. Next item transparency Mr. Boyd.

David Boyd: Yes sir. Yesterday afternoon we received an email from our esteemed attorney at Coda Cole and I wanted to make a comment because both of them relate to transparency. One was the issue with respect to the disclosure of legal fees and subsequent to the last meeting Ron pointed out there was further action or action taken by the Supreme Court that basically at least temporarily invalidated the case that Mr. King cited. So, I believe that it should be policy that except in circumstances where we have pending litigation and a disclosure of a legal fee would

somehow potentially prejudice that case. I think it should be our policy that legal fees are should be disclosed just like any other document.

Williams: Is that for, good Trustee Boyd; is that for both of the Superintendent and this governing entity?

David Boyd: I would prefer, yeah.

Williams: For all attorney fees?

David Boyd: Yeah, I mean I hadn't really thought about that but um.

Mijares: If I may add, I don't see a problem, you know, I recall when I was a superintendent we used to say that collective bargaining matters and personnel matters, of course threat of litigation were the things held in confidence but it was only held for a period of time because eventually those all get resolved and then they're released to the public. So, you know, I believe in transparency and I think the money ought to know how we're spending our dollars so I'm ok with it.

Hammond: Dr. Bedell.

Bedell: I just wanna second all that. I think it's very important that the public know what we're doing, why we're doing it and where their money is going and so I'm appreciative of both those viewpoints. And all of us have a responsibility to disclose that (inaudible) and I understand why it may not be today that you could disclose it because there may be something pending but ultimately they are the taxpayers' dollars and we are custodians of that money.

Lindholm: A question?

Hammond: Madam Vice President.

Lindholm: Thank you. I think it would also behoove us to have at our next budget session the internal legal fees that the board, not the board but the superintendent and the board have with the staffing and the annual fees I believe are around 1.4 million dollars. So when we say that we get another opinion it's not necessarily a free opinion. So I would like to see that included in next years' budget that legal fees are then broken out and the cost of the, if we're looking for full transparency...

David Boyd: I think so.

Lindholm: Because when you say legal fees, let's say Daniel King, then we also need to know what internal legal fees are.

David Boyd: As I understand it, it's always been County policy that Ron's office does a lot of work on behalf of other districts. And in fact I assume a great majority of your work is done with respect to advising other districts. And our policy has always been never to bill districts for those services and I believe that varies from county to county. We could bill if we chose to.

Lindholm: Well I don't think that's my, my point is if we get a memo from one from internally there's been time that's been budgeted somehow. And that memo came that there has to be some kind of cost with that too. So when we say we're going outside to get a legal opinion, internally it's also going to be costing us something. It's not a negligible cost. It's, there is a cost associated with everything.

Bedell: For example if we had a question about a charter and staff devoted 86 hours to that. At the legal, then you would want to know what that balances out. Is that where you're going?

Lindholm: What I'm looking for is more of when we ask for a specific opinion. Or we don't ask for an opinion and we get an opinion. So...but I think those things need to be quantified and I would suggest that we do that in the next budget.

David Boyd: For example, the opinion we received this week.

Lindholm: Yes.

David Boyd: If I could ask Ron a question. Would it be practical that when we receive an opinion whether it's one we've asked for or you feel is in the board's best interest that we could get a breakdown that this opinion took 10 hours, 12 hours?

Ron Wenkart: Sure we could do that.

David Boyd: Would that be useful?

Lindholm: I think it would be useful because we're trying to compare apples and oranges when we have to go outside when our inside attorney has recused himself. So we need to know that oh, ok. Well this looks like it's expensive here but it would have been expensive here.

David Boyd: Ron, do we have an internal time and billing system like a law firm would?

Ron Wenkart: We don't. But you know if you wanted us to keep time, how much time we spent on a particular legal opinion we could certainly do that.

David Boyd: Ok.

Williams: Mr. President?

Hammond: I'm sorry; do we know other counties that do bill? I mean you know because we don't because Ron and his staff are so gracious with their times like that. But are there other counties that do bill I mean is it a majority? Is it a minority? And do you really know, I don't mean to put you on the spot.

Mijares: Yeah, no. But I think Ron's here, it's a minority.

Wenkart: It varies from county to county how they operate and there's some history to that. You know when we separated from county government in 1977; they transferred a certain amount of the tax rate to this office for legal services. And so that's why the services were provided for free. And that money was folded into the general fund. So I don't know I'd have to check with Renee to see if we keep track of that money anymore. I don't know if we do. But over time it's just gotten folded into...

Mijares: What about the other counties Ron?

Wenkart: The other counties, Kern County, Sonoma County, they charge for their services.

Hammond: Ok, all right. Dr. Williams?

Williams: Which has been discussed briefly over the past 20 years that I've been here you know because we give these services away for free there is a cost to this board. Especially if Ron is involved in an appeal and helping another district that might not be so financially well off as others and when he works with these districts he has to recuse himself and therefore we are without an attorney and we have to go outside to obtain an attorney and that's an additional fee that we bare. And this leads to other discussions. You know, should we create a policy where now we bill. The tax rate that would be an interesting discussion for another day once we've received it. How much is that tax rate equivalent today in supplying the services to outside school districts. If it goes beyond that then that's a burden that the department carries and you know that's something to look at and investigate. Regarding the redacted billing issue I know that and Ron you can probably help me out here, even though we may have these bills that can be given as a public records act or at the request of a citizen. Please help me out here. It can be redacted as to certain specific aspects, is that correct?

Wenkart: Right. We would go through them and redact any confidential information. Any information that would indicate strategy or confidential information.

Williams: Attorney/client protected.

Wenkart: Yes.

Williams: Right. So that's important to address and talk about. Now, regarding the other issue of the court decision, it remains unclear to me because the email that we received which is not on our public document here, Mr. King said that that was not decided upon or the final decision has not been rendered?

Wenkart: Yeah there's a case pending before the California Supreme Court as to the attorney's fees/bills and whether those are public records or whether they are attorney/client privilege and the extent of that. So that's pending right now.

Williams: But we can, we have the option as a public entity to make them accessible to the public, is that...

Wenkart: You could. Yeah. And we would certainly recommend that you redact any confidential information from those records.

Williams: Ok.

David Boyd: I can make one other observation even if the Supreme Court had not taken that case. That case was from a different district so it would not have been binding on us in any event and there are older cases within our district that basically says they are...

Wenkart: They are public records.

Hammond: Alright. Mr. Boyd, anything else then on this transparency...

David Boyd: No, no.

Hammond: Dr. Williams or Dr. Bedell.

Williams: No

Bedell: Pass.

Hammond: Anything?

Lindholm: No, I'm just looking forward to the next budget session where we have the attorney fees on a particular page so then we know what that department is as an expense.

Hammond: Ok. Alright, moving on then PTA District 4 board meeting October 15th, Mr. Boyd?

David Boyd: I, I don't, you know I don't know. I know Dr. Williams has an extremely busy schedule and if his schedule does not permit attendance at those meetings I would be happy to stand in.

Hammond: Alright. Um...ok. Any other comments from anybody?

Lindholm: Not on that.

Hammond: Well that's what I'm referring to. Um, alright then, moving on.

Williams: Actually, brings up a good discussion. Because I did have a discussion, is Bev here? There you are, hi! We did discuss this because the meetings do take place during the day, 9 or 10 o'clock and you know I don't know who made those meetings in the past 20 years I've been here. There's never been a report here given at our board meeting which generated a lot of conversation between myself and our good president here. And then I subsequently called Bev and we discussed this like why do we even have a PTA liaison? I don't know.

David Boyd: Who is Bev?

Williams: So she's gonna...

Mijares: You pulled the card...

David Boyd: Ok.

Williams: So Beverly will be giving us in public comments some um input here. I'm sorry I should maybe digress. So Beverly is the President of the Fourth District PTA...

David Boyd: Ok.

Williams: And she just took over the duties in the last year or so and it's a good organization. We don't always agree in public policy positions but it's a good organization grass roots for parents

helping kids in school. So with that thought I contacted Bev about coming on a regular basis and giving us an input as to what happened at their meeting and being more of a communication tool between the Fourth District PTA and this board. So that's um, I didn't tell anyone about that but that was something we were going to talk about when she came up for public comments and so.

Hammond: We're um. Well in a little bit we'd love to have you come up. The next two things are basically mine, security and an Executive Board assistant. They're action items so I will just defer at that point. And then one other thing that recently got to me and I apologize to my board members I'll see if we can't make a copy. I'm hoping that the my fellow board members received a letter, it's the Orange County Government Leader's Prayer Breakfast and they do have some complimentary tickets for us if we'd like to attend. They'd like to know by the end of this week by Friday. And I was going to be here in Orange County. And it would be Friday, February 19th at the Marriott Irvine. So, I'll leave this so Darou if you wanna make sure people get copies that would be fantastic. Thank you, Darou. And I see we're...Madam Vice President.

Lindholm: Yes, since the board comments were moved here this is where I'd like to bring up an issue. After a five hour board meeting Dr. Williams and myself left around 4:30 at the last meeting and the ethics passed which is fine but I wanted to bring this up that we haven't received notification of the website for that so to take it, for those who are here, it had a time stipulation to take it within two months. Normally what happens is this is a new procedure for this board. There should be a notification, and a website link and a contact and a way for the board members to take that. One month has already passed since this board passed it. My suggestion would be to either extend this so we can get the information we need to take it because I don't think any of us have it. But I wanted to bring that up here because then the clock was ticking as how it was written. This was an item by board member Boyd so perhaps he would like to comment.

David Boyd: Yes, actually I would have no objections to that although since it's not on the agenda I don't know that we could formally do anything. Why don't we put it on the agenda for next month and if anybody hasn't completed the course by then then we could grant the extension.

Lindholm: And would our staff be able to give us by tomorrow since we're already with the clock ticking on this item? The information needed?

Nina Boyd: We don't have the information so we would need to get that from Trustee Boyd so if we get that from him then we will certainly share that with you.

David Boyd: Ok.

Lindholm: Ok. I just want to make a point to the board members who are here and voted on it that you did not get the information so that you would be able to comply. So let's see what we can do and if we can get that information as soon as possible for the board members.

Nina Boyd: Do you also want a place holder on the agenda as well for next board meeting?

Lindholm: Yes please. Because some people, it takes two hours to just sit there in one place. If you do not have two hours at a computer you cannot complete it and you may not take it faster than the two hour time period. So even if you can complete it in one hour you can't do that. Just a heads up for all of you who voted on it. And I'm happy to do this cause I've done it for years. But I do like to have the information before me. Uh, one other issue if I may?

Hammond: Of course, ma'am.

Lindholm: Cause we're still on board comments, right?

Hammond: Yes ma'am.

Lindholm: Is that there was a meeting with the charter school association and our staff to discuss some of the MOU issues and what I'd like to do going forward now that they've had that discussion is if it would be acceptable to the board as a subcommittee I'd like to work with David Boyd because we worked on the policy to start with and review that and try to get you a draft. I'd like to get it to you ten days before our next board meeting. So I just wanted to comment. If you want more information you can have it. I just wanted to let you know we'd work on it.

Bedell: Does it require a motion?

Lindholm: Pardon?

Bedell: Does that require a motion?

Lindholm: I don't think so...

Nina Boyd: No.

Lindholm: We could casually form a subcommittee.

Bedell: I'm glad you're both willing to do it.

Lindholm: Ok. Thank you.

Hammond: Well, Mr. Boyd, are you willing?

David Boyd: Sure.

Public Comments

Hammond: Alrighty. Well it's 11:30. Why don't we go ahead and take some public comments. Madam Vice President.

Lindholm: Yes, we have one public comment that would be Bev and I'm not sure it's Benjamin. I don't think that's right.

Bedell: Berryman.

Mijares: Berryman.

Nina Boyd: Two public comments.

David Boyd: We also have Gloria.

Lindholm: Well you have Gloria Pruyne but she wants to speak on item #2. So I think we could probably do that now too. Would you like to come to the podium and we'll give you three minutes and she has a little system worked out over there. Welcome.

Bev Berryman: Thank you very much I'm glad to be here. My name is Bev Berryman. I am the President of the Fourth District PTA. And we represent all of the PTA's in the Orange County area so just to give you a little bit of background about us. I know that we have been working with the Orange County Department of Ed for a very, very long time. We've been in Orange County for over a hundred years. Our district is old, we're here. We're the largest district in California. Just so you know that we are the mightiest PTA around. We're bigger than some of our, can you guys hear me ok?

Unknown voice: Yeah.

Bev Berryman: I can use my outside voice if you need me to. We're bigger than some of the states in the nation as far as PTA wise goes. We have 111,000 members just here in Orange County so we're a strong organization. We at Orange County Fourth District PTA represent 408 individual PTA's and 21 councils. And we're run similar to like you guys would be as where you

have a school has a PTA, not all schools have a PTO, some have other types of parent groups, some don't have any parent groups. So each one of those PTA's would report in to a city PTA and that city PTA has a seat on our district PTA. And then as a Fourth District PTA President I have a seat on the Board of Managers for State PTA. So that's kind of how we run our organization. We meet mostly every month as either an executive committee, council presidents, or a district board or an association. So all of our meetings are not always open to the public. If in fact you guys wanted to attend our meetings I'd be more than happy to grant you a courtesy seat when we have our district board meetings. Our association meetings are open to everyone, in fact, usually each year you guys get an invitation to what we call our Administrators' Dinner. You've been there right? A couple of you have been there before? No, yeah, maybe? I think I sat with somebody last year but I don't remember who it was because it's all a blur. Um I have only been in this position since July so it seems like forever ago but that's it. I did bring to you; we also have a PTA, Rio Contiguo, which is one of your ACCESS schools. And I would welcome you guys to join your own PTA at Rio. It is a PTSA. We help them manage their PTA and they have a \$10.00 membership fee so I brought you guys all membership envelopes. So if you wanted to join that and support that PTA I'm sure that they would appreciate it. I'm also leaving with you guys, I'm trying to talk fast, I'm also leaving you guys with a folder. Talking about our legislative, which things we don't always agree on, but we can all say we're here for kids. Our legislative platform, our parent involvement forms, some of the things that PTA as a state represents and then just a pamphlet that we're giving out to our other members to talk about the Kasp. So again, parent education is very important to what we do. I don't think it's a surprise to you I think you know what we do. But I do plan to come to these meetings. I'm hoping to be here once a month or when you guys have your meetings as long as I can get here. I do think it's important to have a strong collaboration with everyone that's here for our children and for our leaders and I have to commend Dr. Mijares because he's always been available for us and has always helped us with whatever we wanna do, whatever we need help with. We are forging also a big relationship or a stronger relationship with a lot of your parents, or parent development groups here. The training with your wellness, with your drug, anything that has to do with parent education we're starting to form a very strong bond with them and ask them to come out and do some training for us at our district level so thank you for the time. I'm gonna submit...

Nina Boyd: You can bring those to us. Thank you.

Bev Berryman: One for everybody there. Has my card in there too if you guys should need to get a hold of me as my PTA person.

Hammond: Dr. Bedell...

Bedell: I'd just like to acknowledge the roll that Beverly has played in one of my districts. She is on the board that I sat on for nine years and she is known for levelheadedness, fiscal integrity and accountability and I'm so proud that you're representing our city in this roll. So thank you for doing it Bev.

Voice from the audience is inaudible.

Nina Boyd: Do you have the membership envelopes?

Bev Berryman: Yes I do.

Hammond: And your card is in...

Nina Boyd: Yes it is.

Bev Berryman: Inaudible.

Hammond: Thank you.

Nina Boyd: Thank you so much.

Williams: Mr. President if I can add, I wanna thank Beverly for coming out and for all the work she does too. We had a couple lively conversations and we may not agree on everything but it's certainly...

Bev Berryman: in the audience and inaudible

Williams: Absolutely. It's good to have you as a partner in what we do here. Thank you Bev.

Hammond: Alright. Well.

Lindholm: Our next speaker is Gloria Pruyne. Welcome. Did I say that wrong?

Hammond: Nope, you said it right. Gloria Pruyne.

David Boyd: I wonder if she's rather wait until after the presentation.

Lindholm: Oh, would you like to wait until...

David Boyd: We will be having a presentation on this topic in noon, isn't it?

Lindholm: Uh no, she wanted to speak on Common Core.

David Boyd: Oh, ok, I'm sorry. I thought it was on the pre-authorization.

Lindholm: No.

David Boyd: Ok.

Lindholm: Welcome.

Gloria Pruyne: It's so early. Well good evening, good morning Superintendent Mijares and President Hammond and honored school board members. It's a pleasure to be here and to share with you. I have been studying as I'm sure you all are studying the new ESSA. And I have been reading information from an article *Why ESSA is Bad for America*, by Henry W. Burke who testified before the Nebraska State Board of Education on January 8th. According to Emma Vadehra, Chief of Staff of the US Department of Education, this bill will embed college and career ready standards or as we know, Common Core. They do not expect any states to get away from the standards. It also solidifies the department's plans for full Pre-K expansion. It was also stated that the Pre-K grant was significant in moving the ball and that states are on the hook financially as well. I'm going to list points. I don't have time to go into it but I emailed all of you a copy of this and the article that it's from so you can click on the websites. I don't expect you to type this long website addresses.

1. Not sufficient time to read.
2. False statements about local control.
3. States must use Common Core. Jane Robbins, Senior Fellow at the American Principles Project explained clearly in an article that the ESEA rewrite actually increases federal control instead of giving it to the states.
4. States must align standards to ESSA college requirements. Common Core is designed to prepare students only for community college.
5. ESSA greatly expands pre-schools.
6. It was written behind closed doors.
7. It banishes local control of schools.
8. It controls testing, learning centers and private schools.
9. It maintains federal testing.
10. It establishes 21st Century Community Learning Centers.
11. It controls private schools

Conclusion: ESSA will force all states to use Common Core. ESSA greatly expands pre-schools even though Head Start ineffective, ESSA will expand the program. It will destroy local control of schools and give more control to the Federal Government. The US Department of Education

loves the ESSA law. I respectfully request that my comments be photocopied for each board member and I request that this document be included as an original meeting document for historic reference. Thank you so much.

Hammond: Thank you Mrs. Pruyne very much. And that concludes Public Comments. Wow, only two for the day. It's a red letter day. We have a time certain in five minutes so therefore the Chair's prerogative...

Bedell: Do you want to move the consent calendar?

Hammond: I do except I want to pull item 7 cause I wanted to look at those dates real quick but the Chair does seek a motion in regards to consent calendar items 3, 4, 5, 6.

Bedell: So moved.

Williams: Second.

Hammond: Moved and seconded. Any discussion? Dr. Bedell?

Bedell: With the understanding that 7 is deleted.

Hammond: 7 is just, from that part yes.

Bedell: So it drops down to become item # 15?

Williams: Make it time certain or um...

Bedell: We could move it to 15.

Williams: Part of board...

Hammond: I don't care.

David Boyd: Plus the (inaudible) can't we just talk about it now?

Hammond: That's what I'd like to do.

David Boyd: We've got 5 minutes.

Lindholm: Ok, if we can.

Hammond: Alright.

Lindholm: May I make a comment. You've got a first and second. Discussion just quickly?

Hammond: I do but before I do Mr. Boyd you made the second any thoughts, discussions, questions on items 3-6?

David Boyd: Um, we actually (inaudible) on 3-6.

Nina Boyd: We have Ken made the second.

Hammond: Oh, my apologies. Dr. Williams?

Williams: No.

Hammond: No comments? Ok. Vice President Lindholm.

Lindholm: Just a comment. I wanted to...there's a kind note on here that I contributed to the Warm Hearts program but that was very minor and very minimal but the staff here is thoroughly incredible. They get together throughout the holidays; maybe Nina could talk about it for up to a minute. Could you talk about that program? It's fantastic.

Nina Boyd: ACCESS Warming Hearts is a program that students are nominated by their teachers based on their attendance in our Alternative Ed program and the students who are attending regularly during the holiday time once they're nominated they have the opportunity to fill out a wish list for themselves and their family. And all those who have agreed to donate or contribute to Warming Hearts our team provides gifts based what's on their wish list. And then we deliver them to their homes and it's a surprise visit so they don't know anyone's coming and it has been very well received for the last number of years and so Trustee Boyd also, his office has contributed. There will be an agenda item for next month. They did a large office contribution and Dr. Williams has also contributed. So, we are appreciative of the board members contributing this year and those who have contributed in the past because I know many of you have. We have also partnered with some businesses and they have made large contributions to make this a very good program for our students. One minute?

Lindholm: Nope. That's awesome. No, compliments to all the staff and everybody who works here that does this. It's just, it's incredible. If I may make a comment; I wanted to have a question on the audit.

Hammond: Of course.

Lindholm: Which is number 6. Was that an unqualified audit? Renee is going to the podium to say that. So I'm asking if it's an unqualified audit.

Renee Hendrick: It's unqualified.

Lindholm: Which is absolutely incredible. It is the highest standard you can get. And I wanted to compliment you on having an unqualified audit.

Hendrick: Our team works very, very hard so we were happy. Also if you read the management letter that you received with it, it does, things that didn't reach to the level of an actual finding but it did show some areas where through discussion we correct it. So, I felt it was extremely thorough and they did a, my team did a great job.

Lindholm: They did a great job.

David Boyd: Was this the first year for this firm?

Hendrick: This was actually our second year with them. First year with all the new GASB Standards which created some issues.

Lindholm: Ok, that was my second question; how many years have we used that firm.

Hendrick: Two years.

Lindholm: So two years, that's fine.

Hendrick: The second year...

Lindholm: Around four or five you should look around for another firm.

Hendrick: Yeah, it's the second of a third year contract so the Superintendent has yet to discuss whether we would extend that or whether we'd go out...

Lindholm: How long a contract?

Hendrick: Three years.

Lindholm: Ok.

Hendrick: We have the option to extend up to five. Um, so...

Lindholm: Usually around four you should start looking around.

Hendrick: Yeah, we have to make that discussion, so...

David Boyd: There's a code section on point on that which is...

Hendrick: We have to change partners every six years.

David Boyd: I feel it's kind of ridiculous in my opinion, but eh, you have to change partners, engagement partners. You can keep the same firm but you have to change partners. Coming from that profession I can tell you that it's a waste. I mean all the money goes into the same pot.

Hendrick: I will say the cost for the audit, not just because the new partner, but because of all the new regulations has increased significantly in the last few years and so we went from paying about \$35,000 to I think this year was a little over \$55 so.

David Boyd: That's still not bad. I mean...

Lindholm: Thank you. Congratulations to you and your team. Ok. First and second.

Hammond: Alright. All those in, well if there's no other discussion on the consent calendar items 3-6, all in favor of approving items 3-6 of the consent calendar signify by saying AYE.

Multiple Voices: AYE

Hammond: Opposed? Hearing none motion passes 5-0. Um, real quick on item 7. We have some new meeting dates. And I'm always kind of a stickler for this. I'm just curious if any of my board members; well actually all my board members would be in agreement to having say one board meeting in the evening time. But, with that, I would like to hear from my fellow board members about the proposed meeting dates from beginning July to end of this calendar year. Dr. Williams anything?

Williams: Um, can you get back to me?

Hammond: I can indeed. Mr. Boyd?

David Boyd: Um, no.

Hammond: Madam Vice President?

Lindholm: I don't have any changes at this time. Something may come up but they're fine. In terms of one night meeting? If it's 7-10 o'clock and 10:00 o'clock no new agenda items are allowed on the agenda.

Hammond: I'd be ok with that. Dr. Bedell, anything?

Bedell: Trustee Lindholm is tickling my funny bone because we've had some six hour meetings and if we start at 7:00 o'clock we're gonna get home after Jimmy Fallon is long asleep. And I just wonder, seriously, that can be an issue and I agree and I would be real careful with that and the agenda that is generated we sometimes don't have control over. And so, I get the idea that you would like attendance...I wonder if there's response to your comment. Miss Berryman, in Fullerton when I was on your board we met at 7:00. You meet at?

Bev Berryman: (Inaudible from the audience)

Bedell: So you have experience by going earlier did you in fact increase attendance? That I understand was your motivating factor, right Bob? Robert?

Bev Berryman: Yeah, it allowed parents who work during the day to be able to attend meetings for the public. So yeah, we did get some attendance. Now again, you know lots of people don't show up. If there's an issue they come if there's not...but if there's an issue and you have it during the day they're not going to be able to make it. So if you, if we wanted parents at our meetings we then went, we used to start earlier like when you were on the board we started earlier so we went later and we did get some parents yes.

Bedell: Santa Ana does what? Santa Ana you say 7:00 o'clock?

Mijares: Yeah, 7:00 o'clock and closed session started sooner than that. Closed session was around 6:00.

Bedell: Twice a month?

Mijares: Yeah, but you know. I went home many times after two in the morning.

Bedell: After two in the morning?

Mijares: Yeah, absolutely.

Lindholm: I will only support this if we don't not add any items to the agenda after 10:00 o'clock.

Bedell: Time certain agenda at 10:00 you say?

Lindholm: Yes.

Hammond: I'm, I'd like to go for a 9:30 adjournment but I'm absolutely ok with it. I just wanted to, just at least once a year, give a chance for other parents to show up who might, who just basically are incapable of showing up for our 11:00 o'clock board meeting. That's my only thing.

David Boyd: Perhaps Mr. President you could craft an agenda that would be in your opinion most relevant to parents?

Hammond: I can work on that. Perhaps I could have help from staff. Miss Nina.

Nina Boyd: Well I could mention that we do have the LCAP that the board would be doing approval and we typically because you're the LCAP requires parent involvement and the parents are coming to participate and so forth, you may want to look at your June meeting as the meeting because that is the meeting that would have in terms of topic and so forth that is already prescribed. Just a suggestion for consideration.

Hammond: And we do have two board meetings in June, or scheduled. Right?

Nina Boyd: Yes.

Hammond: Perhaps we could look at one of those being you know...

Bedell: That might work.

Hammond: You know.

Nina Boyd: Well the first meeting is the one where you're having the presentation and the second meeting is the one that you actually approve it.

Hammond: Is it the first meeting...

Nina Boyd: It would be the first meeting that you'd want to have it...

Hammond: The parent input.

Nina Boyd: And the presentation.

Lindholm: It's getting close to graduation for some seniors but just that week, June 8th?

Nina Boyd: June 8th.

Lindholm: That's a tough work week for a lot of parents and teachers.

Nina Boyd: But those are the program. We don't have any graduations scheduled.

Lindholm: Well I'm talking if we're looking for community members to speak. Um, the thing I don't see on there is the budget workshop. So we need to schedule that two months prior to when we need to approve the budget. Or is that an hour...

Nina Boyd: We don't any of the topics on here...

David Boyd: Last year it was an hour earlier than our scheduled meeting.

Nina Boyd: Right. But we don't have any other topics listed so these are, we have those on our calendar but we don't have anything on here for you.

Lindholm: Ok, so I guess what I'm looking for when I'm looking at this is when we have the budget workshop so do we know, we have to approve it June...

Hammond and Nina Boyd at the same time: June 22nd.

Lindholm: 22nd. So we need it at least two months prior to that.

Hammond: So...

Bedell: April

Hammond: April

Nina Boyd: April

Hammond: So let's plan on April having the budget workshop.

Nina Boyd: You would have a budget workshop in April but you would not have the revised budget cause the governor's revised budget won't be out until May.

Lindholm: No we totally understand that.

Bedell: Would you go Mr. Chairman, again thank you for talking about this. On the 11th we were polled asking if we could meet at 8:00 o'clock and the poll was no. Was there any sentiment for meeting at 10 o'clock and would that help? I can do 10 o'clock.

David Boyd: I could do 10 o'clock.

Lindholm: I could do 10.

Bedell: Does that help at all Ken?

Williams: Can I push it to 9?

Hammond: Ok, I've got a bid of 9; do I hear 9:30?

Lindholm: For most of us it's the traffic related.

Bedell: It's terrible for coming this way at 9.

Lindholm: And it is absolutely, it will take double the traffic time. And additionally if a parent wants to talk...what I used to do with my children if I wanted to attend a meeting was to drop them off at school where they were safe and I knew that they were somewhere and then I could get to a meeting. So, I'm ok with 10. I'm no ok with 9.

Bedell: I'm ok with 10 too. Is staff ok with 10?

Nina Boyd: We're fine at 10.

Lindholm: Would you like 10?

Bedell: Does it help you at all?

Williams: If I can say I'll accept 10. Yes, that would be easier.

Hammond: Not to be pedantic here but would we could even go for 9:45. I'm not trying to really mess with this but it's like I understand what you're trying to do and also it's like you know this

being in the middle of the day does pretty much destroy one of my days for trying to get out and promote what we're trying to do.

Williams: And this is a...

Lindholm: I think 10 o'clock. 10 o'clock is more for the general public you don't want to start something at 9:45.

Williams: Yeah, 10 o'clock will be fine and this sort of tags along with the previous statement under for roundtable in that I think there should be some flexibility here for the Executive Committee if they want to do things differently. For instance, we have public awards. We have the scheduled appeals that we have. There should be flexibility built into our schedule here that doesn't have to remain the same cookie cutter template each and every single time. So, I'm open to the flexibility. If there's a closed meeting that we can start before say a public presentation of an award and that occurs an hour later; that would be the type of flexibility. I know when I was board president I would have wanted to have a consensus on. And that's again I'm building upon the earlier words I think we'll believe that and accept that sentiment.

Bedell: So why don't we try 10 o'clock for the rest of this academic year which ends in June. So we can have four meetings with up to June at 10 o'clock and see how that works.

Hammond: So beginning for February then to move our meetings from 11 an hour earlier to 10 am.

Bedell: Yes, yes.

Hammond: I think that's going to require a, I don't know if it's going to require a motion, or can...

Nina Boyd: Yes cause its item # 7 on the...

Williams: Mr. President before we go (inaudible) I do have a conflict here that I just added with a teaching engagement that I'm going to be doing in Brazil. I'm going to be leaving May 11th. Is there any way we can do it on a Tuesday or the previous week, the previous Wednesday. That's on May 11th.

Hammond: I don't see why not.

Bedell: You want May 4th?

David Boyd: I don't have my calendar so I can't say.

Williams: Oh, ok.

Lindholm: Can you send that one out to the board members? And if it works for the board members, if there's a majority we can change it. I'm happy to change it.

Williams: That would be deeply appreciated.

Hammond: I don't see any...

Nina Boyd: So it's the May 11th meeting that you're wanting us to poll the board? To change the date?

Williams: Please, please, thank you.

Nina Boyd: And you're saying for a different...

Bedell: Earlier

Nina Boyd: A week earlier?

Williams: A week earlier, correct.

Hammond: Dr. Williams would Monday or Tuesday of that week be too much on you because I know you'd be getting ready. Monday and Tuesday's fine the week before is fine. I get back into the states; I'll be here the on the 18th. So if you want to have a meeting on the 18th that would be fine.

Lindholm: That's too close.

Hammond: Yeah, I agree. I'd like to push it back (inaudible).

Lindholm: May I suggest May 10th then? Cause that gives staff time between April 6th and May 10th.

Williams: Ok.

Lindholm: Would that work for you? If that would?

Williams: That would be fine.

Lindholm: Yes?

David Boyd: I don't know.

Lindholm: And you have to check your calendar. So tentatively we're looking at David Boyd's calendar. May 10th as a tentative.

Hammond: So if I understand the motion from Dr. Bedell to move our board meetings up from 11 to 10 am...

Bedell: Through June 16

Lindholm: For four months.

Hammond: Through June 16, ok, so that means the Wednesday, June 22nd meeting...

Bedell: No, no, no, 2016. Year 2016.

Hammond: Oh ok, so you're saying...

Bedell: And we're going to revisit that after we see how it goes.

Hammond: Ok, so you're saying for the rest of this calendar year.

Bedell: No, academic year.

Nina Boyd: Which is June.

Hammond: Ok.

Nina Boyd: The fiscal year.

Lindholm: Four months.

Bedell: Yeah.

Hammond: Ok.

Bedell: Calendar would take us through December Robert.

Hammond: With a, and Ken would like the meeting moved tentatively but we need to hear from Mr. Boyd. Um, is there a second to your motion to move the time?

Williams: Seconded.

Hammond: Seconded by Dr. Williams. I think we've discussed it enough. All in favor of accepting these board dates with a look at May 11th and moving up the time from 11 to 10 am signify by saying AYE.

Multiple Voices: AYE

Hammond: Opposed? Motion passes 5-0.

Hammond: Alright. We do have a 12 o'clock and we also have an 11:45. Miss Nina, is Bob on the phone or?

Nina Boyd: Bob is on the phone.

Hammond: All right. Let's go ahead and do the 12 o'clock and then we'll do the 11:45.

Lindholm: Will somebody introduce this for the benefit of the public?

Nina Boyd: I will. She gives me the signal.

Lindholm: Ok.

Time Certain – Bob Canavan Conference Call

Nina Boyd: Bob are you on the phone?

Bob Canavan: Yes.

Nina Boyd: Ok. Thank you. Ah we have our lobbyist, Bob Canavan, who is providing an update to the board on ESEA. Bob the public can hear you and all of our board members and the Superintendent are present. So thank you for calling in.

Bob Canavan: I'm very, very, I appreciate the opportunity to speak to everybody today and eh, just wanna give you a very quick overview of the new Every Student Succeeds Act which

replaces the No Child Left Behind which is very good news because the new law very much updates No Child Left Behind and makes some major changes taking away some of the negatives aspects of No Child Left Behind and redirects the focus of the Elementary and Secondary Education Act; and the original intention of No Child Left Behind placing responsibility for developing accountability programs and making assessments leading up to evaluating the accountability programs placing that responsibility with the state and with the locals. That's one of the major, major objectives that this new legislation that was passed by Congress on a very strong bi-partisan vote in both the House and Senate. It was a long time coming. The (inaudible) authorization of the Elementary and Secondary Education Act should have been passed about seven or eight years ago. It has not been done. California was one of the last states still firmly under No Child Left Behind. So this new legislation should be very, very, very well received. We know that California has been working very hard to develop an accountability system and the process should very much be developed in state involving local school districts, their teachers and the community in developing an accountability system which will be California focused. In terms of how this legislation came together it was led by Senator Alexander of Tennessee the Chairman of the Senate Health Committee working with Senator Murray of Washington; a Republican and a Democrat working together as well as Congressman Kline, the Chairman of the House Education Committee working with Congressman Bobby Scott, Democrat of Virginia, and once they decided they were going to do it in a bipartisan way, many of the partisan squabbles which had prevented the legislation from moving in previous congresses were resolved and the bipartisan legislation came together. I do want to take a minute to say that throughout the process over these last few years the Orange County (inaudible) of Education and the Board of Education were very involved in bringing a message to Congress. The Orange County Delegation as well as to the Senate Health Committee and the House Education and Workforce Committee the important message that No Child Left Behind wasn't working. And you brought very strong, clear illustrations as to why it wasn't working and why there was a great deal of frustration developing at the local level. Ah schools were being identified as low performing and the AYP process was not working. The message was heard. At the beginning of this Congress there was a lot of skepticism as to whether or not this selection was going to be passed but I think the work that you all did; the tenacity I think in terms of constantly coming back and saying let's get it done, let's get it done, let's get it done contributed greatly to the fact that Congress actually did get this done. Now one of the positive things about this was the accountability being turned over to the state and to the local is that testing will still be done. But there're limits to the amount of testing that will be done. Clearly its defined how it will be done. The state will determine the extent of the testing. What assessments will be used? The state will determine what the content standards are going to be and the local school districts will determine what sort of intervention will be made in schools that are identified as low performing schools. So these are major changes away from what No Child Left Behind was. The legislation is now a law. The US Department of Education is going to be moving very quickly to try to develop the regulations to implement it. It will start coming into

play the later part of this year and will be rolled out as quickly as the Department of Education coerces the states to develop their new accountability plans and one of the things that is also written into the legislation the states develop their accountability plans in consultation with locals and with state officials. The plans do go to the US Department of Education but the US Department of Education does not make the final determination what the plan will be. That determination is made at state level. So that's kind of a quick run through of what the legislation is. I didn't really get into major absolute detail but you know I do want to underscore so if you give me a chance to talk to you very quickly that the work that you all have done over the last few years in working with Congress to say that we have to fix No Child Left Behind I think has paid off as well as the message that you've carried about personal programs such as Title I and for the Individuals with Disabilities Act and how Congress has to meet its commitment to fully fund the commitment Congress made years ago. The Individuals with Disabilities Act so that local funds can be used to fund a wide spectrum of education programs has really paid off and I appreciate the opportunity to work with you on all of these issues over the last few years. Let me take any questions that you people might have. I'm sure you have quite a few.

Hammond: Bob, thank you very much. President Hammond here. I'm going to pass over to Dr. Bedell because I know he's made numerous trips back to DC. Dr. Bedell any questions/comments.

Bedell: Hi Bob, this is Jack. Happy New Year.

Canavan: Well the same to you and the same to everyone.

Bedell: Right. I just wanted to thank you publically thank you for all your work in linking us up to the people involved in this. As you know this was an overwhelming bipartisan vote which is kind of surprising. And it was highlighted last night and it's been highlighted this week in the President's speech in response to the President's speech. And one of the things that I found most interesting is that of the entire Orange County Delegation to Congress there was only one no vote on this and that was Congressman Rohrabacher. There were two other no votes; one was absent and another no vote up north. So this bill had huge California support. Huge Orange County support among the legislature and I wanna thank you for directing us in that way. I think I wanna we've had a lot of public comments over the past three years about the need for local control and those comments were the spur that got us involved in decoupling funding for Common Core and Race to the Top, etc. So the public I think had a direct role in shepherding this legislation as well. And again I wanna thank you for orchestrating that for us and putting us in the right places at the right time. Orange County was blessed that we have a major player in this in Senator, not Murray, Alexander's office, Bill Knudson and also we have a very good friend in Senator Murray's office from the State of Washington who listened to Orange County's concern and took our materials. And I wanna thank the staff for presenting and developing the

materials so we could show the exact negative impacts of No Child Left Behind unamended on Orange County's 500,000 children. So again, thank you Bob, and Kellan.

Canavan: I do appreciate that and if I may say this, the materials you brought back illustrated by district the impact of the previous legislation as well as the funding stream so that the (inaudible) delegation saw very graphically what the impact was in their school district so it meant something to them. It wasn't some abstract talk about education policy they were actually able to look at the names of California Orange County districts and their communities and with board members being present to talk specifically about their own communities, Dr. Bedell and other board members were able to really talk directly to the members of the Orange County Delegation about their own community it really made a big difference and I can recall Congress Royce looking at the information on IDEA and then taking your actually literally taking your documentation and going down the hall and wanting to share it with some of his colleagues. So that really had a very, very positive connect. And in terms of those two staff people, particularly Bill Knudsen, who works for Senator Alexander over the years Dr. Bedell and other board members developed a personal relationship with him and at times, particularly this summer when the staff were working on pulling together what they call the conference committee where staff were not meeting with lobbyist such as me, Dr. Bedell was able to go in and meet with Bill because he had a connect with him because he was an Orange County constituent so that said a lot about the relationship that you developed and the impact that you had on directly on the legislation as it was developing. So the tenacity and the constant very subtle and very direct communications that you had over the years really did I think have an impact. So thanks for doing it. It really had an impact.

Bedell: Thank you.

Hammond: We do have to give kudos to Dr. Bedell. He is a bit tenacious so...Mr. Boyd any thoughts, questions?

David Boyd: Yeah, question. Does the new legislation require states to adopt the Common Core State Standards?

Canavan: The legislation talks about (inaudible) the states they should be developing standards but it's absolutely is that it has to be determined at the state level. It does not talk specifically about Common Core. It talks about each state developing its own academic standard. And each state makes its own determination.

David Boyd: Ok. Are there any potential penalties to states that don't adopt standards that either align with Common Core or are very similar to Common Core? They don't really speak about a penalty but they do, they do say that states should be as they develop their assessments to be linked to their accountability system in effect actually do that. There should be a connection to

content because how can you make an assessment if you don't really define what your content will be. But to the extent, that's to the extent to which they make that discussion. They did not talk about penalties and they certainly do not try to impose anything from the national level. They really put that back to the state. Each state must take their own approach to pulling that altogether.

Hammond: Madam Vice President. Mrs. Lindholm.

Lindholm: Yeah I'm just very excited to see this happen. We've had so many people come before us to, parents and children and teachers to say how confusing the math standards were that we've had to implement. How long the testing was. How many constituents we have are concerned about identity and keeping the identity of their children protected? So I'm very, very happy to see this come. Thank you for your work. Thank you to Trustee Bedell for going back and doing that. I have one question for you. I'm not sure the accuracy of this source but it's saying John King; the US Secretary of Education said that it preserves the Federal levers to without funds from states. Does that tie in anyway shape or form to the Common Core Standards? What does that mean? How powerful are they to without funds?

Canavan: Well first of all there's no authority in this legislation to connecting funding to Common Core, period. None. Now, under previous legislation including No Child Left Behind technically right now until this law passed California was very much under No Child Left Behind and technically the Department of Education could have assessed penalties to the State of California for not addressing low performing schools requirements under No Child Left Behind because California was one of the seven states that did not have a waiver under No Child Left Behind. So California was very much in a much more precarious position than 43 other states that aren't that had obtained waivers. So but there is no, as far as I know, I'm not sure of what the specific comment was that was made by the interim Secretary of Education but I do know that there's no connection between funding and Common Core, period; under this new legislation.

Lindholm: Thank you so much. I appreciate that clarification.

Canavan: Ok.

Hammond: Dr. Williams?

Williams: Hi Bob, Ken Williams.

Canavan: Hey, Dr. Williams. Nice to talk to you long distance.

Williams: It's always good. Question here regarding the consortiums and student data and student privacy. Even though directly the language removes funding from the Federal Government to the states, my understanding is that the consortiums still require student data that must be given to a Federal agency. Do you have any information on that?

Canavan: I'm not sure in terms of what we're talking about in terms of the consortia. I do know that it's still going to be necessary of course for the state to be able to do assessments. And the assessments will be, can be collected by subgroups of students but it is to be done in a way that there's no identification of specific students at all, period. In terms of how the data is pulled together that will be determined by the states and how it is collected and how it is pulled together and anything that is sent forward is going to be done through the state. Anything that goes to the Federal, it would not have any identification of the students specifically at all. There's categorical, there's assessments based on categories of students. Every student is required to be part of the testing system but there is no requirement in the legislation at all that digs in to the point where there'll be specific information revealed about specific students.

Bedell: I think Trustee Williams is making an interesting point Bob. There's been a lot of concern about being able to pull out and identify particular Jones, Jose, Ramirez, or whoever and my understanding is specific guidelines for that will be part of the stuff that's worked out with the state.

Canavan: Correct.

Bedell: Yes, right. Ken, going back to your question, years and years ago when I was in high school, you probably weren't even born yet.

Hammond: Wasn't Moses one of your classmates?

Bedell: Yes, one of my students. My mother had a fifth grade education Bob, was adamant and Bob grew up right down the street believe it or not, we found out around where I live. My mother was adamant that I was going to get a New York regents diploma. I was going to college in Pennsylvania at that time and it had absolutely no meaning to me. I had absolutely where it is right now. But my high school on Long Island like many others took students out of classes who they thought would do poorly on the regents and took them to the Metropolitan Museum of History to see the dinosaurs. So you would see these busloads of kids, many of them less advantaged, we didn't have students of color then but there were many poor Italians and Irish kids candidly and they went off to the museum and I had to sit and take that darn regent, alright. One of the main reasons, this held in this legislation and that's why you need the subgroups because candidly some districts around the country, I'm not aware of here, but around the country have been nefarious with kids who are going to screw-up test scores. And those

categories are preserved. But the goal is never ever to let some students name get out as how he or she did on a test. And I think that's one of the things that we could do as a board is to reinforce that idea with the State Board of Education and any guidelines we wanna do a little position paper on that to say we wanna reaffirm. We recognize the need for with Title I you have to have subgroups and going back to Trustee Lindholm's question that may be someplace where the Federal Government could play with money if the schools are messing with the kids. So I think Ken that's something we should look at and maybe merit a position paper or a letter and to be sure we don't have the possibility for data mining down to an individual student, recognizing that we need subgroup data and one of the main reasons you want subgroup data is to attract the achievement gap.

Lindholm: I'd be very supportive of Trustee Bedell going forward and working on a policy paper that we could get to the state while we have that door open; while that window of opportunity exists. So I think that's a great idea. I'd be very supportive of that.

Hammond: Bob I've got a couple of questions. This is Robert Hammond. One of the concerns that's been brought to us over the last couple of years is that the California Department of Education won't directly turn over information that it gathers from all the students but that it's supposed to step out of the way and allow real time access for the US Department of Education. My question is, is have you heard anything about that and if not, can you help us to track some of that down?

Canavan: Well I certainly would be willing to help you track that down but I can, based on this legislation, this legislation is going to be pretty solid and is very direct in saying the US Department of Education you're not going to be doing stuff like that. It's not intending it did not strengthen the ability of the US Department of Education to get more engaged. If anything it's turned it back over to the states and to the local. So, the Department of Education is certainly going to be involved but it's gonna be more at a much higher altitude. And it's not going to be on the ground, any closer to the ground than it is currently. It's going to be at a much higher altitude with the real prerogative for decision making residing at the state level and at the local level. I mean that's the clear intention of this legislation and it's pretty clearly written this way.

Hammond: The other thing I had Bob I talked to some Special Ed teachers in Orange County and in Long Beach. Their concern right now is that when it comes to the testing that there's not a whole lot of accommodations. And what they're saying is that if some of their Special Ed's start taking, Special Ed students start taking the testing, once they've kind of gone down that path the schools have to fully count their testing when they know full and well, at least this is what the teachers are telling me, that their kids aren't even going to test out proficient, I'm wondering if there is some type of additional information may be in this bill that would help to protect some of the Special Ed kids and I ask this because I'm a Special Ed teacher so I'm just curious what

accommodations are there. As one teacher mentioned to me, that they've got a couple of blind students and that the original thought was they were gonna have them test on the computer and the Braille was just going to appear on the screen. I know that can't be happening. So if you could help me track that down that'd be great.

Canavan: Well I think in that case it would be expected that there would be full accommodation made for the students. One of the things that there was sensitivity in Congress at the Federal level, I'm sure there will be at the state level to make sure that students are, that situation that was described by Dr. Bedell did not happen. That students were not going to be pushed away so they wouldn't be part of the system. But on the other hand you have to make sure that you really do accommodate the situation for the various categories of students. And one of the things that can be done right now during this open window period as we move towards the implementation of the public law is to express direct comments to the US Department of Education about particular situations. The example you just gave. Writing a letter to the US Department of Education period now during this comment period, bringing up specific situations to make sure that the needs of Special Education students are addressed during any testing that takes place to make sure that they are tested in an appropriate way. That should be something that could be expressed directly to the state and to the US Department of Education while these regulations are being developed because the US Department of Education is going to be paying particular attention to whatever written comments they do receive; because if an issue is not raised, they don't address it. If an issue is raised in a written form, they will take the time to make sure that it's addressed. So the particular situation you described might warrant a direct communication in writing to the Department of Education to make sure that the needs of these Special Education students are accommodated while they are, as part of the testing process.

Hammond: Alright Bob. One follow-up real quick. Is there anything in the legislation in this new law that discusses being able to opt out? I'm sure there's going to be some Special Ed parents that would wanna opt their children out and but at the same time I wanna make sure that we don't have school districts exploiting that saying, oh, you're coming from you know not so good of an area that's probably gonna drag our test scores down. Do you kind of understand what I'm asking? I hope you do.

Canavan: Well the balance between the two. I think that that's a question you really should ask at the state level as they start to develop their system. I'll certainly see if there's any, I don't, I can't recall off the top of my head whether there's a mechanism within the legislation. But certainly as the state is developing its accountable assessment system, you should take the opportunity to express this concern with them because they are the ones who are developing the specific accountability system that you will be operating under, not the Federal Government.

Hammond: Alright. Thanks Bob very much. Mr. Boyd any?

David Boyd: Nothing.

Hammond: Trustee Lindholm?

Lindholm: Uh, just a quick question. Thank you. How long is the comment period?

Canavan: Well that's a good question. There having hearings right now actually there's one in Los Angeles I think on the 19th.

Lindholm: Of January?

Canavan: But that's a public hearing but it will be open well beyond that. So, they haven't set, they haven't put out any specific proposals as of yet. They basically are saying initially they're having two public hearings; one was in Washington this week and the second is going to be on January 19th in Los Angeles. They obviously realize that those two public hearings are just first that will be taking place. So, comments can be sent to the Department of Education. In the meantime while they're developing a longer term schedule for the development of the regulations. In the meantime similar comments can I assume there will be some kind of a comment mechanism set up at the state level as well.

Lindholm: So if we had Dr. Bedell get together a few comments he could submit them quickly to the January 19th meeting.

Canavan: Yes, but you know I would suggest that January 19th is fairly quickly upon us. What could be done is maybe just a quick broad level just raising a couple of quick points and then saying additional information to support these comments will be sent in a follow-up letter and then that follow-up letter could provide much more detail. Obviously pulling everything together between now and the 19th is rather a short timeline but there's some kind of letter on the 19th basically in effect getting yourself on the record saying we have some issues or questions we'd like to raise. Here are some preliminary questions and then follow-up questions will follow. That way you get on the record as an interested party.

Lindholm: Ok, thank you.

Bedell: Thanks Bob.

Hammond: Dr. Bedell, anything else?

Bedell: No just thank you again Bob. Best to Kellen.

Canavan: Best to everyone and we appreciate the opportunity to speak to everyone. Any other questions or?

Hammond: Dr. Williams anything else or AI? Did you have anything? We have our wonderful Superintendent Dr. Mijares here.

Canavan: Yes, Dr. Mijares, how are you sir?

Mijares: We had a great conversation together and we've been tracking it pretty closely. And the stuff that you are addressing are also being addressed by ACSA, CCSESA, CTA, all those other groups are weighing in as well.

Hammond: Ok. Awesome. Well I guess there's nothing else. Bob thank you very much. I guess there's nothing else. We'll go ahead and terminate the call and again all the best to you and your wonderful family sir.

Canavan: Alright. Thank you. I hope the rest of your meeting goes well. Thank you, by.

Hammond: Alright. That concludes that. It is 12:30. We do have that Golden Bell Award presentation. Would the board care to hear that at this time?

Bedell: Can we do lunch first?

Lindholm: Either way.

Nina Boyd: We only need about five minutes.

Bedell: Oh, ok.

Hammond: Ok let's go ahead and do that then.

David Boyd: A big crowd.

Time Certain – Golden Bell Award Video Presentation

Hammond: Ok, so let's go ahead and do the Golden Bell presentation.

Mijares: Ok, let me comment if I may. Thank you for the opportunity to present the Golden Bell Award and to bring the visualization of the award to the board. I think it's around it somewhere

Dr. Bedell. But I wanted to say that I had the good fortune to attend the California School Boards Association Conference in San Diego December 4th and 5th and there we had Miss Lindholm, Dr. Bedell and Mr. Boyd who attended and of course Nina, Renee, Jeff, was there. I think that's it. But it was a great opportunity to be together. We had a chance to make a presentation in one of the sessions and the highlight really of the event was the lunch that we had on the fifth which was the time we were able to get our Golden Bell Award. And I don't know if you're aware of this or not but it is a very coveted award. It's given out by the California School Boards Association and it is not just handed over to an entity. You have to work for it. There's a very rigorous screening process and county offices usually do not get the Golden Bell. So we are fortunate and one of the reasons is because you compete with districts and districts have so many programs going on; probably more than we do. And so it's a tough haul. And anyway we were awarded this and it's for the Inside the Outdoor Project Zero Waste and you're going to see that now and I think it's time for me to be quiet and show you the video and then Dr. Bedell we're gonna pitch it to you and you can make some comments and the board can ask whatever questions you desire. Ok, let's roll it.

Inside the Outdoor Project Zero Waste Video:

Male Voice: Project Zero Waste started as a partnership with Orange County Waste and Recycling. And it involves a couple different projects so anything from reducing the amount of trash at the schools to students learning about composting, also building gardens at different schools. This has components of traveling scientists coming out to different locations to teach the students about some of the problems and how they can solve them themselves. And it also involves students coming out to some locations where we do fieldtrips so they can see the effects that trash might have on the environment. Brea-Olinda High School's a great example of what the project can become. They wanted to start a recycling project at their school.

Female Voice: Cause on our campus we have a lot of like plastic water bottles and we have paper and we have all these things that need to be recycled. So we make sure that we help the environment and get them to the right place that they need to be.

Male Voice: And from then it expanded to school gardens. They're involving other students to design garden beds as well. It's actually involving a lot of STEM concepts in the projects that are being done so the students get a chance to take what they're learning from these projects and apply them to real world situations.

Female Voice: And I started teaching AP Environmental Science a few years ago and I realized a school garden would incorporate a lot of the ideas that we use in class and it would give kids a hands on chance to experience some of the things that I was teaching.

Female Voice: I learned that like every little thing counts; not just, it's a little garden at a small school and it may not seem like that much to help the environment but Mrs. Ramos and the club and the class is teaching everyone what we can do as individuals and we can take that to our families, to our friends and hopefully it will spread to everyone.

Female Voice: We come out here and we do soil quality testing. We talk about drip irrigation and the nutrients involved in growing plants. So on a larger scale we also work with another group on campus called life skills and these are kids with moderate to severe cognitive disabilities. So we work with them in the garden. We talk about how you plant the seed. A seed becomes a plant. The nutrients from the soil help grow that plant. We talk about science at a different level.

Female Voice: I'm learning that you need to take care of the environment and make sure that it gives back to you if you put time and effort into it.

End of the video.

Mijares: If I may I'd like to give credit to Ellin Chariton as well as to Lori Kiesser our Development Officer for the Inside the Outdoors Program.

Lindholm: Are they here?

Mijares: They are not here. We actually I think Lori was here at the last board meeting and we had to roll this over to this agenda and she could not be here today but we'll make sure she gets the accolade from the board. Jack, anything on yours?

Bedell: Just it was one of the proudest moments for me to be able to pick this up for the Department and all it means to the kids and to see how the organization has transformed itself beyond its original intent. And getting to the schools these gardens are just a wonderful model for what can be done and to help preserve the planet without getting political and its everyday life. You're absolutely right. It's a very competitive, I've served as a reviewer on, they submit the proposal and then they get a ranking and then they have to, somebody has to go verify it. And I've done the verification on several of these and it's not, you know, they all line up and it's like they're going to a severe physical. And cause they have to prove what they're attesting. And we did more than proved and it was just an honor for our program and I hope all our staff knows how much we appreciate it. And it's a great role model. And sometimes you feel oh the district is saying oh the county's getting the award.

Mijares: And your right it's all tied to academic content.

Bedell: Yes.

Mijares: It's tied to the curriculum and the aspirations that we have for our students. And by the way, that does work if you want to ring it you can show us.

Bedell: Yes.

Hammond: Ring the bell.

Bedell: You gonna have an echo with your cold?

Golden Bell was rung by John "Jack" Bedell

Bedell: Lunch is served.

Lindholm: Congratulations.

Mijares: That's all we have.

Bedell: Yes.

Hammond: Alright. Dr. Mijares, thank you for sharing. Did any of my other colleagues have comments on this? No? Alright. We do have a closed session and we're also scheduled for a board lunch break. Madam Vice President what do you think? Should we go for a lunch break now or?

Lindholm: I would suggest, I will be recusing myself from this item. My husband has sat on that board so I will not be in the closed session but you might want to have your closed session while you eat lunch and that way you can two things at one time.

Hammond: Good. Any other comments on?

David Boyd: Where you going?

Nina Boyd: We have a room that she can (inaudible)

Hammond: She has a special room.

David Boyd: We have a room for recusers.

Several voices: A room for recusers.

Hammond: Alright then. Alright. Then we are going to break for closed conference and lunch.

Lindholm: 'til 1:15 I think.

Closed Session and Lunch

Back in Session

Hammond: Orange County Board of Education is back from our wonderful lunch break and our closed session. Miss Nina could you please report out from our closed session.

Nina Boyd: I'd like to report out that there was no action taken in the closed session. The closed session was pursuant to the agenda item posted. Trustee Lindholm recused herself and was not in attendance. Present was Trustee Boyd, Trustee Hammond, Trustee Williams, Trustee Bedell, and staff included was County Superintendent Dr. Mijares, legal counsel Ron Wenkart, and myself.

Hammond: Alright. So with that we will go to our time certain that we're a wee bit behind on now. We have a charter submission and so with that Miss Kelly, if...

Nina Boyd: We have no charter submissions at this time.

Hammond: Well.

Kelly Gaughran: It's an appeal.

Time Certain – Public Hearing/Charter Appeal

Hammond: Then done with that one, man. Alright we're catching up. Whooh. Alright we have another time certain, 1:15. We have a charter appeal. Miss Kelly, you still have the floor.

Kelly Gaughran: Good afternoon President Hammond, members of the board and Superintendent Mijares. Today we will hold a hearing regarding the appeal of the Orange County Academy of Science and Arts or OCASA, charter school petition, which was submitted at the December 16th Orange County Board of Education meeting following the December 9th action by the Capistrano Unified School Board. Subsequent to today's meeting the charter school review team will meet with the petitioners to assist with clarifications and address any questions. For today's hearing each party, OCASA and Capistrano Unified are allocated fifteen minutes to summarize their

position. Then the hearing will be open for the purpose of public comments. For those interested in speaking, they have completed a speaker card and each speaker will be allotted three minutes with a total of thirty minutes for public comments on this matter. In addition the board will consider all written information for the final recommendation. Written testimony forms are located on the back table and should be submitted by January 22nd. Each board member is reviewing all materials that were presented by the OCASA charter school petitioners which includes a copy of Capistrano Unified School Boards action that resulted in a non-action or constructive denial. Therefore in today's presentations and public comments it will not be necessary to repeat any of this information. I now open the public hearing for the OCASA Charter School and call Mr. Kapil Mathur, the lead petitioner to the podium.

Kapil Mathur: Good afternoon Superintendent Mijares and members of the board. Thank you for giving us this opportunity to address you. Again my name is Kapil Mathur and it's my pleasure to speak on behalf of Orange County Academy of Science and Arts. We appreciate the leadership shown by the Orange County Board of Education in bringing innovative programs to the county and we're confident OCASA will be an excellent addition to the community. OCASA's program is a modified Montessori approach where students work in mixed age groups. We will focus on hands-on and integrating STEAM into the curriculum using our innovative inquiry art projects. We've modeled our program from the Bright Works School in San Francisco which is consistently listed as one of the most innovative academic environments in the country. In the audience today we have one of our founding board members, Dr. Elisa Jimenez. Dr. Jimenez has years of experience in both scientific research and academic instruction. Our other board members, Mr. Keener, Miss Leguillette, and Dr. Yadlowsky were unable to join us today but they're strongly committed to the project. Mr. Keener is an expert in the field of technology and data analysis, in the area of learning management, and has spent years building companies that bridge both the sciences and arts. Miss Leguillette is a strong advocate for the arts, foreign language and multi-cultural studies. She is a world renowned expert in the field of marketing for both high tech and pharmaceutical companies. Dr. Yadlowsky holds a Ph.D. in Electrical Engineering and develops products for some of California's largest companies. Dr. Yadloski is also experienced in running non-profit boards and is a strong advocate for education. In addition to our board, we have our founding team and a large supportive team of founding parents with expertise in all of the areas that are needed to build an outstanding school. The common thread that binds our group together is a strong desire to help children succeed. OCASA is not part of a chain of charter schools. This is a grassroots effort of local parents from the Capistrano Unified School District who have gotten together to help the children in our community. Representatives from our local institutions of higher learning have come out in support of OCASA from both Saddleback College and UC Irvine. We have support from local elected officials from the cities of San Clemente and Mission Viejo. The California Assembly and Senate Members also support OCASA. Most importantly we have wide support from parents in the district. The charter petition that we presented to you includes

signatures representing over 500 students; 4.5 times the number required by law. We also have many credentialed teachers who are in support of OCASA and they're signatures are included in the petition as well. Our social media presence has engaged hundreds of local parents who are in support of OCASA. Our website, OCASACHarter.org has had thousands of views and we have strong engagement on both Facebook and Instagram. Prior to submitting our petition to Capistrano District we held half a dozen parent information sessions all across the district with overwhelming support of school choice and OCASA. This month we started our open enrollment process with parent information meetings. We have four meetings scheduled for January; all were full within days of the announcement. We conducted our first meeting last week at the Capistrano Unified School District office and we have over fifty applicants for the school already. The California Charter Schools Association and Charters OC both support OCASA. CCSA conducted a complete and thorough review of OCASA's charter petition and had deemed it to meet the requirements of the education code and believe that our program will lead to a high quality school. We have partnered with the law firm of Young, Minney, and Corr who have conducted a complete legal review of our petition. We are also working with Ed Teach; a leading provider of back office services to charter schools who have developed our petition budget and will help the school be compliant with all administrative requirements upon approval. OCASA has a strong organizational structure in place to ensure the successful operation of the school. Our boards of directors are responsible for the overall strategy and fiscal oversight of the school along with input from our parent based school committee. The board will recruit and hire two operational leaders of the school, the executive director and the principal. The executive director will be responsible for the business and financial operations of the school. The principal will be responsible for hiring our educational team of teachers and ensuring the successful implementation of our program. OCASA believes in being fiscally conservative. We have presented in our charter petition a budget that is balanced in the first year and provides for substantial reserves. It is our goal as a parent group to bring new money and resources to the school. The first thing that we've gone is we submitted a grant application to the California Department of Education under their public charter school grant program. I'm pleased to let you know that we have proceeded in the process with them. We have moved on from the analysis of our grant stage; we're now in the award phase and they're award is pending your approval of our charter petition. We are anticipating that they will, the final award amount will be \$575, 000. We have been pre-approved for a 1.275 million line of credit to help with the cash flow management of the school. The pre-approval letter was included in your charter petition package. We will apply for SB 740 facility funding which will provide a reimbursement to the school of approximately \$200,000 to lease a private facility to house OCASA. The facility funding is available each year and grows as the enrollment of the school grows. Additionally our fundraising team has put together a comprehensive plan to bring funding from both private donations and private grants to OCASA. We are confident that most if not all of these funding efforts will come to fruition, however, I'd like to highlight that the budget presented in the charter petition is based only on the ADA funds. We will be able to open and operate the school

even without any of these grants or fundraising. Most common question that members of the community have asked us is where are we going to be located. It's our plan to lease a private facility to use as a school that will qualify for the SB 740 facility reimbursement. The challenge is the timing. By leasing a private facility we may have to go through a conditional use permitting process which could take up to six months. Now depending upon when we're authorized and when we could sign a lease it's still a very real possibility we could have a private facility using SB 740 funds. However as a backup we have submitted to the Capistrano Unified School District a legally compliant Prop 39 application with intent to enroll signatures representing more than our first year of enrollment projections. And those are in district intent to enroll. We anticipate that they will make a preliminary offer of space to us by February 1st, before the next time that we meeting. It's our hope that post authorization we'll be able to announce a location for the school that will both meet the needs of our innovative instructional program and help make the school a viable option for underserved families in our economically disadvantaged neighborhoods. Our school has a strong commitment to diversity. We believe that every child should have access to an education that best fits their needs, interests, and learning style. We're working hard to ensure that OCASA is accessible to all students regardless of socioeconomic status and that every child and teacher feels valued. We have set a target of 25% of the student body to come from underserved populations and we have an extensive outreach plan to achieve that. We understand that transportation may be an issue for many of these families and we want to locate in a location that is accessible for these students. In addition we are excited to celebrate and embrace ethnic diversity in our school. Students will have opportunities to share about their culture and traditions and we'll recognize the many global contributions made to STEAM disciplines. Along with foreign language instruction, all students will learn about the culture of the countries or areas that speak the language that they are learning through multi-media and local cultural events. Also to ensure that our Spanish speaking families feel welcomed all of our communications will be in both English and Spanish. So let's talk a little bit more about our educational program. OCASA students will benefit from an innovative educational approach rooted in best practices. They will learn by doing in a hands-on, collaborative environment within mixed aged classes, emphasizing science technology, engineering arts and math to meet all the states standards. OCASA will not rely solely on separate STEAM classes but instead we will integrate STEAM throughout all subjects. By giving young students the opportunity to apply their classroom learning to explore, create, and play with STEAM. OCASA will inspire students to appreciate the fun and satisfaction of learning. Hands-on learning is at the core of OCASA's educational approach. Students will apply their learnings at every opportunity. Six on-campus labs with cutting edge technology will facilitate this approach. The sky is the limit on what students will achieve in our labs. For example, students can design and build their own musical instrument in the maker lab and then research musical production techniques and record their own tracks in the audiovisual lab. This exploratory approach will ensure that every student is inspired, motivated and primed for a lifelong love of learning. To ensure that every student thrives in this hands-on environment, we

will develop an individual learning plan for each OCASA student. These plans will include current grade level standards along with social emotion goals, areas of particular interest, and areas in which development is needed. Students will follow their individual learning plans within mixed age classes that respect the student's development. Mixed aged classes allow students to be grouped based not only on their age and academic level but also their social and emotional needs. The students will remain in each band for an average of 1 ½ to 2 years. The grouping will be part of the school's culture and it is not going to be perceived as a student being held back or retained. Each grouping will span at most three grade levels. Older students in each class will learn responsibility and gain confidence by taking a leadership role and helping to teach younger students. Younger students will be constantly exposed to more advanced concepts which foster motivation and familiarity with the topics far before they are required to master them. Every day teachers will facilitate small group or individual lessons, assign tasks for each student consistent with the state standards with their grade level and in line with their individual learning plan. School-wide projects called enquiry arks will unite students in a cross-curricular project of study. Each semester the school will study and explore one topic and every student or group of students will propose and complete a project related to the topic. The topics of the inquiry arks will include STEAM topics such as the Fibonacci Sequence or space. Students however will be free to choose a project within the topic that interests them. For example, if bridges is the topic, one group may choose to build a bridge out of recycled shopping bags while another group may want to research the history and architecture of bridges. Each inquiry ark will span one semester and will be divided into three phases. The first phase is called the exploration phase. This is where the teachers function as collaborators to introduce students to the topic in all different ways that they can. We will have guest speakers that will come to the school and we will also be taking the students out for field work days where they can experience the topic in the real world. The culmination of phase one will be the presentation of a project plan by an individual student or a group of students. Once their project plan is approved, they enter phase two, the expression phase. This is where they focus on executing and potentially revising the project plan. Students will be encouraged to not only do the project but to prototype and tinker with their project to model real world problem solving scenarios. The flexibility and access to our lab spaces and technology will help facilitate this iterative process. The final phase, phase three exposition, this gives students the opportunity to share their project as well as what they've learned and what their road blocks were along the way. These presentations will develop confidence, communication skills, and create a lifelong memorable experience. They will also be asked during the exposition phase to reflect on what they learned and develop their own online portfolio. At OCASA students will flourish. An esteemed focused educational environment that celebrates their individuality while providing constant exposure to teamwork, experiential learning, and diversity. All of us parents really want to thank you very much for the consideration of our petition and we look forward to working with you to create another exceptional learning opportunity for students in Orange County. Thank you very much.

Gaughran: Thank you Mr. Mathur. I now call the representatives from Capistrano Unified School District, Heidi Crowley, Coordinator for Charter Schools and Strategic Initiatives and Ryan Burris, Public Information Officer to the podium.

Hammond: Before you begin I was going to say, I know you're going to give a presentation as well and Mr. (inaudible) as well, it would be great if we could have a copy of both your alls presentation given to staff.

Heidi Crowley: Good afternoon. Thank you for allowing us to be here. My name is Heidi Crowley and I am the Coordinator for Charter Schools and Strategic Initiatives. This is brand new position in Capistrano Unified; I'm seven and a half days in but I am twenty-four year veteran in Capistrano Unified, twelve years as a teacher and twelve years as an administrator. And with me today is Ryan Burris, our Public Information Officer. Ryan's here to make sure that he's able to answer any questions that you may have as he was involved in the entire petition process. At Capistrano Unified we have an unwavering commitment to student success and we're here today just to outline that petition process. On December 9th the CUSD Board of Trustees met. CUSD staff presented their recommendations after a structured analysis of the Orange County Academy of Science and Arts petition. The Board of Trustees voted 3-3 with one member who was not present that evening so the vote resulted in a constructive denial of the petition. District and legal counsel have thoroughly reviewed this petition. The information I'm presenting is included in CUSD's resolution 1516-30; the Resolution of the Board of Trustees to deny the petition of Orange County Academy of Science and Arts Charter School and I provided Kelly with copies of that resolution for you. Our team found that the petition lacks a reasonably comprehensive description of its plan for students who receive Special Education services through an IEP and how the proposed charter school plans to meet the requirements of individuals with special needs in accordance with state and federal law. The petition does not fully address 504 responsibilities by not outlining how complaints will be handled. The petition lacks a clear understanding of EL compliance obligations regarding placement, program options, re-designation and ELD instruction. Additionally that petition incorrectly references ESL standards. In California the reference is ELD and not ESL. Furthermore the petition contains very little discussion of the Common Core State Standards and how they will be addressed and integrated into the curriculum. In fact there's little or no direct link between the curriculum and methodologies proposed by the petition and the Common Core State Standards. The petition describes the school as engineering based but no curriculum or instructional methodology is mentioned that relates to engineering. And the petition states that once a month students will go on field work days where teachers will stay back at school and engage in professional development. Based on this description students would not receive instruction from certificated teachers during that time yet the petition counts those days in its instructional minute calculations. In total, the petition refers to over twenty instructional methodologies. All great ideas but without discussion of why this particular methodologies were chosen or how these

methodologies will be applied and assessed in general or in the multi-grade bands in particular. The participation in these multi-grade bands as proposed by the petition are likely to be damaging to certain students. The most likely students to be retained at lower levels for more than one year are students qualifying as unduplicated students whose parents or guardians tend to be less involved in their child's education or who if involved may feel their child's place in the charter school will be jeopardized if they resisted placement in the grade band. We just want to end with again CUSD has an unwavering commitment to student success and our team found that as written this petition presents an unsound instructional program for CUSD students who might choose to attend. The professional development plan was unclear, that myriad of instructional strategies are described yet not connected around a clear theory of action. It's unclear what the specific measurable outcomes will be for each of the instructional methodologies and we don't see potential for student success. So I thank you for your time this afternoon. Thank you.

Hammond: Thank you very much ma'am.

Public Comments

Gaughran: Thank you Miss Crowley. The hearing is now open for public comments. Each speaker will be given three minutes for a total of thirty minutes for this part of the session. President Hammond, please call for the first speaker.

Hammond: Thank you. Madam Vice President, whom do we have?

Lindholm: Yes, hello. For those of you who might be new to the system you will have a timer here that will give you kind of a warning. When it goes red that's when you need to wrap up. We welcome you all here. I have several speakers. We have thirty minutes devoted to this so hopefully we don't run out of time for that. I'll alternate until we, as much as possible. We'll start with Amy Hanacek.

Amy Hanacek: Thank you esteemed board members, Superintendent Mijares, Assistant Superintendent Boyd. I am Amy Hanacek and I currently serve as the President of the Capistrano Unified Board of Education. And I'm speaking to you this afternoon as an individual board member. I definitely do not envy you this difficult task of weighing the soundness of the OCASA educational model. Analyzing the important elements of a strategic focus and intentional implementation and confirming a viable school that will be both successful and sustainable. During my time on the CUSD board I have voted to renew charters. We have many. In fact CUSD embraces innovation but there is a big difference between innovation and experimentation, especially when it comes to our most fragile populations, our English Language Learners and our Special Needs students. I found consideration of the OCASA petition to be a

challenging yet necessary responsibility in order to ensure a quality, sustainable education for our young people. To that end I was concerned two of our trustees during our board deliberation comment that basically, why bother. OCBE will just grant the charter anyway. I do not believe this is the case. I believe that you the elected officials of the Orange County Board of Education take this process as seriously as we do and that when it comes to educating children there is no rubberstamp. Another challenging and concerning byproduct of this process surrounds local control. What would it be and what does it look like when an agency outside of the local school district becomes the controlling entity. What becomes of the philosophy of government premised on the belief that the individuals and institutions closest to the students, most knowledgeable about the schools, most invested in the welfare and success of its educators, students, and communities, acknowledge as being best suited to making an important decision related to that school district is bypassed. And lastly, like you, I am passionate about education and championing a quality education for our students. But concerns were also voiced by fellow trustees and community members that the Orange County Department of Education offers no oversight. Again, I can't imagine that is the case. But in fact, if you were to approve this charter then our expectations for all children attending this charter would be that you will perform rigorous and consistent oversight continuously. Thank you for your time and consideration.

Lindholm: Thank you. Our next speaker is Susan Mas.

Susan Mas: Good afternoon board members. I am Susan Mas. I am the Executive Director of Charters OC, a Partnership of Innovators OC and the California Charter Schools Association. As you know I was a school board member in Laguna Beach for 17 years and I have also worked with charter schools for 15 years. The goal of my organization, Charters OC, is to increase the number of high quality charter schools here in Orange County thereby providing more choices to our young people. I am thrilled to be here one more time to support a high quality charter school that provides another excellent public school choice. I'm here to speak on behalf of the Orange County Academy of Science and Arts. Both Charters OC and CCSA have worked with Kapil Mathur for the past year during which time he went through an extensive rigorous CCSA petition evaluation process which was required if he was to gain our support. The OCASA educational program is a much needed addition to our portfolio of excellent public schools here in Orange County. The high quality of the OCASA petition is a testimony to the work of Kapil and his team. OCASA's K-8 program will provide educational choices in Capistrano School District focuses on preparing students for the challenges of a rapidly changing world. Their experimental learning model is designed to develop deeper learning, cultural competency and social emotional skills while at the same time placing emphasis on the academic, social and physical development of children in the areas of science, technology, engineering, arts, and mathematics. One of the most fundamental obligations of the adults in any society is to prepare its young people to lead productive and prosperous lives. Orange County Academy of Science and Arts helps us fulfill

that obligation. We are very fortunate that Kapil Mathur chose to locate the Orange County Academy of Science and Arts here in Orange County. Thank you.

Lindholm: Thank you. Martha McNicholas? Welcome.

Martha McNicholas: Good afternoon Superintendent Mijares and trustees. I have been a PTA leader and a volunteer in our public schools in Capistrano Unified for over twenty years. I've always been an advocate for parental choice and strengthening the options for our parents and our students in their choices in education. Capistrano Unified has currently five successful charter schools, more than any other school district in Orange County. I am also a professional engineer and a business owner and I absolutely understand and appreciate and support the critical need for stronger emphasis in science technology, engineering, and math. However, this petition other than its name provides no comprehensive instruction plan to meet that goal. There's a lot of decrying and supporting the need for STEAM but not really much that shows how they're going to get there. I agree that the Bright Works model, which is a private school in San Francisco, about \$26,000 a year is a very innovative model and that the plan for OCASA's state of the art learning labs seem really exciting but I have no confidence that OCASA can make this happen; either instructionally or financially. Thank you.

Lindholm: Thank you. Michelle Anderson. Welcome.

Michelle Anderson: Good afternoon honorable board members and the Superintendent and staff. I'm Michelle Anderson, the Southern California Regional Manager for the California Charter Schools Association. I'm here on behalf of Miles Durfee who couldn't make it as well as for CCSA to wholeheartedly support the charter petition for the Orange County Academy of Sciences and Art. CCSA has worked with Kapil Mathur and his team throughout their petition writing process. The petition went through CCSA's rigorous review and our team is very satisfied that the petition presents a strong blueprint for a successful charter school and we've worked with many throughout the state of California through this process. We are also confident that the petition is legally compliant as well. We respectfully ask for your approval of OCASA's charter petition as we view this as another successful school and a school of choice for parents in Orange. Thank you.

Lindholm: Thank you. Alyssa Jimenez? Welcome.

Alyssa Jimenez: Good afternoon. My name is Alyssa Jimenez, board member of the Orange County Academy of Sciences and Arts, OCASA. I obtained a BS from California State University, Fullerton and a Ph.D. in Molecular Biology and Biochemistry from the University of California, Irvine. Over the course of the last 15 years during my experiences as a graduate student, research specialist, and most recently a lecturer at Cal State Fullerton, I've had the

privilege of interacting with and teaching a wide range of students. I have tutored under privileged elementary students, mentored and tutored high school students and taught college students in genetics and molecular biology. I've seen many students pass from grade to grade without having a clear understanding or a mastery of what they've been taught. I'm quite alarmed at how inadequate our current public school system preparing our children for the future. For example while teaching at the college level I was deeply concerned with the quality of students that populated the classroom. The majority of the students who are biology majors were unable to study effectively, employ crucial critical thinking skills or simply taking responsibility and initiative for their own learning. As the parent of two small children, one of whom is in the public school system here in Orange County, I am concerned about the quality and effectiveness of our current teaching method in the public schools. I am particularly concerned with those students who fall in the cracks of traditional teaching methods. And with those who are coming from homes where the parents are unable to invest the time or lack the skillset to help these particular students. When Kapil Mathur shared the vision he had for OCASA with me, I was immediately drawn to the exciting and novel teaching methods that promised to education and empower its students with the necessary skillset for success. I was especially espoused to the idea of providing the attending of children the simple and powerful opportunity to understand math and science in a relevant and impactful way providing a strong foundation for future learning in all disciplines. I have complete confidence in Kapil's excellent entrepreneurship and leadership abilities to execute his vision. His business and community leadership has been demonstrated and his successful tutoring company and his involvement in CUSD governance. Underlying this knowledge and experience is his dedication to student success, regardless of position or socioeconomic circumstance. I welcome the opportunity to take part in a school that is investing in our community's future with a nontraditional and effective model of learning. This school is not just an investment in our present community but an investment in our future leaders, engineers, scientists, and the Southern California workforce. Thank you.

Lindholm: Thank you. Dorothy Lee?

Dorothy Lee: Good afternoon Superintendent, trustees and staff. My name is Dorothy Lee and I am the General Manager of Ed Tech. We provide back office services to over 300 charter schools statewide. We develop the schools financials in partnership with Mr. Mathur and the budget balances each year and reaches a 16% fund balance in year two. These financial statements do not include the public charter school grant program funding which is start-up funding of \$575,000. These funds would significantly improve the operating income as less unrestricted funds would be used as start-up expenses. The budget also assumed the same demographics as Capistrano Unified but depending on location the FRL population may be higher. These means that the local control funding would increase as more revenue would come from the supplemental and concentration grants. If the actual FRL is higher than what we

projected in the budgets, operating income would increase with additional revenue. The cash flow would improve as well. While the submitted version is positive it does demand on factoring. This is necessary given the Ed Code funding schedule. The state's first disbursement of cash is in late September and in order to prep the facility and do everything you need to do to open a school the school would need a disbursement of cash before it opens its doors to its students. Many new charters depend on this financing so this is nothing new or anything scary. And once the financials are updated to reflect the start-up grant of \$575,000 operating income would increase and factoring would not be necessary. The submitted financials are based on conservative assumptions and the best information available at the time. The income statement and cash flows were positive and balanced and show the school is financially viable. With Ed Tech's experience and knowledge we would help ensure OCASA is compliant and fiscally sound. Thank you.

Lindholm: Thank you. Divya Breed? Welcome.

Divya Breed: Honored board members, Superintendent. Thank you for giving me an opportunity to speak on behalf of the Orange County Academy of Sciences and Arts. I am a parent, an engineer of twenty years and an author. I live STEM on a daily basis but that is not what I love most about OCASA. I want my child to attend this charter school because it reminds me of the best elementary school I attended Corrine A. Seeds Elementary in Los Angeles. UES had mixed grade levels. They taught us in small groups, no desks, according to subject and ability. They taught ten year olds how to type. They had us writing programs on Apple 2e computers when most people didn't even own a PC. They trusted us to understand the emotional weight of the Yearling in 5th grade. I moved from that school to one of the top public districts in Southern California and I arrived ahead of the honors class. This is the type of experience that OCASA is working to create within the framework of the public education system. This is the kind of trusting and open learning environment children need to excel in STEAM. I would be thrilled for my daughter to experience such a non-traditional form of education. I hope that you'll give her and the other children in our district the opportunity to do just that by approving OCASA's petition. Thank you for your time.

Lindholm: Thank you. Frank Gonzalez?

Frank Gonzalez: Board members, Superintendent Mijares, hi my name is Frank Gonzalez. I'm an educator, father of two young children and a proud founding member of the Orange County Academy of Sciences and Arts, OCASA. I am here to speak in support of OCASA and I encourage you to vote to approve the charter to bring the STEM based hands-on charter school to South Orange County. I currently am a full time mathematics professor at Saddleback College and Chair the Computer Science Department and I also help direct two government funded STEM based programs the DUL Bridged Engineering and the NSF at STEM scholar program.

Ironically both these programs are funded through H1B work visas collected from non-residents working in the science and engineering field. And both programs have a common goal. That goal is to increase the number of home grown workers in STEM fields and these are just two examples of the dozens of programs and billions of dollars as you well know being granted through federal programs to help overcome the deficit in the qualified STEM workforce. The unfortunate fact is that the effort being made at the collegiate level are not enough and quite often too late and thus there's a major national need for a STEAM-based K-8 school. This county, including school districts such as CAPO Unified, are already doing wonderful things in this regard but additional pathways such as OCASA can dramatically help. Underrepresented populations in STEM fields such as women, Hispanics, and African Americans benefit from the type of early exposure to such fields OCASA can provide and that one might now receive from a traditional school setting. By the way, in the last few months I have been involved in two examples of early STEM interventions. The first is the Jet Propulsion Laboratory, JPL in Pasadena. In working with Saddleback College in the OC Pathways Trust Grant which I'm sure you're well aware of to recruit twenty local high school students from CAPO Unified and Saddleback Valley along with Saddleback College students for summer internship programs. Unfortunately JPL felt that many of the students who participated in last summer's program from a neighboring school district were underprepared for such a summer internship. A school like OCASA can bridge those types of gaps for many students. The second is the Women's Transportation Society, WTS of Orange County's Girl Engineering Day at the end of this month. In this all day event the WTS in conjunction with the Anaheim School District and myself and some volunteers from my Bridge to Engineering program, is targeting girls in grades 6-12 who are interested in engineering. Why are they doing that? Because both JPL and the WTS understand that early intervention is key in spurring interest in STEM related fields. So in closure I implore that you support and approve the petition for OCASA. Thank you.

Lindholm: I think that's an engineer. Alright, Josh Leuenberger?

Josh Leuenberger: Alright thank you for hearing me. My name is Josh Leuenberger and I'm a parent of three in CUSD and I'm also a mechanical engineer at a nuclear fusion energy start-up. I was also a former US Naval officer where I worked on nuclear propulsion. I wanted to speak today to express my support for OCASA. There's a lot I'd like to say about how excited I am about OCASA's approach to teaching and how as an engineer I wish I could have been taught in this way. But I think my limited time is better spent addressing some misunderstandings about OOCASA that have come up in the previous hearings. First there was a claim that our district already has plenty of STEM programs for our children and therefore OCASA is simply unnecessary and redundant. In fact during the board meetings a few CUSD schools even made some presentations about their terrific hands-on science programs. It actually sounded pretty impressive until I realized that those programs were all either extra-curricular, offered on a very infrequent basis, or were elective based. So that means if your child wants to be in band for

example, like my son who attends on the middle schools that presented, they never get the chance to build a rocket or a robot or use the tools in the wood shop. The same applies if a child chooses to do choir or student government or some other elective. I certainly agree the CUSD offers a few great hands-on even project based learning opportunities but you have to acknowledge that a very small percentage of a student population actually gets to take advantage of them. OCASA's laboratories on the other hand will be available to every student in the school and the hands-on activities will actually be incorporated and part of the daily curriculum for all students across all subjects. The other issue I wanted to address was about OCASA's definition as a STEAM school. Some CUSD members stated at the hearing that OCASA wasn't placing enough emphasis on the individual subjects of science and engineering and therefore couldn't really be considered a STEAM program. I think this illustrates a major gap in their understanding of OCASA's vision. What OCASA is proposing is a project focus; learn by doing approach that inherently incorporates each of the STEAM disciplines through practical real-world application while making freely available the technology and the resources to enable students to complete those projects in their own unique ways. OCASA's approach encourages teamwork, creativity, and innovation. Giving students the freedom to take risks and experiment using an iterative, an engineered approach to discover firsthand how the concepts they're learning in the classroom can be applied in the labs. If this isn't a STEAM program then I don't know what is. Concerns were also raised about OCASA's benefit to the underserved population. The fact is members of the underserved population are grossly underrepresented in STEM careers and therefore serve to benefit the most from OCASA's programs. Also the mixed aged bands are designed to allow students to excel beyond traditional expectations not hold students back. So in closing, I urge you to approve OCASA because our communities existing STEM programs do not currently meet the needs of all of our students and OCASA will not be just any STEAM school but a truly exceptional one. And all of its founding parents are dedicated to ensuring OCASA is successful and will live up to all of its promises. Thank you.

Lindholm: Thank you. Our last speaker is Dr. Geetika Mathur.

Dr. Geetika Mathur: Good afternoon and thank you for the opportunity to speak this afternoon. My name is Dr. Geetika Mathur and I'm here to speak in support of Orange County Academy of Sciences and Arts. I have a Ph.D. in Molecular Biology and a Masters in Biotechnology from UCI. I work as a regulatory scientist and live in San Clemente. I have a six year old daughter and it is my deep desire to provide the best well-rounded education for her that would help her succeed in life. I did my basic schooling in India. I saw the academic system there and it places a lot of emphasis on science and technology. The STEM training in India focuses on application of knowledge as part of the learning process. We have practical lessons and labs starting at a very early age. I have noticed while doing my post-graduate studies that most seats in science and technology at UCI are occupied by international students. I strongly believe in order for kids to become competitive in STEM jobs on a global level, education programs like OCASA that

focus on training and practical learning in science and technology are very important. I would like to give my daughter an opportunity to advance her skill through a STEM based program like OCASA. My daughter attended a preschool for three years with mixed age classroom and I saw her academic achievement and confidence boost during that time. The individualized and interactive learning plan allow for learning at her pace while building a solid foundation and at the same time didn't limit her exploration and achievement. I hope my daughter has access to OCASA program that would help her excel in science and math along with appreciation of music and arts. This program is not available and I request you to approve OCASA petition.

Lindholm: Thank you. And that was our last speaker.

Gaughran: Thank you to all presenters and thank you to the board for your due diligence in reviewing the documentation before you. As a reminder there will be no decisions rendered on this matter during today's board meeting. President Hammond I now close the public hearing and turn the meeting back over to you.

Hammond: Miss Kelly, thank you very much and thank you in advance for all the work I know your staff is going to do and all the work your staff has done in the past. I really appreciate that. Alright, board questions and I'll start to my left. Trustee Boyd, sir would you care to start us off?

David Boyd: Sure. If we could have the founding director come up for a few moments I'd appreciate it. I hope you won't need that.

Kapil Mathur: I don't know...

David Boyd: There's not going to be a lot of questions.

Mathur: CUSD had me for about an hour and a half with questions and I didn't have this with me so but this time I'm gonna bring it with me.

David Boyd: That's fine. You mentioned earlier in your presentation you have a line of credit of about a million two. Where does that come from? What's the source of that line?

Mathur: The company is called Charter Asset Management.

David Boyd: They specialize in...

Mathur: They specialize in factoring for charter schools.

David Boyd: Ok. And this is a, again tend to be a short term loan.

Mathur: Correct. And it'll be in different phases so we'll factor the first payment and then pay it back once we get the state funding and then potentially factor the second one.

David Boyd: Ok. One of the criticisms of your program was the lack of a Common Core Curriculum. Would you like to comment on that how you have incorporated Common Core?

Mathur: Yes, I think it's important before answering your question directly to take one step back. And I wanna underscore that the presentation provided today for the CUSD and the two board members who spoke during the public comment position. None of the issues that they raised were in a resolution adopted by the board. So if you look at the resolution that they passed out to you today, there's no signature on it. So, it's really debatable whether those comments or those statements are actually findings or not. I say they're not findings. The only reason why we are here is not because we received a denial from the trustees from CUSD, we're here because they failed to take any action.

David Boyd: No action. I understand.

Mathur: So um when you're evaluating their statements please keep in mind that what was presented today was only representative of three board members. There were three other board members who did not agree with those statements. So to answer your question specifically about Common Core, we all know that we have to follow Common Core. We don't have a choice in the matter. How we're going to implement it, as I gave my presentation I was talking about the individual learning plans. So the individual learning plans will start based on the state standards. They're Common Core today. Next Generation Science Standards tomorrow. We don't know what comes after that. Earlier today you were discussing with the reauthorization of the Education Act whether Common Core will still be around or not. So, it's the reason why we didn't harp on Common Core is because we're not certain that that's the standard going forever. And so the petition talks about standards specifically to the point of Common Core. There is an appendix in the petition. I believe it is appendix 2 which is scope and sequence of the program. Which is a one to one correlation between our program and the Common Core Standards.

David Boyd: Ok, nothing in education is forever. I take it from your tone though that you're not particularly a fan of Common Core.

Mathur: So I'm a, so. I'm a realist, ok. I run an education company, completely separate from OCASA and we have parents who come to us and say I don't like Common Core. The thing that I have to be very careful about is that Common Core is a book. It's a set of standards. The thing

that most of our parents are unhappy with is the implementation and the curriculum. What the publishers have put out.

David Boyd: We've heard those...

Mathur: I know. It's not mature yet.

David Boyd: Ok.

Mathur: So we can be compliant with the Common Core Standards and teach kids how to analyze and ask the why questions? We're actually pushing Blooms Taxonomy further. All the way down to the create.

David Boyd: The reason I really brought it up is that yes, reasonable people can disagree with respect to Common Core and we're not going to go down that road. But it seems that the tech industry, Broadcom, organizations like that, are...

Mathur: Microsoft.

David Boyd: ...huge supporters of Common Core and you're proposing a STEAM program here, a STEM program.

Mathur: Well I do believe that it's important for students to understand the why instead of just the rote algorithm so as a math teacher it's important for my students to know why 3×4 is 12. Not just that it is. So, if you're talking about Common Core Standards in a conceptual basis that we're talking about asking the students to understand? I agree with that. I think that it's a toss-up with each of the various different implementations and different publisher's takes on how to achieve that goal. I think that's really where what I've seen with our parents has been the issue. We're happy to embrace the standards and we will be fully compliant with the standards.

David Boyd: Ok. Um, how many, size do you feel you need for your school?

Mathur: Square footage or students?

David Boyd: Yeah, rough square footage. How many classrooms?

Mathur: At full build-out we want 20,000 square feet of classroom and gym space. You have it right in front of you the numbers. I could read them to you if you like?

David Boyd: No, I'm looking at the projection of enrollment by...

Mathur: Oh ok. I think in the petition there's also a section with facility size?

David Boyd: Ok. Well that's...

Mathur: Table 14.

David Boyd: A

Mathur: So 13,000 in year one to 20,000 in year five.

David Boyd: You're looking at a light industrial type building? Tilt-up?

Mathur: We are looking at those. We are also looking at land to then put portables onto a nice piece of property. So really our two lead options now, one is a piece of property that used to have a historic structure on it that the city just demolished. And the other is a church facility that potentially is available. Our third option fell through partially because of timing.

David Boyd: Ok.

Mathur: But we have, we do have realistic options and I'm happy to share privately with you or all the members of the board the addresses...

David Boyd: I don't know South County all that well. That's Trustee Lindholm's area and I'm not allowed down there. Is there a big choice of those types of facilities? The vacancy factor in North County is pretty small at this point in time. If you were looking at Costa Mesa I think you would have a pretty tough time. But you feel confident either you build your own at some point in time you use district facilities or you lease.

Mathur: We really don't want to use district facilities if at all possible.

David Boyd: But that is your fall back.

Mathur: That's our fall back. Had we been approved in December we might have a different, I might have something different to say that absolutely we've got a lease signed now. But we're looking now at February and to open August 15th we obviously our board members will not sign a lease until we're approved.

David Boyd: Sure. The...

Mathur: You know it's unknown our the cities will finally go.

David Boyd: The facilities grant. I got the impression from your presentation that that's a done deal upon approval.

Mathur: So we have to apply for that grant. The interesting thing is that grant, the application date isn't until after we open the school. But I'm not aware of anybody submitting an application for that grant and being denied.

David Boyd: I have heard and maybe Ron can address this later, or Kelly, that the funding for that grant program going into future years is questionable.

Mathur: So there's two different grants so what you're talking about the grant that's going away is the \$575,000 public charter school start-up grant which we have already been approved for.

David Boyd: Ok.

Mathur: Governor Brown in his state budget replaced that with a state funded program that he has put \$20 million dollars toward. We won't have to touch those funds because we're in the old system. The facilities grant is Senate Bill 740. And what that is is if a charter school leases private facilities within the attendants boundary area of an elementary school with 55% or more FRL then the state will reimburse the lease for 75%, up to \$750. So we are projecting year one 255 students so between the SB740 and the portion, the remaining 25% we have over a quarter million dollars to pay for a lease.

David Boyd: Ok.

Mathur: So it's very realistic that we can find a facility that we can lease for a quarter million dollars.

David Boyd: Eh, changing subjects, eh page 46 of the application talking about technology. You've indicated the students will be given an individual Chrome Book to use on campus in approximately the 3rd grade. Then parents may opt to purchase a Chrome Book for their student at their own expense that can be brought home with the student. Doesn't that put these parents who can't afford a Chrome Book for their student at a significant disadvantage since so much of your program is technology?

Mathur: No because the corollary to that is that we're going to be a low or no homework school. So it's not that the student needs technology in the home.

David Boyd: Alright, if that's the case I understand that.

Mathur: We're trying to have a population of 25% underserved students. Even if they took a computer home, they might not have an Internet connection in order to utilize it.

David Boyd: Ok.

Mathur: But to further on that point there are other charter schools in the Capistrano District that do have a one to one technology program and it's not that everybody who can afford one buys one. Some people choose to buy it some people not.

David Boyd: What's the cost of a Chrome Book? I'm showing my ignorance here.

Mathur: So as an individual buyer you can get really great ones for \$150.00.

David Boyd: Ok, alright.

Mathur: Institutions generally need some higher specs so we've budgeted for \$300. And that \$575,000 start-up grant, a lot of that money is gonna go to fund those.

David Boyd: Last question then, this may not go to you it may be legal counsel later but. Page 113 you talk about the emission preferences for children of founding members and you don't site a code section for that. You seem to have a lot more founding members than the charters that we've looked at in the past. I guess you can comment on that if you know the section that's applicable for...

Mathur: I don't know the code section. Um, in year one we will have 13 students that will be in the school based on the founding member preference. We do have a large number of founding members. It's approximately 18 founding members but as you've heard, a lot of them have very little children and they won't be coming in at all at once. So there's some ambiguity in the law between the federal government and the state...

David Boyd: Ok.

Mathur: As to what that founding member preference can look like. What my understanding is it cannot be a significant portion and generally people say 10% is not a significant portion.

David Boyd: Ok, well I'll defer that to Kelly or Ron at a later time and that's all I have for now. Thank you.

Mathur: You're welcome.

Hammond: Thank you Mr. Boyd. Madam Vice President?

Lindholm: I thank you. First I want thank our board members who've come from CAPO Unified. Thank you for coming. It's always the time and energy thing and I appreciate you being here.

Mathur: We had a third board member who was in the back but had to leave.

Lindholm: Ok. A few questions for you. Quick question, you have not signed the document on the affirmations and assurances or is that signed on a different copy.

Mathur: It could be a copying error.

Lindholm: It's just blank on my page. Did you sign that?

Mathur: Yeah, this is the copy. And I believe the district brought the copy that we submitted and you're welcome to review it. It is signed.

Lindholm: It's on page seven. Is that Kelly, is that signed in our copy?

Gaughran: (inaudible from audience)

Nina Boyd: Kelly you need to go to the mic.

Gaughran: The charter petitions that you received come from the petitioner so I don't change them in anyway, but...

Mathur: This is what was submitted to (inaudible)

Lindholm: Oh, ok I don't have it signed so, ok.

Mathur: I apologize for that.

Gaughran: Well there's two petitions in there. The one to Capistrano and the one revised for you so I think he signed the Capistrano one and yours and then the revised one is not signed.

Lindholm: So I would assume you would sign that today?

Mathur: I will sign it right now yes.

Lindholm: Ok. Because that has the affirmations and assurances that you will basically follow all state law in regards to your charter school.

Mathur: Absolutely.

Lindholm: So it's two pages on there. Not quite sure why, it's probably not your question, but we have in section four where it's not signed by the superintendent.

Mathur: That's the resolution that was not passed. We submitted that to you because it's public record for your review but the findings in that document were not ratified by the board of the Capistrano Unified School District.

Lindholm: So technically I would look to our attorney that none of these would be...Can you give an opinion on this? Because it was not signed by the board. It was a 3-3...

Ron Wenkart: Since it was a 3-3 vote it wasn't passed so it's not binding.

Lindholm: So, so none of this in here...it's for our review but not really our consideration?

Wenkart: You can consider it if you wish but it's not binding on this board. It's not the findings of the board. I would treat it as a draft. Maybe the staff presented it to the board and the board didn't pass it? You can look at it and consider it.

Lindholm: Ok, but it's basically a draft. It's not signed by the board.

Wenkart: It's not signed by the board so it's not the findings of the board.

David Boyd: Would it be reasonable to assume that it was a staff opinion. Maybe?

Wenkart: Yes, I think so. I haven't seen all the documents but I believe it's a staff, part of a staff recommendation.

Lindholm: Ok, thank you. That was my question on that. Generally, I know CAPO does a great job. There's a lot of blue ribbon schools down there. I've had a couple kids go to those. Um, this school does sound exciting to me the more we grill you I would say on a lot of the issues. Amy, which-is she still here?...Had great credentials. It's just really impressive. And then...

Mathur: Are you referring to our board member, Miss Jimenez?

Lindholm: Yes.

Mathur: Miss Jimenez?

Lindholm: Yes.

Mathur: She's right here.

Lindholm: You have to wait. And then we also have the professor from Saddleback who works with JPL. That's very impressive to know how you are integrating and what your plan is to integrate the STEM with it with the students, so. I've gone through here. I think it's pretty substantial. I don't have any other questions at this time but I might ask you more later.

Mathur: I'd welcome it.

Lindholm: Thank you.

Hammond: Alright. Dr. Bedell before I get to you I just want to make sure that I pull this on up here for the board president for CAPO. Cause basically it looks like Mrs. Hudson was not able to attend due to surgery or whatever but she would have joined you in voting no.

Lindholm: But we can't assume that.

David Boyd: Well we don't know that.

Mathur: You can't consider that.

Lindholm: I'm sorry you cannot assume that. That's an assumption.

Hammond: I have a letter from...did you get it? I got this letter that's just why I wanted to confirm, you know.

David Boyd: I haven't seen the letter.

Lindholm: I haven't seen the letter. I don't...I'm sorry I don't think you can submit something after a vote and say I would have voted a certain way.

Hammond: Well she wasn't there but I just, you know, that was just...

Lindholm: I didn't get a copy of that. I'm not sure when that came in or why.

Hammond: So. Alright. Dr. Bedell. Any questions?

Bedell: Oh, how much time do we have?

Hammond: For you? It's is unlimited.

Bedell: None! None!

Mathur: Can I just make one comment on the letter from Lynn Hatton-Hodson? It's interesting that she sent you a letter stating what her position is. When I asked her to tell me what her position would be? She told me that it would be unprofessional for her to make a statement after the vote. So it's interesting that she now feels that she can send you a letter.

Hammond: Well it's for sharing...

Bedell: Thank you Mr. Hammond.

Hammond: Well anyway, Dr. Bedell.

Bedell: Yeah, a couple things. First of all, I live even further away from you than trustee, these other trustees down here ok? But I have heard of Harkey. I have heard of Harkey, ok. So I would really like to know, and this is a district of Harkey is one of their outstanding schools, IB and...

Mathur: I think its Hankey.

Bedell: Hankey, Hankey.

Lindholm: That one I know.

Bedell: See, these are my new glasses. I'm going to clean my glasses. You've heard of Harkey too that was a senator, right.

Lindholm: Assemblywoman.

Bedell: That school. Hankey, IB right? That's what I've heard about. My ears are not working and my glasses aren't working. From your view point, I'm sure you know that school, right?

Mathur: Yes, they the district had them do a presentation before one of them...

Bedell: What is it about that school that's missing that you're going to compensate for? Because I don't think that's an unfair question. Because the charter school says it's gotta be different. Right?

Mathur: Right. So our program is significantly different than that IB program. It's a good school. I don't want to stand up here and try to say negative things about one of our district schools. We have fine schools in the district. We have never done that. That's not our intention.

Bedell: Sure.

Mathur: It's not that charter petitions should be approved because there's a deficiency in an existing school. We do have a very different program than the IB program. I think some of the key things that are important to our parents and supporters are there is very limited availability to attend either that IB program or one of the other charter schools in the school district. On the record one of our board members who is sitting here has indicated that it's her intention to return to a neighborhood school model where somebody like me who lives in San Clemente would have no opportunity to even attend that school so I think it's a question of the number of seats available. I think it's a question of what does the district do with school of choice? How do they solve the problem of highly impacted schools? I don't want to stand up here and say that I'm an expert in the IB program. I did personally do the IB program in high school. I'm an IB program graduate. But um I'm not an expert in the elementary program so I can't comment on specifics but I don't believe anybody is suggesting that our program and the elementary IB program are substantially the same.

Bedell: Ok, thank you. Ahhh, first of all, I was somebody whose based his whole university career around Blooms Taxonomy I really appreciate that and the need for higher level thinking skills and that clearly relates to the Common Core. It's a natural flow. From the district, you have a reputation for providing quality programs and being extremely receptive and that's not a bad word extremely. Very receptive to charters in Trustee Lindholm's area. What was it about this that said no? The three-three vote is telling to me is somebody who teaches what that means? So could somebody from the district comment on that?

Voice from the audience is inaudible

Ryan Burris: I don't want to speak for the individual board members. It was definitely a split vote and there were sort of opinions on all levels. From the staff point of view and what was recommended from the superintendent was really the issues with curriculum. There was just too much in the binder. And I think they would have been more comfortable if they had selected one of two pieces and really dug deeper into that to explain it. And so that was really from the

recommendation from the staff, from the superintendent to the board. Was to look at these things.

Bedell: Of course.

Ryan Burris: Yeah, I don't like to speak for the individual board members. There's seven of them. And they're all over the map and I don't want to tread it. I like my job.

Bedell: The press is in the back of the room! It'll be in the register tomorrow.

Amy Hanacek: Thank you Ryan and I won't speak for all of us as well but I can speak for the three that didn't feel confident with this charter. Several areas. Definitely the learning models. It was too many. I feel it's and the professional staff, the educators explained it much better than I will. It is untenable. I feel it's not sustainable. The oversight that would be needed for this and then when you add into as I mentioned earlier our populations that require. When you look at English Language Learners, many don't even speak Spanish proficiently. So we were challenged when the presentation came to us when queried about how you will move your English Language Learners into English proficient there was an inability to understand this population. An inability to understand they often times have more money that comes with them. And then ultimately the only explanation would be they will teach them English. So all of this is lovely for children like mine. But when you have a population that is being targeted basically. They're really looking at their charter. Where the location, or the community. I just feel to be mindful of...truly have a deeper level of knowledge of this community. So I think I mentioned earlier innovation is wonderful. Experimentation is challenging. My kid could lose a year or two and they'd be fine. I'd make it mine. And for these children we can't really do that. And so there were other issues as well. Also the facility issue which I don't think that is part of a charter you look at. But we're Orange County. And as Linda will say it's extremely cost prohibitive for any of us who do run businesses down there. So I hope that answered your question but happy to answer more, thank you.

Bedell: Right. I'd like.

Lindholm: I'm just curious, we have the people who voted no but we don't have the board members who voted yes. Is there some reason that occurred? I mean was there no communication. It's just...I'm just curious why we have only one side in attendance when it was...

Nina Boyd: You need to go to the mic.

Amy Hanacek: I think we just acted independently. Actually I decided last night to attend. My schedule opened up. I can't really speak for Trustee McNicholas. She must have decided too. So to be honest with you there was no communication. It just was an opportunity I opened up to come. And our other board members I'm sure they'd be happy to reach out to you and explain.

Lindholm: I'm a little uncomfortable having...I have great board members. We have great board members here. But I'm a little uncomfortable that we only have one side.

Simultaneously spoke:

Bedell: Sure, sure.

David Boyd: But that was their choice

Mathur: There um. Trustee Alpay was here.

Lindholm: Well.

Mathur: He did not speak.

Lindholm: Oh...

Mathur: But he did vote yes, or he did vote no on the resolution. So he was on the other side in the back of the room. He did have to leave but he was here.

Lindholm: Ok it was just a point.

Voice from Audience: Inaudible

Lindholm: Ok, thank you.

Nina Boyd: You need too.

Lindholm: Ok, thank you, thank you. Go ahead. Excuse me.

Bedell: Yeah, I have some questions for the uh, I'm hearing that they see there's a gunshot approach to curriculum and that was objectionable to them. I'm interested; I had the opportunity as a sociologist to chair an electrical engineering program. I know that's oxymoronic and coming from the university where I taught for over forty years adding the A really ticked off the parochial, my word, STEM people. So I'm interested in how you intend to blend all this so that it's a true amalgamation of the five letters rather than... do you see what I'm saying by that?

Mathur: Right.

Bedell: And I guess it goes maybe back to the curriculum. And maybe the curriculum does that.

Mathur: So I think...

Bedell: (Inaudible) Marco Rubio (inaudible).

Laughter.

Mathur: No comment.

Bedell: It's a good way to get some time.

Mathur: At the CUSD board meeting they were quoting Nancy Pelosi so...

Bedell: Oh were they? Ohhhhhhh!

Mathur: So I think that your questions best answered by diving a little bit more deeply into how the inquiry ark works and we'll do it with some specifics. So, say for example the school wide, semester wide topic is the Fibonacci Sequence. So the first phase of that project will be our teachers working as collaborators to introduce at a grade level appropriate manner what the Fibonacci Sequence is to all of the students. We will have speakers or, and /or a field trip to see something about the Fibonacci Sequence in the local community. The students will then, with the support of their teachers as a collaborator, will develop a project. Now, the project, we want the projects to be interdisciplinary in their approach and we want it also to be something that's of interest or a passion to the student. So how that could happen is we could have one student who really loves the math portion of studies and maybe their project or they put together a group of students that does some kind of a mathematical proof of the Fibonacci Sequence. We may have another group of students who want to do more of a combination project between biology and art and they could go out to the grocery store or to the park and collect samples of nature that follow the Fibonacci Sequence and use those structures in some sort of artistic expression. We could have a third group that is really into music and they may go into, and I use this example in my presentation, they may go into the maker lab and create a musical instrument that follow the Fibonacci sequence and develop a performance based on that. So the students will be guiding a lot of what they study. Now it's the job of the teacher, and the job of the parents to make sure that that math student doesn't do every single project that's a mathematical proof. That's where the quality and the care of our educators are going to come into play and we're going to ask the students, hey-maybe you haven't worked with these other kids before. Why don't you work together with them? Or you've done a lot of engineering type of projects. Why don't you do an art project this time? So, that ark will facilitate that interdisciplinary approach and then the reason why the whole school will have one subject is for that 3rd phase. I want my

Kindergarteners who have gone out and collected botanical samples of the Fibonacci Sequence to at least have some ability to appreciate what the 8th graders have done with the mathematical proof. They won't understand it but the idea is that then this is a Bloom's Taxonomy/Common Core kind of philosophy. We want to expose them to these topics far before they have to master them; and so we can do this through this project based approach. It's different than the school district Capistrano District has tried to lump us in as you're just another project based school. They already have a project based charter and they say we don't need another one. The key difference is that project based schools, and the one that we have in the district, focus on projects within a particular discipline or class. They're not necessarily interdisciplinary and then the other thing that makes it different is that our projects we're gonna force the kids to create a project plan that has milestones and deliverables in it so that we teach them and train them how to tinker; how to iterate, how to improve the project. So that it's not like when I was a kid I had to build you know a model of a French castle and I did it at home in my garage and I came to school with my gigantic board and I saw how other students and other groups of students interpreted it but I didn't have that opportunity to iterate or make my project better. So we're incorporating that within this inquiry art project.

Bedell: Ok, thank you. Just one more comment. I'm very interested in, as a background in my Sociologist, I'm particularly interested in how we work together closing the achievement gap and the responsibility we have in the achievement gap for the democracy let alone for the particular person? And so I'm particularly interested in comments about reaching out to, and not today, but in what's coming down the line. Reaching out to the disadvantaged child, the English Language Learner, and also what are we doing in this project that you're going to propose for really to be sure the Special Ed component is dealt with as it relates to the LCAP and local control funding formula. And that's consistent with everything I have done on the other charter.

Mathur: So it's interesting that the district says we don't have a comprehensive Special Education program because in our original petition we said we would be the school of the district for Special Education so our program would be their program. We understand that when you authorize us you will not be our Special Ed provider so we will have to go to those third party providers who have come to you before; the Eldorado's and what not for Special Ed. We can definitely get together and talk in detail about our outreach program and how...

Bedell: Very important to me to consider this.

Mathur: It's very important to us as well.

Hammond: I have about another four minutes set aside for you so your last comment.

Bedell: Is that all? It's almost dinnertime.

Hammond: Nothing else Dr. Bedell?

Bedell: No you've been very generous.

Hammond: I try to be at least with you.

Bedell: Normally you aren't, when you're not sick.

Hammond: I know, I know. Dr. Williams.

Williams: Yes um, thank you to the CAPO Trustees and representatives from the district. I appreciate you being here. To Mr. Mathur thank you for putting up with all the difficult and challenging questions. I have no problem with the Common Core questions. I thought you handled that very well. I must admit the overwhelming and extraordinary support of parents and teachers and board members with engineering and science type backgrounds; very impressive. Your wife, Ph.D. Molecular Biology. Pretty impressive. Frank Gonzalez, where is he? Computer Sciences at Saddleback College. Pretty impressive. Divya, where's Divya. You were the engineer? That was pretty impressive what you shared about your experience coming from the background. And I can go on with Melissa. She's a Ph.D. in BioChemistry. This is an extraordinary support for sciences. I must commend you on that.

Mathur: We also have provided in the petition letters of support from a professor at UCI who is a member of the National Academy of Sciences, Dean of Molecular Biology and Biochemistry, member of the School of Medicine at UC Irvine. We have tremendous support at our meetings at the district we had industry leaders come and speak. We have incredible support for the project.

Williams: Yeah, going on with Martha Nicholas, thank you for coming out I appreciate it. I know you're an engineer by training and you may disagree with them.

Martha Nicholas: (inaudible from the audience)

Williams: Sure. So we have all of these varying perspectives on this program here. The 3-3 votes are not going to sway or impact this board. The rumor or the sentiment that was expressed by Board President Amy Hanacek...

Amy Hanacek: It's Hanacek. And it's not my opinion so I did not. I just did what I was told. It's not my opinion.

Williams: Yeah, so if you can be so kind, the OCBE will not just grant another charter. I think that's derogatory against this esteemed body. We have turned down a charter that was not a good charter at its foundation so that's not true and we're trying to our best for the communities we support. We each come from five different districts within Orange County and we may have governing board differences and public policy and I hope that there's that mutual respect that we can continue even though I don't know what the board will be next month but it may be something you don't like. But I always...

Amy Hanacek: (inaudible from the audience)

Williams: But I hope that we will have good will amongst the various school districts that support us and as we support them. Ok. Susan thank you. Susan Mas, I always appreciate your insight and so on. So, that's all I have to say. Nice and quick.

Hammond: Wow the two doctors were the quickest. Alright. I did have one question. For you. They'll yell if you're not so yeah, come on up. Looking quickly at the copy of the transcript of your meeting, looks like Mr. Riordan was interested in perhaps doing a um, kind of like a approval but like an approval of like, kind of a restricted approval. There was like...how much discussion did you guys have in regards to what Mr. Riordan was discussing cause he seemed like he was bringing up some good points. And I'm sorry I've only recently got this so that's why I'm looking forward to doing my research.

Amy Hanacek: Totally understand and I don't envy you. It's a huge amount of information and we could probably confirm that with you. We spent, our evening went very late. I think we were way past midnight. 12:30. So I can't remember exactly the length of discussion but Mr. Riordan would not allow us to proceed without engaging and the correct amount of discussion where he came to. You know to be honest with you if he came to fruition of what he felt was for us to move on. So I'd be happy to go get a transcript of the minutes for you if you would need that for that time if that's important?

Hammond: I have it but I was just curious kind of I have the minutes.

Amy Hanacek: We are overly, we this is very, very passionate about it because it is something that would be in our school district and so we there was no stone left unturned or time not given to it so we were there for the wherewithal. But if you need additional information for that evening specifically I'd be happy to get that for you.

Hammond: I would. I'd be just kind of curious with you all as board were discussing because of what Mr. Riordan brought up about the...

Amy Hanacek: Option?

Hammond: Possible option on that so I'm just kind of curious on that.

Amy Hanacek: Yes.

Female Voice in the audience: (inaudible)

Hammond: If you come up to the microphone absolutely.

Amy Hanacek: If you have a better memory.

Unknown Female: There were several things brought up as potential weaknesses that could be addressed by an MOU. And most of those are more in the operational end whether it's facilities or that sort of thing. But I think what came down to the big question is the instructional model. And that's not something we felt comfortable that oh well we could fix that in an MOU or we could detail that out in an MOU so I think some of the things that Trustee Reardon were it's like well we can detail those out later. We weren't sure we could get past the instructional part.

Hammond: Did Mr. Reardon even offer some suggestions in that area that you recall?

Unknown Female: I don't recall. I mean there was a lot of people offering a lot of suggestions so...

Hammond: Alright.

Unknown Female: Also I wanted to clarify the 3-3 vote. We suggested could we come back at another meeting where we had all seven people there and that was a can we or can't we? Would we miss this deadline would we not? It was in December. We would have had to notify, you know, timing. We took a break and came back, and correct me if I'm wrong, I think this was part of a discussion you had maybe with Trustee Alpay, that you know what happens if we do 3-3. Is that a yes we support or no we don't and we even had our legal advice there saying it becomes a constructive denial then if we didn't adopt it. And we kind of said, well, how do we get past this? Basically that's the only without it going on, and on, and on.

Hammond: Do you remember what the deadline was?

Unknown Female: Wasn't it the 19th I think of December?

David Boyd: Could you have had a special meeting though within the statutory period?

Unknown Female: We could have if we, I mean, Trustee Hatton-Hudson...

Unknown Voice in Audience: (inaudible) by the same person who made the motion.

Unknown Female Voice: Right, ok. I have to get back to the details.

Hammond: Well would your 7th board member have been able to attend cause of the surgery?

Unknown Female Voice: Well she had surgery that day. She even called me on the phone and said I'll be there. I said you're not going to be, you'll still be under antiseptic. We wouldn't trust your vote anyway. So we know, we even tried to get her on the phone and say could you make it next Monday or could you make on Friday and basically we tried to, she could have, basically the person that made the motion to do that rescinded that motion and basically we ended with a 3-3. I think part of that and this goes to the letter that she wrote you. You know she would have voted no had she been there. Whether you can or can't this, use that. I think that's kind of part of the discussion was well if she was there does anybody know which way she would go? You can't use that as...

Hammond: But it sounds like you're not even sure she that had you even scheduled a special meeting you're not even a 100% sure she could have made it.

Unknown Female: Not a 100% no. No. And we were, we were ten days away from what the deadline.

Hammond: The deadline.

Unknown Female: The deadline, yeah.

Hammond: Alright. Thank you. Dr. Williams do you have anything else sir.

Williams: No sir.

Hammond: Dr. Bedell?

Bedell: No.

Mathur: Mr. Hammond could I address a couple of those points?

Hammond: With the ah...

Mathur: Very briefly. With regards to Trustee Reardon's comments. I provided you with the transcript so you can read the transcript.

David Boyd: Yeah, I have it.

Lindholm: I have it.

David Boyd: It's not real relevant.

Mathur: It was very clear that the other trustees did not want to have...

Multiple voices talking:

Hammond: Actually I'm going to cut you off. And I appreciate you wanting to address it but I do have the transcripts and stuff like that I was just, you know, what it was I needed to get input from the board on what was being discussed. Nothing against you.

Mathur: Well I don't believe they represent the board. There are individual board members.

Hammond: I get that but anyway I'm going to move on. I'm gonna study there. Trustee Lindholm, do you have anything else ma'am.

Lindholm: No, just a um, and just in regards to the point. For them to start a school in the fall the decision needed to be made that you were willing or we're tried to extend that due to this person's surgery. That was respectful. But for them to start in the fall, they've already lost a sight. So I mean it has to be a procedure where you go for that's why there's a time line in this state for us to review this. And unfortunately for whatever situation happened there it happened. We have times when we can't make it. Somebody here has surgery and that occurs. So we're moving forward with that. I think I have the information I need planning on gelling this over until the next meeting; that's when the recommendations come.

Hammond: Trustee Boyd.

David Boyd: I have a question and don't know who to direct it to. Maybe Mr. Wenkart?

Hammond: When all else fails give it to Ron.

David Boyd: Or maybe Susan.

Lindholm: Let's do Ron.

David Boyd: I have a question or suspect to innovating programs. If I recall it's in the legislation. One of the purposes of the charter school act was to encourage innovative programs.

Mathur: Yes, that's correct.

David Boyd: Now here, I think the one thing everybody agrees with is this is an innovative program and you might not like it but it's at least innovative. I mean, what is our responsibility in?

Wenkart: Well there's the criteria and the law that you look at in the petition as to whether you believe that they're presenting they're describing a successful program and has a chance of being successful. That criteria that...

David Body: That it has a chance of being successful is that the standard?

Wenkart: Well, that's not the exact language in the statute but you know what I'm referring to as the language in the statute.

David Boyd: Well I guess where I'm coming from...

Wenkart: There's a reasonably comprehensive description you know, the petition, that's what you look at and whether or not there's a likelihood of success.

David Boyd: Yeah, I mean I just look at it from a personal standpoint. I don't know if I would put one of my children in this program but on the other hand I guess that's the standard we apply. It is innovative.

Wenkart: It's not the legal criteria. Yeah.

David Boyd: Ok. I don't know if it's any clearer but let's talk.

Wenkart: We can get you that information for the next meeting...

David Boyd: Yeah, I guess it comes down to...is it the program or needs to be innovative but is the end result that it still has to meet the defined state standards?

Wenkart: Yes. That's what...

David Boyd: Is that what we're balancing here? Does this program ultimately end up in compliance with state standards? They might go down a different road but they get to the same point.

Wenkart: Right. Exactly. That's what you have to decide.

David Boyd: Ok.

Lindholm: Just a comment here. Who is Breecy-Bresi?

Mathur: Breecy is an external attorney for the Capistrano Unified School District.

Lindholm: Ok. Just looking at this it says this petition has a description of an educational program. It has a description it addresses the sixteen required elements and it contains the assurances required and the signatures on the petition so it meets the minimum level of legal compliance. So it's back to the other issue. But that's in the transcript.

Mathur: Also in the transcript one of the trustees who voted against the school also said that, it meets the legal requirements.

Lindholm: Ok. I'm ready to move on and our chair is a little ill so we're trying...

Hammond: He's a lot ill.

Lindholm: He's a lot ill. He's not feeling well. He's a trooper. I've nothing else...

Hammond: Ok. And Ron as always, thank you. I'm glad you're always on deck ready we can go to.

Bedell: It's after this one, right?

Hammond: Ok, I think that that is it. I think we will move on. I just thought I'd throw that out to the board. Any other comments or anything from the board?

(Inaudible voices)

Lindholm: Do you want a five minute break? That lets people and that lets you have a chance to go home and see those cute kids.

Hammond: Ok, five minute recess.

Back from Recess

Board Recommendations

Hammond: Alrighty. Orange County Board of Education is back in session. Alright, staff recommendations, doesn't appear to be any board recommendations going on. Item # 9, adopt a new board policy regarding special presentation by board members the County Board of Education regularly scheduled meetings by Trustees Williams and Lindholm Chair seeks a motion.

Lindholm: I'd move it.

Williams: I'll second.

Hammond: Moved and seconded. Discussions. Madam Vice President.

Lindholm: Ok. This one is brought forth because I think we've had over this last year a lot of public records request so one thing I think that is important is that anything that gets presented is presented first to our clerk because I'd really rather not have any, anything not that we don't have a copy of. This also has to do with board member presentations. And happy to do that if we have the full consensus of the board to do that so. I think it's self-explanatory. And Dr. Williams?

Williams: And I support this motion obvious by the second that I gave here and I agree with all of the sentiments that our group Trustee Lindholm just stated.

Hammond: Ok. To my right the wonderful and absolutely smashing, debonair Dr. Bedell.

Bedell: Oh you are sick.

Lindholm: Yeah.

Bedell: First of all the first sentence makes no sense to me but I realize it's a carry-over sentence from the previously policy, right? Or whatever. I have no trouble with this document until I get to the very last sentence of that paragraph.

Hammond: Oh, wait a minute...shoot.

Bedell: At the board round table if the majority of the board members via voice vote approve of such presentation, then the presentation may be given by the individual board meeting at the subsequent or following board meeting. Ok. That to me, I don't know how to say this gentlemanly like...

Hammond: Say it with a New York fashion.

Bedell: Could be censorship. Because it says I think, I see, I think it's perfectly acceptable if Trustee Lindholm does a presentation, she does it here first. She has the authority to do it then we've seen it all, there's no surprise. But what this says is that in order for it to go further, these three members of the board must approve of it to go forward. Ok? Now I don't know whether if the approve is going forward or approve of the presentation itself because it's not quite clear from the next.

Lindholm: No.

Bedell: So I would be very comfortable, really if that last sentence were deleted. So yes, there are no surprises. Yes it becomes public property because lets be candid. Every two years we have an election and this majority and again this is nothing personal, this majority today could be a very different majority July meeting. And that's true forever. So I think that in some ways for us that's shortsighted. Because again I may like this majority and I'm fine with the majority now, but however. So I would be very comfortable with this policy. I think it's a nice policy; there are no surprises-that makes part of the public record, etc., if that last sentence were deleted. Because that to me could be very controlling in a way not to do something that we do by having people put things on the agenda. So and I understand that. I'm not even getting into the definition of what's a presentation or any of that. Does that make sense? I think it's just?

David Boyd: I was even more confused that you were if I can comment.

Hammond: Mmmhu...

David Boyd: The sentence right before that. It says the presentation must be first publically presented under board roundtable. Well if it's presented under board roundtable, why would we want to present it again.

Lindholm: That should be deleted.

David Boyd: I mean, it's already done.

Hammond: Madam Vice President, would you like that sentence deleted?

Lindholm: Yeah, I don't think that was the intent. I think it was just to say, I had planned on doing a presentation at the next meeting on Common Core or Cats or whatever it is. So no, not the presentation so that's not written accurately. And I don't have a problem with, and I understand where you're going. I think just what the critical matter is that we have the presentation. I don't want to spend another \$20,000 on anything. We have a copy of whatever is being presented prior to the presentation. I don't want to censor it unless it's violent, pornographic, you know, all those kinds of things so I'm happy taking those off. And I'm happy with the rest of it.

Bedell: As I said I have no trouble with it. It's a good idea.

David Boyd: No, I don't either if we take off...

Bedell: But if the last sentence comes off.

David Boyd: As amended I have no problem with it. As proposed.

Lindholm: And we can do that one too.

Nina Boyd: So, last two sentences coming off or just the last sentence.

David Boyd: The last two. Starting with the presentations must be first publically presented on the board roundtable.

Lindholm: Yeah that was unclear. I'm good with that.

Williams: So if I may speak it sounds like an evolving consensus that any board member can give any presentation on any subject. Is that correct? As long as its six minutes or under?

Lindholm: And we have a copy.

David Boyd: Now what are your thoughts Dr. Williams? I don't know that I... I don't know, I guess.

Williams: Yeah no, that's a fair question Trustee Boyd.

David Boyd: You're points well taken. But I guess in a way it's kind of a no harm no foul. If someone wants to speak for six minutes, so be it.

Williams: Presentations are different than public policy or governance or changing board policy. And I think that was the heart that Linda and I when we created this. It wasn't to censure anyone. I mean there's been some discussion. From our hearts that was not Linda and my intention to censure anybody. It was just in presenting issues I don't see any problems and I was the one who originally started this four years ago. Any board (inaudible) introduced anything onto the board agenda. And in that light it was based upon public policy governance. It wasn't meant to be wide open to everything and anything. And when we thought about this in brainstorming and putting our ideas together it was to restrict what was going to be presented to education related. Like, you know, would you want to hear about my Stem Cell policy or protocols in my office? No. So it's not appropriate. So again it wasn't meant to censure anybody. I need to iterate that.

Bedell: I, again, Trustee Boyd you confuse me because are you saying that the sentence that begins at the end of the 5th line, a member of the board may place on the agenda a presentation?

David Boyd: No, what I'm saying is the one after that is the one that was confusing. The presentations must first be publically presented at the board roundtable. If it's presented at the board roundtable then it doesn't need to be presented again.

Nina Boyd: If I may comment since I tried to assist Trustee Lindholm and Trustee Williams.

Hammond: Absolutely.

Nina Boyd: I believe the intent based on when they were dialoging with me was that similar to when you're placing items on the agenda if a presentation is wanting to be done by any trustee that you would vet it prior to making a presentation. So the intent was that that sentence should have described how you would place it on the agenda under board member comments prior to so that there's at least a heads up, there's some information.

David Boyd: So you need a topic, a title for example.

Lindholm: Yes.

Williams: Yeah.

Nina Boyd: Does that help clarify for you?

Williams: That articulates. Much better, thank you.

David Boyd: Yeah, that's fine.

Lindholm: You ok with that that says topic?

David Boyd: I mean do you want to adopt this now or spend time?

Bedell: I generally get the intent of what it is, I

David Boyd: I'm just thinking we need to...

Lindholm: Move on...

David Boyd: Re-craft the language a little bit. Do we wanna do that now or bring it back next month?

Bedell: I just, my concern is the majority piece.

Lindholm: Ok.

Bedell: That there's some kind of control there that could be not going to the...and I think that's one of your strong legacies Dr. Williams; is the access to the agenda by each of us equally. And I think what I, when I see words like majority that to me could be pernicious, not assuming is in on anybody personally. So I would like...as I said I would be comfortable if the last sentence went. And I would be happy supporting that today, and I mean...

Lindholm: And I think what Nina is is trying to share is which most of the board members...if you were going to give a presentation at the next meeting you would probably tell us today the topic. You would say I'm going to give you a policy discussion on the newly passed No Child Left Behind. And that's all. Those particular words, not the presentation itself.

Nina Boyd: Could we replace that sentence with presentation should be placed on the agenda under board member comments or the topic of the presentation.

Williams: Board member roundtable? Board member roundtable?

Nina Boyd: Well because a roundtable, well I mean you all know it's roundtable but now we've changed that to board member comments on the agenda so that's why I'm referencing board member comments.

David Boyd: I think we're all on the same page. It's just rather we won't to take the time right now to re-craft the language.

Williams: I think by just removing the last two sentences if everyone is happy with that. It accomplishes what we wanted to do and move on in life and move with issues.

David Boyd: Ok.

Lindholm: Yeah.

Bedell: I can move the last two sentences to be deleted.

Lindholm: Sure

Williams: Sure. That would be friendly.

Bedell: Yeah, yeah.

Hammond: Will you make that motion doc.

Bedell: So done.

Hammond: Thank you, I'll second.

Lindholm: We had a motion on the table.

Bedell: I'll move to amend it by adding the penultimate and the ultimate sentence.

Lindholm: A friendly amendment is received. Who seconded.

Hammond: I did.

Lindholm: Is that ok with you? The friendly amendment?

Hammond: Absolutely.

Lindholm: Ok, we're good.

Nina Boyd: Who made the? Who seconded the friendly amendment? Robert?

Hammond: I'm sorry ma'am. I was laughing which is uncommon for me but Jack broke me up.

Nina Boyd: Jack made a (inaudible) and Robert seconded that.

Bedell: Do we need to vote on the amendment.

Spoken at the same time:

Williams: We have to vote on the amendment.

Bedell: We need to vote on the amendment.

Lindholm: We have to vote.

Bedell: We have to vote on the main motion, right?

Hammond: Right.

Lindholm: No it was the friendly amendment.

Hammond: A friendly amendment so we can vote on it all together.

Bedell: Even better-laughing.

Hammond: If there's no other discussion then all in favor of adopting this new board policy as friendly amended by the wonderfully honorable Dr. Jack Bedell signify by saying AYE.

Multiple Voices: AYE

Hammond: Opposed?

Bedell: I abstain.

Hammond: Oh get out of town.

Bedell: Just kidding.

Hammond: I'm going to go home now.

Bedell: See if you're tracking.

Lindholm: 5-0.

Hammond: 5-0. Item 10. Approve amended board policy 100-2 by the wonderfully, gifted, talented Dr. Williams.

Williams: Um I'll, I'll...

Hammond: Chair seeks a motion.

Williams: I'll make the motion.

Hammond: And I'll go ahead and second. Dr. Williams, you have the floor.

Williams: So in like spirit if an item fails to pass in the previous board meeting the question one has to ask, should it be on the next board agenda? And what this does is gives an opportunity for the board to think about this if they wanna put it on at a subsequent meeting.

David Boyd: Question for Dr. Williams?

Williams: Yes sir.

David Boyd: On your twenty years on the board has this been a problem or is this something that's come up in recent months?

Williams: Yes it has.

David Boyd: By what example.

Williams: I believe you put on the agenda a couple months ago a previously failed item and it didn't pass and then you place it on a subsequent agenda and it got...

David Boyd: Ok, ok. I know where you're coming from. Um, that goes back to the motion, I'm not going to go into the substance of it, but yeah. It was on the agenda for a number of months but it was never voted upon when all of the board members were present. So it was a situation where it carried over for a number of months. If my recollection is correct because I was absent for part of one meeting. Um Dr. Williams was absent for part of I meeting. It got down to the end of some long meetings and it was simply a carryover. And this item for example is would this item even make it if this policy had been in effect? Because it was item 16 at last month's meeting. It was item 12 on the November agenda and item 17 on the October agenda.

Bedell: So while Mr. Williams is thinking I'm reading the first eight words of that clause: in the event that an action item fails to pass at a board meeting, I think you meant one that's been voted on but this doesn't really say that Dr. Williams. Because literally if it has not been taken off it's failed to pass. Somebody once again is strict constructionist right? So in the event that an action item has been voted on and failed to pass at a board meeting...See what that's a difference there.

I think President of Taft Law School is correct on this that language...you have so many titles I can't keep them

David Boyd: I know...sir will be fine.

Williams: So I so appreciate the doctorate in you and our esteemed lawyer on our board for venting or vetting these words. So, you're absolutely correctly. I think it would be better clarified in the event an action item has been voted on and fails and fails to pass. I think that that's probably clearer?

David Boyd: Uhhum. That's fine for my standpoint.

Bedell: Now I have a question for you Trustee Williams. Hold on Dr. Bedell. I'm sorry. Before you go there then if you're gonna make that assuming a friendly motion then to amend...

Bedell: I think it's just editorial clearance it should be (inaudible)

Hammond: I would agree but I just wanted to make sure. Anyway, ok.

Bedell: So I now, my understanding is, if a motion passes, a motion fails...

Williams: Has been voted upon and fails...

Bedell: And fails, somebody who was on the prevailing side can subsequently move to reconsider that failure.

Hammond: No, I think if you vote no you can bring, but I think you're can vote yes you're not allowed to bring up.

Bedell: I thought it was you have to be on the prevailing side whichever way it went so anybody would have (inaudible)

Williams: No I don't think it says that. If the author of the original item...

Hammond: Oh wait, do you know what I found? I think you might be right.

Williams: If they wanna still pursue that they can do it under roundtable or public comments what we call it now. And maybe that conversation may change the mind and a majority members will want to reconsider it, that item. That's the thinking behind this. You know for instance..

David Boyd: I agree with Dr. Williams. Because you could have new facts of circumstances that you know maybe somebody opposed that last month, well, something in the news come up and maybe you want to reconsider it. So I guess if no one has any objection we can approve this with the one editorial...

Williams: If I can put in the words, has been voted upon and fails to pass at a board meeting I think that hopefully meets all the criteria for our esteemed board members here.

Hammond: That sounds good.

Lindholm: Um...

Hammond: Madam Vice President?

Lindholm: There may be something as time goes on where although a motion failed at one meeting we want to support it. And how are you saying we can bring it back?

Williams: So let's suppose the motion fails 3-2, okay? That board member we assume brought it to our agenda, can then petition at under board comments, at any subsequent board meeting more facts, maybe hoping to have another board member reconsider the vote and if there is a consensus and a vote, vote to put that back on the regular agenda.

Lindholm: So this only applies to board member agenda items? This doesn't apply to any other agenda items. Because let's say staff brought something forward, it's not clear to me because it just says in the event an action item fails to pass. And we might want to take a different position. I mean staff might want to bring something forward.

Bedell: Don't the words action item take care of that Linda, for you? By definition it's an action item? By definition.

Lindholm: Oh. So it's...

Bedell: Does that take care of it?

Lindholm: Well my question is this applies both to items brought forward by the board and items brought forward by the staff.

Bedell: Anything we voted on.

Lindholm: And voted on. Is there a time period of like a year?

Williams: Well, that's a good question.

Hammond: Well that actually is a very good question.

Williams: Because the, now the heart goes to the original comments the Executive Committee has its final authority in making our board. Staff does not. Staff can input but staff cannot make it. That's up to the President and Vice President on the Executive Committee.

Lindholm: Well, I'm prepared to abstain on this one if you want to take a vote.

Bedell: How can we make you comfortable with it, I mean.

Lindholm: Because I'm just not sure of everything that fails it might not need to be brought back. In a couple months or something we might want to...

David Boyd: Something could be time sensitive that...

Lindholm: It could be. If we had a resolution to support legislation in Washington DC and we all went no...and then all of a sudden a month later we went, oh.

Hammond: They've made some changes...

Lindholm: They've made some changes and we'd like to support it...by this I don't know that we could.

Williams: It restricts you.

Lindholm: It restricts us and I don't want everything to be restricted.

Bedell: So that's the beauty Trustee. You can tell them about the reconsideration. Isn't it by definition that we should make this mote?

Lindholm: So we could be it on the agenda a motion, an agenda items to reconsider, vote on that that day?

David Boyd: But wouldn't board policy control over...it seems to me if we adopt a board policy it should control over general parliamentary procedures.

Bedell: It would typically.

Hammond: But it there a according to Robert's Rules, is there a kind of like a drop dead date which you cannot bring something back.

Bedell: You're being very wise on this. Technically in a purist would hold a reconsideration motion of the exact same meeting.

Nina Boyd: Jack I'm not sure we can hear you.

Bedell: A purist would hold it at the exact same meeting. A subsequent meeting is given leeway, but a purist would say a reconsideration should be at that day. Same time you did that vote that you want to reconsider. A purist. Now a lot of organizations don't go through but to answer your question literally with Robert's Rules. But this would take care of that then.

Williams: Trustee Lindholm's making me even reconsider my own motion. Cause I don't want to restrict the ability of the board to operate and to make decisions.

David Boyd: What if we table this and you could re-craft it?

Williams: Yeah.

David Boyd: Specific.

Bedell: That's a good idea.

Williams: Yeah.

David Boyd: Because I think we're all on the same page conceptually.

Hammond: Make that motion.

Williams: Right, right. I agree, so if I can withdraw my motion on this...

Hammond: It's, well I seconded. It's technically the body, if the body will agree.

Bedell: Why don't you move the table?

Hammond: Why don't you just move the table?

Williams: Table it 'til next month.

Hammond: I'll second and there's no discussion on the tabling. All in favor.

Multiple Voices: AYE

Hammond: Opposed? Sustained?

Lindholm: (inaudible) Ok, now what?

Item 11

Hammond: Ok, we're done with ten and it got tabled at least until next month. Ok, item 11. Adopt a new board policy regarding public presentations at the County Board of Education regularly scheduled meetings by the wonder Vice President Trustee Lindholm. Alright.

Lindholm: Ok. This one I'm putting forward and looking for input and some crafting from fellow board members. I have sat sixteen years in the public. What has always concerned me is now with technology. If we turn over our audio-visual media equipment to members of the public that there be no pornographic, obscene, illegal drug promoting, vulgar, violent, inappropriate content included. And we've even had at our meetings live streaming. So we have relinquished control of our audio-visual equipment to members of the public who we do not know. We had one person come up and state they were the person I called by name who we later found out wasn't even that person. She assumed the name of another person so that she could speak at the podium. So there are and we had one outburst of the member of the public. Now that's a little different. But what I would suggest is if members of the public want to give us some media that should be controlled by our clerk. And I would suggest that they plug it in. They watch it in. They have control of the on and off button. Not to censor. Any way, shape or form. Only in these categories.

David Boyd: Question though. Why are we giving them six minutes to the galley? Why don't we just keep it they have three minutes under public comments?

Lindholm: They don't have six minutes. Where?

David Boyd: Well it says here may not exceed six minutes.

Lindholm: Where, where, where.

Bedell: Follow the line.

David Boyd: Fourth line down.

Hammond: The presentation may not exceed six minutes.

Lindholm: Yeah, no. They give three, pardon me. That's inaccurate.

Hammond: Ok.

Lindholm: But that is the main and there's a second part on this. It's that they must submit whatever flash drive, whatever piece of media, to our clerk before it's presented. Again, I don't want to go through more public records requests. It's submitted to our clerk before the presentation. The clerk runs it. The clerk keeps it. We have control of that. And that's for members of the public. If they're coming up there and they have a paper presentation it doesn't affect them at all.

David Boyd: Mr. Wenkart. If I may ask a question.

Hammond: Welcome back Mr. Ron.

David Boyd: I've seen at some of the city council meetings and read about some of the statements made at city council meetings and I believe it was in Anaheim where they have a significant issue with respect to one individual who makes very derogative comments about council members and I believe one council woman was called a whore and yet they were told, or the position was that public comments are public comments. And we're not in a position to censor.

Ron Wenkart: You can't censor derogative comments for criticism of the board but this talks about pornographic, obscene, you know vulgar, you know...

David Boyd: Ok.

Wenkart: violent. So I think we probably could do that. Particularly because we do often have children in the...

David Boyd: Well what about the drug portion. What if Dana Rohrabacher wants to come to us and talk about legalizing pot?

Hammond: We tell him no.

David Boyd: Are you gonna tell him no?

Multiple Voices: (inaudible)

Hammond: Yes, I will tell him no.

David Boyd: Well it's legal now but he's argument would be, hey, we wanna make it legal.

Lindholm: As long as it's illegal it's illegal.

Bedell: laughter.

Wenkart: Well that could be a problem yeah, because he has a right to give his political point of view and it's not obscene or vulgar, it's not offensive to kids. I mean you could disagree with him and just tell him you totally disagree with him but I don't see that...that might be a problem. We could research that if you want.

Lindholm: What about the other drugs like heroin. Are you just?

David Boyd: No I'm fine. You know there's no movement. There are no reasonable people; there are very few people out there that would support legalizing heroin. There are actually probably a few.

Hammond: I know a bunch of libertarians that want to.

David Boyd: Yeah, well that's the road I was going down but you know I don't. But the chance of this being an issue is probably slim to none so if you want to adopt it as is I'll probably abstain but eh, you did want to make that one change to three minutes, right?

Lindholm: Yes. And then a discussion for the board members would you like, should we then return control I don't know if, if somebody is giving a presentation and they have a flash drive or media, members of the public, do we want our media people to be in control of that? Not to censure it.

David Boyd: Well...

Lindholm: I mean they can call you names, they can yell at you, they can do all that stuff. I mean that's, we're fair game for that.

Mijares: You can't disrupt the board meeting.

Lindholm: They can't disrupt the board meeting.

David Boyd: I know in...

Nina Boyd: They have to give it to us in 48 hrs. in advance so if we're vetting it wouldn't we use the same thumb drive or whatever they've given us as opposed to them plugging something in?

Lindholm: Well, I'm not even sure that, if if we have control of the drive itself, then we could turn it off. Then you don't have to have it 48 hours in advance. If they're going to have control of something that they've never seen before...

David Boyd: In other words they've got the clicker.

Lindholm: Yeah, yeah. And they have total control of our media. I think that's irresponsible on our part. Even the major networks don't do that.

David Boyd: Puts a lot of pressure on Darou. She's got to make an instant decision...

Nina Boyd: I guess I'm confused cause when you're talking about the power point.

David Boyd: I don't like that.

Nina Boyd: If they bring a power point presentation and it's on their computer...

Lindholm: We need a flash drive of that.

Nina Boyd: And you're saying that we now don't need it 48 hours in advance?

Lindholm: If you are in control of it and you're in control of pushing it forward, no. If you are letting them have full control, yes.

Hammond: Then yes.

Wenkart: If we require it 48 hours in advance it would be a lot easier to control it.

Nina Boyd: Right.

Wenkart: Because then we'll have it and we can look at it before the board meeting and if there's a problem with it we can let the person know and we can deal with it. If we try to do it right at the board meeting, it would be very difficult.

David Boyd: Costa Mesa says any technology has to be provided two hours in advance of their meeting. And that's mainly just to see that it's compatible with their equipment.

Wenkart: Yeah, that's also an issue too. But I think 48 hours is reasonable and then we can look at it and if there's a problem we can deal with it.

Lindholm: And you can be the determinate. If it meets any of those criteria.

Wenkart: Darou would work with Nina and our office.

Lindholm: And too it's not to censorship it's like if you, it falls into those categories. We do have minor children here. A lot of times we have toddlers here. And to turn that over to a big screen is totally irresponsible.

Bedell: I support this. I would like the makers would consider, the maker Trustee Lindholm would consider in the presentation shall take into consideration blah, blah, blah. That minor children are frequently present and no pornographic obscene, etc., or inappropriate content. I don't like the word should. I'd say that shall not be.

Lindholm: Ok.

Bedell: So if you can delete should and make it shall.

David Boyd: Inappropriate content is (inaudible)

Bedell: Shall be included.

Lindholm: Yeah it is (inaudible)

Wenkart: Yeah that makes it stronger.

Lindholm: I think it relieves it too.

Wenkart: And do you want it leave the words and illegal drug promoting, cause that could create a problem. You know if you have a situation where somebody comes in and says they're in support of legalizing marijuana.

David Boyd: Yes. Councilman Monahan stumbles in. I don't that's a big deal.

Lindholm: I don't think they will.

Wenkart: But I think shall will be good.

David Boyd: But what about inappropriate content, is that too vague?

Wenkart: Well we'd have to use judgment. I mean, you know, it would probably fall under the category of violent or sexual probably for it to be inappropriate. So I think that gives us a little bit of leeway. We have to be careful how we exercise that judgment.

Bedell: Oh sure.

Hammond: And changing a six to three minutes, right?

Nina Boyd or Lindholm: Yes.

Bedell: And should to shall.

Lindholm: And should to shall. I'm good with all those comments.

Bedell: Good idea.

Nina Boyd: Is there a motion?

Lindholm: Can I move it?

Bedell: Second.

Hammond: So the word should be replaced with shall not, correct?

Bedell: Should shall be shall. That gives it even stronger. Cause somebody could argue should just means should. Your kid says you should be home by midnight. Yes they should.

David Boyd: Didn't say I had to. Just said I should be.

Hammond: Alright. All in favor of Trustee Lindholm's...

Lindholm: ...with these few word changes...

Hammond: With these few yes, changes, signify by saying AYE.

Multiple Voices: AYE.

Hammond: Opposed? Abstain? (Inaudible)

Item 12

Hammond: Item # 12.

Bedell: Move approval.

David Boyd: Second.

Hammond: Wow, alright.

Lindholm: Can you tell me anything about him? I don't know this gentleman.

Bedell: Ok, he is a former resident of Orange and he was I think an employee of the Orange School District, was he Renee? Bill Knudsen. He was one of our Orange County Employees. Not – one of our local school districts. He is very consultative. And he called us a lot about what we needed and was really listening about Local Control and a lot about what we heard from our Common Core people about decoupling Race to the Top, etc. He heard. And he shepherded this really and shepherded a lot of it with our...we also had a contact at Murray's office that he's a controller who was one of my former senate members. So Bill reached out to us. He used our materials, just tiny sheets and stuff, so he was just very incredible support and he continued to work with the Department of Education on the regulations that we heard are forth coming. He's a good contact to continue so I appreciate your support.

David Boyd: Lamar is the key guy.

Bedell: Yes, for the next two years, easy.

Williams: So Jack,

Bedell: Yes,

Williams: Um Mr. Knudsen was an employee of the Senate Committee of Health.

Bedell: He's an employee of the United States, yes, yes, yes, yes. Right. He was the chief staff person and we had instant access to him.

Williams: He's here in Orange County?

Bedell: He's from Orange County originally, yes.

Hammond: Did he live in Orange?

Bedell: Yes, yes he did. So but thank you Executive Committee for putting it on the agenda.

Hammond: For you anything.

Bedell: Oh sure, right.

Hammond: Alright. If there are no other questions, comments, on item # 12, all in favor signify by AYE.

Multiple voices: AYE

Bedell: It's a resolution, do we not need votes?

Williams: No.

Hammond: We don't have to. So I'm voting AYE. Any no's? Same. Motion passes 5-0.

Bedell: Thank you.

Item # 13

Hammond: You are entirely welcome my friend. Item # 13. Approve security personnel at board meetings. Wow, that's me.

Williams: I'll also move.

Hammond: Moved by me and seconded by Dr. Williams. Um, I just feel like we need security. That's how I am on that. Uh, Dr. Williams, you seconded. Any comments.

Williams: I seconded for discussion. Do you really feel that there is need for security? You do.

Hammond: That's why I put it on. Especially in today's day. Yep, unfortunately.

Williams: And the amount that the sheriff department charges is \$83.00?

Nina Boyd: I'd like to correct that. We received yesterday or Monday, I'm sorry, that they just received a raise so they passed that along in their quote so it's \$87.00 per hour now.

Hammond: Two quick things, I'll come to you. Two quick things on that. One is I think we should also look at soliciting request for proposals from other agencies as well or even from private security firms who have active or retired law enforcement on there. And my second point is if worse comes to worse since I believe we have a reserve deputy we could just pay him. So, outside of that, Trustee Boyd.

David Boyd: Yes sir. For the background you said in light of public outbursts, plural. I only recall that one individual that raised his voice and got out of hand maybe 4-5 months ago. I don't recall any other incidents in the last five years I've been on the board.

Hammond: There have been a few but not like that guy. I mean that guy was sitting in the front row and (inaudible) people just continuing on and people are getting agitated and stuff and I have a feeling that if you have some security available some of that agitation kind of goes away.

David Boyd: There are meetings that take place in this room many times a month, various functions and probably hundreds along this campus. If we're going to provide security for ourselves are we putting us on a higher standard than the rest of the public?

Hammond: I don't think so. I mean me personally no I don't think so.

David Boyd: Well if there's a meeting of the Orange County School Board Association. Sometimes it's held in this meeting in this very room. It's a public meeting. Shouldn't we have security for them if we're going to have security for us?

Hammond: I think that's something that they would discuss on their own. I'm focused on our board.

David Boyd: Well we also have meetings with our various employees that sometimes take place if I'm not mistaken in this room and in other places around this campus. I don't see where the threat to us or the risk to us is any higher than any other employee that works here on a daily basis. The tragedy that occurred in San Bernardino you know wasn't at a formal board meeting it was just a get-together of people.

Hammond: Well again if you're asking me about the other employees that's beyond my purview. I think that's something that you'd have to discuss with our good Superintendent on what he would like to do. But for us I'm just focused on us as a board. And then the other thing is if you go to any city council meeting and I've been to, you know, when I go to say Santa Ana School Board there's armed officers there. And usually for Santa Ana Unified I think it's two. But it's at least one.

Mijares: They have a police force which is stationed right next to the board meeting. That's their office. So...

Hammond: I'm mean so it's not like we're doing something that's completely out of the norm.

Williams: So on the other hand the thought could be that because this is a very unique meeting and there's very unique needs that are different than the other meetings that are occurring in this physical space here that what you're saying Robert is that this is a unique situation requiring unique remedies and treatments. And that you're not ignoring any other staff members or any other organizations our committees that meet in here. You're just saying for our particular needs cause of the controversies and some of the issues we face that you would like to see that. How about, like today I would look at the agenda and say there's really nothing controversial on this agenda. How about giving the option to the Executive Committee when they feel or they see a situation that may need armed security? What about giving that option and empowering the Executive Committee to make that decision rather than having one present each and every time. Like today would have cost us \$450.00 for the five hours...

Bedell: Easy.

Williams: ...we've been here. How about giving options like that?

Hammond: I guess I'm open to that. Trustee Lindholm, any thoughts?

Lindholm: A couple thoughts on this. One is I don't think that is an excessive amount for the protection and we're just not talking about the board. We're talking about the members of the public, the children, the teachers, the staff, so it's not protecting us necessarily. The other person who had been sitting in the audience who went kind of ballistic probably would have gotten somebody, a member of the public, before that person would have attacked us. In terms of other board meetings to Trustee Boyd's comments, I would think if any of those other boards or meetings thought they might have a problem they should have this option and this cost available to them too for those. They know which ones, you know if they're going to be talking about coloring in second grade that's probably not going to be but there might be some other issue.

Thirdly I have thought of the staff as they enter the facility here. I know you have strengthened it because you put the desk out there. I'm not sure it wouldn't be a good idea to have another physical barrier to protect the staff but that is in your purview.

Mijares: Yes.

Lindholm: Yes, that's not in ours. I would recommend another physical barrier for them in the weeks where you can look at identification; you're a teacher, you're a teacher, you're a teacher. But that is in your's so I will not step over that line. So that's my thought on it in terms of whether you'd like the Executive Committee to decide if it's an issue or not that meeting. I guess we could guess. But I would not have anticipated that gentleman.

Hammond: Yeah because it does beg the question, you know Ken as well as I do that there's been times we get fooled and there's some people we look at and we go hummm, that person could be trouble. And then somebody else down the road you go like ah that person looks great and that's the person that goes off. I'm, and then it can also begs the question...like alright let's say as Executive Council it doesn't matter if it's right now Linda and myself. Let's say it's you and Dave and you guys go, you know what? We don't need it. You know we're talking about coloring in second grade and for whatever reason something goes down on that. You know, where do we? I don't know where I could draw the line. Is there a perfect solution to this? No. I mean unless we all want to go armed. Which I'm ok but I'm the Marine in this group so you know. I'm ok with explosives strapped around my neck. I guess I shouldn't say that, but. So for me it's...I'm ok with security. I always have been.

Bedell: So this would be uniformed and armed.

Hammond: Yes sir.

Bedell: So that would, cause if it's just not uniformed then nobody would know and that defeats its purpose.

David Boyd: Well you did comment you know a few months ago that you wanted undercover officers.

Hammond: Well I...

David Boyd: Because you know the uniformed guy would be the first one to be shot I think was the quote.

Hammond: If we're dealing with just private security then yes. I don't wanna...to me one of the worse things we can do is have a uniformed private security that's unarmed. That guy is a target.

Bedell: That's a magnet, yeah.

Hammond: I mean that person might as well walk around with a bull's-eye. Um, a sheriff's deputy, um I think most of your criminals out there know if you mess with the sheriff's or really law enforcement you just brought down the whole law enforcement community on you and good luck. You know, now, ideally I'd love to have one uniform. I'd like to have somebody that's not uniformed that's carrying concealed. That'd be great.

David Boyd: Well the one gentleman that got offhand a few months ago, the big guy, were there any threats made against anybody or was he just expressing his frustration I think at the length of the meeting and his inability to speak.

Bedell: If I may speak Mister... that gentleman was the one who got out of control in my public hearing on Common Core. Remember that? And his behavior there was exactly the same behavior at my church and he had several people with him who joined in with him...

David Boyd: So the guy's very big and he's very rude but did it present a physical threat to anybody? I don't know, I just don't see it.

Bedell: Ron dealt with.

Mijares: I can speak to that. He was escorted out by our staff and he was asked to leave and he left. And then we had the data on him and we shared that with Costa Mesa PD. And I think he was advised too by letter so you know I thought that was handled well.

Unknown voice: It was.

Lindholm: My question would be is our staff comfortable if they had a violent attack to be able to defend themselves, the members of the public and the children in this room? Because that's the position we put them in and I think that is the determination.

Mijares: We we...

Lindholm: Would you be more comfortable if we hired somebody and then the staff was not ever put in that position.

Mijares: I mean, you know, this is a situation that belies human reasoning. We don't want to deal with it but the San Bernardino thing you know we talked to shared intel with San Bernardino with the county, the Superintendent of the system there, and they just could not have predicted that. So these things happen in life and so the question is how much of our freedoms do we want to take from ourselves because there are these deranged people out there. I mean we think about it all the time. For example, Building D is packed with people all the time. Somebody can walk in there with a semi-automatic pistol or you know an arm you know so God forbid that happens. I think if we were because we have the responsibility to protect our employees, if we did feel that there was eminent threat we would probably use the sheriff. Because I think if you're talking, some of these private companies we've checked into, we're in the process of doing that they don't charge anything less or not that much less than the sheriff. And how can you argue with somebody who's a sworn deputy who has gone through all of the training. They're part of the sheriff's system. They live in our communities. I think that they're the most skilled to handle an outbreak.

Hammond: And Dave don't forget too Lynn April was taking hostage.

David Boyd: Well you take that same God forbid something like San Bernardino would happen here, if we would have had a sheriff's officer here chances are it would have had no impact. They come in with two automatic rifles and in a matter of seconds they're out the door.

Mijares: We'll you know the Sandy Hook thing...

Williams: I don't know about that. You park a black and white with sheriff out in front that very first stall, they're going to pass by here.

David Boyd: (inaudible)

Multiple people speaking...(inaudible)

Mijares: but Sandy Hook

David Boyd: (inaudible) South Coast Plaza. Just park your car out front.

Mijares: Newtown, CT had an armed officer on that campus when that damage took place. He was part of the security system. 72 seconds or whatever it was later, you had all the carnage. So I mean it's just God forbid that that would happen.

David Boyd: You know I through that out for consideration but really South Coast Plaza has a police car parked there all the time. Even though there's no officer associated with that car would could probably get more bang for our buck just by putting a car out front.

Hammond: I disagree but...

Williams: How do you feel about this Dr. Mijares about having armed security? What's your sentiments?

Mijares: Well I see the dilemma because sometimes we do get into controversial subjects at this level. You're policy makers. At the same time we don't have this type of security for all of our campuses, this building. So, I know, I think you pointed it out that that could send a message that they're not valued. So I'm trying to process all of that as well. You know, what should we be doing to provide security across all of our campuses, all of our buildings. If you go this route we're probably gonna have to think about that.

Lindholm: I have a question. Can we get somebody in who would evaluate the situation security wise? I mean when I see staff, I don't see name tags on them. I know you can open the doors but visually when you go to a school, you know somebody's a visitor. Nobody's walking around that you do not know who they are and you can't identify them. Here you don't have that. So maybe we have an evaluation of the board room security. Of meeting security and then if Superintendent Mijares would like to extend that that could go further. And we could improve that. There's no reason we can't beef up what we have.

Renee Hendrick: So we actually, Dr. Mijares already asked me to do that so we're actually in the process of working with Orange County Sheriff Department for an assessment for all of our sights. And so we're in the process of looking at that but part of the thing I also need to remind you of is that as a county agency we have a lot of public that come in. If we counted how many people come here...we have people coming daily to pay for their credentials. We have a lot of people that come through here for five or ten minutes. To try and have each one of those come in, because what we found through a lot of studies is having somebody come in and sign-in doesn't deter very much.

Hammond: I doubt it.

Hendrick: So one of the things we'll be looking at is do we have too wide of an access. Should we limit the access that we have so that is part of what we're working on currently and so we are doing it in conjunction with Orange County Sheriffs. We have had conversations with the Costa Mesa Police Department also. They're not as pro-active as we would like so that is why we're meeting with the Orange County Sheriff's Department. So, the other piece of that is that you

know like last week we had an event here where sheriffs were attending and it also scared our staff because when they drove up there were five police cars outside and so I think we have to look at all those things that we're also not making it an unwelcoming place for the public either. So that's kinda what he's charged us with.

David Boyd: Do we know what Newport-Mesa does board meetings, do they have security.

Hendrick: I do not know actually.

Nina Boyd: They have a contract with Costa Mesa PD because they also provide resource officers for their facilities so they do as a part of their contract.

(Renee Hendrick and Dr. Mijares at the same time as Nina Boyd: Costa Mesa)

Hendrick: And we did try Costa Mesa Police Department first actually and they refused to grant that at this time so the Orange County Sheriff was the only one willing to accommodate us.

Lindholm: I'm thrilled you're...how about to keep moving we approve this for three months while you conduct a study and see, give us a report back on this room for the board. And we approve this for three months.

Williams: That's going to be your...

Lindholm: that's my motion...

Williams: Your friendly motion?

Lindholm: My friendly motion.

Hammond: Friendly additional motion. You know what I'll second that.

Williams: I can support that.

Lindholm: And we get a written report back. Maybe you have him come, whoever it is, come and talk to us.

Mijares: Yeah. So you want them here for the full board meeting. The next three board meetings. Ok.

Lindholm: Three board meetings.

Nina Boyd: And the only obstacle and I don't know that it is, but in working with the Orange County Sheriff's Department they have to go through the Board of Supervisors so in order for the February meeting they said there may be a time issue and so it may not be until the March meeting so I just want you all to be aware that, of that. So that if we don't have someone and I'll communicate that to the Executive Committee in terms of...

Lindholm: Ok and they'll be three meetings no matter what while we get the information on how we should do this and do it right.

Hammond: Are you gonna have to then reach out directly to the Board of Sups like I think Todd Spitzer is currently the president?

Lindholm: No it's Lisa now.

Hammond: Is it Lisa now? Oh.

Mijares: Yeah.

Nina Boyd: We don't reach out to them they do it through their process. So. They send our contracts over we do that and then our contracts are talking back and forth but the sheriff's department actually presents the proposal for approval because everything has to be approved by the Board of Supervisor's for that.

Hammond: Any other discussion.

Williams: That was a good healthy discussion. Thank you.

Hammond: Alright. All in favor of approving this as amended by Trustee Lindholm signify by saying AYE.

Multiple voices: AYE

Hammond: Opposed?

David Boyd: Opposed.

Hammond: Abstain? Motion passes 4-1.

Item # 14

Hammond: Item 14 approve a position of Secretary to the Board it's me also move. Is there a second?

Williams: I'll second it and hopefully we're not going to take up too much time. If so if there's a consensus I don't mind if we table this for the next meeting to finish this off because this could be potentially a long discussion and we're already going on five and a half hours so I'll second it for the purpose of discussing.

Hammond: Ok, alright. Dr. Bedell.

Bedell: Yeah I was wondering what this would cost going back to our earlier conversation about the items. On that question I'm not clear how we would process this? How we would post it? How we would hire what the search committee would be? The salary? The (inaudible). I just don't know this is new for me. I've never, I don't know of any other board that does this at the state level or the county boards. I don't know of any county board that does this. So I would just like if we are going to ultimately table it I would like to have all those things fleshed out. Cause I've never thought that we were any employer per se. And so the way I read this is that we become an employer per se and I may have misread that but I mean I'm very, very uh. I have a lot of questions about it and admit it's my own ignorance on how this would play out and where this person would be housed? Who would evaluate this person? But what the daily duties would be?

David Boyd: There are a lot of things to go through and I think Dr. Williams is right. This is going to take a while.

Lindholm: It's going to take a while.

David Boyd: If I could make a couple of brief observations.

Hammond: Of course.

David Boyd: We're talking about a hundred hours. Now, if all five of us gave this person eight hours of work a month and I don't think I've ever given three hours a month if all five of us gave this person eight hours a month we're only up to forty hours for the month. Now maybe the Executive Committee gets another ten hours so that brings us up to fifty but we're nowhere near a hundred. And then we have again the threshold issue. We can't legally hire and fire.

Williams: Right.

David Boyd: As an employee, I mean who's going to do the payroll tax returns I mean it can't be done as an employee. And even assuming we get around that and we designate a person where are they going to work? What office? The Superintendent would still have to provide facilities of some sort and I just don't know how this would work? I mean, are there situations Mr. Hammond that you feel the board hasn't been given adequate service and or timely service is maybe a better term.

Williams: If I could answer I have some thoughts on this. I think this board is a little bit different than any of the other previous boards I've been on. This is a board that's very involved, and very concerned. We have a lot going on. We have all these charters and appeals and so on. And when Lynn Hartline was here and we had our previous board secretary there's a lot of time that Lynn put towards in helping this board out with things that and work that I can't do. I can't put the time into a lot of these areas and into the things we vote on and Darou is so stretched as it is knowing how our previous board secretary and she's working for Jeff so obviously this is something we'd have to collaborate with our good Superintendent. We'd have to get him on board. He has to see the need and the consensus developed that there is something, more help that we need. A lot of what we're getting in here there's no back-up. There's nothing there for us to look at. It's just a single page. And I'll take responsibility not providing back-up only because some of the items I've submitted I don't have time. It takes a whole lot of time just to submit one of these. And so, I kind of look at this as a positive thing to help us, to educate us and to support specifically the board functions.

David Boyd: I believe we would have to have an employee that's knowledgeable in public education. You know we can't just pull somebody off the street from a temp service and say here, give us a hundred hours. Well if I could ask the Superintendent his view on this?

Lindholm: Are we gonna table this though? Because I'll probably leave in about ten more minutes and I just don't know...

Mijares: May I? No go ahead.

Lindholm: If I may, yes – there's a few issues on this when we don't know the job duties. I think the key, one of the keys is we have to say what we need and each board member here needs to say what they need and that's an ongoing process. It would be helpful if we had a person, you do great, it doesn't have to do with that, it's a shared position, it's taking time away from our head of academics, this particular position and there are things that are not getting done as fast as we shall get them done. So I think working together with Superintendent Mijares and describing what we need would be the very first step to this. And then saying this is who we need and we need somebody who can write board member agenda items. We somebody who can do back-up. We need somebody to talk to the legislatures. We need somebody who could write really

extensive letters and coversheets and get them out the next day. There's just not enough time. I'm not criticizing the work that's being done but I would say we need to table this.

Mijares: Yeah, I agree because it is a multi-faceted issue. It is legal, it is logistical, it is practical, and I can tell you, and it is fiscal. And I can tell you though and I mentioned this before that Nina's position has changed. She is now in a position where she can devote even more of her time to the board because she was the head of ACCESS. We are hiring a Chief to handle ACCESS because that has changed even with the new Local Control Funding Formula, the way alternative education is addressed today and for her to be doing all of that plus all of this and now the charter school thing has blown up on us. Do we need staff to carry some of that? She's going to be doing some of the charter's thing because that's a clear nexus with the board, but I think with her not having to care for the daily issues or with the daily problems of ACCESS, provide that leadership, she is now free to spend more of her time with all of you in making sure that you know she's articulating the wish of the board and we're getting that to a level where you feel good about it and we're trying to handle it on our side. We've talked before that it is a marriage. The situation we have here has to work harmoniously and when one side is out of whack with the other side just as in a marriage you can't get anything done. Everybody's mad. So our wish is to work with the board and be good servants to you and I think Nina's going to have more flexibility to do that but I know you don't want to get into all the details and I have a lot more to say but that's kind of a nutshell of what I think we're facing.

David Boyd: Mr. Hammond, why don't we give this a few months with Nina's new responsibilities? We can never find an outside employee that has the knowledge that Nina has. And if it's still an issue 2-3 months from now then let's bring it back. Right now I think there's so many issues we'd have to get into. Ok, what if the Superintendent disagrees and then what are we gonna do. And then we get into the employee/employer and do we wanna go down that road? But it does bring up...

Williams: If I, I like the comments I heard. It's very constructive dialogue. I appreciate that and very civil. I had no idea about you changing your position. That's awesome. We have all this great power here. Maybe that will change our needs. So, I support the thoughts and sentiments of Trustee Boyd about delaying this coming back and tabling this. I'm ready to make that motion but I wanna make sure everyone has been heard.

Lindholm: I agree. If we can have because when like...there was a coversheet that went out on the vaccination I will just say and it was like here's a copy of the resolution. Ok. That was probably a time thing. What it should have said was some more details. And I know there are wonderful writers here there just wasn't time. And the time says we've had some board meetings, we've had some people come and what the board took an action on was to try and extend it on to help the people who came forth. But it was like here's the resolution. So it's just

not been enough time and I think we can work on that. And it's a time issue. It wasn't a, I trust you both to do great work; it's just grabbing you for time. So, I'm very happy if you table this.

Williams: Ok, so I'll make the motion to table it until March?

David Boyd: Maybe April, you know? Nina's breaking in a new position.

Hammond: We can always postpone it at that point if you want to. I just wanna get on with this so there is a motion on the table is there a second.

Bedell: Second.

Hammond: It has been seconded at the table. There is no discussion. All in favor of tabling this as per Dr. Williams until March signify by saying AYE.

Multiple voices: AYE

Hammond: And the motion passes 5-0.

Announcements

Hammond: Alright. Informational items and announcements, Mr. Superintendent. Why happy New Year to you sir.

Mijares: You too and I hope that 2016 is the best yet for all of you. Let me just say I'm just going to cut right to a couple of items cause we can get out of here but one is that I did have the opportunity to participate. Our staff, Stacey Deeble-Reynolds headed this along with Dr. Marc Lerner, but Sheriff Hutchins and myself we conducted a marijuana threat summit over at the Sheriff's Station on Armstrong where they do all of the new training of deputies and this was an effort to assuage the public regarding the legalization of marijuana. And people, I never thought I'd see this day but we had people in that audience that thought we were nuts. That thought that we were depriving them of their first constitutional rights, first amendment rights, excuse me, and they, was just surprised. I wasn't expecting that. Because we were trying to show them the danger of marijuana; it is a controlled substance. And the designer marijuana you're seeing today has you know ten times the potency, as Dr. Williams knows, of the days of the 70's.

Hammond: Al, how did they say how they felt like you guys were stepping on their First Amendment?

Mijares: There's bloggers in there. Yeah! There's a whole movement afoot because it's a billion dollar industry to legalize marijuana in California. So far Jerry Brown has signaled you know he studied to be a priest early. He signaled that he's not in favor of this. But the point is if you look at Colorado, you look at Washington, and now Oregon, the stuff going on in Colorado is mind blowing. The pot is it just sort of waft's through the air. And you could take your kids out to dinner and people are blowing pot all over the place. The homeless crowd has grown. People are flocking to Colorado cause they can get free joints. I mean even the employees are at liberty to smoke pot during the day. Employees you know?! It's just like if you went to lunch and you had a cocktail, they're saying well you're having a cocktail and nobody's saying anything to you if you get caught drinking and you're drunk you're in for a DUI. But why can't I go blow a joint over there man.

David Boyd: Go on that road and you just might end up a congressman.

Mijares: And plus, Hickenlooper, the governor who supported it thought they were going to get a lot of tax dollars? It has an inverse relationship now because instead of giving them tax dollars with all the services to provide it's now a deficit program. It's totally affected all of Denver and in fact the State of Colorado is now under this cloud of what have we done. And they believe, the people we talked to in law enforcement they believe it's going to happen in California.

Bedell: Keep in the back of your mind that Governor Hickenlooper is one of two people, supposedly on Hillary Clinton's short list for VP. The other one is the senator from Virginia, (inaudible).

Mijares: You mean he'll be blowing pot at that level, huh?

Bedell: They'll be blowing pot at the inauguration.

Mijares: So anyway guys, I was shocked and I'm telling you we really have to be mindful of this. The last thing I want to just share with you I did have a chance to speak with the Villa Park Rotary Club just on the State of Education. I thought it was very well done. I did that on the 7th of January. That thing there is just sort of, it encapsulates the whole OC Pathways; that 15 million dollar grant that we have. It tells what it is and then it shows you how to get more information and we did the early part of December, we did the big kick-off, it was well attended. I think we had 3-4 hundred people that came there. But it's a tremendous relationship between K-12 and higher education. And that's all I have under my reports.

Williams: Thank you for defending us who care about this issue on legalization of drugs.

Mijares: Yeah.

Williams: Thanks Al very much.

Mijares: I never thought I'd see the day.

Bedell: (inaudible) has the floor. I'd like to complement the Superintendent for your statement in this issue of School News, excuse me, regarding perseverance in all the studies coming out on grit.

Mijares: Yeah.

Bedell: And as it relates to the achievement gap, etc. A very nicely written piece.

Mijares: Thank you.

Hammond: Miss Nina.

Nina Boyd: Just as a reminder our next board meeting is February 10th and submission deadline for any agenda items is January 27th. Some information was sent to you related to a CCBE County Board Governance Workshop in Sacramento on January 29-30. We'll resend that tomorrow as a reminder if you all have any interest and please let Darou know and we'll get you registered. And next Wednesday, January 20th, Jeff Frost, our California lobbyist will be speaking to the Orange County School Boards Association here on sight. Again if you're interested in attending we will resend that information tomorrow and you can just let her know so that we can get a count in. Wanted to just update you that we had a very good meeting with Miles Durfee last week with regards to some of the concerns that the board raised on charter MOU and other items that there wasn't a thought process that would be beneficial for staff to meet with them, dialogue and get some of their perspective on what they're hearing from the charter community; things that are working in other places that they might be able to share with us so it was a very good meeting; a little more than two hours. And we're continuing to work with them to try to streamline and take the boards interest into the documents as you indicated at last board meeting. So we're looking forward to working with Trustee Lindholm and Trustee Boyd and we're scheduling a meeting to present some documents to them that we would then share with the full board to get some input similar to what we did with the charter policy.

Hammond: Fair enough. Well thank you very much. Board member additional comments, Mr. Boyd. You mentioned something about an ad hoc committee?

David Boyd: Yeah, I mean we had talked last meeting. Voted to, the wording slipped my mind now, but to explore the possibility of an attorney general opinion and we needed to appoint an ad

hoc committee to go down that road. And I believe we left it with the Executive Committee if I'm not mistaken. My only comment is I think Trustee Lindholm should be a member of that since we need a legislator to carry this on our behalf and she has a good relationship with Senator Bates. Other than that I think it should be up to Trustee Lindholm to see who she...

Lindholm: Well I wasn't here for that discussion or for that vote so I'm not...

David Boyd: Well here's where we're going from if I can recap in just a few moments. We've got contrasting legal opinions on a number of different issues. Primarily the separation of responsibilities between the Superintendent and the board as well as some other issues. Defendable arguments can be made on both sides is my opinion. The law is so poorly written I think it can be interpreted any number of different ways as our legal opinions have seen. You've seen Mr. Romo's opinion. You've seen Cota Cole's opinion. And they couldn't be farther apart. Well what we would like to do is go to a legislator, and it has to be a legislator, we can't do this on our own. We can't go to the attorney general directly. To say hey! You know the laws confusing. You tell us your opinion and sometimes these opinions are also used as the basis of legislation to clarify things and that's all I'm looking for is clarification. I don't really care which way it plays out.

Lindholm: I'm just not sure that I would like to be in that position.

David Boyd: Where here's the...

Lindholm: So I don't want to because it's not my major concern. I think this board has functioned for years as it is. We have a great Superintendent and we have a good board so I'm declining to go and do that.

David Boyd: Ok, well here's the issue and Dr. Williams can probably make this argument better than I can. But we have spent thousands of dollars to get an opinion from Cota Cole and this is particularly where it was at. (Inaudible) basically ignore it.

Lindholm: I'm not sure that's the case but I was just going to say I'm declining going to the attorney general. My favorite thing is not to talk to attorneys. No, there are some very nice ones. But that's my whole goal in life is to avoid talking to attorneys.

David Boyd: Ok, well that's certainly your call. And I don't that there's anybody else on the board that...

Lindholm: So I'm going to decline to do that. If something arises a specific issue in the future where we go, ok, we've got an issue. Just a broad issue? That's kind of hard to present anyway. So we don't, I don't have...

David Boyd: Actually it would be a relatively simple process I think but we could simply take Cota Cole's opinion, we take Romo's opinion, hand it to him and say which way to go.

Lindholm: Ok. I'm happy not to talk to attorneys as much as I like you.

David Boyd: Ok.

Lindholm: If you don't mind I'm declining. Do we have anything else so we can go home?

Hammond: Dr. Bedell? Anything?

Bedell: I pass

Hammond: You sure?

Bedell: Well I don't want to get on the freeway so I can meet another two hours.

Hammond: Alright. Well I'm good then. Madam Vice President what's your recommendation?

Lindholm: I have nothing further because I also have the traffic issue. Move for adjournment.

Bedell: Second.