

## Special Board Meeting Transcription 9-26-18

**[DR. WILLIAMS BEGINS THE MEETING BY STRIKING THE GAVEL THREE TIMES]**

**Williams:** Welcome. For the benefit of the record, this Regular Meeting of the Orange County Board of Education is called to order. Our Regular Meetings are typically held at 10:00 A.M. unless otherwise noted. The Board Agendas are posted online and can be reviewed on our web address. Agendas are also available at the back table. Anyone wishing to address the Board or express their free speech rights is requested to complete a Request to Address the Board card at the table near the back door. Please submit the completed card to our Board Recorder, Darou, prior to the beginning of the Board Meeting or just before the Agenda Item Discussion.

Each individual will be allowed up to three minutes and may not give her time to other people. This is a Public Meeting and we're obligated to be respectful of, and demonstrate, civility towards the Board, Superintendent, staff and other guests attending this Public Meeting. Anyone deemed to be disruptive, they will be requested to leave and will be removed by the Orange County Sheriff Department pursuant to Penal Code 403 that is posted on the right board entry door. Thank you for attending this meeting. We will go to Roll Call.

**Sisavath:** Trustee Sparks?

**Sparks:** Here.

**Sisavath:** Trustee Barke?

**Barke:** Present.

**Sisavath:** Trustee Williams?

**Williams:** Present.

**Sisavath:** Trustee Gomez?

**[AT THIS POINT IN TIME, TRUSTEE GOMEZ IS NOT PRESENT]**

**Sisavath:** Trustee Bedell?

**Bedell:** Here.

**Williams:** Very good, we have a quorum established. The next Item is Adopting the Agenda for tonight, so, may I have a Motion?

**Barke:** I make a Motion to Adopt the Agenda for tonight.

**Williams:** Okay, and a Sec...

**Barke:** Oh, you know what? Actually, I want to add...I want to make some changes to it. I want to add Public Comments at the end of the meeting for one minute each. I'd also like to change the Public Comments to 30 people for one minute each, and I'd like to add an extra minute to each of the experts' testimony.

**Williams:** Okay, so, let's review that. So, you...we're going to be...what you're recommending is adding Public Comments at the end of the meeting?

**Barke:** Yes.

**Williams:** This evening.

**Barke:** Mmhmm.

**Williams:** Okay, very good.

**Barke:** For one minute each...

**Williams:** For one minute each and the Second Item...

**Barke:** Is to change the Public Comments to 30 people for one minute each.

**Williams:** Okay, so you're referring to the Public Comments under the CHYA or Special Meeting tonight? Is that correct?

**Barke:** Yes, I am.

**Williams:** Okay, so you're asking that you go to one minute and then we have a total of 30 speakers?

**Barke:** Yes, exactly. That way we can accommodate more speakers.

**Williams:** And it will be the same, 15 from each group that is opposed or supporting CHYA. Okay, and then the last one was what again?

**Barke:** Is to add an extra minute to each of the experts' open testimony.

**Williams:** Okay, and that's because we have less amount of experts taking less time total for that time period.

**Barke:** Exactly.

**Williams:** Okay, very good. Any questions about this? Yes, sir?

**Bedell:** I need help, Mari.

**Barke:** Well, I don't know if I can help you, Jack, but I'll try.

**Bedell:** So, the...my agenda says Public...and remember, you...I got in trouble last meeting, Ken. I can be very diligent with Agendas. Public Comments, two minutes per speaker, total of 14 drawn independent. That is dropping down, Trustee Barke?

**Barke:** Yes.

**Bedell:** So, that the very first thing that's going to happen is Ken's going to hand it over to Maggie?

**Barke:** Right. So, the...

**Williams:** Well, no, that's after Public Comments.

**Boyd:** You're going to still have this first Public Comments that's on the Agenda. You're adding an additional Public Comments at the end...

**Barke:** Yes, exactly.

**Boyd:** ...of the meeting, for one minute each not to exceed 30 people.

**Barke:** Yes.

**Williams:** Yeah, at the end, which...which is...

**Boyd:** Appreciate your patience on this. So, the very first sentence it says Public Comments, two minutes per speaker, total of 14 drawn independently stays unchanged.

**Barke:** No, I'd like to change that so that we can accommodate more so that we could have 30 speakers at one minute.

**Bedell:** So, you're going to give 30 people one minute to speak? So, the bottom line is right there, we have 28 minutes so, we're going to have 30 minutes but everybody's going to be cut to a minute.

**Barke:** Mmhmm.

**Bedell:** Okay, so that...that's edited.

**Barke:** Mmhmm.

**Bedell:** Okay, and then you're inserting...where's that going to go, Mari? Right after the Closing Remarks for panelists or right before the Closing Remarks?

**Barke:** Let's see what we got here.

**Williams:** That's the Opening Remarks, I think.

**Bedell:** No, I'm down the bottom and I heard you two were adding more down the bottom of the page, right?

**Barke:** Yes.

**Williams:** You're talking about the Public Comments at the end

**Barke:** At the end, yes. Just to add Public Comments because it wasn't on there for one minute each at the...

**Bedell:** Okay, so down...so, the...but if you're literally taking what you just said, Public Comments would come after the meeting is closed and I know you don't mean that. So, you're going to insert Closing Remarks, five minutes per panelist, then the new Public Comments are coming in?

**Williams:** Yeah.

**Barke:** Yes, at the end. If there's anybody here who still would like to make a Public Comment, they can.

**Williams:** There's a part of our Board Policy – Nina and I were talking about this last night – that in our policy, we have Public Comments at the beginning of the meeting and at the end of the meeting and so, it was thought to be consistent with our Policy. We need to do that. Maybe Nina, you can...

**Boyd:** Well, the Board...

**Williams:** ...additional background.

**Boyd:** ...policy states that there's 45 minutes. The Board has determined that in prior meetings, that they would have 30 minutes at the beginning and 15 minutes at the end. The Executive Committee discussed making changes to that too because this was a Special Forum on one topic only, and to ensure that the panelists would be able to deliver the commentary that was requested. So, there were a number of questions and concerns that came in from members of the public. Dr. Williams and I talked about what ways that the Board could potentially amend what they wanted to do in terms of Public Comments. I encouraged him to talk with Legal Counsel with regards to that because not knowing, you know, where they wanted to go and so forth.

So, I'm assuming that based on what Mari's introduced is a result of that conversation and what they're attempting to do, but I'm still a little confused because I heard Ken say one thing and I heard you say something else. So, I want to make sure that the intent is to still have Public Comments in the very beginning of the meeting for one minute...

**Williams:** Yes.

**Boyd:** ...for...not to exceed 30 individuals.

**Barke:** Exactly.

**Boyd:** So that you'd have 30 minutes and then at the end, after and when the moderator hands it back to the Board President, you would be adding another Public Comment period, should there be individuals who still wish to address the Board, and they would also be allotted one minute.

**Barke:** Exactly.

**Boyd:** And is there a number that you are capping...

**Williams:** So, we have it in our Board Policy that we have 45 minutes. Is that right?

**Boyd:** Correct.

**Barke:** So, we have 15 left.

**Boyd:** So, there would be 15 minutes left if you stay within the timeframe of your Board Policy and the Board, also, you have the ability to change that. I mean your practice is to do, you know, more, not less.

**Barke:** Right.

**Williams:** Mr. Rolen, if you can comment on that because the idea and concept is to accommodate more public speakers and to be consistent with our Board Policy, and so, you and I had a earlier conversation.

**Rolen:** The Board has latitude to take Public Comment in the manner that they see fit. So, what we really need is a clear Motion and clear Second in order to Amend the Agenda. You don't have to be necessarily bound by Board Policy.

**Williams:** Oh, really? Okay, so, what I'm hearing then is we don't have to stick to our Policy and have the comments at the end. I'm okay with that. I don't mind listening to additional Public Comment.

**Barke:** I don't either if there's...if people want to speak. I think I'm happy to give them the time since we normally give them 45 unless, Jack, do you have a big issue or...Trustee Sparks, do you have a big issue with that?

**Sparks:** No issues...

**Barke:** No issues?

**Williams:** So, I'm willing to stay so that means we have a quorum. So, that's all that's required to keep the meeting going.

**Bedell:** Mr. Chairman, if I may take a very brief trip down memory lane. I've been on this Board 14 years and nothing, nothing, not even Common Core has come anywhere near close to that meeting that we're going to have at 6:30 PM. I would be willing – this is not being martyr-ish – I would be willing to stay here to 4:30 in the morning to hear people. I really would.

**Sparks:** Okay.

**Bedell:** Because it is huge and this Agenda's been publicized, right?

**Boyd:** Correct.

**Bedell:** So, I can tell you thousands of people in Orange County, from what I have been told, have heard about tonight's meeting; many supportive, many detracting. It's out there that everybody is going to get two minutes and frankly, I'd be royally ticked off if I came all the way from Laguna Niguel for a lousy 60 seconds. I'm sorry, and I would be willing to stay here. Whatever they want, even if there isn't a quorum per se, because somebody's got to go somewhere. If with a couple of potty breaks, I can stay as long as you need me. All right, Mr. Chairman, so, I just think this is so sensitive. There are such information and disinformation, such hostility and such concern everywhere, and I just think to rush in any way or form, to be perceived as rushing it.

I can hardly say it – maybe it's because of my age – but I can hardly say my name and address in 60 seconds. You know, to form a thought, even two minutes is hard for me now. My goodness, may be unique to me, but I'm just saying I just think this is public. They think more time... I'd take out of a hat. They all could be from one city. They all could be from all one view and again, I understand how to manage...you got to have manage it. I get that and I'm not trying to be...I'm not doing any zinging here, but I think it's really important that who is ever here tonight, of whatever view they are, whatever

situation their children are in, that they feel they were heard. And may not like what they say. That's...I don't think that's for me to say, you know, I think they need to be heard.

**Williams:** Okay. Trustee Sparks, your thoughts? Haven't heard from you.

**Sparks:** Do you work tomorrow?

**Bedell:** Yes, I have to be at the office at seven o'clock. I'm gonna go like this, maybe.

**Sparks:** I definitely see both sides. I mean, I see that yeah, it's important we accept this time. I think it's important that people, you know, have some time to speak, you know, the typical after dinner speech is anywhere between 1 and 2 minutes. We could compromise it, a minute-and-a-half. I don't know that I can stay till 4:00 in the morning.

**Bedell:** Well, I just...

**Sparks:** Right?

**Bedell:** I just, you know, and I get that, Lisa.

**Sparks:** Yeah.

**Bedell:** But, I just think that I just...I hate to see the time reduced.

**Williams:** Okay.

**Barke:** I'm okay with two minutes if you are.

**Williams:** Our wise, old, smart...

**Bedell:** Point of personal privilege.

**Williams:** ...well educated, Trustee Bedell. He is wise on certain things and there's a good point that he makes. So, how about this, then, to strike somewhere, someplace in the middle. Let's have...stick with the original plan as we talked about, and then we'll just put the Public Comments at the end and we'll take as many speakers that want to speak at whatever time they are. I'm willing to stay.

**Bedell:** My understanding is we're not voting on anything tonight, right? That we would need a quorum, right? So, and I totally get if somebody, you know, I have to be at work at 7:00 for a meeting. That's fine. I'll go like this. I won't stand next to anybody but I'll go like this.

**Barke:** So, for the Public Comments related that we're taking, there's also a number of individuals who have submitted for Item Number One.

**Williams:** Okay.

**Boyd:** Would you be changing the time frame for those public speakers, to be consistent with what we're doing for the entire Agenda?

**Williams:** Two minutes? How does my fellow Board?

**Bedell:** I'm good with 2 minutes for everything.

**Boyd:** So, the Motion needs to be Amended so that we have the vote.

**Barke:** All right, so I now Amend the Motion so that we have two-minute speakers before our initial 4:30 and then before the six o'clock as well...the 6:30 as well. Do we have them both two minutes? Is that agreeable?

**Williams:** I think...I think that consensus that's been built here.

**Boyd:** Can you take...come to the mic before...it's a subsidiary Motion that they're making, I believe.

**Rolen:** Understood. I just want to be clear. Was the 6:30 meeting with Public Comment to take place before or after the meeting?

**Boyd:** They're only recessing the meeting. This is one meeting. So...

**Barke:** What's your question? Sorry.

**Rolen:** Public Comments on the charter issue before. Public Comment will come before the Forum.

**Barke:** No, I think the Forum and then subsequent, right?

**Williams:** Yeah, that's...that's how I see it.

**Bedell:** So, again, at the very end of the meeting we're opening the microphone.

**Williams:** Yes, we're opening the microphone.

**Bedell:** And if it's 6 people it's 6. If it's 60 it's 6 for two minutes each.

**Williams:** Right.

**Bedell:** Okay, I'm comfortable with that.

**Williams:** Okay, so, just for clarification from what I heard, so the issue Public Comments, we're inserting it after the moderators done. Maggie will hand the meeting back to me, we'll have Public Comments, they will be two minutes in length, and how many people speak will be the number that we hear. Their card should be submitted, then the Public Comments for the Special Meeting will not change. We'll have two minutes per speaker for 14, and then the Public Comments for the Charter School for Item Number One will be the same two minutes. And how many people do we have, by the way?

**Boyd:** Nine.

**Williams:** None?

**Boyd:** Nine.

**Williams:** Oh, nine, okay, very good. So, we got to get moving on here then and then part of the Motion was that the Panelists Opening Remarks are going to 7 minutes. And the last one was...

**Barke:** I think that's...nope. That's covered everything.

**Williams:** That's covered everything.

**Bedell:** So, the...you all come to the microphone; comes up, Mari, after the closing panelists do their five minutes.

**Williams:** Right. So, have the Closing Remarks and then we have the moderator who will thank the panel and the meeting will come back, the gavel to me. We'll have the Public Comments at that point and then we'll...

**Bedell:** Oh, okay. I'm sorry. I had t above that. I thought they...I see what you're doing. Okay, I'm com...that's okay.

**Williams:** No, no, no. I appreciate it, and excuse the old comment.

**Bedell:** Well, if the shoe fits.

**Williams:** Okay, so then what we need, I need a Second for the subsidiary Motion.

**Barke:** Second.

**Williams:** Okay. Any other questions regarding this? How's the staff? Crystal clear?

**Boyd:** Are you fine?

**Sisavath:** Yes.

**Williams:** Okay, very good. Okay. So, the Motion and Second to Adopt the Agenda. All in favor, say, "aye".

[ALL BOARD MEMBERS SAY "AYE"]

**Williams:** Oppose? Abstain? Motion passes, 4-0. Introductions?

**Boyd:** There are none for this meeting.

**Williams:** No introductions. Okay, so now we're going to be going to the Charter School issue and...are we going to take Public Comments first?

**Boyd:** We'll take Public Comments first, yes. So, I'm going to call 2 names. If you will, first person go to the podium, second person lineup. Michelle Haas will be first, followed by Dea Del Rosario...Rosario, I'm sorry if I butchered that. This podium right here. You can just stand over to the side. Thank you.

**Haas:** Good afternoon, President Williams, Members of the Board. I am a teacher with NUU but also have experience as a homeschool parent. My husband and I decided we would homeschool our sons long before they were even school age. For the first 3 years, we went to school privately but the hybrid programs used only their assigned curriculum. Once we discovered the charter school option and had the freedom to choose our curriculum, our homeschooling began to thrive. Being enrolled in the charter school afforded my kids the opportunity to take piano lessons, guitar lessons and writing classes.

Over the years and as a result of being enrolled in a charter school, they developed high level critical thinking skills by participating in debate tournaments where they had to research current and relevant topics arguing for both the opposition and proposition. At the end of our Kindergarten through 8<sup>th</sup> grade homeschooling journey, my sons transitioned easily into Beckman High School, successfully completing the early college program during their four years there. Both my sons went on to receive the President's Scholarship at two different California State universities.

I tell you this because I am passionate about homeschooling as an alternative to traditional education and have been incredibly fortunate to have homeschooled my sons through a charter school, which provided them with a sound education, not to mention...well, sorry, and also the resources to develop and foster the passions and give them a sound education, and not to mention, the sibling and family relationships that are strengthened in this learning environment. And now, as a teacher with NUA, I am thrilled to be able to give homeschooling families those same resources and more to support for their educational needs.

Also, I want you to know that NUA operates with the utmost integrity. During the past four years...[LAURA WATSON APPROACHES THE PODIUM AND LOWERS THE MICROPHONE TOWARDS MS. HAAS, MAKING HER MORE AUDIBLE TO EVERYONE IN ATTENDANCE]...our leadership team has maintained high standards of Charter School Law compliance while providing for our students. Over the years, we have seen other charter school practices that conflict with Charter School Law in order to boost enrollment. We, on the other hand at NUA, aim to protect the charter school movement by staying in complete compliance, not wanting to risk the freedoms we now enjoy. Our desire is to build a solid and secure foundation that will ensure academic and personal success for our students.

**Boyd:** Your time is up.

**Haas:** I'm done? Okay. Thank you.

**Williams:** Yeah, so, the buzzer when it goes off, it means your time is up.

**Boyd:** No problem. We were giving you some time because of the change of the microphones. So, Dea, followed by Jenny Feliciano.

**Rosario:** Hi, my name is Dea Del Rosario. I'm a resident of the fifth district. I'm a parent of 13-year-old 8th grade twins, Brandon and Sofia, and I'd like to thank you for the opportunity to share my experience with National University with you today. I believe that I represent a growing number of parents who homeschool their children for academic success and for efficiency. I began homeschooling my kids in 4<sup>th</sup> grade. They always received a great education at my local public school. Matter of fact, when we homeschool, we did a lot of the same things that their peers at their local school did. We have a very traditional schedule.

We start at 8 a.m., we finish around 2 p.m., but when we're done with school, we are done with homework because we were efficient during the day and we got everything done when we needed to. Our schedule includes an hour-and-a-half of Math every day, an hour of Spanish, and two to four other subjects like English, Chemistry and History. NUA has always supported my family in each grade, and every step that we have taken. They've suggested curriculum for us. They provided resources. They've offered in great enrichment classes close to our home and they remain open to trying new things when I suggested things that I thought would benefit my children.

NUA has allowed them to participate in Music and Performing Arts classes, classes in Shop and extra...they even tried Hockey as P.E., although they really didn't follow through with that much. Currently, Sofia and Brandon, again in 8<sup>th</sup> grade, are taking and getting all A's in a 10<sup>th</sup> grade A through G geometry class overseen by a Math-specific teacher and an A through G Spanish 2 class. They're very advanced and that's also monitored by a Spanish-specific teacher, plus they take in-person Spanish classes. I have taken advantage of every touching opportunity that NUA provides. They have always consistently outpaced their peers.

They have received 4's on all of their California State Mandated Tests that they have taken. I know I'm probably going to run out of time, but I wanted to let you know that when you are considering whether or not you should charter NUA, NUA students are good citizens of their communities. They have strong family foundation and they're prepared to succeed in high school and beyond. Thank you.

**Williams:** Thank you.

**Boyd:** Jenny Feliciano followed by Sara Faunce.

**Feliciano:** Hello, members of the Board. I'm Jenny Feliciano, I'm an Education Advisor with NUA homeschool, and a mom that I worked with this last year asked me to read a letter for her about the impact our program had on her daughter, and it really represents many students in our program that come to us with IEPs that were struggling in their traditional schools and just had an incredible success homeschooling with us. So, here's her letter.

“My name is Victoria Willbe and I'm very fortunate to be a parent at National University Academy. I am a proud public school teacher myself, and my older daughter is thriving in our neighborhood public school, but the traditional school setting did not suit my youngest daughter and it is no understatement to say that the NUA homeschool program has been life-changing for her. My daughter has diagnosed special needs which made it very hard for her to succeed in the mainstream public school classroom. Despite the very best efforts and supports put forward by the caring staff and her IEP team at the school, my daughter was struggling every day with the challenges of being in a traditional classroom.

We decided to home...that homeschool was the best option for her because she learns best in a low stress environment with individualized and small group instruction. NUA was our school of choice and has been able to provide the support we need to ensure my daughter has access to excellent curriculum while at the same time offering the flexible educational choices that suit her individual style of learning. The main attraction of NUA was their reputation for providing unparalleled special education supports, and so, my daughter has been receiving support from an entire team consisting of both General and Special Education Teachers, Speech Pathologists, Occupational Therapists and Counselors.

For a child like my daughter who found the traditional classroom setting stressful and anxiety-producing, the option of homeschooling with the support of NUA has seen...has given her confidence, and we've seen her achievements soar. Prior to NUA, my daughter...” oh, I'll stop there. Thank you for letting me share with you.

**Williams:** Thank you.

**Barke:** Thank you.

**Boyd:** Sara Faunce, followed by Heather Himo...Hemmelgam.

**Faunce:** Hello. My name is Sara Faunce. I'm 14 and I'm in the 8<sup>th</sup> grade. I've been a student at National University for four years and prior to NUA, I attended both public and private schools here in Orange County. The traditional school system didn't work for me, not because there was anything wrong with it, the environment just didn't suit my personality. I'm an advanced learner and the classroom was not able to adapt to my needs. I had difficulty fitting in with same-age peers because of the way I learn. I was learning things that I had picked up on my own years prior. It made me extremely anxious and depressed.

For whatever reason, I had difficulty finding my place with my peers and it escalated to the point where I was ostracized, excluded and bullied. Over time, despite the best efforts of my parents and my teachers, my mental, physical and emotional health began to suffer. I was the shell of the child I once was. I had to seek outside treatment for the trauma that being put in school put me through. You just can't fit a square peg through a round hole. My parents removed me from school in the 4<sup>th</sup> grade out of concern and worry for my health, and NUA was there to offer us an effective alternative to traditional school for those of us who don't do well in that setting.

NUA assisted me in developing an educational plan that fits my strengths and my weaknesses. Some areas, I was even able to work at the high school or college level and advance appropriately to my needs, which made me feel great. Fast forward four years and I'm thriving. The teachers and administrators at National University Academy were there to guide me and my parents in finding a curriculum and social enrichment environments that help me to thrive.

They made sure that I was where I needed to be in terms of social and in terms of learning, but also allowed me to advance freely. I plan on attending San Clemente High School next year. I'm tremendously excited and I feel that I have both the educational and social skills to thrive, thanks to NUA. I'm happy, I'm healthy and I've healed from what, for me...thank you.

**Barke:** Thank you.

**Williams:** Thank you.

**Boyd:** Heather Hemmelgam, followed by Stefani Clanton.

**Hemmelgam:** All right. Hello. Thank you for the time and opportunity to speak to you about National University Academy. My name is Heather Hemmelgam. I was taught in a public classroom for thirteen years, homeschooled for four years, and now I'm a teacher with NUA. And, I have come to learn and appreciate that there are many reasons that families choose to homeschool. I've also found that parents are some of the most dedicated, enthusiastic teachers that I ever had the pleasure to work with. Homeschool parents devote countless hours to giving their children the best learning experience possible.

It's certainly not unusual to find them researching curriculum and educational activities late into the night. They work hard to foster a true love of learning in their children and it shows when their students come to our classes with a wealth of curiosity and enthusiasm. Many of our families come to homeschooling out of a desire to help their children with various challenges. Some of our students are working with anxiety, ADHD, autism or dyslexia, and these parents know that focused individualized instruction and small class sizes are the best way to help their children reach their potential. They work alongside our Special Education team to give the students the support and learning tools that allow many to return to a traditional classroom and enjoy further educational success.

There are also families that have no plans to send their children to traditional school and these families could very easily file a private school affidavit and not deal with the public school system at all. Instead, they agree to meet with NUA teachers on a monthly basis. The students share with us their learning. They show us work samples and then I discuss curriculum choices.

I share with them stuff I learned about mathematical mindset, next generation science standards. These families are happy to be part of our public charter school and they enjoy the benefits of the community that we can provide. As a credentialed teacher, I stand behind the teaching practices and learning progress I see with the families I work with and I hope that you would consider NUA a charter. Thank you.

**Boyd:** Stefani Clanton followed by Jami Dalke.

**Clanton:** Hello, my name is Stefani Clanton. I am a teacher with National University. This evening I'm going to read a letter from one of our newest...one of our new families. I won't read the whole thing due to time. "I love homeschooling as an option for our son. I was looking for other options where I could be with my children more because I know time flies by and having them gone five days a week was not ideal. The more research I did, the more I loved the NUA program. I felt like it gave me the best of both worlds. I would be able to be with my son more and he would be able to be in an environment that was challenging his skills and education, as well as helping him to continue to grow and develop.

Having taught for 16 years, I was thoroughly impressed with NUA's program. Now, being a few weeks in, I'm even more impressed with how intentional each teacher is, as well as the environment my son is in from a day to day basis. With the class size being smaller, the children feel like they can explore and be heard. NUA gives families that option to be intentional with their children and I feel this is lacking in our society. It provides a safe environment to allow parents to work hand-in-hand with educators and gives children the best possible opportunity to thrive individually.

I have several friends who are using me as a guinea pig because I have spoken so highly about this being an option, specifically NUA. I continue to share with friends this great opportunity and I encourage my friends as I see them to embark on this great journey of being one of the main educators in your child's life while partnering with a program that helps you succeed. While we are new to this program, I have been involved in education long enough to know a great thing when I see it. Thank you so much for your time."

**Barke:** Thank you.

**Clanton:** "Mrs. Sorenson."

**Boyd:** Jamie...Jamie Dalke, followed by Nancy Roland Heinrich.

**Dalke:** Hi. Thank you for having us today and hearing our comments. I have a three-minute speech, I'll see if I can bring it down to two. My name is Jami Dalke. I am a proud parent of NUA. My son has been attending NUA for four years and I'm honored to be here to show our support for our school. I would like to share with you why NUA's a good fit for my family. Because I have the option to homeschool my child, it allows more time for my son to complete his schoolwork, which was his previous struggle in the traditional classroom setting. He now has an eager spirit for learning and doesn't want to just stay in bed, and he has been able to develop and thrive with this typical...with this type of school model.

He has grown in his reading and math levels as well as in all other subjects. He also has become a leader amongst his peers and he has grown...I'm sorry, due to a variety of classes...sorry. With different teachers and varying age ranges of students, homeschooling allows more socialization opportunities for my son. He also has more opportunities to relate with adults throughout our days as we are able to be out in public more often at the end of our school day. I'm going to skip ahead to something. I don't

want to miss this part in case I get cut off. I am accustomed to excellence in education. I do have a high schooler, senior in school in Saddleback District; one already graduated in 2016 and great, great schooling options through the County and through the school district...through all of our school districts.

So, because I'm used to excellence in education, I recognize that NUA is a school of excellence and it fits within educational models and standards that you would expect and I think it would be an awesome opportunity for you to be able to offer this to lots of families that are in your...all of your districts; what you oversee. So, you're giving them lots of options. It gives us much-needed flexibility...homeschooling gives us flexibility with our varying schedules and my husband's work as well as school schedules of my older sons. Oops, sorry. Thank you.

**Boyd:** Your time is up. Nancy Rohland Heinrich, followed by Michelle Anderson.

**Heinrich:** Good evening, Superintendent, Board Members. Thank you for placing us on the Agenda tonight, we really appreciate that. My name is Nancy Rohland Heinrich and I serve as the President for the Division of Pre-College Programs for the National University system, and I have been involved and supported the National University Academy since it started in its inception in 2008. In the past year-and-a-half, along with our internal and external counsel, and NUA leadership team, we have made certain that our Homeschool and Independent Study Programs have come into compliance with Anderson Shasta.

Since the Shasta decision, NUA leadership team has worked diligently and tirelessly to strategize timely compliance by drafting, reviewing and submitting new petitions for the respective NUA programs outside of the chartering district in Lakeside. That's why we're here tonight. NU has since submitted and successfully had petitions approved in La Mesa Spring Valley, San Diego Unified. The first, and more than four years, San Diego County Office of Education and La Mesa was the first charter they had ever approved, and those charters were respectfully granted because NUA has had a positive proven track record.

These were impressive accomplishments as it has been years since some of these districts have granted a petition. Please know we have made similar efforts with the Homeschooling Independent Study Petition. We feel confident that the high quality of the program will meet the needs and exceed the expectation for the County. Our system at National University fully supports the charter. We ask that you grant this appeal. We promise to work diligently with the staff.

We appreciate their efforts so far and understand their position and conducting due diligence. We can assure you we have a strong program and one that the staff will be proud of, as well as you as Board Members to have sponsored in your District. We believe the petition stands on its own merit and we ask for you to approve it for a minimum of three years. Thank you.

**Boyd:** Michelle Anderson, and she will be the last speaker.

**Williams:** Okay.

**Anderson:** Good evening, Superintendent Mijares, President Williams and honorable Board Members. I want to first of all thank staff for scheduling the Special Meeting because it's really is not about politics or about districts, or even a Charter Movement. This is about continuing children into a program that is working for them and so, we want that to maintain and not be stopped. I'm here to support this program tonight on behalf of California Charter Schools Association. NUA homeschool is a work...is part of a working cadre of a number of NUA Charter Schools.

We've seen and we've worked with these schools throughout southern California. We know the personnel that are operating them. We feel confident in their capacity to keep the charter moving and progressing academically as well as financially, and just operating viably. We support schools doing the right thing, to be legally compliant, and the Shasta case has brought another one to you and that's the reason for this quick meeting, because we need this decision by September 30<sup>th</sup>. Saddleback School District had its opportunity to take on this school and they chose to pass. They have a history of passing on good...on a good charter.

They've had that in the past and that school came to you before on appeal just like the school is coming to you before on appeal, so the history has been set and we're hoping that you all will do the same thing and approve this quality charter school. We review, as you know, we review petitions at CCSA for their viability and educationally sound program, but when it comes to a school that's already been in operation, we look at their data and look at their data is what we did with this school.

And, very often we find ourselves not advocating for continuation of a school. In this case, the data, when we broke it down and looked at it as the Orange County version versus the Riverside piece, Orange County stands on its merits as an academically performing school and there is certainly within the cohorts a lot of growth. Thank you. We hope for their approval tonight.

**Williams:** Okay, very good. So, that's the last of the public...the two-minute Public Comments. Very good. I am calling for Kelly on our good staff, to help us facilitate this meeting.

**Gaughran:** Thank you. Good afternoon, Dr. President Williams, Members of the Board, and Superintendent Mijares. Today the Board shall render a decision regarding the National University Academy Homeschool Independent Study Orange County Charter School Petition, which was submitted on Appeal on August 7, 2018 following the July 12<sup>th</sup> action by the Saddleback Valley Unified School District Board. A Public Hearing was held on September 12<sup>th</sup>, 2018 and the clarification meeting was held the next day on September 13<sup>th</sup>. As legally required, the petition has been reviewed according to California Education Code regarding Charter School petitions received on appeal by a County Office of Education.

Each of you has been provided the Orange County Department of Education staff report, three draft resolutions and three Options for Action. Option 1 approves a Charter School Petition as written. Option 2 approves the Charter School Petition with

condition...conditions to be delineated in an agreement addressing the findings in the staff report. Option 3 denies the Charter School Petition. I now call Teresa Johnson, Coordinator with the Charter Schools Unit who led the team reviewing the petition for National University Academy, to the podium to present the staff report.

**Johnson:** Good afternoon, President Williams, Board Trustees and Superintendent Mijares. Today, you will render a decision on the Charter Petition of National University Academy Homeschool Independent Study Orange County submitted on appeal after denial by the Saddleback Valley Unified School District. I would like to first start off by saying it has been a pleasure working with the petitioners from National University Academy. Throughout the process, they have been responsive and have answered questions and provided requested documentation. It is the role of the Charter Schools Unit to review petitions to ensure compliance with legalities and the California Charter Schools Act, Ed Code, and to ensure fiscal sustainability.

I will not go through the entire report which you have received. However, I would like to highlight a few key findings from the report. Finding Number 1: we believe that the petition is invalid because it violates Education Code 47605A1, which states the initial petition to establish a charter school shall only identify a site or sites within the boundaries of the school district that is considering authorization. A charter petition on appeal to the County Office of Education is subject to the same limitations of the district.

National University submitted a charter petition to operate two separate instructional programs, each in different counties; Orange and Riverside. Based on the charter schools' presentation at the last Board Meeting, it was our understanding that the Homeschool and Independent Study Programs were operating together in Orange County. It was not until the clarification meetings that petitioners explained that these two programs were operating independently of each other. The Homeschool is in Orange County and the Independent Study is in Riverside County. The charter must be reviewed as it was denied by the district.

To remove the Riverside County location would materially change the charter petition because it would invalidate the signatures and alter the budget, enrollment and instructional program. Finding 2: despite National University Academy having operated since 2008, their record shows that the educational program is not sound. National University Academy has a 50% graduation rate, whereas the graduation rates in Orange County and Saddleback Valley Unified School District are at or above 90%. National University has declining test scores over the past three years and those tests scores are well below Saddleback Valley Unified School District and Orange County.

The petitioners were also unable to articulate the instructional strategies used to ensure that the needs of all students are met including, but not limited to, students with special needs and English Learners. Finding Number 3: based on the petition and information received during the clarification meeting, staff has a significant concern that school leadership lacks a comprehensive understanding of Special Education, IDEA, Section 504 and ADA requirements. As clarified by the petitioners at the meeting, the school relies on an outside vendor who then subcontracts with other vendors to provide Special

Education Services without oversight from the school, which we believe is in violation of Ed Code 56341.

Finding 4: the budget in the charter petition paints an inaccurate picture of enrollment revenues and expenses and makes it difficult to properly analyze and determine the fiscal viability of the school. The submitted budget is based on 340 students. However, the petitioners have since stated that there are approximately 200 students enrolled in the Homeschooling Orange County and 50-75 students in the Independent Study in Riverside County. Without the Riverside location, it is unclear how the school would increase their enrollment by 140 students in Orange County to meet its budget projections.

It has recently come to our attention that the California Department of Education has granted funding of \$3.65 million to National University Academy Lakeside Charter School for the 2018-19 school year. How can a new charter school be approved when an existing location at the same site is already being funded and is operating? Finding 5: the petitioner stated that the governance structure contained in the petition is inaccurate.

We attempted to conduct a Review and Analysis of the governance and determined it is also incomplete and internally inconsistent because there is no established Local Board, bylaw specific to this school, no evidence that the school has filed for nonprofit status and no clear governance structure. In conclusion, for the reasons summarized for you today and indicated in the staff report, we recommend denial of National University Academy Homeschool Independent Study Orange County Petition as submitted. Thank you.

**Gaughran:** Thank you, Teresa. The lead petitioner for National University Academy Homeschool Independent Study Orange County will have 10 minutes to speak on behalf of the charter school. I now call lead petitioner, Ms. Kimberleigh Kopp, to the podium.

**Kopp:** Good afternoon, distinguished Board Members, Superintendent. I would like if everyone is okay with that to bring our attorney, Ms. Janelle Ruley from Young, Minney and Corr to stand with me. First, I would like to begin by thanking you for hosting this Special Board Meeting for us, we greatly appreciate it very, very much. I would also like to thank staff for reviewing a monsterly huge petition and getting to know us and holding a capacity. They have been absolutely delightful to work with.

We really enjoy working with them, and of course, we'd like to acknowledge Saddleback Valley for also coming. Thank you. We are respectfully asking the Board to consider an approval with conditions and to speak more to that point and to the points that Teresa covered just now, I'd like to bring up Ms. Janelle Ruley.

**Ruley:** Thanks, Kimberly, and good evening Board President, Board Members, Superintendent Mijares. My name is Janelle Ruley. I'm an attorney with the law offices of Young, Minney and Corr. So, as a preliminary matter, I wanted to address some of the...a couple of the staff findings that the petition is invalid and that there's some sort of threshold requirement hanging out there that a charter school can only propose to operate that...that was the word that was used, only...only proposed to operate within the

boundaries of the school district to which it's submitted. But, this statute doesn't actually use the word, "only".

It says that a petition for the establishment of a charter school shall identify a single charter school. Okay, we've done that. A single charter school that will operate within the geographic boundaries of that school district. That's what we've done. We've...we've identified a single charter school that will operate within the boundaries of Saddleback. The statute does not say that you cannot also propose to operate somewhere else. It just doesn't say that, and further, there's another Education Code section that explicitly allows for the operation of a resource center to be operated outside of the...of the County where the charter school is authorized if it meets a couple of requirements.

This is the adjacent County Exception. You may have come across this. And so, that's exactly what the charter petition has submitted to you is...is a location within Saddleback. That's the district to which they submitted and then also this Resource Center that's in Riverside County is part of the adjacent County. So again, the statute does not state that we shall only operate within the school district that it...the statute does not state that we are prohibited from operating outside of that district. Plain and simple, the statute does not prohibit this particular operation from the charter school.

However...however, I know we wrote you a letter that says we are agreeing to several conditions and so, in understanding what staff's concerns are, National University Academy did want to make the offer that it would be willing to remove that Murrieta...the Riverside County Center from the charter. So, if staff is really concerned about that, if the Board is concerned about that as well, the charter school is offering a condition on its approval that that center be removed.

Additionally, would revise the budget accordingly because of...of course staff is right, you know the budget was looking at enrollment from two different locations, so, the budget would be revised and then the third one would be to form a Local Governing Board to support governance of this particular charter school. So, those are the conditions that National University Academy has...has offered to you. You know, and again, we heard staff concerns. We definitely understand them. The statute does not say that we can only operate within Saddleback and then, do you want to address some of the other issues?

**Kopp:** First I'd also like to thank Trustee Barke for coming to see our site today. That was great. With regards to test scores, yes, we realized that we had some work to do there. Just a comparison: ELA, we had 47.22% of our kids testing at meeting or exceeding. This year, that number jumped to 62.96%, so that was a nice growth for us. In math, it was 38.89%. That jumped to 46.91%. We believe we have figured this out and we believe we can sustain growth. I don't know that we can show to that degree of growth every year, but we believe we can show growth in our test scores from year to year. We figured it out.

Like Janelle mentioned, we are absolutely willing to take out the Murrieta location. That's not a problem, and of course, that would adjust the budget in terms of enrollment,

staffing, benefits, all the other things. We are prepared to make those adjustments and get that to staff very quickly. The Governing Board, or the question about governance and in...what was in the petition. This...this was once an existing school that was part of a much larger school that had a different governing structure under Lakeside Union. What we wrote about was what's currently governing the school and that is an 8-person Board, and I'll be very candid and tell you that there is no representation from Orange County on it.

We would like to change that to a 5-person Board that meets a locally up here represented by the community that we're serving. So, that structure we are proposing are 2 members from National University because they have a vested interest in us and certainly are willing to support us financially until we can get our feet on the ground. We'd like to do that. We'd like to offer you a seat from the Orange County Department of Education, a representative that would also like to sit on our Board and keep everything kosher. We'd also like to bring in an Orange County Community member and a parent from our school to sit on our Board.

So, those are the kinds of conditions that we are hoping to talk about. We understand that, like I said, like we everyone has shared with you, we are an existing school and some of the policies and processes and things that we do have been more aligned with our current chartering district, Lakeside Union. We understand that if we are to be a school of Orange County Department of Education that we will need to make changes and we are willing to do that. So, with regards to Special Education and Waisman Consulting, this was an arrangement that was actually...we were approached by our chartering district to form.

Susana Waisman and Wiseman Consulting have a stellar reputation...reputation down in San Diego County. We have worked with her for 5 years and we have never been to due process, ever, as a charter, which is almost unheard of in the...since we've been operating in 2008. So, we believe that we can continue this effort. We certainly don't want to be a burden to the County. We would like to pursue a relationship with the El Dorado SELPA and also continue that relationship with Susana Waisman. This is an arrangement we have at some of our other charter schools that have been approved through the San Diego County Office of Education as well as San Diego Unified.

Just looking over. In the document we have for you, I don't know if you guys got copies. If you do not I can provide those to you. We talked about some of the...no? Okay. If I may give those to you, okay? [MS. KOPP HANDS DOCUMENTS TO NINA BOYD] We talk more specifically about some of the things that we'd like to do in the areas of academics to support the growth of our students and the continued implementation of academic standards. So, we have that and what we do with student outcomes with regards to professional development, parent support and of course student support plans.

We certainly do provide oversight of some of the things that...well, all of the things that we do and to all the vendors that we work with there are...they are approved through a system and we as strongly feel that we can implement a program that is currently

underway and has been functioning for the last few years. So, thank you for your time. Do you have anything else you'd like to add?

**Ruley:** Hi. Never give an attorney another shot at it, right? The only thing I was...I was thinking is about Ms. Johnson's last comment about funding being allocated for the Lake...the charter school that's authorized by Lakeside that's currently operating at that location. This would be a different charter school. Right? And so, those funds...if students are not served in that school, those funds would be refunded to the state or however that works with the state.

This would be a new school with a new CDS Code, County District School Code, a new charter number, all of that. So, the funding for this school getting off the ground late wouldn't come until January or February, however, that works. So, just wanted to allay that this would be a different school and that funds would all be accounted for; have to go through the audit process as well. So...

**Kopp:** Thank you so much for your time.

**Gaughran;** Thank you, Ms. Kopp and Ms. Ruley. Representatives from Saddleback Valley Unified School Districts will not be speaking but they are President...present and have received all relevant notifications and documents. At this time, the Board will proceed with deliberations and questions and then build on the Charter School Petition. To reiterate, you have 3 options: Option 1 approves the petition as written. Option 2 approves a petition with conditions, and Option 3 denies the petition. President Williams, I now turn the meeting back over to you.

**Williams:** Thank you, Kelly. Wonderful presentation and for all of you, too that were here, get up here because we're going to be asking a lot of questions and Mr. Rolan, be prepared to come up there. One of the concerns that I see is the material change in the documentation. You mentioned it. Mr. Roland. Before we grant anything, we need to...I'd like to get your opinion on that particular subject matter, and what are the options our Board has?

**Rolan:** Mr. President, the options your Board has are the options that your staff provided you. The material change, the petition issue is addressed through an MOU. It's a delicate balancing between the letter of the law, the intent of the legislature to have charter schools to be an integral part of the public school system and the sovereignty of this Board, what the will of the Board is with regard to the community needs and desires. So, the...the MOU option is a viable option.

**Williams:** Okay, regarding the issue in the legality of an outside vendor then subcontracting out to another outside vendor, is there anything that is in violation of State Education Codes on that issue?

**Rolan:** I'm not aware of anything.

**Williams:** Okay.

**Rolan:** Public schools do that regularly as well.

**Williams:** They do? Okay and I'll leave that to your attorney. Where is she? Oh, there you are. Comment on that.

**Ruley:** Yeah. So, common practice. Some charter schools that are their own Local Educational Agency for the purposes of special education, some of them do have the resources to hire their own staff and handle all of the special education needs insight on...in-house and many other charter schools contract with other with outside agencies and that's exactly what NUA has done. So, very common practice with charter schools.

**Williams:** Okay, and then now get you up here. I like your...your scores that have gone up. That...that is good. Congratulations on that. Tell me about your budget. You're going to have 140 less kids.

**Kopp:** Right.

**Williams:** How are you going to do that? How are you going to make the ends meet?

**Kopp:** We feel that with 200 kids, we can make that meet. We have a very low-cost lease. Actually, I think the best person to address that is my financial guy here, Zack Will, from CSMC.

**Williams:** Hi. Please introduce yourself.

**Will:** Yeah, my name is Zack Will. I work with Charter School Management Corporation and we...National University contracts out back office services with our company to kind of facilitate and help. But you're directly involving the budget... the understanding is...and this is typical practice for a lot of schools that are entering into a new school years. You don't really know where your enrollment will fall from time to time. In this case, if we're projecting run around 200 or so...250 or so students, then we will have to scale back. Approximately 8 teachers will be budgeted for if we are looking at about it and enrollment of 200 kids.

We will scale back into expenditures to make sure the budget jives with where revenues are so, yes, the...in most practices, typically what I have seen a lot of these capacity meetings and with petition reviews is the staff will like to see an updated budget with current enrollment. So, what I will show is where enrollment currently sits for the Homeschool Program. If we're at 205...210, we will run numbers with that. Typically, I'll be more conservative and we'll go ahead and project staff with regards to that and then expenditures as well. So, whatever your staff would like to see today, tomorrow. I can work on that and make sure it jives with what NUA plans to do for the fiscal year.

**Williams:** Great, great.

**Kopp:** If I may just add to that. One of the reasons that we did not pursue any type of marketing or recruitment is because we were on appeal, but please know that we have access to National Universities marketing department and we can aggressively enroll students...recruit students.

**Williams:** I have one more question then I'm going to go to my esteemed colleague, Dr. Bedell. Last meeting, I asked the question about when we should approve this charter. I asked the question, "Can we approve it October 3<sup>rd</sup>?", and I was given a response that yes, and by approving it October 3<sup>rd</sup>, it would be continued as is. Now, I got a phone call

a week ago which precipitated the urgency of this and the phone call was you will not be able to operate after September 30<sup>th</sup> if we did not approve you tonight.

**Kopp:** Well, if we are approved tonight, we would love to be a school under the Orange County Department of Education. We would love to...the intention with Lakeside Union has always been to leave Lakeside Union because of the Anderson Shasta ruling and so, I think they would like to see us move on, you know, sooner than later if at all possible and if you're agreeable, we'd love to make that happen.

**Williams:** Okay.

**Ruley:** Just to quickly add that the September 30<sup>th</sup> is a magic date because a brand new charter school cannot open after September 30<sup>th</sup>. It has to open before, otherwise, it would be into the next fiscal year.

**Williams:** Okay.

**Ruley:** That's the magic number on that date.

**Williams:** Okay. Thank you for explaining. I'm done. Dr. Bedell, any questions, sir?

**Bedell:** Yes. Greg, please, can you come on down? Come on down. Excuse me. What is your take on a charter petition being valid when it's in two different counties before it is authorized?

**Rolen:** I believe that's a concern. It's a real concern. I understand it's a concern of this Board, but that was why I believe when I received the response, that's why National University is offering to close the Murietta site.

**Bedell:** Right. So, let me be the Devil's Advocate then here, okay? If we approve this, I think it's a lot of interest in it. I've gotten a lot of people interested in it, Greg, and this parent school district and Trustee Sparks' area sues on that point alone and they win; hypothetical. Does this Board and does this County enjoy any legal liability in that?

**Rolen:** If they win?

**Bedell:** Yes.

**Rolen:** Yes, there's always liability if they win.

**Bedell:** Okay, fine. That's a great answer. I wonder if you could talk...Greg, I really appreciate you being here because I know you've got issues.

**Rolen:** That's personal.

**Bedell:** Not between us.

**Rolen:** I've got issues.

**Bedell:** I need...so, this was presented to me. Jack, Jack, we got to approve it tonight because 300 and some odd kids are going to be on the street tomorrow without a school. That's what I was basically told. Now I hear they have let...they have Lakeside...what's the verb I'm looking for? Lakeside...yeah, Lakeside authorization. Isn't it possible that they can continue after September 30<sup>th</sup>? No kid would be on the street. No program would be disrupted and that this stuff could get worked out?

**Rolen:** Calls for speculation. I don't know. I can't speak to that.

**Bedell:** I got...again, I really appreciate you...I need to...but what concerns me is the...the offloading of those 170...is it 170 in home...in Independent Study? Is that what it is?

**Rolen:** 50-ish.

**Bedell:** It's about that? What happens to them tomorrow morning? You see, I'm just...I'm having real trouble with this. My very first question is very troubling for me.

**Rolen:** I don't have an answer for that.

**Bedell:** Ah, good seeing you. I love that green.

**Anderson:** Michelle Anderson, CCSA. Yes, we do recognize that there is an issue with children in Murrieta at about 50 students, and as such...correct? 50 students in that program that need to have...find a home and we do have a home with another non-classroom based instructional school that happens to not be going to Orange County and is instead choosing to continue their operations in Murrieta, and it looks potentially like they would even take over the lease on the building that this...this school currently has in Murrieta. So, we, as part of CCSA, we never want children's programs to be disrupted. And so, the two leaders from both schools will be talking about the curriculum and the programs and how to integrate those students in, but we have found a home for them.

**Bedell:** Okay. Greg, SELPA, right? A lot of school districts use...

**Rolen:** The CHELPA.

**Bedell:** ...Lake County. What do you think about that SELPA here? I must admit I'm having real difficulty having a third vendor. There's a special ed kid that's got real needs. It's farmed out and then it's farmed out again. That's what I'm hearing. That makes me really nervous as a spouse who had 400...at church, she had 400-700 special ed kids in her school when she was a Principal, so I'm very sensitive to that. I have a colleague who's going through some extraordinary issues with IEPs right now for his high spectrum autism child. So, help me make sense of this.

**Rolen:** Of the use of an outside vendor?

**Bedell:** Third level out.

**Rolen:** Third level out. Again, a number of public schools do it. The CHELPA, I understand that they're trying to pursue a relationship with the CHELPA. I have no idea where that relationship is. I...I was comforted to see that there were no due process filings against this district. I share your concern about special ed kids. I have three of my own.

**Bedell:** Yes.

**Rolen:** And it's a real issue, but the...it doesn't necessarily make a charter illegal or unworkable if there are outside vendors with whom they contract, and I understand from the response that San Diego and La Mesa, or Kearny Mesa or one of the other authorizing districts are comfortable with their service.

**Bedell:** Okay. Thank you, but don't go away.

**Rolen:** Okay.

**Bedell:** Okay, seriously, I'd like to hear from the proposers. You mentioned that you've had recent success and maybe the charter school...you've had recent success in San Diego County. I'm assuming all those districts you've offloaded the Riverside piece now, right? So, they're all intact but in San Diego County. So again, I appreciate what you've done in San Diego County, because that County Board has been historically very

hostile...very hostile to charters in general. You probably got a good treatment since you're related to a university.

**Kopp:** Well...

**Bedell:** That Board has been...and I would say it to their face. All right?

**Kopp:** I will tell you, Dr. Bedell, they are all challenging and they're all very unique and very different and have very different requirements, and it has been our pleasure to work with each and every one and yes, the National University is a very, very good friend to have in every situation.

**Bedell:** Mmhmm.

**Kopp:** But, if I could Dr. Bedell, I would also like to further address your special education concerns. My Special Education Director is here.

**Bedell:** Okay.

**Kopp:** It would...would that be all right?

**Bedell:** I'll love it.

**Waisman:** Hi, my name is Susana Waisman and I have been doing special education for many, many years and in charter schools for many years. I was Director of the largest charter school in Southern California, River Springs, which is now Springs. So, the way it works is I have a contract with National University and other charter schools and legally what you do is hire through what is called Personnel through Non-Public Agencies. The state gives to some agencies the status of Non-Public Agencies. All personnel has to have the proper credentials and they need to be highly qualified. So, if the state allows the MPA to function, that's who we contract with and this is what the charter schools do.

And, you need to understand really the nature of homeschool to understand why it is legally acceptable. It's okay and it's also financially sound. You have children in homeschool all over the map. It's not like going to one traditional school where the kids live within a certain ratio. These kids may live 20-30 miles from each other and so, it's more efficient to find the proper personnel that will serve the different locations.

So, it's not fiscally appropriate for a program with 250 kids to have their own teachers because they will be servicing five...six kids and then you have to have another area for five and six kids, but it's perfectly legal. It's the way charter schools are operating, and as a matter of fact, many school districts are hiring through Non-Public Agencies because they don't bind their staff. Any questions?

**Bedell:** So, each child has an individualized IEP.

**Waisman:** It's exactly the same as a public school.

**Bedell:** Right.

**Waisman:** Exactly the same. Each child has an IEP and whatever services that child needs, we will provide. We have intensive services, and if we go to an IEP meeting and the child is not making progress in a homeschool program, we will make a recommendation to place the child in more efficient and in a place where the child can make progress and we are financially responsible to find that placement and to continue monitoring the kid. We have been pretty successful. Our ratio of special education kids

for NUA Orange County is over 12%. School districts never...when you start going above...about 10%, it's telling you something. And so, we have parents that really want to come to us because they are getting good services and legal services.

**Bedell:** Just personalize it for a second because it informs where I'm coming from on this. My wife went to an IEP with the special ed student and the special ed students' parents brought seven lawyers.

**Waisman:** Yes, yes.

**Bedell:** It was a lawyer for his bone. I'm not...lawyers for his bones, lawyers for his...you name it, that...that child, he had a lawyer. She never went anywhere in a meeting like that without a lawyer.

**Waisman:** Yeah, we have those.

**Bedell:** That said, would you do your IEPs, and there are lawyers involved, who is billed for that? Would that be a cost that we would be incurring?

**Waisman:** No, no. If the parent brings...the way it works is you got to an IEP meeting. The parents have the right to bring whoever they want to bring.

**Bedell:** Right.

**Waisman:** Normally if the parents...they have to tell you they are bringing a lawyer. Therefore, we bring our own lawyer. The only people we pay is our own lawyer until we got to due process and the outcome of the review process will determine the financial burden. So, if the school district, if asked, would have lost the due process, we pay for the other parties' lawyers. It's a very complex situation but cross my fingers, who never had a due process, we are pretty positive in treating the parents and very legalistic to avoid any outcome that can be negative.

**Bedell:** Yeah, it's...I really appreciate the work you do because it's filled with landmines, okay?

**Waisman:** It is, but...

**Bedell:** Okay, I have to...thank you very much. I just have two questions, Mr. Chairman, you've been very patient with me. I'd like Laura, can you come on down please? And, I'd like the District to come over, please. We, as my understanding is, this County has a large homeschooling pra...program already in the house. Correct?

**Strachan:** Yes. We serve...

**Bedell:** How many students are involved in that program?

**Strachan:** We currently have 323.

**Bedell:** 323? Okay. Now, when you...when they describe, and I really appreciate the detail that they went in and the honor that they showed in describing their program, how does our Homeschool Program compare and contrast to what NUA's is?

**Strachan:** Ours is very similar. We do offer once a month visits. We have enrichment classes, tutoring. We work with our teachers to offer different types of modifications to the curriculum if necessary. We have full Special Education Services and teachers on site for them. We have field trips. A very rich program.

**Bedell:** Thank you. Can I have the District now, please? This is my last question, right now. The District, you heard tonight that the test scores were going up and you...could you please compare your test scores with the school's test scores now, with the new data?

Because I appreciate you promised last month we will get new data and you've given it to us. Thank you. Yes?

**Connie Cavanaugh:** Unfortunately, neither one of us are from the Education Services Department, so, I don't know that we could speak to that. We could certainly look those up and get back to you.

**Bedell:** Okay.

**Cavanaugh:** I don't know those numbers off the top of my head.

**Williams:** I think, Jack, that is mentioned on Page 6, Paragraph...

**Bedell:** Is this recent data, Ken? They brought in new data, and I wanted to be sure if the District had new data.

**Williams:** Right, right. We have the two 16-17 school year for Saddleback graduation... graduation is 93%. The SBAC it's not listed here.

**Bedell:** Yeah, it's, I think... I think that 16-17, they had... they were... they graciously provided newer data, Ken, so I'm done at least till 10 of 6:00.

**Williams:** Very good. Trustee Gomez?

**Gomez:** I'm going to defer for now.

**Williams:** Very good. Trustee Barke?

**Barke:** I have no questions. I have toured the school. I've talked to the teachers. I've talked to the children. I've talked to the parents in addition to receiving many, many, many letters. I've been to the facility. I've seen the playground. I've seen the classrooms. I've seen the projects. I've seen very excited families who are thriving and so I'm very pleased with what I've seen in whom I've met in my...my encounters.

**Williams:** Very good.

**Sparks:** I have...

**Williams:** Trustee Sparks?

**Sparks:** ...a couple comments and one question. I appreciate the thoughtfulness that you all put into...into addressing the concerns for...in terms of forming the Local Governing Board and the strategy behind that. I think that was really mindful. My question is...is in terms of the growth of the test scores. So, I...of course all of us are liking to see the trajectory going upward and you are all asking for three years. What do you anticipate the growth would be in that three years? Do you have an estimate on that?

**Carrete:** I don't know if you can never really predict the test scores, but we did put a lot of things into place this last school year, including a lot of staff professional development. We did a lot of online training. We started weekly staff development with professional development articles that we read and respond to. Monthly professional development on the phone and then we also started parent training, both online and in workshops where we brought in Math Specialists to come in and train the parents on the new ways to do math.

And then, we started incorporating a lot of language and vocabulary specific to the test in our enrichment classes, and then, just exposing...we did some test prep workshops, which we've never done before, so just really exposing the kids to the test. A lot of them don't do that kind of test work. We also take the test up at National University so it's a new location for them. They're not really familiar with it. They're not used to it.

Now that we've done the test a couple of years, the kids are getting more comfortable at the facility that have taken it in previous years. So, it's less anxiety producing and so yeah, we just do a lot of staff development. We've put a lot of academic progress things into place for the kids; just little things that we're going to keep doing, and we have more planned for this upcoming school year, so...

**Kopp:** So, one of the things I do in my role with all of our NUA schools is I help all of our leadership develop the LCAP for all the schools, and it's probably...you've seen LCAP, so, you know, we looked at test scores, especially in English and Math and come up with targets. So, the requirement I make of all the principles is somewhere between 3% and 5% growth, from year to year.

**Sparks:** Thank you, that's all I have.

**Williams:** Any other questions? Okay, Trustee Gomez?

**Gomez:** Yes. Thank you very much. First of all, I just want to let everyone know that this meeting was started at 4:30 P.M. knowing that I wouldn't be able to be here until 5:15 P.M. So, I probably may be asking questions that maybe you've already covered, so I'll apologize in advance for that. What is...I'm looking at the student achievement data on Page 10 of the Agenda packet that we have, and I'm looking at these graduation rates and I'm looking at the proficiency in English Language Arts and proficiency in Math. These scores don't look very impressive so...and you mentioned earlier that you said you had, "figured it out", but you didn't say how you figured it out or what you intend to do.

**Kopp:** Well, first of all those...the high school kids are predominantly in the Riverside County Murrieta campus and those kids are considered at risk. We are a lot of times for those kids, the third or fourth school that they've had in a given year, so that we haven't had them all year, for the most part. They're also coming to us severely credit deficient, so we do work with them where they're at, and we do try to bring them to our very best ability and with their current situation, wherever that may be. Consider, some of them are parents themselves. Some of them work full-time. Some of them are supporting a family.

Some of them are also taking the GED. So, those are things that we are doing to support those kids. Those kids are not here in Orange County, they're in Riverside. So, with that in mind, if we are looking to find a new home for the Murrieta campus, we will be putting them in a school that is similar to ours that also supports at-risk kids that has also the skills and the teachers to work with that population. So, the scores that you have in the document that I provided you just now are actually the test scores that are just solely for the students in Orange County, and those students are in grades TK-8.

**Gomez:** Okay. Well, I'm glad you gave it to us but unfortunately, we get something on the dais, we cannot digest it or really evaluate it. I understand that all these kids have all these other issues but you said you figured it out. So, tell me again what you're going to do.

**Kopp:** Well, the kids that we...the test scores that we address in the document that you have and I'm sorry, you haven't had an opportunity to read it, where the kids that Jennifer was talking about, and the measures that she was talking about with regards to what we're

doing with parents, with the students, as well as with professional development of our teachers. So, we did target those areas. We brought in a Math Coach, for example, to work with our staff. Jennifer also extended that Math Coach opportunity to our parents. We have it, an assessment, different assessments and internal assessments that we're using to better drive our instruction to take that assessment in the beginning of the school year when we have the students to see where they're coming in at.

We assess them again in the middle of the school year to make in-flight modifications and we test them again before they do state testing to see where there are any other deficiencies that we need to shore up in parent meetings, additional support systems, or materials, or things of that nature. Jennifer, would you like to continue?

**Carrete:** Yeah. Are you referring to the pro...the program-wide because we took the test scores out for Orange County only, but NUA as a whole, which would include the Riverside campus, as a whole we did a lot of professional development with Math this year.

**Gomez:** So, explain what professional development you did; briefly.

**Jennifer:** We did Stanford online, offers a program. So, it's called Mathematical Mindsets with Joe Boaler. It was a really intensive, extensive online professional development and then we also brought in a Math Coach. We did some...when we have our staff-wide meetings with all the programs that we have, we did a lot of data analysis. And so, each program kind of dealt with it in a different way, so I can speak on behalf of homeschool, but it was definitely...we use that data that we have to drive that instruction and focus primarily on professional development that went then down to the parents, and then offering more.

**Gomez:** So, how do you share that with the parents?

**Carrete:** The professional development?

**Gomez:** Mmhmm.

**Carrete:** We actually...I did a...I don't know if you've heard of Zoom, but it's an online platform.

**Gomez:** Yes, I'm familiar with Zoom.

**Carrete:** So, I've experimented with that this last year and I think I'm going to do more of that this year where we do it online so they don't have to come in person, because they're all over the place. But then, we also did bring in...

**Gomez:** How many parents did you get to attend that? What percentage of your parents?

**Carrete:** Not a whole lot of percent but I recorded it and then put it online for them to watch later. So, I don't know how many watched it later but we have...

**Gomez:** You know, you can get a report from Zoom.

**Carrete:** Oh, you can?

**Gomez:** To see that, yes.

**Carrete:** Good. I was...I'm new to Zoom so we had only probably about 10 parents that were online, but then we also did an in-person, full-day Math training with the parents and then...

**Gomez:** How well attended was that?

**Carrete:** That was really well attended. We had some parents that just attended certain pieces of it, but I would say we had 30 parents throughout the day come to different pieces of it and then we also...that same Math Consultant brought...gave us some curriculum that we're going to use and we're going to do Math Parent Workshops that we're actually going to teach using the math curriculum. And now, we had a site in Tustin that we're closing so now, all the teachers will be down in Mission Viejo. So, we'd like to do some intensive like, intervention prior to a kid...the kids that are below grade level but not in special education, giving them some Reading interventions and some Math interventions during that time. So, that's definitely on the plan as well.

**Gomez:** Okay, all right. Thank you. There was a statement made in this report in regards to special education and it said that the NUA administrators do not attend IEP meetings and are not part of a IEP team, which was a violation of the Ed Code and they do not provide oversight of the vendor or subcontractors with regards to ensuring services are delivered. If you don't provide that oversight, how do we know we're serving those children?

**Waisman:** It's good questions. We have a very close relationship with the Lakeside Administration. Lakeside is the charter in school district and the East County SELPA of San Diego is the server where Lakeside functions and we have a lot of relationship with the SELPA Director and with the Director of Special Education Executive Director at Lakeside. There are no kids that they don't know what's going on, so, we are...as a matter of fact.

**Gomez:** Why would that statement be made?

**Waisman:** Statement?

**Gomez:** That's not clear.

**Kopp:** I can...we are certainly in the room and we are certainly providing oversight of Susana. We work very close with her. She's like part of our family, so, we are present in the room and we do attend those meetings.

**Waisman:** We were surprised by that statement and I don't mean it negatively. We work together as a team and so, I...if you go to a regular traditional school...I would bet you that you find the same relationship with the Special Education Director that National University has with the Executive Director. They know what is going on in special education. Now, regarding to...as membership to an IEP meeting. The Code of Federal Education requires that an IEP meeting membership being a general education teacher, a parent, and an administrator of the...an administrator that has the power to make all decisions including financial decisions. All of NUA membership is fully compliant.

**Gomez:** Okay, thank you. Thank you. Who wrote this report from...from OCDE? Could...could I get a clarification on that statement?

**Johnson:** Yes. What we were told at the clarification meeting supported what was put in their report in terms of the contractor providing all the services along with the subcontractors, which are also independent of the school. And so, we weren't told that

anyone from the school attends the IEP meetings, it was simply these contractors and subcontractors and maybe a teacher. So, that is where that statement came from.

**Gomez:** Okay, so that was from...

**Johnson:** The clarification meeting.

**Gomez:** The clarification meeting.

**Johnson:** Yes.

**Gomez:** Okay, all right. Thank you. Thank you. I am also concerned about the...the Board of Governors and you address that a little bit. By saying that...that you would welcome somebody from the Orange County Board of Ed to have a seat on the Board. That, I think, would present a conflict because we would...we would be your oversight body, but yet we would have a representative, so that really doesn't make sense to me. Although I do appreciate the attempt at getting local representation because I've said this to other charter petitioners that they really do need to have someone that's local. It has to be, you know, you get parents all enthused about your school, but then many of the charter petitioners don't have anybody to represent the parents.

So, I am concerned that there's a lot of we will do stuff. If you're an experienced charter school, and I said this at the last meeting, that none of this stuff should be difficult. This should all have been addressed before you even went to your home district, as well as coming here and we can only look at the stuff that...that you provided to the district. We can't...we can't look at new stuff so that's...that's where the difficulty is for me. There's a lot of we will do, as opposed to we have it in place, so, I'm just concerned a lot about that.

**Ruley:** Sure, thank you. Janelle Ruley with Legal Counsel. To the point about the County Boards, seating a representative. The suggestion was not that one of the five of you go to those meetings and attend those meetings. It would...it would be that they be County Department of Education...the County Board, have the authority to select a representative. It could be a retired teacher, a retired administrator...somebody who would voice the interest and representation of the County. I think that...I think that was my main point. Oh, and your last point about, you know, we can't look at anything new. Actually, each review of a charter petition on appeal is de novo. So, it is...it...counties can look at new information.

**Gomez:** Yeah, but the...the target keeps moving. It seems like every time we look at something and, you know, and I ask about the test scores and then we get something on the dais that you say is new information. So, it's a little hard for us to...to do things and make a good decision when we're constantly getting new information. All the stuff should have been brought to us before we even, you know, started looking at this and that...that's difficult. It...it tells me that there's a lack of preparation and you know what? I'm not willing to risk, you know, the education for our kids in Orange County for something that's not well prepared. So, that's...that's why I'm concerned.

**Ruley:** Yeah, test scores were just...are just now being released. They will be released next week so they couldn't have been in the charter. It...so, these are yeah, it's embargo

data.

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

**Williams:** Any other questions? Okay.

**Bedell:** Ken, I just have to...Greg, I know my very first question to you was is a charter valid that identifies two sites in different counties before it's authorized. I'm hearing tonight that they're offloading Riverside. Is that...do I hear that right?

**Rolen:** That's my understanding.

**Bedell:** Okay. Now, where is, in your understanding, where is the Lakeside in all this? That's not...that's confusing me. Lakeside is the current holder of the authorization? So, it's already an authorized charter and we're being asked to approve it to use the de novo one, if it's a new one, is that my...is that correct?

**Rolen:** Correct.

**Bedell:** Okay. So now, your recommendation would be Motion Number Two, which would have a very tight MOU.

**Rolen:** My recommendation is that if it's the will of the Board to approve the charter that you approve recommendation Number 2, and if the charter doesn't meet the conditions set forth in the resolution and the time frame set forth in the resolution, that they lose their charter That's what conditions are for.

**Bedell:** And so, Greg, play that out. They meet them, everything's copacetic. They don't meet them...is they're usually a timeline in there you have to meet this by August 1<sup>st</sup>, 2019, or else you'll shut down? How does that work?

**Rolen:** My recollection of the resolution is that it...that the governance structure and the revised budget needs to be in place by November. And then, it goes through the school year to determine whether it meets the conditions. This is...this is...again the will of the Board.

**Bedell:** So, then, in other words, if it's in...if it's approved by a majority of this Board with an MOU, this Board sees the MOU?

**Rolen:** Yes. Have we seen all of them? Have we seen all the MOU's before? Okay, so there's no...so that I want to be sure everybody's treated fairly. That's where I'm going with that right.

**Williams:** Right.

**Rolen:** This is a collaborative effort between the charter and staff.

**Bedell:** Are you done, sir?

**Williams:** So...unique situation, as all charters are, this is not a new situation where we're having a charter come before us and there's modifications to the charter petition. I feel very comfortable with this. Our Counsel feels comfortable with this. I like the responses of your Counsel. So, I...I am going to make the Motion that we accept this charter, and that is Option Number 2.

So, I'm making the Motion to Grant the Appeal and approve their charter petition...petition with conditions. This action would result in Approval of the Charter Petition and require the exec...execution of an agreement or an MOU toward...to address the issues outlined in the staff report and findings of fact. And, of course, we would be establishing the appropriate time lines for the petitioners to meet the conditions as specified. So, as a Motion, I need a Second for that.

**Barke:** I will Second that Motion.

**Williams:** I will Second that. Okay, so, for our guests what we typically go and discuss now is the Motion itself, and we've had discussion, we have...I made the Motion. We have a Second by Trustee Barke, so I'm going to throw it out to my colleagues now for further discussion before the actual vote.

**Barke:** Can you start at that end of the table? Trustee Sparks?

**Sparks:** Do we...in this Motion, do we Amend to...or would it be advisable to admit to a three-year timeline to see if they're doing what they say they're doing in terms of validity?

**Williams:** Hmm. That's a good question. If I can get...where...don't leave us.

**Sparks:** In terms of validity, would it be advisable to amend the Option 2 to say in three years, you're going to meet the requirements that you say you're going to meet.

**Ruley:** That would that would certainly work for NUA, to have that three-year period.

**Williams:** Okay.

**Kopp:** Largely to just...so we can continue to show you growth and test scores.

**Williams:** Okay. Question for Counsel. So, is what we're...what the Motion is, is for indefinitely, or is within this MOU that will be created. Is there a timeline that will be created by staff?

**Rolen:** I don't think there's a timeline discussed yet, but if they...if the Board wants a three...three-year timeline for them to produce results that...that seems to be acceptable to them. I think there has to be the November timeline for them to meet the certain conditions concerning governance, offloading Murrieta, and providing an updated budget...

**Williams:** Right.

**Rolen:** ...that reflects the operating costs and the decreased attendance.

**Williams:** And, Kelly, in the past when we've done these MOU's, from what I see here with this group and with the other charters that we have approved, it's been a very amicable relationship and we've met the timelines and it's worked out. Is that correct?

**Gaughran:** That is correct, and the MOU will have timelines in there. So...and some maybe November, and in some, maybe you know, show improvement in test scores like you were saying over three years. So, yeah.

**Williams:** Okay. Does that help?

**Sparks:** Yeah, I'm comfortable with that.

**Williams:** Trustee Barke?

**Barke:** I'm comfortable with that.

**Williams:** You're comfortable with that. Trustee Gomez?

**Gomez:** The resolution, if you're going to look at to approve with conditions, talks about that the petitioner and the Board must fully execute an agreement that addresses all the findings as well as the operational relationship in the school and the Board and OCDE, no later than the Board's Regularly Scheduled Meeting in November. So, that would mean that all the conditions would need to be met by November.

**Rolen:** The conditions being the ones set forth in the response, the governance structure, the offloading of the Murrieta site and the presentation of an updated budget to reflect the decrease in attendance and commensurate operating costs.

**Gomez:** Okay, so, can the petitioner...can you meet all of those things at...by November?

**Kopp:** I believe we can.

**Ruley:** I'm sorry, just to clarify. Are we talking November 1 or November 30?

**Gomez:** November 1.

**Kopp:** November 1.

**Gomez:** Well the November meeting, so that would be the second Wednesday...the 13<sup>th</sup>.

**Kopp:** If the requirements are to modify the petition without the Murrieta location.

**Gomez:** Well, I think it would be all the conditions.

**Kopp:** Well, I'm just...I'm going through them. A revised budget submitted as well as...and the governance, we can we can absolutely do those three things...

**Ruley:** By the November...this Board's...this County's November meeting date.

**Boyd:** November 7<sup>th</sup> is this County Board's meeting date.

**Kopp:** We will do our darndest to do it, you bet.

**Bedell:** Mr. Chairman?

**Williams:** Yes, sir.

**Bedell:** I am...I need both of you and I need Greg, please. MOU's have more than two or three or four items in it. There is a lot of concern throughout this whole document and I don't want the public or the school, most importantly, to think that the only thing that that MOU is going to deal with is those three or four things just mentioned. There's lots in here that's giving me a little throughers, as they would say. So, I just want to be sure that the MOU...the staff is not being confined to do an MOU on three subjects and the hell with everything else, pardon me.

There's other stuff in here that the staff has identified. So...just...I don't want anybody to be misled that it's a neutered MOU; abbreviated MOU, and that's what I heard. That makes me very nervous. So, I can...I'm willing to vote for Option 2 with a fully complete MOU, not a half story.

**Rolen:** With the conditions presented and met by November 7<sup>th</sup>?

**Bedell:** I want to fully vetted MOU; what you have to have by November 7<sup>th</sup> is I can...I can live with that, but there's other stuff in there that needs to be addressed. And so, I think that's where I'm coming from.

**Barke:** Is there a reason we can't Amend that date to the end of November? Is there...is there a reason we couldn't give them a little more time to have a more complete submission rather than, you know...you know causing them to fail? I would rather give them an extra three weeks and have something that we're comfortable with if everybody else is agreeable to that.

**Gomez:** Well, honestly, this should be complete before it even came to us, and the fact that we're sitting here trying to adjust all of the other items that need to be done is a little concerning. This really needs to be done by November 1<sup>st</sup> if it's to come to us by November 7<sup>th</sup>, because I want a complete packet. I don't want to get stuff on the dais that, again, you're asking me to trust this information when I even have...haven't even had a chance to look at it. That's not fair to the people that we represent to look at something without having the time to digest it.

**Ruley:** If November 30<sup>th</sup> is an option, the charter school would appreciate the extra time, and I imagine staff would as well to go back and forth at least a couple of times.

**Barke:** I would love to have the information by December 1<sup>st</sup> for our December 12<sup>th</sup> meeting. That will give us two weeks to digest it and that would give them time to put something together. So, I think that would be a good compromise for everybody. We'll get what we want, they'll have time to do what's necessary rather than rushing this whole process.

**Bedell:** Is that legal?

**Williams:** Kelly?

**Barke:** Can I Amend the Motion?

**Williams:** I don't know if that's necessary. I think the discussion with the staff and with the charter petitioners, as long as we have that consensus, we have an agreement. We've done this in the past...

**Gaughran:** Okay.

**Williams:** ...and things have worked out fairly well. Kelly, your thoughts.

**Gaughran:** My thoughts...go ahead.

**Boyd:** I'm sorry.

**Gaughran:** Yes.

**Boyd:** I think it's difficult to put Kelly in this position because she's getting advice from Legal Counsel, so I think Legal Counsel really needs to advise her before she can...because they're the ones who are going to be working with...working with the MOU, because they worked with us on the staff report.

So, in terms of what my team is looking at trying to make work on behalf of both the petitioner and our team, and then to come up with something that makes sense, and we recognize as being something that is sustainable that you all will be able to take action on one way or the other. I think in fairness, we need to know the...the legalities from, you know, also from Counsel. So, if the Board would allow Ruth to at least confer with Kelly, I think that would give us an opportunity to answer the Board's question.

**Williams:** I withdraw the question. Greg. Can I just get you up here? So, at this sensitive moment here, there's not a clear consensus. A lot of us...we would like to hear your advice and Counsel on the...on the Motion that's before us and the discussion here.

**Rolen:** The Motion, as I understand it, is that there's a Motion and a Second for Option Number Two. The discussion is what are the conditions and what is going to be contained in the MOU, right? And, that seems to be a subsidiary or different Motion upon which the Board has to exercise its will.

**Williams:** Yeah, and in the past, we really haven't made subsidiary Motions to include all of the details that is on the staff report. Jack, please tell me if I'm wrong on that, but we sort of left it...

**Bedell:** We have left it to the staff to have MOU's as they see fit based on the conversations we've had here, based on their recommendations, based on the proposers; that's why I was so agitated by just having three topics in the MOU. Have we...if we move this Motion, we have an MOU developed and then we're going to see the MOU.

And, if we don't like it, then that's a very different piece, but just...I don't want to see an MOU just dealing with those three little things because I will vote no for that.

**Williams:** Right, and I agree with you on that, and as long as the charter petitioners understand that it's not three items, it's everything that's in the staff report...please, go ahead and use the mic.

**Kopp:** We've had a great working relationship with staff and we look forward to working with them on the MOU and setting those timelines. So, I don't see an issue. I really don't. They've been wonderful to work with us and their timelines for us have been absolutely reasonable and so have their requests for information.

**Williams:** Okay, any other questions? Considerations? Okay, so, being that the discussion is over, we have a Motion before us. We have a Second to accept Option Number Two. Hands or Roll Call?

**Sisavath:** Roll Call.

**Williams:** Okay, so, all those in favor of the Motion, say, "aye."

[ALL BOARD MEMBERS EXCEPT TRUSTEE GOMEZ SAY, "AYE"]

**Williams:** All those Oppose?

**Gomez:** Oppose.

**Williams:** All those Abstain? Motion passes 4-1.

[APPLAUSE IN THE AUDIENCE]

**Williams:** Very good. So, congratulations and at this point, we're going to take a break and we're going to reconvene at 6:30.

[PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BREAK. AS SCHEDULED, THE SPECIAL MEETING RECONVENES AT 6:30 P.M.]

**Williams:** Welcome as the Orange County Board of Education reconvenes its Board meeting, and what I'd like to share is that our Regular Meetings are held monthly at 10 A.M. unless otherwise noted. The Board Agendas are posted online and on our website for review. There are Agendas for this evening that are on the back table. Anyone wishing to address the Board or express Free Speech Rights is requested to complete a Request to the Address Board Card that is available near the front entrance. Please submit the card to our Board Recorder, Darou, at this time as we are about to begin our Meeting and Public Comments.

To accommodate more Public Comments, we are allowing Public Comments at the end of the Closing Statements, so we want to hear from everybody and that is an option for you. This is a Public Meeting and we appreciate that your comments, if you do engage in Public Comments, that they are respectful and that they demonstrate civility towards the Board, the Superintendent, our wonderful staff, and other guests attending this Public Meeting. Anyone deemed to be disruptive will be requested to leave and removed by the Orange County Sheriff Deputy pursuant to Penal Code 403, and that is posted on the front entrance of the door.

Penal Code 403 defines every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting. Examples of disturbing a Public Meeting include, but not limited to, verbal outbursts, standing up during the meeting, putting up signs, clicking fingers, and clapping of hands. Trustee Barke.

**Barke:** Welcome everybody. Thanks for coming out tonight. Tonight is a Special Board Meeting examining the California Healthy Youth Act, also known and referred to as CHYA. The Trustees of Orange County Board of Education voted in favor of holding a Special Forum for our Orange County community to have an opportunity to fully devote dedicated time to the various complex issues surrounding the implementation of the California Healthy Youth Act, or Assembly Bill 329. California Education Code 51933 gives guidelines on implementation of Sex Education Programs and states, all in quotes, “instruction and materials are age-appropriate, factually and medically correct and objective”.

As such, the purpose of holding this Special Forum is to invite experts to provide testimony, evidence-based scientific data and related legal and scholarly information to shed light on the proper and legal implementation of CHYA. In addition, the purpose and Board-approved mission statement of this forum is to accomplish the following: educate parents and community members about changes in mandates regarding Comprehensive Sexual Education in public schools; educate parents and community members about their parental choices in regards to student participation; review state-approved adopted curriculum for primary, middle school and high school Sexual Health Education; provide Orange County School Districts with information; and finally; to answer questions and concerns of constituents.

**Williams:** America is great because we can assemble together as a community in forums like tonight and discuss controversial and complex issues. Free Speech and Free Moral Agency defines America and gives us our liberties and freedoms. Many false, misleading and hateful words have been said by many on all sides of the...the CHYA issue at our previous Board meetings. The Board has been falsely and incorrectly accused of being bigoted or using statements as such, or that we have created an environment where bigotry and discrimination is encouraged. We've also been accused that we're against implementing state laws. All those are not true.

These things that were said against the Board are not honest and they're untruthful and not accurate. Laws are passed in Sacramento and Washington, D.C. that would implement it at a local level are not always easy to realize, thus we gather tonight to hear viewpoints and perspectives from thought leaders and experts on controversial matters. In light of the past negative inflammatory words that have been spoken, I pray for restoration of relationships, of our community and people. I pray for peace and forbearance and the understanding of reconciliation, giving grace, giving charity and forgiving others. This event has been in the planning stage for over two months.

Our Board's goals are to discuss topics and discussion that is supported by scholarly academic scientific information with medical evidence and facts. We will not allow demonization, ad hominem attacks and incivility will not be tolerated. Discussion will be

apolitical, non-ideological, and without any religious language or proselytization. Topics must focus on the goal of how the best service is given to the medical, psychological health needs of the children we serve. That's background information for our guests in the audience. This evening's event was proposed to be neutral with an even number of experts from differing perspectives on CHYA.

Unfortunately, such Board intentions did not occur as originally desired when this meeting was proposed in July. It was envisioned that there would be four seats from each side of the CHYA meeting that would be sitting here before us, occupied by eight experts who only differed on their viewpoint on public policy and governance. For the record, there were over thirteen professionals or experts that were requested to participate in this forum, but all declined and recently...or recently reversed their decision to participate as experts for one reason or another. Nonetheless, the Executive Committee the last two days or, excuse me, over the last few days leading up to this event was able to add two experts on issues that are central to CHYA.

These experts will convey the message and opinion how to create safe schools through anti-bullying strategies and most importantly, the value of inclusiveness of all people regardless of their ethnicity, gender, religious faith, sexual orientation or color of their skin. The Board received yesterday a letter from the Anti-Defamation League, essentially outlining the need for greater civility and less inflammatory words. While no government agency can control the free speech that will come in the Public Comments, the Board requests that all speakers show deference, respect and charity for their fellow Americans. Thank you again for coming to this meeting.

We deeply covet a civil discourse in this Public Forum. Now, at this point in our Agenda, we will have the Pledge of Allegiance led by good Trustee Barke from the Los Alamitos School District, and then the subsequent Invocation by Pastor Gale Oliver. If you can come to the front?

**Barke:** Thank you. Dr. Williams. Would you please stand? Place your right hand over your heart and honor the greatest symbol of liberty this world has ever known. Ready? Begin.

[AUDIENCE MEMBERS JOIN THE BOARD MEMBERS IN RECITING THE PLEDGE OF ALLEGIANCE]

**Meeting Attendees:** 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.

**Williams:** Pastor Oliver, will you lead us in the Invocation?

**Bedell:** Do we stand?

**Williams:** Oh, yes. Let's stand out of respect.

**Oliver:** Amen. Good afternoon. Good evening. I have this...Gail Oliver, Great Light Family Church, and I just wanted to thank God for this opportunity to do the Invocation. Amen. And, bidding someone or something or an authority in this place tonight. With that, let's bow our heads. Our Father, which art in heaven, hallowed be thy name. Thy

kingdom come, thy will be done, on Earth as it is in Heaven. Give us this day, our daily bread. Forgive us our trespasses, as we forgive those who trespass against us. Lead us not into temptation but deliver us from evil. Lord, we...tonight, we looked up...parents. We looked up children. We looked up the schools.

The educational system, Lord God, we looked up everyone here tonight. We pray that you sanctify us in your truth. Your word is truth and so Lord, we invite you into this house, and to our hearts and our minds. We invite you into this place, Lord God. Open up the ears that we must...that we may hear what thus says the Lord. We thank you for this opportunity to come together and Lord, we pray for peace. Without you, there is no peace. So, we pray for peace that we'll surpass all understanding of that will guard our hearts and our minds tonight, Father. We pray for unity. We pray for love. Lord God, we pray for the youth, oh Heavenly Father.

We thank you now, Lord God, thank you for everyone who was here. There's some great people here. Great names, people with great accolades, but I come in the name that is above every name, and so Lord, I thank you for allowing us to be here in the mighty name of my Lord and Savior, Jesus Christ. Thank you, Lord. Have your way with us tonight and thank you, Lord God, that because you are for us who can be against us, at the name of Jesus, that name that is above every name, every knee shall bow. Every tongue will confess that he is Lord. Lord, have your way with us tonight in the name of my Lord and Savior Jesus Christ. Let all of God's children say, Amen. Remember, you're too blessed to be stressed in Jesus name.

**Williams:** Okay, continuing on with our meeting, we will...we will begin with Public Comments. The Public Comments will be limited for the first 30 minutes of this meeting to...I believe it was 14 individuals whose cards have been...will be drawn or have been drawn already and our Board Secretary will give out the names of those individuals. Again, before we turn over the meeting to my good friend and colleague, Maggie Chidester, we will have Public Comments for about 30 minutes. Two-minute limitation, and then we'll have Public Comments, by the way, at the end of the meeting also, so there'll be an opportunity for all who want to speak to speak. Okay.

**Boyd:** For the record, the names have not been drawn. Wanted to do it with full audience of everyone present. So, I am drawing: 1...2...3...4...5...6...7...8...9...10...11...12...13 and 14. First speaker, I'll call two names and if the first person will come to the podium. Second person, if you just make your way so that you can line up to the wall. We can try to expedite some of this. Bart Bartlett will be first up, followed by Stephanie Yates.

**Bartlett:** Good evening...good evening everybody. I don't have anything prepared other than what's on my heart. I know that this is a very complicated, very difficult, very divisive issue that we're dealing with. What I'd like to ask everybody to do, both behind the podium there and all of you folks and everybody that's watching on TV, wherever you are, is to respect one another and to work toward a resolution to a very, very difficult problem. Probably the most difficult problem we've all ever had to deal with. I think the

only other problem would be the homeless problem; just incredibly difficult, incredible challenges.

And so, tonight, my main concern is our children. We want to make sure that our children are taught the truth and we want to make sure that they are not in any way confused. That they're not, in any way, they're not...their health and safety is not jeopardized. We want to make sure that we're fair. We want to make sure that we're fair, no matter what people's beliefs are because this is a free country. Everybody here is free to live the lifestyle they want. To believe what they want. And we're all different. That's what America's all about. It always has been. And so, my message to all of you tonight is to consider other people's concerns...

**Williams:** Will you speak into the microphone, sir?

**Bartlett:** My bad?

**Williams:** Speak into the microphone.

**Bartlett:** Oh. My message for you tonight is to listen to other people's concerns, to respect them, to share what you and they can come up with and come up with solutions that, again, will benefit our children. This is not about you and not about me. It's not about this Board. It's about our children. It's about children who are five years old, seven years old, eleven years old, fourteen years old. What does that mean? Am I done?

**Boyd:** Your time is up.

**Williams:** You're done.

**Bartlett:** Okay, Thank you.

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** Stephanie Yates, followed by Robert Lauten.

**Yates:** Thank you for having this meeting and I am grateful that actually my first time I could say, I'm glad where my taxpayer money is going, so I'm very grateful for that. The law states that this is mandatory, once in junior high, once in high school. However, they choose to teach at any other grade, they can, K through 12. Fremont, California, starts at 4<sup>th</sup> grade. Oceanside, 6<sup>th</sup>. Actually, they can start at K and San Diego County starts at 5<sup>th</sup> grade. I'm going to read straight from the curriculum. Rights, Respect, Responsibility, K through 12 curriculum. "While we use terms male and female when referring to particular annet...anatomy, it is important to remember that someone can have a penis even if they don't identify as a boy or a vulva, even if they don't identify as a girl.

More inclusive language such as person with a penis or person with a vulva can also be used if you are comfortable with these terms." K through 12. Straight from the curriculum. "Making proud choices. What are some of the ways you can increase spontaneity and pleasure of condom use? Make sure you have condoms available for when you get romantic. Eroticize condom use with particular...with partner. Make it sexy." It goes on. Another one from positive...Rights, Respect, Responsibility, K through 12. "Tell students that there is another barrier method that you can protect against STI's during oral sex on a vulva or a rectum of another partner.

Tell students that dental dams are flavored because they are designed specifically for safer oral sex. Let me...scrambled eggs is what they refer to. Birth control, oral sex, vaginal sex, anal sex. Teen Talk...those were both Teen Talk. Anatomy. What they're showing in Anatomy. [MS. YATES HOLDS UP A BOOK AND SHOWS THE AUDIENCE PICTURES SHE IS REFERRING TO] What they're showing in Anatomy [MS. YATES SHOWS OTHER PICTURES TO THE AUDIENCE].

**Boyd:** Your time is up.

**Williams:** Time is up. Thank you, Stephanie.

**Yates:** Anatomy. [ONCE AGAIN, MS. YATES SHOWS A PICTURE TO THE AUDIENCE. APPLAUSE FROM THE AUDIENCE]

**Boyd:** Robert Lauten, followed by Michelle New. I'm sorry...  
[PRESIDENT WILLIAMS STRIKES THE GAVEL THREE TIMES AS MR. LAUTEN HOLDS UP A SIGN WHILE APPROACHING THE MICROPHONE]

**Williams:** Sir, you're out of order.

**Lauten:** I would like everyone...

**Williams:** Mister...stop. I'm sorry.

**Lauten:** It's like everyone's...

**Williams:** Sir, you're out of order. Mr. Sheriff Deputy, will you remove this individual for breaking Penal Code 403? Please remove him at this time.

[THE SHERIFF'S DEPUTY ON DUTY APPROACHES MR. LAUTEN CAUTIOUSLY AND SPEAKS INTO THE RADIO ON HIS RIGHT SHOULDER]

**Lauten:** Okay, I want...I want everyone to visit STOPCSE.org and what you need to understand that the California Health Youth Act...

**Williams:** Sir? Sir?

**Lauten:** ...is only a...

**Williams:** Is that...are you Mr. Lauten?

**Lauten:** ...is only a...late legislation...

**Boyd:** Hit the gavel.

[PRESIDENT WILLIAMS STRIKES THE GAVEL TWO MORE TIMES]

**Lauten:** ...and political cover.

**Williams:** Are you Mr. Lauten?

**Lauten:** And it really doesn't matter what it says...

**Williams:** Mr. Sheriff Deputy...

**Lauten:** ...3.4.

[SUPERINTENDENT MIJARES TAPS MR. LAUTEN ON HIS RIGHT SIDE AND ASKS THAT HE PLEASE IDENTIFY HIMSELF]

**Lauten:** Please visit the wezit...the website: STOPCSE.org, that's Charlie Sierra Echo.

**Mijares:** What's your name?

**Lauten:** Robert Lauten.

**Mijares:** That's him.

**Williams:** Oh, that's him? You didn't introduce yourself.

**Lauten:** Okay.

**Gomez:** He needs to go, now.

**Williams:** Okay, so, he could stay.

**Lauten:** Okay. Thank you.

[AUDIENCE APPLAUDS]

**Williams:** But as a reminder, we don't allow signs in here.

**Lauten:** Okay.

**Williams:** Whether they're 8x11 or big, we don't allow that.

**Lauten:** All legislation requires a gateway legislation and that's what SB that's what SB 324 California Youth Act is. It provides a political cover so...so that the...in your classroom, starting in the 4<sup>th</sup> grade that they can...that they can take on the United Nations war on children. And...and that information is there's 11...11 minute video at STOPCSE.org. That's Charlie Sierra Echo in the war on children is...simply the United Nations gateway legislation is simply innocent, benign, harmless-sounding California Health Youth and Youth Act.

There is mounting evidence that clearly shows that United Nations Comprehensive Sex Education, CSE, is one of the most insidious attacks on the health and innocence of our children. And, I'd like everyone to visit the STOPCSE.org, the website, and view the 11 minute video. That's STOP...Charlie Sierra Echo.org. Thank you.

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** Michelle...Michelle New, followed by Kathi Winter or Winton?

**New:** Hi, thanks for hearing me speak again tonight. I'd like to just point out I'm not here to dispute the law. I'm here to dispute the curriculum that actually breaks the law. The law under Section 2 51930 B, Section 4 says, "to ensure pupils receive integrative, comprehensive, accurate, and unbiased sexual health and HIV. However, the curriculum is not unbiased and it is not supported scientifically, medically or sociological consequences also are put upon our children." I want to tell you the one page that it has on Abstinence. This is in Flash and here's how they teach Abstinence. "I can't believe that you haven't had sex yet, Brooklyn. I don't know why you're waiting.

You should just do it. You better rethink that before she finds someone else." Abstinence. Number 9 lesson. This is what is our Abstinence teaching. In Be Real, Be Ready, again, I know we're supposed to teach...we have a gender, not just male, not just female. However, we're not supposed to and we don't need to, by the law, to teach how to use condoms and dental dams. This is Be Real, Be Ready, in Lesson 19: We also have condom relay races. We pass out gloves, enough for every student. The teacher gets to demonstrate along with the students, again, because people are saying we don't know we're talking about. This is Lesson 19.

I'm going to skip this because I'm running out of time. This is very offensive and I apologize right now. My penis is too big for condoms. I don't know how to use a dental dam. This is what the key notes for the teacher to say to her students. Lesson 19, Be Real, Be Ready. This is one of the PowerPoints actually being used in Garden Grove and a little bit in Anaheim, and there's some other districts in Orange County. This one is, Wetter Makes It Better. Again, lube, vaginal and anal demonstrating and explaining this to our children, but also demonstrates if you don't have anything, you can use vegetables. Again, real quick, in Positive Prevention Plus.

**Boyd:** Your time is up.

[PRESIDENT WILLIAMS STRIKES THE GAVEL TWICE]

**New:** Some of the...some of the stuff...

**Williams:** Thank you, Michelle.

**New:** ...has masturbation videos.

**Williams:** Who is next?

**New:** Thank you.

**Boyd:** Kathi Winton...

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** ...followed by Angie Cohen.

**Winter:** Good evening, my name is Kathi Winter, and I have been HIV positive for 22 years. I teach HIV prevention through Eight Service Foundation, which is now called Radiant, and the Red Cross. Teen Talk is considered the most compliant curriculum with AB329. I've reviewed the curriculum and believe the misinformation places young females, especially, in harm's way of HIV. Page 101 of Teen Talk states, "anal sex is unlikely to cause pregnancy." Anal sex is being presented a way to decrease the likelihood of pregnancy. This teaching greatly empowers boys who are pressuring young girls to have sex, especially girls who are insecure and low in confidence.

Anal sex places girls at the highest risk for HIV. Why? CDC 2016 says, "being a receptive partner during anal sex is the highest risk sexual activity for getting HIV." That's the CDC. Females can only be receptive partners in anal sex, putting them automatically at higher risk for HIV. However, Teen Talk diminishes this fact on Page 167 when it says, "vaginal and anal sex are both low risk behaviors for HIV when a condom is used." That's simply not true, and it's very misleading. CDC in 2013 says, "HIV is at least 10 times more easily transmitted via anal than vaginal sex and condoms may be more likely to fail during anal sex."

This highly approved state curriculum does not state this important fact that puts females at the highest risk for HIV when using anal sex to reduce the risk of pregnancy. Teen Talk says that HIV is not a death sentence and that with daily drug therapy, people can lead a normal life. This is true. However, they failed to tell the facts of what it really looks like.

**Boyd:** Your time is up.

**Winter:** I don't want our children to be put at risk because of lack of education.

**Williams:** Thank you, Kathi.

[AUDIENCE APPLAUDS]

**Boyd:** Angie Cohen. Janet Chang.

[PRESIDENT WILLIAMS STRIKES THE GAVEL THREE TIMES]

**Williams:** Please, please, please. Let's have decorum here. Could you announce the next speaker?

**Boyd:** I called Angie Cohen. Last call, and Janet Chang.

**Williams:** Please state your name as you go to the podium and address us.

**Cohen:** Good evening. My name is Angie Cohen. I have two children at the Placentia Yorba Linda Unified School District. I'm here to speak out against the California Sexual Education, which now apparently includes Sexual Orientation and how to have safe sex. Clinical Psychologists have spoken out against this or do for Abstract Concepts and critical, analytical implementation due to the lack of intellectual capability our children have to grasp...to grasp Abstract Concepts such as...such at an early age. In 2014, Dr. Megan Koschnik, a Clinical Psychologist, emphasized how children's brains are not developed the same as adult brains. The human brain keeps developing until adulthood and even onwards. She further stated that children are focused on how things look cognitive...cognitively are unable to grasp Abstract Concepts. She also stated that you can train a 2<sup>nd</sup> grader to answer abstract questions, but you have not really changed the internal process of understanding abstraction. You have trained them to answer abstractions. Dr. Mary Calamia, a Clinical Psychotherapist in New York has stated and also in 2014 that you cannot regulate biology. Young children cannot engage in the type of critical thinking that is called for. That would require a fully developed Prefrontal Cortex, a part of the brain that is not fully functional until adulthood. The Prefrontal Cortex is responsible for critical thinking, rational decision-making and abstract thoughts, all things that this curriculum is calling for. Not only are you confusing and creating unnecessary stress onto our young children, but...but by injecting these highly mature context into our children's minds, you are making our children grow up at a much more rapid pace than they are to naturally...ought to be maturing. These are extremely difficult issues that are to be explored and discussed at the college level when our children are reaching adulthood and the Prefrontal Cortex...

**Boyd:** Your time is up.

[PRESIDENT WILLIAMS STRIKES THE GAVEL TWICE]

**Cohen:** ...can begin to grapple these top abstract things.

**Williams:** Thank you, Angie.

**Cohen:** Thank you.

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** Janet Chang, followed by Rebecca Friedrichs.

**Chang:** Good evening. My name is Janet Chang and I'm a parent residing in Orange County. I have three children who are in 6th grade, 5th grade and 2<sup>nd</sup> grade., all in Placentia Yorba Linda Unified District. Within the last two months, I have been hearing a lot about what's called Comprehensive Sexuality Education or CSC, and how many School Districts in California have already either adopted or will be adopting this harmful health ed program by the end of the school year for K through 12. I had the opportunity to actually look through some of the curriculum that is based on CSC and I was mortified, to say the least.

One of the CSC curriculum called Rights, Respect and Responsibility, written by Advocates For Youth, offers a lesson plan titled, "Using Condoms Effectively". This particular lesson plan instructs the teacher to do the following, and I quote. "Tell students that there is one barrier method that can protect against STI's during oral sex on a vulva or rectum of another partner. Take out the dental dam from the birth control kit and take it out of the package. Hold one of your...hold one in your hands to form an O and place the dental dam over this hand, and explain to student that this represents placing the dental dam being placed over a vulva or rectum.

Tell students our dental dams are flavored because they are designed specifically for safer oral sex". I hope you're disgusted and horrified by what you just heard and to think that this lesson plan is geared towards students K-12 is simply appalling. This is merely one example of hundreds of other age-inappropriate lesson plans that our children are being exposed to in our public schools here in California, all under the name of Health Education. CSC can be presented as different names. There are amassed under benign names such as Rights, Respect, and Responsibility, Teen Talk, Health Connected, Advocates for Youth Making Proud Choices, Apex and more.

Comprehensive Sexuality Education is harmful, not only to our children but to our society as a whole. We as parents of community....we as parents and community members of Orange County are here to take...are here today to say we are 100% against any curricula under CSE. CSE sexualizes children, teaches children to give and receive consent for sex, promotes early sexual independence and undermines and violates parental rights.

[PRESIDENT WILLIAMS STRIKES THE GAVEL TWICE]

**Chang:** Thank you.

**Williams:** Thank you, Janet.

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** Rebecca Friedrichs, followed by Donna Schoenberger.

**Friedrichs:** Good evening. I'm Rebecca Friedrichs, a 28-year Public School Teacher in Orange County, California. I'm here this evening on behalf of thousands of teachers and parents who are extremely concerned about the new sex ed curriculums. Our teachers are being told to present lessons in which we have to tell our students to touch fully erect penis models, to use dental dams for oral to anal...oral to anal sex and to play games like the Condom Relay Races, all in mixed company. We are also told to instruct children on how and where to access birth control, including abortion without parental knowledge or parental permission from age 12.

Teachers are required to protect children from sexually inappropriate information and ideas. My fellow teacher friends and I desire to protect childhood innocence, childhood health and to support parental rights. Unfortunately, our voices have been drowned out by state and national teachers unions, claiming to represent us. They do not. We teachers thank you for this opportunity to share our true concerns and our great desire to protect our students and to serve them and their parents. Thank you.

[AUDIENCE APPLAUDS. PRESIDENT WILLIAMS STRIKES THE GAVEL THREE TIMES]

**Williams:** Please, please. So, what's going to happen...if I can have your respect. We really try and need to get through the meeting. So, if you have to clap, please make it short. Otherwise if it continues and is disruptive, the Board will leave until it does stop. So, I don't want to be a cop, although I'm a Sheriff Deputy Reserve. I've got to run this meeting and I really need you guys to be helping me. Okay? So, next up is Donna Scholberg...is that correct?

**Boyd:** Correct, followed by Nathan Matza.

**Schoenberger:** Hello. My name is Donna Schoenberger. I am a mother of three children who attend school in the public school system. I have a 17-year-old, 8-year-old, and a 6-year-old. This greatly impacts my children and the respect of taking away my parental rights and my ability to teach my children what I want to teach them, when I want to teach them, what if I will ever teach them these certain things. After hearing the things out there, I was in the overflow of what is being told to young adults, young children, little kids. It is appalling and every one of you sitting in those beautiful chairs with all of that lavishness really needs to understand that if these were your children, would you want them talking about anal sex?

Would you want them explaining all these different types of things that is just so perverse? Where have we gone? I...I just don't understand. It's not okay and I am standing up for my right as a parent, and I am a Christian and I believe in a male and a female. I believe in the original family unit that God created. That's what I believe in. That's what I stand for and I will not tolerate this anymore, infringing on my parental rights. It is not okay and all of you have a duty and a decision to make, and I really want you to support parents that have the right to choose what they tell their children. I don't want the school district telling my children things or the teacher being forced to say things that are against their personal belief.

Let's really think about this, okay? Let's really, really think about this. It's very, very important. It's not about hate. I don't hate anybody, nor do my children so, you know, people got it wrong and when they say we hate them, we don't hate them. We stand up for the parental rights, okay? And that is what I'm standing up for. That's the bottom line. I brought my two children here and, and I finished?

**Boyd:** You're finished.

**Schoenberger:** Okay. Thank you very much. I appreciate it.

[APPLAUSE FROM THE AUDIENCE]

**Williams:** Okay, next up is Nathan.

**Boyd:** Followed by, Carl Gutierrez, I believe.

**Gutierrez:** Gutierrez.

**Boyd:** Thank you. Sorry.

**Matza:** Members of the Board, my name is Nathan Matza, and I've been a parent and Health Educator for 49 years in Orange and LA County, and I have taught thousands of youth about Human Sexuality, Drug Abuse, Nutrition, and Suicide Prevention. California Healthy Youth Act mandates that schools address Comprehensive Sexuality Education since January of 2016. Excuse me, with an emphasis on protecting kids. The new law requires not only a focus on human reproduction, but now includes instruction on all genders, LGBTQ people, prevention of HIV and lessons on Child Abuse Protection.

Additionally, sex trafficking and discussions including abstinence and birth control are mandated to prevent our youth from contracting STI's, avoiding pregnancy and developing a positive attitude about a healthy life as adults. Lessons must be medically accurate sources and no place in Ed Code 51930 to 39 are there any requirements about sex toys or how to access explicit porn sites on the internet.

If any parent has reservations about these topics, the law allows them to simply excuse their children by notifying the School Principal, and California now leads the nation with this new legislation, and I implore you to support all schools, teachers, and parents in implementing this unique and special law for all of our kids. Thank you for your time.

**Williams:** Thank you. Mr. Matza. Next up is Mr. Carl Gutierrez, and who's...

**Boyd:** Followed by, Hillary Huffmire.

**Williams:** Hopmire?

**Boyd:** Huffmire.

**Williams:** Huffmire? Okay.

**Gutierrez:** Good evening, Members of the Board and Community. My name is Reverend Carl. I am a Youth Pastor here in Costa Mesa. I have been researching Gender Identity and Sexual Orientation instruction coming into schools due to the new laws. I have been reading the new California Health Framework, which is the blueprint to the publishers for the curriculum. If the California District of Education adopts this 2019 framework, this is what our children will be taught and apparently it is already in our curriculum.

Definitions for CD's...CDE: Gender Identity refers to being male, female, neither, both or either genders, and many others and may not consider with the individual sex assigned at birth. Chapter 6, Page 32: students may not conform to male or female.

For the example: Gender Non-Binary, Gender Non-Conforming, Gender Queer, Gender Fluid, etc. Chapter 6, Page 32: Sexual Orientation definitions – The usage of LGBTQ+ throughout the framework is intended to refer to inclusiveness and ever-changing spectrum and understanding of identity. Historically, the acronym includes Lesbian, Gay, and Bisexual but has continued to expand including Queer, Questioning, Intersex, Asexual, Alliance and assorted identities, as well as expanding comprehension or an ever-expanding that it may fill...fall under this umbrella term in the future. Chapter 5, Page 21.

**Williams:** Thank you, Mr. Pastor Gutierrez.

**Boyd:** Your time is up.

[AUDIENCE APPLAUDS]

**Williams:** Okay, Hillary Huffmire...

**Boyd:** Followed by, Russell Neal.

**Huffmire:** Good evening, Board...Board Members. Thank you so much for the chance to speak for a minute. I am a parent of five children, a middle school daughter and...and a son in 6<sup>th</sup> grade and three younger daughters all in elementary school in Orange County schools here, and I just wanted to get up and...with regards to this whole conversation. I appreciate...I want to express my appreciation for all the effort everyone on the Board has put into researching and becoming more informed about the California Healthy Youth Act and the options available, as far as curriculum go.

And, I can see, you know, by the concerns of the parents and...and others in the community, that there are a lot of...there are a lot of concerns about the curricula options that are...their options to the Districts at this point. And so, I think that's a real concern to be looked at and more closely, but I would also encourage as we're considering our youth in the community, to...as I've reached out to other groups of different beliefs and backgrounds and different orientations. It's just a reminder to me that we need to also have care and sensitivity and how we approach this. That we need to remember that the goal is improved sex education for our youth as a whole, for all youth.

And, just also, approach it in a way that we can be more unified and that it doesn't have to be such a divisive issue with hurtful things said on one side and then hurtful things said on either side, but that it can be a respect for one another, for everyone's backgrounds, identities, orientations, religions...that we can find a place that we can agree on, especially with respect to educating our kids better about risk avoidance...about sexual risk avoidance. And so, I would just encourage this to be considered as we're having these conversations and I thank you for the time to speak. Thank you.

[APPLAUSE FROM THE AUDIENCE]

**Williams:** Thank you, Hillary. Mr. Neal, Russell Neal.

**Boyd:** And the last speaker after Mr. Neal is Genevieve Peters.

**Neal:** Thank you. My name is Russell Neal. I live in Huntington Beach. The U.S. Supreme Court has made it clear in its non-establishment of religion rulings that just as states are not free to create an establishment of religion by favoring any particular religion, neither are they free to create an establishment of anti-religion by singling out religious belief for disfavored or hostile treatment. This was most recently affirmed in the Masterpiece Cake Ruling. AB 329, the California Healthy Youth Act, openly flouts this principle of law by requiring favorable treatment of sexual practices offensive to most religions, and by specifically prohibiting mention of any religious doctrine.

The law treats human beings as subhuman, as a system of biological plumbing rather than as children of God, having a soul as well as a body. This is not state neutrality with respect to religion. It is state hostility to the moral teachings of Christianity and most other religions. When people say School Boards must follow the law, meaning AB 329, do they also mean that Boards must do so, even if it violates the Constitution they have sworn to uphold?

I think not. I support efforts to develop and use curricula that is as friends...family friendly as possible while still complying with AB 329, but I also ask this Board and every school Board in Orange County to protest the unconstitutional, anti-religious bias of this legislation, and if necessary, sue in state and federal court for relief. Thank you for your consideration.

[AUDIENCE APPLAUDS]

[PRESIDENT WILLIAMS STRIKES THE GAVEL TWICE]

**Williams:** Genevieve, you are next. Thank you. Your last name?

**Peters:** Peters.

**Williams:** Peters. Thank you, Genevieve.

**Peters:** Genevieve Peters. Thank you so much for this opportunity for us to come here and share our deep, deep concerns. First and foremost, Sacramento is out of control. It is out of control because it seems to think that it can indoctrinate our children with their leftist agenda. We as parents are not victims. We are part of, "we, the people." We the people can decide what we teach our kids when it comes to sex, when it comes to relationships. It is not the job of the Board of Education. Their job, and let me tell you, they're not doing a very good job of it, is Reading, Writing and Arithmetic. Let them...let them get that first and unfortunately, they don't even know how to do that.

So, don't tell me that we're talking about not being fair to people. Let's be fair to our children and teach them what they need to know to be able to survive and thrive in our Country. This is an indoctrination of a gay agenda that has no place in our schools. If you choose that lifestyle, it is your business, not my children's. Not the children of the school. Your business and keep it that way. Do not try and make it normal because we might not

agree with that lifestyle, but we can still love you as a human being. So, when you bring it into our schools, now you've got the parents up in arms. Thank you.

[APPLAUSE FROM THE AUDIENCE]

[PRESIDENT WILLIAMS STRIKES THE GAVEL FIVE TIMES]

**Williams:** Okay, thank you very much. So, at this time, what we're going to do is we're going to make a transition to...we're going to have a Moderator so I can be a part of the process here, running a meeting. There's a lot to it, so we've asked our good...our good friend of this Board for...I've known her for over 23 years, Maggie Chidester. Maggie, I hand the meeting to you.

**Chidester:** Good evening, Members of the Board of Education, Superintendent Mijares, department staff, experts, and members of the public. Thank you. My name is Margaret Chidester. My Irvine law firm is in its 19<sup>th</sup> year of representing over four dozen Public School Districts and Charter Schools in Southern California. I'm pleased to be here with you this evening. As was said earlier in July of this year, this Board voted to establish a forum to address issues under the California Healthy Youth Act and invite the expression of ideas, particularly scholarly ideas and medical ideas. As was reiterated earlier, your civility and decorum is much appreciated.

We thank you in advance to allow our experts this evening an opportunity to share their expertise with you. Dr. Williams reminded us all of the Penal Code at Section 403. I also would like to remind you that the Ralph M. Brown Act and the California Government Code, should disorder disrupt the meeting, does allow for the removal of individuals and even for the meeting to be adjourned. We certainly hope that won't be necessary this evening. California Education Code Section 51933 is established state law on implementation of Comprehensive Sexual Health Education and HIV Programs. It does require that instruction and materials be age-appropriate.

It also requires that information be factually and medically accurate and objectives. So, again, the purpose of the forum this evening is to invite our experts who have been waiting patiently. If you will kindly allow them...me to introduce them to you at this time, I'd like to welcome, starting at this end of the dais, Stan Weed, Ph.D. Dr. Weed will present his research data on aspects of Comprehensive Sex Education Programs. His primary professional and research expertise is on Adolescents, Social Problems, and Preventive Programs, including Teen Pregnancy, Drug Abuse and Delinquency. Dr. Weed completed his Ph.D. in 1978 at the University of Washington in Social Psychology.

He has published research in a number of scholarly and professional journals. He served as a consultant to the United States Senate Committees on Labor and Human Resources and consultants...as a Consultant to Adolescent Pregnancy Programs in the Department of Health and Human Services. His research on current social policies has been published in the popular press, including the Wall Street Journal and Time Magazine, among others. Dr. Weed has been invited to present his research and findings in Washington, D.C. at the White House, the Senate Committee on Labor and Human Resources and the House

Committee on Health and Transportation, among others. He is a founder and currently Director and CEO of The Institute of Research and Evaluation. Welcome, Dr. Weed.

**Weed:** Thank you.

**Chidester:** Allow me to introduce Deborah Reisdorph.

**Reisdorph:** Reisdorph.

**Chidester:** Reisdorph. I beg your pardon. An Attorney, Ms. Reisdorph will speak on Anti-Bullying Programs to create a safe school environment for all children. As an Attorney, she's an established expert in Anti-Bullying. She was the Founder and President of Bullying Awareness Resistance Education (BARE), a local nonprofit, and that organization received the Orange County Department of Education Outstanding Contributions in Education award in March 2013.

Ms. Reisdorph earned her Bachelor's degree in Psychology from MidAmerica Nazarene University, her law degree from Washburn School of Law. She has 25 years of experience and training as a Sexual Harassment Attorney and is licensed to practice law in California and New York as well as before The Supreme Court. She raised her three adult children in Huntington Beach schools, and now has two grandchildren in school. She's the author of Publications for Administrators and Parents on Overcoming Bullying. Welcome.

Reisdorph: Thank you.

**Chidester:** Ms. Nada Higuera?

**Higuera:** Neda Higuera.

**Chidester:** Thank you, Nada Higuera. Also an Attorney, focuses on the legal aspects of CHYA and constitutional rights of parents. She is a Civil Rights Attorney with the law firm of Tyler and Bursch. Her primary focus is on constitutional and parental rights aspects of CHYA. Her expertise of the litigation in appeal courts on constitutional...is in Appeal Courts on Constitutional or related issues and her writing has been quoted by the United States Supreme Court in a recent opinion. She attended the University of Pacific McGeorge School of Law and was Staff Editor of Global Business and Development Law Journal. She's a first generation Palestinian-American, the youngest of eight daughters. Welcome.

**Chidester:** Ms. Brenda Lesbsack?

**Lebsack:** Lebsack.

**Chidester:** Lebsack, I do apologize. Thank you. Please coach me. Brenda's testimony will focus on specific and general facts that CHYA state recommended curriculums based upon her service as an Elected Local Community Leader and a Public School Teacher for 22 years. She holds a Bachelor of Science in Human Services from Cal State Fullerton, a teaching credential, a Master's in Special Education and an Adaptive P.E. Authorization. She also holds a Bachelor of Theology from Pacific Bible College.

She's taught Alternative Education, Elementary Education, Middle School and High School Special Education, coaches soccer and field hockey, was a Peace Officer for the

Orange County Probation Department and facilitated and co-wrote an AIDS prevention curriculum for the Department in the 1980's. She was elected as a School Trustee for Orange Unified School District in November of 2016. Welcome.

**Chidester:** I'd like to introduce Dr. Laura Haynes who holds both a Ph.D. and a Juris Doctor. Her...

**Haynes:** No, I don't have a JD.

**Chidester:** Oh, I do apologize. We gave you an honorary degree.

**Haynes:** I accept.

**Chidester:** Very good, then, I stand corrected. Dr. Haynes holds a Ph.D. Her testimony tonight will focus on the topic of Sexual Orientation, Gender, Family Life as required by CHYA. She's given expert testimony before legislative committees in multiple states and has a good handle on the subject matter. She's a Licensed Psychologist recently retired from a clinical practice with over 40 years' experience. Currently, she's an author and reviewer for peer journals. She's a speaker and political activist. She serves as a consultant for the American College of Pediatricians and is a member of the Research Committee for the Alliance for Therapeutic Choice and Scientific Integrity. Welcome.

**Chidester:** Ms. Duaa Alwan? Welcome. Is a special guest of the Board this evening with expertise on the topic of Inclusivity. She is Scottish by birth, Syrian by heritage, a refugee by the age of five. She is Saudi by her primary education, Muslim by faith and American by home. In addition to her training with Cornell University's Diversity and Inclusion Program to earn her Master's degree from Chapman University, focusing on the role of film in promoting and also dispelling stereotypes. She's a consultant, a trainer, a Content Developer in Cultural Competency and Curriculum Support. She's one of nine representatives elected by her Southern California Muslim Community to the Board of the Shura Council of Southern California. Welcome.

**Chidester:** We will begin our program tonight and we have a great deal of expertise at the table, but we've allotted seven minutes, so, we appreciate your quiet and attentive listening as we turn the panel over to Dr. Weed for his opening remarks.

**Weed:** Thank you very much. Can you hear me okay? I commend the Board for calling for a rational objective review of the Sex Education Strategies designed for school age children. The negative consequences of early sexual activity continue to cause significant health and social problems in our society. Here in California, there's been a 45% increase in STD's since 2013, and half of the cases occur with youth between 15 and 25 years of age. Teen pregnancy continues as a blight among many high-risk populations leading to lower education, higher poverty, and higher crime and a self-perpetuating vicious cycle.

With problems this severe, we need to be sure that the solutions we employ are effective. There's a philosopher that I like by the name of Mencken, who said, "For every complex problem, there is a solution that is clear, simple, and wrong." Unfortunately, when considering different types of solutions, the debate often degrades to an argument pitting one ideology against another. A better approach, which I think you are attempting to employ here in your Board, is to move from ideology to evidence. Even with that approach, there are pitfalls. One of the most common is to select evidence that supports a

predetermined conclusion rather than looking at all of the evidence to see what patterns emerge from the data.

In other words, to cherry-pick the research. A second pitfall is to use studies of inadequate scientific quality. We've taken steps to avoid these to-fit pitfalls by going to some credible...credible sources to identify the best research available where studies have been objectively reviewed and screened for methodological rigor. These sources include, too, sponsored by the U.S. Federal Government, the Teen Pregnancy Prevention Evidence Review, and...and secondly, a meta-analysis study supported by the Centers for Disease Control. And then, another one, another review conducted for the United Nations, and these reviews have screened several hundred sex education studies for research quality and then reported results for the studies of adequate scientific rigor.

For today's discussion, we will focus on the 60 studies of U.S. school-based comprehensive sex education, or CSE, which met these three agencies standards for inclusion. We targeted CSE programs because that is the type of sex education recommended by many public health advocates. We focused on school-based programs because the school is the venue where most adolescents receive some form of sex education and tends to be the focus of the public policy debate, a debate that occurs in form such as the school Board hearing today. Distinguishing between programs in schools versus other settings is important.

Since methods that may work in a clinic setting with individuals and their counselors may not be effective in a school classroom setting. Another problem with the scientific approach is that the...the inappropriate standards or definitions of effectiveness are often used to evaluate program outcomes in an effort to lower the bar and make it easier to climb program success. Such reviews often assert that one minor short-term positive effect is sufficient to say that a program is effective. A major feature of our review, which sets it apart from others, is that we have turned to the field of prevention research to define what it means for a program to be effective.

Based on the work of organizations like the Society for Prevention Research and Blueprints for Healthy Youth Development, and our more than 25 years of experience evaluating school-based sex education programs, we identify five key criteria for evidence of program effectiveness. Meeting these credible and recommended standards establishes sufficient empirical grounds for evidence of program effectiveness and specifically our review looks for positive program effects on the following. On at least one key predictive indicator, and these are delay of sexual initiation, increase condom use, specifically and especially consistent condom use, decrease pregnancies or decreased STD rates. Those are the criteria.

The effects should be sustained at least 12 months after the end of the program, so as to endure from one school year to the next. They should be found for the main youth population, not just a subgroup. There should not be other negative side effects and the evidence should include all credible studies of the program, particularly studies by independent evaluators, not just studies by the program's developers. Those are the

criteria. With these methods and outcomes standards in place, we analyze the results of the 60 studies of 40 school-based CSE programs in the U.S.

We examine each of these studies individually rather than relying on a review of the studies by others and found that in spite of the widespread claim that CSE programs are effective or evidence-based: One: none of the school-based CSE programs demonstrated reductions in teen pregnancy beyond the end of the program and none reduced STD's. Few programs even measure these outcomes and still claim that they're effective. One school-based program was actually found to increase teen pregnancy. Number 2: There was no evidence of school-based CSE effectiveness at producing sustained increases in consistent condom use by teens.

Consistent use is necessary to provide sufficient protection from STD's. One program reported a sustained effect in a study by its developer but a subsequent study by an independent evaluator did not confirm that effect and actually found harmful impacts. The program increased sexual risk behaviors.

Although there were three studies of...of two school-based CSE programs that reported delayed sexual initiation, 12 months after the program and for the intended population, evidence from multiple replication studies did not confirm these initial positive results produced by the program developers. Only two programs increased frequency – this is out of 40, now. Keep in mind – only two programs increased frequency of teen condom use but not consistent use...

**Sisavath:** One minute.

**Weed:** ...12 months after the program without other negative effects, and one study and each of these were by the program's developers. No replication studies have been done to confirm these results. There was no evidence of effectiveness for CSE's purported dual benefit. No increases in both teen abstinence and condom use by sexually active teens within the same program and teen population 12 months after the program. Of significant concern, six studies of five school-based CSE programs found serious harmful effects.

Three programs increased rates of teen sex, one increased teen pregnancy, one increased number of sex partners, and one reduced contraceptive use, thus applying meaningful standards of effectiveness, standards that have scientific validity and practical utility for policymakers and parents. We see far more evidence of failure than success and a concerning number of harmful impacts.

**Chidester:** Thank you very much, Dr. Weed.

**Weed:** A full report can be found on our website.

[AUDIENCE APPLAUDS]

**Williams:** Doctor Weed asked me to present this as an exhibit. His data is found in here. I'll give this to Darou. This will be a part of the record.

**Weed:** That's available also on our website.

**Chidester:** Thank you, Dr. Weed.

**Weed:** The website: Institute-Research.com.

**Chidester:** Thank you. Dr. Weed. Now, we will hear from Ms. Reisdorph.

**Reisdorph:** Thank you madam moderator, honorable Board Members and Dr. Mijares. I applaud the Board and Dr. Williams for these efforts to organize and host this important event, and I also want to recognize the hard work of all the OCDE administration, professional staff and teachers across our County that are doing work every day to help our children reach their highest potential. But, moving forward to my topic on this panel, it's important for you to understand three presuppositions. There is a problem. Bullying hurts and leave scars. Number 2: There is a solution and research shows that the most effective programs include teaching...teaching relational leadership and building solidarity.

And third, there are specific elements that should be in every program, teaching empathy and mindful behavior. So, this brief presentation will help you understand the problem, the solution, and those specifics needed to manage and eventually eliminate bullying from our schools. You see, what we do today impacts our world tomorrow. I have a story. A 90-year-old veteran has a story. A successful businessman has a story. A young girl who never told her story in middle school but is now telling her story. A popular cheerleader has a story. A young brother has a story. A young boy who took a doll to show and tell, he has a story. Bullying is not a respecter of persons.

It impacts people of all races, all income and all ages. Do you have a story? Bullying hurts and it leaves scars and scientifically, bullying is aggressive behavior intended to intimidate or mistreat a perceived weaker person. Bullying involves an imbalance of power, an intentional act of intimidation and mistreatment, and it is persistent. Bullying behaviors following that spectrum from taunting to mean words to sexual harassment and ultimately, to assault and battery. The most recent finding published of the National Center for Education Statistics reveals that more than one out of every five students reported being bullied after that particular survey. 20.8%, one out of five.

These National Statistics are reflected in our own schools and you can confirm that information in the California Healthy Kids survey reports. Each District has a report and the significant information in these reports that can help us in the OC. Within the past few years, Santa Ana Unified School District has improved how the students view the school environment and has decreased reports of bullying. In other Districts, the stats on bullying behaviors, well, they go up and down as you'll see in the surveys, and they remain within the national norms. You want to know more? Review Dr. Michael G. Thompson, a renowned Child Psychologist, speaker, and author.

His book, "Raising Cain: Protecting The Emotional Life of Boys." Now, if a child falls and scrapes their knee, we stop and we fix the injury. Yet, when a child has an emotional injury, what do we do? If we do nothing, infections of the mind happen. Canadian Psychologist, best-selling author, Dr. Guy Winch, describes the importance of emotional first aid...Emotional First Aid in his book by that title. His studies show that rejection is the most painful of emotional injuries. Isolation from and by students common in bullying is rejection and it leaves a lifetime scar. Research shows that when a bully

stands...or when a peer stands up for a target, the conduct tends to stop in within 10 seconds.

Yet, even though it makes such a huge difference, students are fearful of standing up against a bully. Why? They don't want to be bullied too. They're afraid they'll be ostracized or nothing will happen, even if they do report it. The reality is that reporting an incident of bullying does not ensure that it won't happen again in our schools. Parents have reported, students have reported, yet administrators, sadly even in our County schools, often define bullying so stringently that they determine the conduct isn't bullying and that the school is doing all that they can or, well, the behavior continues unabated and maybe there's another form used that's equally as harmful.

Yet, as recent as yesterday, there was a post on the Facebook about a bullying incident on a Huntington Beach Facebook. You can read it there. Now, Education Code Section 234.1 states that all school personnel who observes or witnesses – they changed the word – who observes an act of discrimination harassment, intimidation, or bullying shall take immediate steps to intervene so long as it's safe to do so, but who's teaching them how to recognize bullying before it's reported? And the law was that enacted in 2012. Our teachers still are not getting specific training they need and the governor just September 18<sup>th</sup> of this year, signed a new law that says those programs need to...those trainings need to be online by December 30<sup>th</sup>, 2019.

The law requires that we do something. Is there a solution? Effective programs include relational leadership training and solitary...solidarity building. Research shows that a principal and administrators who are engaged from the top down are successful. Programs must be all year long, not just one month like October, and there must be a constant message of relational leadership and solidarity that brings unity, thereby creating a safe school environment where all students can belong and thrive. As reported in the Journal of Education, there's a strong case for relational education and let me quote retired Tommy Franks. May I do that?

**Williams:** Go ahead.

**Reisdorph:** U.S. Army General Franks wrote, “While it might sound counterintuitive...intuitive, I believe teaching leadership is the best solution to bullying and teaching leadership is what I'm giving to America's youth. Some foolishly think leadership is about pushing people around. Actually, it's the opposite. Bullying is about pushing people around. Leadership is about pulling people up.”

**Chidester:** Thank you, very much, Ms. Reisdorph.

**Reisdorph:** Thank you.

**Chidester:** Next we will hear from...

[AUDIENCE APPLAUDS]

**Chidester:** Nada Higuera.

**Higuera:** Thank you. I'd like to start with the reason that I am here and I think it's the reason that everyone else is here, and it's about concern and care for children; for all children. It's not about politics. It's not about hate. It's not about religion, even. It's not about being pro or anti-LGBTQ. It is about our children. Anything otherwise is just distractions, labeling and divisiveness. The issue that unites us all is in one mind and one heart is to love and protect our children. Now, we're not here...I'm not here to tell you how to avoid the law, how to avoid implementation of the California Healthy Youth Act.

I'm here to give parents and you all, the Board Members, information as to the legal aspects of the California Healthy Youth Act. And, there are two overarching categories I want to discuss. The first is the rights of parents to opt out and give consent for their children within the context of Sexual Health Education. The second thing I want to address is the Constitutional rights of parents and children. Now first, the...it is against the law to require active parental consent to opt in, and so, what this means is that parents don't have to give their consent for their children to attend sex ed, which is mandated in middle school and high school.

In order for parents to have their kids opt out, they have to see the opt-out notice, sign it, return it to the school. Otherwise, their children will have to be taught everything in their sex ed class. Now, another thing that parents cannot opt out of is that students 12 years-old and older, by law, can leave school to get an abortion without parental consent or notice, and parents cannot opt out of this. And, these are things that should upset parents because this...it's a huge burden on parental rights. Now, the second thing that I want to discuss is when parents can opt their children out of sex ed, what topics they can and can't opt out.

Now, the ACLU former Legal Counsel to the Board, Ron Wenkart, and the California Department of Education all stated that parents can't even opt their children out of instruction that discusses Gender and Sexual Orientation, and a quote from the ACLU about the law, "is allowing opt out of LGBTQ-related instruction is discriminatory and violates the law." Now, that is an incorrect interpretation but that is what the California Department of Education, the ACLU and former Counsel, Ron Wenkart, that's their interpretation of it. The correct interpretation is that notice and the right to opt out is not mandated outside the context of sex ed.

So, for example, if a school were to be teaching sexual orientation issues in literature or history class that it...notice, and the right to opt out is not mandated, but every topic in sex ed is mandated to give parents the advance notice and the right to opt out. Now, outside the context of sex...sex ed and one example I can give you is in Rockland, California, where a Kindergarten teacher discussed issues of Gender and Transgender, and read a book to these Kindergarten students. So, that was not the concept...that was not in sex ed, and so, advance notice and the right to opt out wasn't mandated, and so, parents in Rockland did not get noticed that their Kindergartners were going to be taught this.

And so...mortified students came home and were terrified that they were, you know, that a little girl was going to change into a little boy and you know, some of these other

issues, and that's how parents found out. Now, because it's not mandated it does not mean that you, as the Local Board and Local Districts, can allow advance notice. You can pass policies that state we are taking a stand to protect parental rights, and we are going to give parents the right to advance notice, and to opt out. And all of the parents that are here can get involved, can push their Local Districts to pass these laws because these are issues that...that parents should have a right to, at least, advance notice and the right to opt out.

It should not be taught, especially in Kindergarten, but if it is and if a local community decides that that's what they want to do, parents should have that right and as a Board, you can pass local policies. Now, the second issue I want to address is the Constitutional rights of parents and students. Now, first, as a gentleman mentioned earlier, the Establishment Clause. Government has to assume a neutral stance that treats all religions and non-religious people fairly and enables religious liberty. This includes respecting different views of students of issues of Gender and Sexual Orientation, and students do not have to celebrate ideals that are against their religious views.

Students with religious views against these issues must not bully and must treat all students with kindness, compassion and love. That is no issue that we can even debate. That is a fact but there is free speech and all students have the right to express their beliefs and views, even in schools. Just because the student walks on campus it does not mean that their Constitutional rights are stripped from them, and parents are the only ones that have the right to direct the upbringing of their children. And so, with these in mind, you as a Board should pass policies that protect parental rights. You can comply with the California Healthy Youth Act, but you can still respect and honor parents.

[APPLAUSE FROM THE AUDIENCE]

**Chidester:** Thank you. Ms. Higuera. We will next hear from Brenda Lebsack.

**Lebsack:** Before you start the timer, do you all have a blue folder in front of you? Did you pass that out? Okay, perfect. You can start it now. I enjoyed what Dr. Weed said. Let's move from ideology to evidence, and that's why you have those blue folders. So, as I speak. I'm over? Okay. That was a freebie. I get to start over. Okay. So, today I'm not representing any District or organization. I speak on behalf of myself. My concern about AB329 is medical and accuracy when it comes to HIV prevention and false information to and about parents. Each Board Member has been provided a folder with labeled documentation for each of my points. Exhibit A, If you'd look.

In the Parent Notification Template, it's in your blue folder if you want to take a look, provided to Districts from the ACLU for the California Healthy Youth Act. It states, "instruction must include FDA approved methods to prevent HIV. This notice is a promise to parents that FDA methods will be taught when it comes to HIV prevention." I'm going to use the middle school Teen Talk curriculum as an example because it's considered the highest in compliance with AB329 compared to the other curriculum choices and is recommended by the ACLU. Please see Exhibit B. It verifies this fact. It's an email from Health Connected, which is Teen Talk and the ASHWG Rubric.

ASHWG is Adolescent Sexual Health Work Group, a collaborative group effort between non-government and government organizations, such as the California Department of Education, to protect sexual reproductive health of California youth. In ASHWG scoring Teen Talk was the only curriculum choice with no red marks for non-compliance. Exhibit C, Page 162 of Teen Talk emphasizes the use of condoms during anal sex to stay protected from HIV. But, here's the problem. Condoms are not FDA approved for anal sex. Please go to exhibit D. You will find three pieces of evidence for this.

Number 1: a notarized affidavit from Josh Robbins, which states, "I am an HIV-Positive Patient Activist and Social Media Journalist, and I published an article confirming that the FDA has never approved the medical device, condoms, for use during anal sex."  
Evidence Number 2: An article from the National Coalition of STD Directors 2014 stating, "that neither male nor female condoms are FDA approved for anal sex."  
Evidence Number 3: In Teen Talk under helpful hints on Page 183, it even admits this fact. It states, "Insertive condoms are not FDA approved for anal sex." It also states that, "condoms are FDA approved for vaginal sex."

Please note: Anal sex is never mentioned because legally...legally they cannot say it. Although condoms are the emphasized...emphasized methods to prevent HIV and anal sex, Teen Talk also mentions another method on Page 155. It states, "There are new medications like Prep and Pep that can also significantly reduce a pers...a persons chance of contracting HIV. The problem, though, is the medication, Prep, was not FDA approved for minors until just recently. Exhibit E: An email from Dr. Reid, the HIV Medical Specialist at Orange County Health Care Agency dated August 3<sup>rd</sup>, 2018, in an article verifying this message states, "The HIV prevention medication TRUVADA for PrEP was not FDA approved for minors until May 15<sup>th</sup>, 2018."

So, basically anal sex has been taught in our top recommended curriculum since January 2016, with a promise to parents that FDA approved methods would be taught for HIV prevention when there was no FDA approved methods to prevent HIV in minors for anal sex until only four months ago. That means that the California Department of Education broke their promise to parents throughout the whole State of California for over two years. They did not follow their own rules. I spoke to medical doctors about this curriculum and they confirmed that this curriculum is medically inaccurate concerning HIV prevention.

Please see Exhibit F: A letter from Dr. Winkelman, a 24-year Pediatrician from CHOC Hospital; a letter from Dr. Van Mol, a Family Physician and Board Member of the American College of Pediatricians; and a CDC study. Dr. Winkelman's letter reads, "In reviewing Teen Talk, students are not being told medically accurate statistics regarding the effectiveness of condom use in anal sex. They're not being told the truth that anal sex is the highest risk behavior for transmission of HIV, especially since condoms are not FDA approved for anal sex." CDC states that consistent condom use in anal sex stop 70% of HIV infections. This is with perfect us.

If the condom is not used perfectly and consistency...consistently this efficacy rate drops significantly. However, in Teen Talk, they are lumping vaginal efficacy condom stats

with anal condom stats. There is a big difference. HIV is at least 10 times more easily transmitted via anal than vaginal sex and condoms may be more likely to fail during anal sex. It's important youth understand the real risks. Since TRUVADA for PrEP is now FDA approved for not...for minors, that should be emphasized in combination with condoms when actively involved in high-risk sexual behaviors in order to prevent HIV. End of letter. In order to verify the 70% efficacy stat from the 2013 CDC study that Dr. Winkelman referenced, I contacted the National Coalition of STD Directors in Washington, D.C.

Please see Exhibit G: an email dated January 26, 2018 from Matthew Prior, who is the Senior Manager of Communications from NCSD, confirmed the 70% efficacy stat for perfect condom use for anal sex. Also included in Exhibit G is a letter from ACLU quoting Ed Code 51934A, which says, "the California Healthy Youth Act requires instruction on the relative risk of HIV transmission. Relative risk means ratio of probability. However, none of the approved curriculum choices by ASHWG inform...informed students about this 70% risk for HIV transmission. Why? Is this misinformation really supposed to keep our kids safe?"

I don't think the LGBT community wants medically inaccurate information. The GLESEN website, which stands for Gay Lesbian Straight Education Network, states as fact, "LGBT youth are at higher risk of HIV." Please see Exhibit H. Knowing this fact, it surprises me there is criticism from some in the LGBT community. I'm asking for accountability because protecting the health of all students, especially those at higher risk, should supersede political agendas. Thank you.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you. Ms. Lebsack. We will next hear from Dr. Laura Haynes.

**Haynes:** Members of the Board, thank you for the...is this on? Members of the Board, thank you for the opportunity to share my concerns. Under the California Healthy Youth Act, CHYA, affirmative curriculum is being taught that is medically inaccurate and developmentally inappropriate for minors. The American Psychological Association does affirm same-sex sexuality as CHYA requires saying it is normal, but it is now not consistent in that view. The authoritative APA Handbook of Sexuality in Psychology, 2014, says no gauging has been found. Same-sex attraction is not simply biologically caused.

Psychological causes are always present and childhood sexual abuse can lead to having same-sex partners. It based this conclusion on its review of research that included a 30-year study of documented cases of childhood sexual abuse. A highly approved CHYA curriculum, Teen Talk, is medically inaccurate and harmful when it teach...teaches childhood sexual abuse cannot cause same-sex sexuality. Certainly not everyone who is gay has been sexually abused, but certainly some have. CHYA mandates affirming sexual feelings and behaviors forced on some victims by childhood sexual trauma. This is hurtful. How will an affirmative approach make these victims feel?

Will they think there is something wrong with them if they don't feel like affirming their feelings as positive or normal? Well, they think they can't let anyone know how they feel. Will these students feel welcome and safe in school? Teen Talk also teaches sexual orientation is never a choice based on an outdated reference. That is a black-and-white statement and a quiz question being taught in as fact. Research corrects an earlier APA statement and shows some who experience same-sex sexuality feel they have no choice. Many feel they have some choice and some feel their sexual orientation is a choice.

There is evidence that daily choices such as participating in a heterosexual social group versus an LGBT social group, or having relationships with the opposite sex versus the same sex, may increase shifts toward or to heterosexuality, especially for women. Students deserve accurate information. Some children are distressed by the sex of their body and wish to be a different sex. They have Sexual Identity Distress. Education that affirms Sexual Identity Distress is not developmentally appropriate. While most children can say at age 3 they are a boy or a girl, sexually identify...identity distressed children are developing their sexual identity until adolescence or adulthood.

Several professional organizations agree that these minors overwhelmingly outgrow their sexual identity confusion naturally, if allowed to; about 80-95%. An effort to erase the research behind this research has been well-critiqued. Several professional organizations also agree there is no way to tell which children will naturally outgrow their distress over their sex, and affirming children to dress and use noun and pronouns with the opposite sex at school, and in the community, can actually stop them from coming to embrace their innate body sex. Because many more schools and parents are affirming sexual identity as stressing to students, more students will be locked in to living as a heterosexual life who otherwise would not have.

Extending CHYA below Grade 7 would take this from bad to worse. CHYA mandates affirming transsexual identity, increasing the likelihood more students will go down the path of medical procedures to try to make their body appear more like the opposite sex. The World Professional Association for Transgender Health says Sexual Identity Distress may be a symptom of another psychiatric disorder. Treating an underlying disorder that is causing Sexual Identity Distress should resolve both Sexual Identity Stress and the underlying disorder causing it. The American Psychological Association says thoughts of being the opposite sex aren't simply biologically caused by genes, prenatal hormones or micro brain structures.

It says psychological causes are always involved and suggest family pathology may be a cause. The APA says if you affirm sexual identity confusion, you may neglect needed psychological problems that need attention. Children who are distressed about their sex have been shown to have several times more psychiatric disorders in every category. Leaving psychiatric disorders untreated can cause suicide and lock Sexual Identity Distress. Students who are affirmed at any step on the path to living as a transsexual, usually become locked into this path thereafter. The long-term effects of affirming students as the opposite sex are enormous.

Affirming trans identified...children and adolescents sends them on to a path of experimental puberty blockers and toxic cross-sex hormones that often sterilize and for them...and foreclose sexual functioning for life. Having their healthy breasts surgically removed as early as age 13, potential castration and destruction of all healthy reproductive organs. There is a push to do this at younger and younger ages. A lifetime of being a medical patient a two-to-two-and-a-half times higher rate of death by cancer or heart disease, a 2.8 times higher persisting rate of psychiatric hospitalizations, and a 19 times higher rate of completed suicides after these medical procedures and even if the transsexual live in a liberal and affirming community as in Sweden, one of the most transsexual affirmative and atheistic Western Nations and all before they're old enough to drive.

The increased deaths from disease and suicide are not observed until ten years after transsexual medical procedures, well after the initial responses to treatment wear off. Follow-up studies of 1 or 5 years can't show the long-term devastating outcomes. A research review by the Centers for Medicare and Medicaid Services under HHS in 2016 said the research behind the long-term consequences I just listed here is of the highest quality available. Our children developmentally able at age five, eleven, fourteen or sixteen to consent to heading down this transsexual path. The American Psychological Association said this month that 16-year-olds are impulsive and not developmentally ready to think about parenthood or loss of fertility.

These are my recommendations. There is no professional consensus that supports affirming prepubescent children, and there's no scientific evidence that waiting is harmful. CHYA does not require that it be taught to children below Grade 7, and I strongly recommend that it not be. Affirming students who experience Sex Identity Stress in 7<sup>th</sup> grade and high school may help some feel better in the short run but it is far from healthy. It is far from suicide prevention, and it is not developmentally appropriate for children or adolescents. A better approach would be educators and parents honestly working together and teaching students to show kindness for all.

[APPLAUSE FROM THE AUDIENCE]

**Chidester:** Thank you, Dr. Haynes. We will hear now from Ms. Duaa Alwan.

**Alwan:** Thank you, Dr. Williams, Member of the Board...Members of the Board, OC Community, fellow parents, teachers and all those concerned on both sides of this issue. In the spirit of inclusivity, I will be actually gathering a lot of what my fellow panelists have been talking about to kind of reach because inclusivity is a process. [A MEMBER OF THE ORANGE COUNTY DEPARTMENT OF EDUCATION MEDIA STAFF SWITCHES OUT MS. ALWAN'S MICROPHONE] Are you going to start the timer over? Sorry, they changed the microphone. I'm going to need every minute. Thank you, I'll start over. Dr. Williams, Members of the Board, Orange County Community, fellow parents, teachers and all those concerned...concerned on both sides of this issue.

In the spirit of inclusivity, I will be actually addressing a lot of the points in order...that my fellow panelists have talked about. In order to come to Inclusivity and what it means

because it's a process. I have three children who went through public and private schools in this County and in 2017, 55% of Muslim students reported bullying in California schools. I hate that my own children are a statistic, so through my work I often get called...calls from parents and teachers to address bullying in schools. No matter who is the bully and who is being bullied, the common challenge is that one human being is seeing another through a label...using labels to dehumanize a fellow student and trust me, bullying incidents that come to my attention have no age limits.

It starts in Kindergarten by a fellow five-year-old or by a teacher, administrator, or even a school bus driver. I still remember how outraged and heart...and heartbroken I would feel when my child would come home in tears and there's not much we can do about it. I had an administrator actually explain to me one time that if my child is being harassed by a different person every week, then that does not fit the definition of bullying. Really? Who wrote the definition of bullying? No child should ever be bullied so I can understand where the California Healthy Youth Act is coming from. Students who see themselves different than others should be protected from bullying and discrimination.

This is at the essence of my faith and the community I represent. While the need of every community to be represented is understandable, the minute we need to silence one group in order to give voice to another, our formula is unjust and wilker...will create a new harm. I have a unique appreciation for Inclusivity and democrat...and the Democratic Process. Having personally lived under different dictatorships where multiple perspectives on a variety of issues are not allowed to be expressed, and doing sue...so is punishable by law. I was appalled reading the AB329. It did not sound like the democracy and freedom of thought, religion and expression we take for granted in this Country.

AB329 explicitly says that no other views on gender and sexuality can be taught in the classroom. This is institutionalized bullying. California Healthy Youth Acts main goal is to make students feel welcome and are not bullied. Isn't that a goal for all students, all...in all classrooms? I sent my kids to public school to expand their views, to learn about people who are different than them, to learn to stand up for themselves; not to be bullied or silenced. I want them to expect the same dignity and respect they give others. In teaching Inclusion 101, you'll learn that the first step to be inclusive is to see people as human beings before any labels that comes to mind so quickly.

It counterproductive to attempt to stop bullying by imposing more labels on students. As a faith community, it would be hypocritical to believe that God created and honored every soul and he is the judge and then attempt to strip it...strip people from their God-given human rights. I understand that this is surfacing out of a need. Curriculums in many subjects lack inclusivity and on various points of views, and our students are not taught how to value and be courteous to one another, regardless of their gender, sexuality, race, religion, disability, disability labels, etc. According to the LGBT 2015 report, 87%...87% of students say that they heard the word gay used in a negative way.

Is this...this is truly unfortunate and it led to suicide among several middle schoolers in the past few years. How are we solving this problem by giving students 10 more labels to

use against each other? Teaching students to label themselves and others is not inclusive. Again, to be inclusive is to make labels less relevant and less important, which can be achieved by presenting all points of views. According to the AB329, a girl who likes trucks and football should either accept a new gender identity label or remain silent. Promoting narrow definitions of who we are will amplify stereotypes about Gender and Sexual Orientation. Inclusive education, by definition, has to be unbiased, has to be scholarly and has to be for everyone.

If this is so important and you do not want parents to opt out, then represent all voices in the curriculum. Our children deserve an inclusive curriculum taught in an inclusive classrooms. This means that one, all students feel safe and welcome. All students feel free to share their point of view. All students are respected and respectable of others, regardless of their differences, and all students are valued and protected to be exactly who they are. Aligning our expectations of curriculum and schools when it comes to inclusion is very critical. There are two prerequisites to claim that we have inclusion. One is to acknowledge our diversity.

As human beings, our diversity is not just in our colors, appearances and languages. It is in our thoughts and conducts, our emotions and interests. Therefore, the mere assumption that everyone should agree on a certain thought, feeling or conduct is a barrier to inclusion. The second prerequisite to inclusion is engagement. Our students have to be engaged. If students come to school feeling that their beliefs are inferior, we will not be able to claim inclusivity. Engaged students bring their whole self to the classroom. They can focus, think, interact, and participate without holding back and fear of being mocked. This is the reason why practicing inclusion is effective.

It allows us to work together and stand up for each other past our differences. So, in order to claim that our law and our curriculum is inclusive, we have to change...challenge stereotypes and unconscious biases we all have and have to see one another as human beings first. When I supplement curriculum on Islam in classrooms of all ages, I do not expect anyone to agree with me and I do not expect anyone to fully understand 1,400 years of history and today's 1.8 billion Muslims around the world. However, I do expect people to acknowledge and respect my perspective. I simply ask we do the same with this law. Thank you.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you very much, Ms. Alwan. Let me give you a bit of a preview of what we have remaining this evening and we'll...I'll try to stay on track, and thank you very much for your patience and thoughtful listening so far. Next, we will have an opportunity for each Trustee to take up to five minutes to pose a question or if they're very quick and the experts are very quick, more than one question to a panelist.

Five minutes per Trustee. Once that is completed, we will take a brief break not to exceed 10 minutes. Following the break, there will be one additional round of questions by Trustees to the experts and the final formal portion of the presentation will be Closing

Remarks of up to five minutes by each of our experts. At this time, I would like to invite Trustee Sparks to pose questions.

**Sparks:** The first question, okay, thank you. I'm a scientist as well...a Social Scientist in the health area and I'm curious of the panel whenever we talk about scientifically and evidence...scientifically-accurate, evidence based. We're starting to see some confusion around those terms and I'm wondering if you all will clarify those terms, particularly Dr. Weed?

**Weed:** That's an important question. Evidence-based means a lot of different things to different people and it gets...it gets used often inappropriately. What's been...what's been called evidence in some of the Comprehensive Sex Education Programs is one outcome of limited ability to affect behavior. For example, some of the research says well, we have reduced the number of kids who don't use a condom at first intercourse or we've increased the amount of condom use at last intercourse.

That does not reduce pregnancy or STD's. It has to be consistent use, correct use, every time. And then, you have 80% protection and none of the studies met that standard. And yet, they say we are evidence-based and we're effective. There's some other examples I could share but that's...that's the idea of it.

**Sparks:** So, essentially, operationalizing what those terms really mean, what they're really measuring and that's kind of part of the purpose of us...of us moving forward with this, is our thousands of constituents have asked for more information. And, we thank you all for coming...for coming tonight because our constituents deserve to hear, you know, all sides of this issue. And...and to sort of sift through some of the confusion and that leads me to my second question for Nada, is related to teasing out. We hear a lot about the mandated law...what's mandated, what's not mandated, and we hear less about how the law...how the curriculum is interpreted so there's no question.

I think of all of us that...we know that the law is what it is, that we need to...all Districts need to follow the law and, you know, accordingly in terms of what is mandated, what's not mandated. I think where there's more confusion is around the curriculum and teasing out the difference in the law and the curricular choices that Districts are making and of course, we're not making any choices for any Districts. We're just providing an open forum for information and I want to make that really clear, so I'm curious. Your thoughts on that?

**Higuera:** Yes. So, the California Healthy Youth Act mandates the topics that must be covered. It mandates that abstinence must be covered and it states that abstinence cannot be the only thing covered, but Districts have the discretion if they want to emphasize abstinence while still teaching HIV/STD prevention and things like that. They can do that, but there's nothing in the curriculum that I mean the...the examples that you heard that are outrageous and pornographic, that is not mandated by the California Healthy Youth Act nor are the selections of curriculum.

As a school Board, and even Local School Districts, they can select a curriculum that complies with the law that respects parental rights and reflects the values of their constituents while still providing children with the information that they need. So, you're right that some of these things, they're not in the California Healthy Youth Act. A quick glance at what's required by the Healthy Youth Act shows that a lot of this goes beyond and it's pushed by special interest groups, by Planned Parenthood and some of these other groups that want to promote this agenda. And so, that's not in the law, but it's the minds behind the perverse curriculum.

**Sparks:** Thank you. Thank you for clearing that up.

**Chidester:** Thank you, Trustee Sparks. Trustee Barke?

**Barke:** I'd like to put my antennae out as well. So much of the talk seems to me is the concern with the curriculum and so, I hear everybody reads from different curriculums. I hear there's five or six curriculums, so it seems like everybody has issues with a lot of the curriculums. Is there a curriculum out there already that would be more acceptable to...to parents, to schools, to teachers, to children, to everybody? Does it exist? If it doesn't exist, can...can it...can it, you know, can it exist? And, you know, do we know if it exists out there? Do we know? Is there something that is more palatable, something that another District has created? Something they want to share? Do have we research for those avenues?

**Higuera:** Yes, that's a great question. San Juan Capistrano is currently developing a curriculum. It is not complete. Another approach that I've seen School Districts take is to use former curriculum and to add some of these additional requirements, such as inclusivity of the Gender Spectrum and Sexual Orientation. So, to add those components to an existing curriculum that parents were okay with, so curriculum does not have to be completely rewritten. So, you can use previous curriculum and just add...add in some of these things and along those same lines, you can teach these...the required material in a way that doesn't promote one view over the other; that doesn't promote religion, but it also does not promote the secular view.

You can teach theories about sexual orientation and as we heard from some of our panelists, there are differing theories. There's not one particular view on, you know, is are people "born this way?" Or, you know, what are some of the social factors? So, we can give children the information without telling them how to believe, and...and let them, especially age-appropriate in high school, give them the theories, the information. If their parents choose to expose them to that and let them form the views, we don't have to indoctrinate them like some of this curriculum is doing, but we can give them information.

[AUDIENCE APPLAUDS]

**Barke:** Carrying that forward, how would we set that in motion? What is...what is the best way legally to set that in motion?

**Higuera:** For an alternative curriculum?

**Barke:** Mmhmm.

**Higuera:** So, when San Juan Capistrano was complete and I believe they're nearing completion, we can have Legal Counsel and even Tyler and Bursch can pro bono review it. You can have your Legal Counsel...have a variety of organizations...legal organizations, review the curriculum and see if it complies with the law. And...and I don't think it's hard to comply as long as you're covering these topics and so, once we have that and then I would recommend implementing it across School Districts and for parents to push for alternative curricula, such as the one that's being developed in San Juan Capistrano.

**Barke:** Thank you. Thank you so much.

**Chidester:** Thank you, Trustee Barke. Trustee Williams?

**Williams:** Okay. You all did great. Thank you so much for being here. Everybody here had a comment that struck home. I don't have enough time for...to ask all the questions, but I'll try and address my questions to people who have not talked. We're going to give you some...a little bit of silence, now, Nada. Debra, I saw you write a lot when Duaa was talking. I know you're thinking of something because a lot of your talks are the same. You're talking about Inclusivity. You...you mentioned the process of an Anti-Bullying Program and I think Duaa touched on those issues also. Give me your thoughts on that and tell me what research you have that you want to share with us.

**Reisdorph:** My concern is that bullying is already a problem. When we add a protracted and a promoted agenda and don't allow students on all sides of the issue to talk about it, we're going to have bullying galore, and it's going to be a huge problem. I'm concerned that even now some of our Districts don't think they have a problem with bullying, believe it or not. That's why I promote a full year program and it has to be from the top down, not just to students. Not just the parents. Not just the teachers. It has to be inclusive of everyone and when she was speaking, it's a process; Inclusivity. These children are going through a process of learning their sexual identity.

They need to still be inclusive and it...we're talking about children here. In the statistics of the Gallup studies, LGBT is only 4.5% of our population, and that's up from 3.2%. It's a very small part of our population yet it's silence, as she talked about. When one group is silent, so another one can speak, those that are faith-based need to be able to talk about it and there's just such...you see it in the universities where they're blocking out your ability to speak. Anti-Bullying programs need to be relational leadership, and it is...I can give you multiple journal articles and I have them in my favor.

**Williams:** So, would that look in a curriculum? Is it something that's taught weekly, monthly? Is a taught in two-week time periods?

**Reisdorph:** Well, here's what we did. Bullying is most prevalent in middle school. At BARE we created bear leadership clubs where everyone belongs, so you bring in everyone who wants to be part of the group to learn leadership strategies on how to deal with bullying. Why it's not appropriate and how to deal with it. At Stacey Middle School at Westminster School District, we did this program. They took it on and it was fabulous. A Student Body President student changed his mind about boys will be boys bullying

because of this club. It teaches them on a weekly or a monthly basis, depending on the school.

**Williams:** Okay, so there's a curriculum that you start from the top down and it goes and filters through the teachers into the classroom, and then, you try to change the hearts and minds of the kids.

**Reisdorph:** It's student-led, teacher energized, parent approved, community-funded. It's an entire unit. It's a whole school view.

**Williams:** Thank you. Brenda, why does...I was taken by the details of your...your opening statement. Very well done. A lot of information that I learned from what you were expressing. Why does the State of California, the Department of Education, promote Teen Talk as though it's the all...end all for everything and it's I...I think they promote it as the best program out there. Is that correct?

**Lebsack:** Yes, they do.

**Williams:** Why do they do that?

**Lebsack:** Honestly, I don't know. There's my answer, I don't know, but there's a lot of things that the California Department of Education...remember, they are part of ASHWG, so there's a lot of things...

**Williams:** What's ASHWG?

**Lebsack:** Okay, I did say it and it's the...do I have to look it up? The Adolescent Health...

**Higuera:** Adolescent Sexual Health Working Group.

**Lebsack:** Okay, yeah. The group that actually looks at the Rubric and it's...evaluates...it's evaluation group. Yes, but it has representatives from the California Department of Education in there and I think there was somebody who did speak about the framework from the California Department of Education. And, some of the definitions that are going to, for 2019, go into the California Healthy Youth Act once they become adopted, but I want to point out something that I learned recently that really surprised me.

In that, I know that Orange County Department of Ed is using Positive Prevention Plus and we were looking at it as a District as well, and we received something back because I was looking at an older version and then we received a letter from Positive Prevention Plus that said...oh, never mind.

**Williams:** Finish your statement.

**Lebsack:** Are you sure?

**Williams:** I have that ability to do that.

**Lebsack:** Okay. That they just came up with a new curriculum that was aligned with the new California Health Framework. I said, how could that be when it hasn't been adopted yet? And when I asked the person in my District to please look into it, that person sent me an email back that said they finally answered me back about your question of how their curriculum is aligned with the science framework before it's May release. The answer is that one of their curriculum developers is on the Committee.

**Chidester:** Thank you, Ms. Lebsack. I will turn to Trustee Gomez.

**Gomez:** Thank you. First of all, I just want to be clear that I support parental rights. We as parents have the – don't clap because you're going to take my time – we have the ability to opt out and we should be working with our Local School District to make sure that we get that information, and so, that, if you can make the choice as to whether or not you want your child to participate. Now, we, you know...my background is in healthcare and I do support, you know, medically accurate information. It also has to be age appropriate because there are students that don't understand, can't handle it, and will go home and be confused, but that's where you come in.

So, I'm going to ask my expert panel because I only have a couple minutes to take maybe 20-30 seconds and hopefully we can all make it. Just to answer the question, how can parents support this curriculum or how can parents support their children in understanding a safe and healthy, you know, sexual education? So, I'm going to start at that end for a change. If you could just maybe, you know, in your opinion, what would help parents the most?

**Alwan:** I think what helps parents the most is to actually be...be actually mindful and respectful of what their beliefs and what they choose to teach their children at what age. I know a lot of parents would appreciate the help actually in that department. So, that working together with the school and the teachers being able to see actually the curriculum ahead of time, not just to be up...when I get a permission like that for my children, well, I go like well, depend. What is it going to be about, right? I want to make an informed decision if I'm opting out or not. My child can maybe benefit from this curriculum, but I don't know what it is.

So, I think sending that information to parents and, you know, what it comes to these issues and it's about family values. It's about a lot of different things and even the bullying. I mean, it's not one size fits all so if we want to make it and try to take an easy way to say, well everybody, we're going to have this one model and everybody needs to be okay with it. These are issues that are a lot more sensitive to families, to cultures, to religions...

**Gomez:** I don't mean to cut you want but I want to give you rest.

**Alwan:** No, definitely.

**Gomez:** Okay, go ahead.

**Haynes:** Me? Okay, well, I'm not an educator and I'm not familiar with the ins and outs of the system, but I...

**Gomez:** Just in your opinion. What could support parents?

**Haynes:** ...I do think it would be vitally important for there to be an honest interaction and working together of educators and parents so that everybody feels that they can...they can sign onto the curriculum, so there won't be polarization and anger about it and, you know, so on. So, all parents need to take into account what they would like their children to be taught and what their values are, and do they feel that the curriculum is respectful and inclusive of that?

So, there needs to be...and the information on what's in the curriculum...in a curriculum needs to be readily available to parents and not hard to get. It's got to be easy because parents are busy, as are our educators, and so is everybody. So, you know, put the cookies on the lower shelf. Make it very accessible and easy for them to participate and see what's there and give their feedback.

**Gomez:** Okay, thank you.

**Lebsack:** Well, I'd like to share with you what the California Department of Education recommends for parents for TK through 3<sup>rd</sup> grade for the 2019. It's a book called, "Who Are You?" and I'll read just a couple pages. "When babies are born, people ask, "Is it a boy or girl?" Babies can't talk so grown-ups make a guess by looking at their bodies. Some people say there are only two genders, but there are really many genders. I am girl, boy, both, neither, just me, and for some people there are more than just two choices. There are just a few words people use: Trans, Gender-Queer, Non-Binary, Gender Fluid, Transgender, Gender Neutral, A-Gender, New Choice, Bi-Gender, Third Gender, Two Spirit and there are even more words people are using to describe their experience. This is called the Gender Spectrum."

**Gomez:** Okay, thank you. I want to move on so I can get to everybody.

**Higuera:** So, as Brenda pointed out, the framework makes it very difficult on parents to really be involved and support when that is what's being recommended to read, and also the ability to opt out is not a solution for parents, especially when Legal Counsel of the Board and the Department of Education and the ACLU is saying parents cannot opt out and they threaten to sue and bully to sue.

**Gomez:** Okay, thank you. I'll get to you in my next 5 minutes.

**Chidester:** Thank you, Trustee Gomez.

**Gomez:** I tried.

**Chidester:** Trustee Bedell?

**Bedell:** Thank you, Maggie. Excuse me. My first question is for Dr. Weed. Dr. Weed, could you just give me a very small sentence? There was some things that young people practiced that had a 12-month effect? Did I hear that right? That they were...they were...engaged in sexual activity...certain practices lasted for 12 months and then they faded away. Do I have that right?

**Weed:** That wasn't quite right. The...in the CSE programs, there weren't any effects that lasted for 12 months. We did find...we looked at 17 Abstinence Programs...Abstinence Education Programs and a number of those, 47% of them, demonstrated abstaining from sexual activity beyond the 12-month period. Am I getting at your question?

**Bedell:** Yes, yes.

**Weed:** So, we...we don't establish that 12 month. That wasn't our rule, that was the rule from the Society for Prevention Research. They said if it's only of...last...if the effects of the program lasts for a week or a month, it's not going to change the behavior. It's not

going to affect their lives. It's not going to reduce STD's and reduce pregnancies.

**Bedell:** Sure, sure.

**Weed:** It's got to be a long-term effect, so 12 months is a minimum. Unfortunately, the C...the CSE programs were not able to produce that.

**Bedell:** What...I guess where I'm coming from, my part...apologize if I'm not hearing this correctly. Wouldn't you, as a dad, rather have a good 12 months where the child matures and go on to better decision-making? That's where I was going but don't worry about it. Debra...Ms. Reisdorph? I'm sorry.

**Reisdorph:** Yes? Sorry.

**Bedell:** I was intrigued by what our good colleague from the Orange Board, Brenda...this was you, right Brenda? G...H, rather. School climate and HIV risk. Fact: Many LGBT youth are at a higher risk for HIV infection, particularly youth of color and transgender youth. Fact: Schools are unsafe, which should bother every one of us in this room, and unwelcoming for most LGBTQ students, which can have a negative impact on health and well-being.

Debra, from your research, who are the most bullied? And, I really appreciate your research and the difference you put it. If you look at Penelope of kids, who are the most bullied kids in the school? Is it the quarterback of the team, who is President of the Student Union and who is going to Harvard? Who are these kids? This is what concerns me.

**Reisdorph:** Statistics have shown that disabled kids are generally the most bullied. My concern with the LGBT thought is that these children are still grappling with the conc...concept and we have...

**Bedell:** Does that grappling cause them to be victimized in this school?

**Reisdorph:** Yes, because let me tell you, there's beautiful little boys...beautiful little boys who seem to be sensitive. They like talking to girls and hanging with the girls and doing sensitive things. The athletes call them sissies, and then it turns to fag and faggot, and they don't know what that means. So, they go, oh well, then that must be what I am. So, then they go and they try to solicit a same-sex person and they're rejected and they're devastated. How did they go back from saying, "I'm gay" to saying, "I'm really just a guy?" Kids in that area are having a hard time dealing with it. They need to be accepted as a human being without a label because they're all grappling with it and they commit suicide in high numbers.

**Bedell:** Exactly. There was a...it's going to your example. There was a very beautiful nine-year-old boy a few weeks ago committed suicide for exactly the same reason you were stating. And, he was very supported by his family and not supported by his school.

**Reisdorph:** Right.

**Bedell:** And, the way the example that you gave as I hear was that the perpetrator of that bullying was another male student.

**Reisdorph:** Generally, yes.

**Bedell:** Right. Now, there's a study on the...maybe you're familiar with this in...up in the Northridge area where they found that girls who were labeled as bullies by their schools

when they brought the mothers in, the mothers basically said, how dare you say that? That's leadership. She's not a bully.

**Reisdorph:** Well, I'm a lawyer.

**Bedell:** Right. I'm sorry...

**Reisdorph:** Bullying is something...

**Bedell:** I'm sorry.

**Reisdorph:** ...I'm taught to do, but sadly, even in our legal profession a girl is called a bitch, a boy is called aggressive.

**Bedell:** Fascinating.

**Reisdorph:** It's a societal issue.

**Bedell:** Yes, I would like to go down... Thank you.

**Chidester:** Thank you, Trustees. I'm going to ask your assistance and cooperation and pull my Kindergarten teacher rank from many, many, many, many years ago. Ask our staff member in just one moment to set the alarm for 10 minutes. When you see the yellow light flashing, if you would kindly conclude your conversations, get to your seat so we can finish up tonight. Thank you very much. We are at break for 10 minutes.

[THE SPECIAL FORUM BREAKS FOR 10 MINUTES]

[PRESIDENT WILLIAMS STRIKES THE GAVEL THREE TIMES TO RESUME THE SPECIAL FORUM. HE THEN STRIKES THE GAVEL TEN TIMES TO PROCURE EVERYONE'S ATTENTION. FINALLY, HE STRIKES THE GAVEL THREE MORE TIMES]

**Williams:** Okay, let's get going here. We took a little bit longer break. Maggie, it's yours.

**Chidester:** Ladies and gentlemen, please be seated. We will begin our second round of Trustee questions with Dr. Bedell.

**Bedell:** I guess my concern is that all children, regardless of their faith, regardless how they define themselves, feel safe; that they're not bullied, that they can learn, that they can learn... that they can learn unencumbered by anybody's labels. And, I guess, I'm concerned that... that doesn't happen. I think the very bright are stigmatized. I think the very beautiful and handsome are stigmatized. I think – and that happened to me a lot – and... and seriously, I think that the children of today deserve whatever we can do and I understand that a principal or a teacher can't be everywhere on a site at all times, and there's going to be some kids going to go after somebody.

That said, I think it's incumbent upon us as parents and grandparents to be sure that we give them cushions and give them the best knowledge, so that they don't become hateful, mean people. And, I'm concerned in all candor that there are some kids who are going to be more likely hated and demeaned. And, it may be because of their religion. It may be because of their sexual orientation. I just think one of the things I hope we take away from tonight is that every child has dignity, regardless how he or she defines... or does not define, his or her body and I think just as we've seen and I can tell you as a university person, I've seen contrary views squashed.

So, I get that, and alternative views squashed, but I think these are little people and I think we...all of us bear a responsibility and I don't think that's Pollyanna, because I think what parents say in the home sets the stage...sets the stage, and if some kid used...I can tell you if my...any of my children or grandchildren, who are much less my business than my children were, ever use the n-word or the f word, they know what hit them. All right? And I don't mean physically, of course, but they...they would really pay a price for that kind of language, and I think it starts at home. And, I want to go back to Trustee Gomez's question.

One of the things that I really hope people walk away from this meeting tonight is parents have a great deal of power at the 27 Local School Districts in this County. And, one of the things you can do...it's nice to talk about it and moan and groan, but if you have kids in school, you find out who's on the Curriculum Selection Committee by those parents because that's where you can really have a role. We have absolutely nothing to say that Irvine uses, I understand, pieces of Teen Talk. It is simply not within our purview. It's within your purview if you live in Irvine. That's where I come from and I hope that's what you walk away from tonight.

Also, Dr. Williams and I were talking at break, not violating the Bray...the Brown Act. Also, if you have suggestions for amending that law, go for it. And, one of the things that I've read it several times, and one of the things I don't think it's very clear on is how to do opt for parents that may not be as well educated as some others. So, for me, one of the takeaways I'm going to have is I'm going to talk to see some legislators. Well, what can we do to make opt out so people feel more comfortable that they can opt out and the legislation? So, I just don't want this to be a moan and groan session. I want outcomes, so that's getting involved in the Local District and dealing with the loo...people who create the legislation. Thank you.

**Chidester:** Thank you very much, Dr. Bedell. Trustee Gomez?

**Gomez:** Thank you. This is...well, I'd like to continue with my other question. If I could get Dr. Weed and Ms. Reisdorph to...to answer about how parents can support their...the sex education for their students, Dr. Weed, could I start with you?

**Weed:** The first red flag that I would look for is a program that does not mention parents. If there's a curriculum out there that's...that's bypassing the parents, they're concerned that the parents aren't going to like it and they leave them out. That would be my first red flag. In addition to what has been said earlier, I want to add this thought. We've developed a program that's a Character Education Program for K through 6. It has five learning steps in it, one of which is a Learning Link with parents.

It ties the...the curriculum experience in the classroom and partners with the parents and very meaningful...very meaningful way. And...and what we're finding is that, of course, some parents are more serious about it than others, but the ones who take that seriously have a huge impact for better or for worse. Parents are the biggest effect on our kids' lives and if programs ignore that, bypass them, they're making a huge mistake.

**Gomez:** Thank you.

**Reisdorph:** I would tell parents use your opt out wisely. Age-appropriate is important. I blindly opted out my children in middle school and my 35-year-old daughter says, “Mom, you didn't tell me what I needed to know.” I didn't talk to my kids about the real issues. I didn't make it a safe, free place for them to talk about issues I didn't want to talk about. If we're going to opt out, we have to talk to our kids. There are societal issues that have to be addressed. If it's a safe curriculum, use your opt out wisely.

**Gomez:** All right, thank you. I'd like to, you know, unfortunately we're seeing so much of this in the news and it's, you know, it's kind of a little bit of an overkill, but what about the relationship between Sex Education and Sexual Assault? I'm going to ask, who was it? I'm going to ask Ms. Alwan, if you could maybe address that in terms of, you know, bullying and maybe what you have seen?

**Alwan:** The difference between? Is it the difference you're asking about?

**Gomez:** How does it impact? Does sex...sex education have an impact on sexual assault or hopefully the lack of?

**Alwan:** So, something that I wanted to kind of again, going beyond the labels, I think what's really important is that students see the value of themselves and of others. So, if we actually take...take our identities to be actually our sexual identity and...and that kind of going to consume the students and how they call each other and what they do, I think it really does open the door for transgression and for unwelcoming...for an unwelcome...because, you know what? Not everybody is allowed to express themselves, also. Then, where, you know, that some students are already, based on what we heard today, are feeling inferior in the classroom when these discussions are going on.

So, you can just, I mean, think about the unwelcome, right? So, are students feeling...feeling inferior to also be silent when things are unwelcome that they face? So, I feel like shifting the conversation from going...becoming centered around the identity...the sexual identity of the child to actually their knowledge, their character, their skills is a lot more important. I really think that there is...there is a lot more to a human being than their sexuality.

Also, only or even, I mean, the same thing when...when there is racism, right? When seeing someone only as their race and people are picked on, I think when you open the door to that, yes, you will see a lot more harassment because it's unwelcome and it's being taught as something to explore with. So, who are they exploring with?

**Gomez:** Okay.

**Alwan:** Maybe the silent students.

**Gomez:** Okay. I think I only have like a minute left, so, I'm going to ask Dr. Haynes. You...you kept talking about Gender Distressed. What's the research on that?

**Haynes:** Well, would you like the research of what leads to it, or, what would you like to know?

**Gomez:** Well, tell me about it.

**Haynes:** Okay.

**Gomez:** Tell me what...where the research is coming from that...that indicates that children are encouraged to change their gender at an early age? Because you mentioned that, and I was a little...I was...

**Haynes:** Okay, so, several organizations say that children overwhelmingly...

**Gomez:** Which organizations?

**Haynes:** ...I'm going to list them.

**Gomez:** Okay.

**Haynes:** American Psychiatric Association, the American Psychological Association, The Endocrine Society and it's six co-sponsoring Endocrine and medical organizations in the United States and the United Kingdom. All agree that children overwhelmingly outgrow their Sexual Identity Distress if allowed to.

**Gomez:** Okay, thank you. Sorry, time's up.

**Chidester:** Thank you, Trustee Gomez. Trustee Williams.

**Williams:** So, my question is very similar to my good Trustee to my right. This last August, a Brown University researcher, and this is going to be to you, Dr. Haynes, published a study describing teens and young adults who did not have symptoms of Gender Dysphoria during childhood, but were observed by their parents to rapidly develop Gender Dysphoria symptoms over days, weeks, month, or during or after puberty. Could you...I think that's an absolutely incredible study. It was pulled, for whatever reason, by Brown University. Could you explain why?

**Haynes:** Well, Dr. Whitman was collecting research from parents who were reporting that they had children, and particularly daughters, who had never expressed any distress over being a female, but then they started looking at Facebook, social media with their friends; with their peers, and then there started to be, well, friends on Facebook were identifying as transgender together and parents were saying, "You know what? I don't think my child is really transgender. I think that they're just upset and disturbed about some other things. They're having some trouble and they're latching onto this as a solution.

And...but if I call a Psychologist for help with this, as soon as they get on the phone, I hear, "Oh, yes, we deal with this all the time. Come in. I'll write the letter for the doctor to start them on this path of..." say...everything that I just listed, okay? The puberty blockers, the Cross-X Hormones, the breasts being removed as adolescents, and so on; being sterilized potentially for life, and so on. So, the parents were reporting to her that they were feeling up against just so much a wall of...an agenda in the schools, in the media, in entertainment, etc. I mean, to the point that people think that 20...Gallup said, 20...people think 23% of the population is LGBT when their actual figure was 3.8%, in that study.

So...and they thought that was because of the media. So, Social Contagion is a factor that is coming forward as a great concern, and a focus that is needing rigorous research. Unfortunately, there is a pushback against such research being done. Some people don't want this idea to be in people's minds. They don't want people to think of this as a factor, and they got her research pulled, even though...it was previewed, and no one said there

was anything wrong with the research. They just thought it was bad for Civil Rights. And, this is where we get into theories about Sexual Orientation, Gender Identity and what will help Civil Rights. These theories can lead to problems and polarization, and so on.

**Barke:** Can I just comment? I know that study. You guys know I'm a Social Scientist. Social Contagion...there's a lot of research on Social Contagion, right? And...that's very legitimate research and I read this study as well. More studies need to be done in this particular context, in terms of Social Media use and what's going on in terms of Gender Identity issues. So, that was a relatively small study, about 260 people or something like that, so, it might be a picture into what's happening, but much more research needs to be done rather than squelched.

**Haynes:** Right.

**Barke:** Knowledge is power; information is power, which is why we're...we're having this, so all the parents and the families of Orange County can have more information about research on these very topics and the science behind it. So, I just want to kind of throw that out there. So, my suggestion would be that...to rely on that Social Contagion research and show all the research out there on Social Media use and what's happening in other contexts. And then, we compare that, because we...we know similar results in other contexts...

**Haynes:** That's right.

**Barke:** ...to this context. Obviously, more research needs to be done.

**Haynes:** Right.

**Williams:** So, you took two minutes of my time. Okay, this will be my final question. I want to thank everybody again for being here. Many of you have flown and come from many parts of this Nation, this Country, to be here and I so appreciate it, and you guys have been awesome and have provided me with a lot of information. So, my last question is going to go to you, Dr. Weed. I've always been someone who has promoted the concept of Abstinence.

Abstinence defined as delaying sexual activity as long as one can until you have a more permanent relationship. In your review of the 17 studies, you...you said there was something about a higher standard outcomes and that the tall month period was important. So, does Abstinence Education really work, and how is it superior over than the concept of Comprehensive Sex Education, which inculcates and teaches kids how to engage in sexual activity? It's a big contrast.

**Weed:** Yeah. The 17 studies that we looked at, we didn't select these. These were selected by those agencies that I talked about earlier, so we didn't cherry-pick these and of those, about half of them had an effect on delaying sexual initiation, sexual debut, for at least a year. The question I think maybe is worth pursuing is that, what is it in the effective programs that may be different than the ones that were less effective? How do we distinguish the differences? Let me...let me give you some examples. The effective

programs were ones that didn't rely on the old paradigm of more information makes for better decisions with kids. That...that's a poor paradigm. It doesn't work.

What does work? There...there...we've identified at least a half a dozen key predictors of risk behavior and when programs incorporate these effectively, they reduce initiation, sexual debut, by at least half, maybe up to 70%. What are they? The first one is what we call Future Impact, Future Orientation. They see sexual behavior and sexual activity as an impediment and a barrier to Future Options and Opportunities. Career, Education, Marriage and Family. They recognize that...that problem. A second one is what we call their value system, their sense of what's good and bad, right and wrong, important and not important. That affects their behavior.

A third one we call it Justification. Kids are good at rationalizing and to the extent to which they can rationalize and justify sexual behavior, they engage in it. So, programs that target that directly and help them with critical thinking, they're more effective. Another one: Independence from Peers. They...they are able to recognize negative influences and reject it. Those are some examples and it's not just one of those that's going to make a program effective. All of them combined together create this huge impact on initiation of sexual activity, 60-70% reduction.

**Williams:** So, what happens when a teacher takes out a banana, brings a condom and says this is how you use it?

**Weed:** Well, I mentioned earlier that there are no programs that have demonstrated an ability to change behavior when they teach both of those things side by side. Those are incompatible messages. Why are they incompatible? Well, one message says sex is normal, natural, healthy and you ought to engage in it when it...when you can, with whom you can, and here's how to be able to have it more pleasurable. Okay, that's...that's the underlying philosophy behind most Comprehensive Sex Education programs.

Abstinence Education has a different philosophy. It says abstinence of sexual activity is...is normal and healthy at the right time and in the right place, with the right person in a committed relationship. Those two things are not messages that work together in the same classroom and in the same program. And so, you can't do them both. I think that's one of the problems...

[APPLAUSE FROM THE AUDIENCE]

**Weed:** ...that's one of the problems with the California law. They think you can do both of those things. It's not possible.

**Williams:** I think...I think I'm done.

**Chidester:** Thank you, Dr. Williams. Trustee Barke?

**Barke:** Okay, so I'm going to go back to my sort of original theme of what is really bothering families, I think, is what's being taught. They don't know what's being taught, what's legal, illegal. So, I think transparency is the other thing and Dr. Weed brought it up with any time a parent doesn't know something, there's concern, and so how can we get more transparency? And, anybody who thinks they have a great answer can answer.

Brenda, I'm thinking because you're a Trustee, maybe you could tell us how that works in your world because that's where it's implemented? How can we make sure there is transparency?

**Lebsack:** Yeah, I think that's a great question. I mean, I think Dr. Bedell wrote a letter to all the Districts that gave some great admonishment but also ideas for putting things on website, making it easily accessible so they don't have to jump through hoops, you know. Parents don't have to take off work. Putting it online so they can view it at their pleasure rather than having being breathed on their neck while they're looking at it and feeling uncomfortable. Those are some ways. I think, transparency is very important.

I want to share something with you because I did mention in my first speech about a political agenda, and that's kind of a power-packed word, but there is something going on here and I do get from GLESEN, which is the Gay Lesbian Straight Educators Network, and they have here that, “the main objective is for male and female cisgender and heterosexuality should not be considered the norm because that view is discriminatory.

Heteronormativity is an assumption that heterosexual identity is the norm, which plays out in interpersonal interactions and institutional privileges that further the marginalization of Lesbian, Gay, Bisexual, Asexual and Queer people. Cisnormativity, the assumption that cisgender identity is the norm which plays out in interpersonal interactions and institutional privileges that further the marginalization of transgender people.” This goes along with transparency because this is the goal. They are stating the goal is to change the norm.

**Barke:** So, any thoughts on how we can make it more transparent? Does anybody want to just jump in?

**Higuera:** I think, as Brenda said, making the curriculum more accessible. I mean, even me as a lawyer knowing the Freedom of Information Act, trying to get...trying to see the actual curricula from different School Districts is a challenge. I mean, they, you know, some Districts get very defensive as if you're...you want to attack them, and so, they try to hide some of this and it's difficult.

I mean, it takes a few of our staff members to have to continue to check in to cite the law that allows parents and community members to review the different curricula. And so, having it on a website that parents can view it and just...having a...the trust between schools and parents. I think you know, we're all on the same side. Teachers, they, you know, they care about children. So just to take away that divisiveness and for us all to be like-minded, on one page, and to not have secrets.

**Barke:** Yeah, I think that would be that, to me, that would make people feel happy. If every District had to have it on their website. They had to be transparent so every child or every parent knew exactly what was being taught. I think it would help a lot.

**Weed:** May I just second that? I...I...I'm not from California. I wasn't familiar with what you're using here, but I went online to check out some of the titles of these programs that I was given were...part of the choices and none of them had any thorough explanation of

what was in the curriculum. They had an outline, you know, very brief stuff, but...and none of them had any evidence that I could find, any way, that demonstrated that they were effective. I think one of the challenges ought to be to the State Superintendent of Public Schools. He claims, for example, in his letter that...what does he say here?

This is a quote from his letter: "The purpose of the California Healthy Youth Act is to provide every student with the knowledge and skills necessary to protect their sexual and reproductive health from unintended pregnancy, human immunodeficiency virus and sexually transmitted infections." The letter further states, "Implementation of the California Healthy Youth Act will provide the necessary health education and skill building to protect our students." Now, that's a huge promise. Where's the evidence? I would require...I would require the State Superintendent to produce the evidence to say we can implement any program that hasn't been proven effective and I can tell you that the way the law is written, you won't find any that are effective.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you, Dr. Weed and Trustee Barke. This time, Trustee Sparks.

**Sparks:** Thank you. Yeah, and I think that's why a lot of parents and constituents are feeling frustrated about what's happened here. Two quick questions, and I know my time...I already took some of Dr. Williams' time, so, just answer which one of these two you want. First of all, we know from the research that the Frontal Cortex...the Prefrontal Cortex, you know, is not developed till, you know, early to mid-20s, right? And so, that ties into this idea of what is age-appropriate for this curricula?

It's...obviously it's required in 7<sup>th</sup> grade, middle school...is required in high school. It may be implemented in K6. So, that's the first part of the question. The second part of the question is, to what extent are Districts required to report who is teaching the curriculum? Is it the...the kids own Science Teacher in middle school? Is it the kids own Health Ed Teacher in high school? Or, is it...or is it outside sources that are...that are being pulled into the...to the Districts? So, I throw those two questions and go.

**Haynes:** Well, as I said...laid out before, the transgender identity at any age, especially in a minor is inappropriate because it lends them down and enormously destructive path for their body and their health, and leads them to a high rate of completed suicides compared to non-transsexuals. And, no minor is capable of giving consent to being led down that path and...or locked into it.

[AUDIENCE APPLAUDS]

**Haynes:** And we also do know that Sexual Orientation is also still developing over time. There is evidence that teenagers have a capacity...have quite a capacity for change in their sexual attraction or behavior. For you to present a man who ever experienced same-sex behavior, experienced it before age 18 and not after, there's eve...other evidence to close to half of exclusively same-sex attracted boys become heterosexual a year later, between 16 and 17 years old. There's...and some evidence for that. So, there are multiple studies saying that there's change in Sexual Orientation, quite a lot of it. And, if you label

somebody, again, in this area and you put them in an LGBT group that does...that is an influence and you give them a firming education, those are social factors in themselves that can influence the direction of development. And, there is a lot of natural shifting away...toward or to heterosexuality if you don't have that going on. So, I...I think there's a reason to question whether any of this is appropriate for minors.

[APPLAUSE FROM THE AUDIENCE]

**Sparks:** Does anyone want to take the second question?

**Higuera:** Yes, I'll take that, Dr. Sparks. So, Section 51936 of the California Healthy Youth Act states that, "School Districts may contract with outside Consultants, guest speakers to deliver Comprehensive Sexual Health Education and some School Districts do bring in outside speakers. And, sometimes, it is from special interest groups, from Planned Parenthood. So...but also it can be from someone who has evidence-based, safe curriculum and so...it...other people can come into the schools. Parents don't have to give notice...don't have to be given notice as to who is presenting this but that's something that you can do as a Board and that Local School Districts can do. They can pass policies to allow notice, you know, as to who is coming into to give this curriculum to their children.

[AUDIENCE APPLAUDS]

**Chidester:** Does that conclude, Trustee Sparks?

**Sparks:** Yeah.

**Chidester:** Thank you, Trustees. At this time, we will allow each panel member five minutes...up to five minutes to address their Closing Remarks to the Board and the audience. Ms. Alwan, would you start, please?

**Alwan:** Yes, definitely. Thank you. It's actually ironic thinking that would, you know, I'm specifically supposed to be speaking about Inclusion, and while the voices that supports the AB 329 decides to pull out, right, and...and cancel their speakers. And...and I ask that since this lot affects all of us, if we can't manage to actually hear this discussion and answer questions, I don't know how we could expect our students to respect one another and treat each other fairly.

[AUDIENCE APPLAUDS]

**Alwan:** Some of you might remember when Evolution was taught in schools as the only option for years. What does it harm those who believe in Evolution to let others believe in a different theory? When school curriculum introduce Creationism, no one was forced to change their opinion all feel...or feel inferior. It is not the job of the law to police family values and identity classifications. As a targeted Faith Community, we know that this is not the first or the last law that attempts to limit our rights and goes against the Constitution, unfortunately. So, growing up in Saudi Arabia in public school, government had a law.

I just...I'm growing this parallel because none of the Nations that I actually looked around and then travel to wake up one day and have a dictatorship. It's a process that people slip into and it's a very dangerous one. I think we need to appreciate our Democracy. So, the government in Saudi Arabia had a law that girls don't play sports. Outrageous, right? But isn't that just a form of assigning Gender Classification? It's a fact that more males enjoy Monday Night Football than females. That law is still outrageous. The government also mandates by law that girls attending public schools have to wear all black. Sounds oppressive. Well, it is.

Policing people's emotions, likes and dislikes, choices of personal expression is the same as policing family values and what parents want to practice and teach their children. Years of research and data had actually already proven that true inclusivity, when you actually achieve inclusivity, it will yield a positive environment for everyone, less bullying and discrimination and better academic achievements. Students will have higher grades when they...when they feel that they are included and this is very important because to achieve inclusivity you have to actually have a system of reward and accountability.

Meaning, that if a child or a student or a teacher stops bullying, there has to be a system of reward. There has to be accountability when an incident goes by unhandled. So, this is...this is otherwise inclusivity becomes this really...really kind of nice things to have but, you know, but we really don't have time for it. As a Nation, we have a rich history of expanding the inclusion of different underrepresented groups being inclusive of girls in schools, of black students, bilingual students, Catholics, Jews, disabled students, etc. Even though we still have a long way to go to achieve equity in education, we made great progress by being Inclusive.

Given our track record as a Nation, students with various gender identities and sexual orientations will be included and it is possible to achieve their inclusion without infringing on parents' rights, religious rights, and the need to silence anyone. I encourage everyone here to go home and Google the video, "Brown Eyes Blue Eyes" to witness how quickly children turn to bullying their own friends the minute they were assigned labels. It affected their self-image, their friendships and their academics. No law and none of us will ever have full control of what children learn at home or their places of worship.

So, rather than diverting energy into policing parents, our students deserve every effort to ensure that they graduate knowing that it is part of our humanity to have varying experiences and viewpoints, which will make our future brighter. School should be a safe place for all students, the ones to identify and the...on the Gender Spectrum, and the ones who don't. Thank you.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you very much, Ms. Alwan. Dr. Haynes.

**Haynes:** I want to say that promoting certain theories of Sexual Orientation or Gender Identity leads to a lot of trouble. There was a comprehensive review of research on Sexual Orientation and on Civil Law for people of same-sex sexuality most conducted by Dr. Lisa Diamond. She is an about lesbian, a Political Activist. and she's the co-Editor-In-Chief of the APA Handbook of Sexuality and Psychology, which the American...the American Psychological Association has given its imprimatur and declared authoritative. It said its editors and authors are among its most respected members.

And, Dr. Diamond is both a co-Editor-In-Chief and an author of chapter, so, she is one of the American Psychological Associations' most respected researchers, and her area of expertise is Spontaneous Change in Sexual Orientation, which she says frequently occurs. And, her co-author was Professor Clifford...Clifford Rawski, who won the Equality Award from the Human Rights Campaign, which is a very large LGBT political activist organization. These two wrote through...said that through their...in their study, that there has been an agenda to promote the idea that Sexual Orientation is inborn, can't change and can't be chosen.

I said this is unscientific and they give ample research on this, and that it harms LGB people, because some feel that they do have some choice. Some feel their Sexual Orientation is a choice. They, in fact, they call it a Sexual Preference instead of a Sexual Orientation, and yet anyone who says that can get bullied by the LGB community. And...and they said, you know born that way...there was a...born that way is absolutely not true. Most of the public thinks it is; commonly believed perception. And as Sexual Orientation, of course, can change and she should know.

She did a 10-year longitudinal study on women who had same-sex sexuality and she said at the beginning of the ten years, two women could be equally same-sex attracted and strongly so, and at the end of ten years, one would be have settled down with a woman, one would be happily married to a man. What happened in between? Well, she said one stayed in her lesbian social reference group and she solidified her interest in the same-sex and she settled down with a woman. The other one left her LGBT group and in college, she went into a male-dominated career. She had relationships with men and her...she became less interested in seeking out same-sex attractions and she...her opposite sex attraction solidified and she became happily married to a man.

So, yes, Sexual Orientation can change and social context affects it. Not only cultural values changing, but the social context the individual puts themselves in and CHYA is a social context that in itself affects people's choices. And, she said the women who went from being lesbian to having a relationship with a man were bullied by their lesbian community for leaving and for changing.

So, theories about Sexual Orientation and Gender Identity can get us into lots of trouble. They can harm LGB people and transgender people. They could obviously, we know, they can polarize parents who are involved in this curriculum, and I think it is really best to try to have as few theories about Sexual Orientation and Gender Identity in a curriculum as possible for everyone's welfare.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you, Dr. Haynes. Ms. Lebsack.

**Lebsack:** You all still have your blue folders, right? Okay good. Besides the California Department of Education breaking promises to parents about the guarantee that FDA methods would be taught for HIV prevention and the medical inaccuracies in the top recommended curriculum by ASHWG, of which California Department of Ed representatives were included, I would also like to point out a misrepresentation of parental views by the ACLU. Please see Exhibit I. It's a tool kit to parents written by the ACLU. It states, "That 89% of parents in California approve of Comprehensive Sex Education in context of the California Healthy Youth Act."

After reading the top recommended middle school curriculum, this statistic surprised me. There were some concepts in the curriculum most people had never heard before, such as Gender Spectrum, meaning you can be both genders, neither gender, Gender Fluid, and the gender possibilities are unlimited. Pansexuality, defined in Teen Talk as, "Someone who is sexually attracted to men, women, non-binary people, trans people, genderqueer people, and many more!" And then, anal sex, oral sex on anus, dental dams, etc. Because I found this stat hard to believe, I contacted the Professor from Berkeley who conducted the study.

Dr. Norman Constantine graciously sent me the 24-page parent survey and data results. I emailed this extensive study to all of the Orange County Department of Ed Board Members. Interestingly enough, I did not find any questions about Gender Identity, Gender Spectrum, Pansexuality, Asexuality, Anal Sex, or Oral Sex on Anus. Some of the most controversial parts of this new sex ed were never mentioned in the 24-page survey. Then I saw the study was conducted in 2007. AB 329 was passed in 2015; implemented in 2016. How could these new curriculum contents from 2015 even be represented in a 2007 study? I don't think some of these words even existed in 2007.

ACLU obviously misrepresented California parents in their approval ratings of the California Healthy Youth Act by inaccurately quoting this 2007 Berkeley study and they quote it frequently. Exhibit I provides evidence of this...okay, which are letters varied in the District showcasing the 89% of parental approval stat. So, here's my question. Is it right to follow a law that's based on unkept promises to parents, a misrepresentation of parental views, and most of all a top recommended curriculum, which places students in harm's way of an incurable disease such as HIV due to medically inaccurate information?

President Barack Obama stated in one of his speeches, "Now, we may hope that our leaders and our government stand up for our ideals. Stand up for what's right and here, there are many times in our history when that's occurred. But when our laws, when our leaders, and our government are out of alignment with those ideals, then the descent of ordinary Americans may prove to be one of the truest expressions of patriotism." I agree full-heartedly with President Obama's statement because one of our most valued ideals is to protect the health of our children. May we all express true patriotism and stand for what's right.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you, Ms. Lebsack. Ms. Higuera.

**Higuera:** Thank you, Members of the Board and Superintendent Mijares. Your job is not an easy job, and I just thank you for your sacrifice of time; energy. I know it can be energy-draining and stressful, and it is a calling to be on this Board. So, I thank you so much and all of us on behalf of all the people here, we thank you from the bottom of our hearts for caring about our children and for listening to everyone.

[APPLAUSE FROM THE AUDIENCE]

**Higuera:** And I'd like to echo Dr. Bedell's comments about not letting this just be a moan and groan session, but about taking action; parents to review curriculum, to attend Local Board Meetings, to know your rights to opt out and to rise up when you're told otherwise. And, to ask your Local Districts to pass policies. Pass policies that clarify that you can opt out of all sex ed, that you can opt out of controversial topics even outside the context of sex ed. That...and for Local Districts to pass policies not to teach sex ed to Kindergarten through 6<sup>th</sup> grade because that's optional. And also, to push for alternative curricula and finally, parents to go to your Local School Board Meetings.

Ask them to put the curriculum online, to pass policies that it will be...continue to be online once it's updated or changed. And, as an example to the 27 Local Districts under your purview, you can pass these policies. I know that you don't have control of the Local Districts, but you are an example to each and every School District in your in your purview.

[AUDIENCE APPLAUDS]

**Higuera:** And, as for...for bullying, that...that is something that we all agree on and parental rights and instruction against bullying and inclusion are not exclusive. We can have both. Schools have a duty to protect every child against bullying and harassment and they have full authority to prevent bullying...bullying and discipline anyone who engages it in it. Unfortunately, anti-bullying education has, a lot of times, very little to do with stopping kids from bullying. Instead, it has often been co-opted as an opportunity to instruct children about Gender Identity Ideology and similar controversial topics.

That's why even when those topics are discussed, parents should be notified to determine whether they are comfortable with the school exposing their child to these things and whether a parent would prefer to talk to their child about bullying in a manner that does not expose them to Gender Identity Ideology before a child is mature enough to understand it. And so, I would encourage you as a Board Member to take all this information and considerate it, and also think about what policies that you can pass both for the Orange County schools that are in your purview, and also for the 27 Local School Districts who are looking to you as an example.

[APPLAUSE FROM THE AUDIENCE]

**Chidester:** Thank you. Ms. Higuera. Ms. Reisdorph.

**Reisdorph:** Can I say ditto, ditto, ditto? You know, the question on sexual assault. I must address as a Sexual Harassment Attorney, Trustee Gomez, The curriculum that I heard tonight and what I've done does not teach about how to have a healthy sexual welcome relationship. That concerns me for the safety of our children because their Prefrontal Cortex is not ready for that. Excellent question. Based on my ongoing research and experience and studies, I can confidently tell you that the best counteraction to bullying behaviors is empathy and mindful behavior. Behavioral Scientists will tell us that when we can increase the frequency of positive behavior to the extent that there's no time for bad behavior, we've been successful.

And, just as Trustee Dr. Bedell says, what parents say at home set the stage. When we have conversations with our children, they have to be mindful and with empathy. As recent as 2016, UCLA led a study of 7,000 students in 77 schools and determined that one program was more effective in reducing bullying among 6<sup>th</sup> graders. It significantly improves self-esteem and reduced depression and the Journal of Consulting and Clinical Psychology that identified a program from Finland, which included role-playing exercises to teach students empathy and leadership courage to intervene safely and observe bullying incidents. Schools with zero tolerance were found not to be effective.

That's why at BARE we support the leadership clubs and there was a school in our own County that had athletes, daily walking through the halls, intimidating non-athletes. Often they were disabled or LGBT students. Shoulder bumping is what the teachers told me. I go, "Oh, so buddy to buddy?" Oh, no. So, we created Honor the Brand. Honor the Brand builds solidarity in the school. It involves the administrators, teachers, parents, students and the community, and, talking about one central theme. Ya'll remember your high school mascot? I was a Charger. Mighty, mighty Chargers. We all gather and rally around that. What if all the football players went to the theater events?

What if the theater students went to the baseball events? What if the baseball students went to the basketball? Everybody becomes united under the theme of our mascot, honor the brand. I'd like you to look at our program, parents, because you're the ones who get it in and BARE does not promote LGBT as a privilege. It's an encompassing inclusion that all students are treated with fairness and support. So, programs that bring the message you want your children to have are the kinds of programs you need to get into your schools. So, it's together that we make the difference.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you, Ms. Reisdorph. Dr. Weed.

**Weed:** I read parts of the letter from the State Superintendent of Public Education, and particularly drew attention to his implied promise that kids are going to be protected under this policy. I would say to him, to meet that promise, my recommendation is that the State Superintendent of Public Instruction require that any Sex Education Program being proposed for youth in school classrooms within their jurisdiction must meet the

same credible standards we use to identify effective programs. Standards based on the Science of Prevention Research, and I've already listed those. You know what they are.

It's not enough to hope that the promise of the California Healthy Youth Act will just happen. Parents deserve to know that proposed solutions have been rigorously tested and have produced credible evidence that they will fulfill the promise. The field of prevention research has developed standards that can be...provide this credible evidence and we have examined and reported on the existing research for school-based Sex Education Programs using these standards. We recommend that the State Superintendent make use of this information in fulfilling their responsibility to protect the health and well-being of the students for whom they have stewardship.

I mentioned also earlier that we've seen Abstinence Education Programs. Not all of them work, but about half of them have, which is an improvement over 15 years...20 years ago and maybe 10% of them worked. It's been an evolving process to learn how to do this and to do it well and be effective. I'm reminded that this may be outside the mainstream today, but the CDC said this. "Abstinence from vaginal, anal and oral intercourse is the only 100% effective way to prevent HIV, other STD's, and pregnancy. The correct and consistent use of male latex condoms can reduce the risk of STD transmission, including HIV infection." I'm still quoting.

"However, no protective method is 100% effective and condom use cannot guarantee absolute protection against any STD or pregnancy." So, why...why would we want to propose kids something that is less than 100% effective? Now, critics say that Abstinence Education is a shame-based...it's not...it's not effective and yet, on the other hand, they want to include it with condom and contraceptive indication...education. The logic escapes me. If they think it's such a terrible approach, why combine it? I'll tell you why. Because it makes their approach more palatable to parents. Oh, yeah, yeah. We teach Abstinence. It's in there.

The version of Abstinence that you see in some of these programs would embarrass you. Another criticism about these programs is that they say well, you're teaching values; you should be teaching values. We teach values all the time. We teach values about bullying. We teach values about the environment and protecting it. We teach kids to be responsible. Don't use drugs. Those are all values that we teach. Why would we not want to teach them values about their sexual behavior? Let me close with this quote.

You remember the name Albert and Einstein; fairly bright guy. Here's what he said. "The most important human endeavor is the striving for morality in our actions. Our inner balance and even our very existence depend on it. Only morality interactions can give beauty and dignity to life." Thanks very much.

[AUDIENCE APPLAUDS]

**Chidester:** Thank you. Dr. Weed. Thank you members of the panel and thank you to the audience for your enthusiastic yet polite participation. I'm going to turn the meeting back over to President, Dr. Williams.

**Williams:** Very good. Thank you Maggie. You're awesome. You did a wonderful job and thank you to my guests.

[APPLAUSE FROM THE AUDIENCE]

**Williams:** Thank you to you six there. Your heroism, your dedication, your concern for kids and their innocence. For parental rights, for inclusivity, for the...the facts about kids who are exposed to different varying sexual activity and the ability to change back and forth. Brenda, for your detailed analysis of all of these curriculums and, Neda, what a great job that you did explaining the legal aspects and Deborah, I love you. You're great. We've known each for quite some time and we share a lot with...with what you talked about today. Having safe schools and creating an environment for kids through personal relationships. And, Dr. Weed, thank you. You're a world-famous person who came to little ol' Orange County. You gave of your time.

[AUDIENCE APPLAUDS]

**Williams:** You didn't get paid for this but we thank and honor you as a man of integrity and a man who talks about science, and you have given us a lot of information to think about. So, in wrapping up the meeting tonight, we have to change the tape. So, we have to take a hard break at this time. It'll probably be about 10 minutes. For those of you who want to stay around and give us your Public Comment, if you can come up here and talk to Nina, because we want to get you and we'll stay until 10 if that's necessary; even later. But otherwise, I want to thank you all. We're going to take a hard ten minute break. God bless you all.

[THE PUBLIC FORUM TAKES A BREAK FOR TEN MINUTES. PRESIDENT WILLIAMS STRIKES THE GAVEL SIX TIMES TO SIGNAL THE SPECIAL FORUM CONTINUATION]

**Williams:** Okay, we need to remain in our seats during the next three Public Speakers that have requested to speak. For my experts, if you need to catch a plane, if you have to go, please don't feel like you have to stay, but we do have three Public Comments. And again, it's two minutes and, do you have the names, Nina?

**Boyd:** I do. Gheorge Ro...Rosca, first up, followed by Andreea Payon, followed by Terence Bates.

**Rosca:** Good evening, Members of the Board. My name is Gheorge Rosca, and I will not belabor on topics that were already covered, which was plenty tonight. But, I do want to reinforce something that was mentioned here tonight, but wasn't necessarily cited from another source that I think will reinforce Comprehensive Sexuality Education, and its inability to live up to the promises that it states. The United Nations Educational Scientific and Cultural Organization, also known as UNESCO, concluded in its 2018 revision of the International Technical Guidance on Sexuality Education.

It states on Page 28, and I quote. "It is difficult to draw strong conclusions about the impact of CSE on biological outcomes such as STI or HIV rates, as there are still

relatively few high-quality trials available particularly those that take a longitudinal approach.” And then, it cites three authors Fonner 2014; Lopez 2016; and Orangan...Oringanje 2009.

How is it that probably one of the organizations that promotes CSE worldwide is coming to the conclusion that there was no evidence behind it to support. And yet, over and over, the six curriculums that our state approved by ASHWG, Advocates for Youth, and then also The Future of Sex Education which publishes the National Sexuality Education Standards here in America. Keep on citing and stating that CSE works. Thank you.

[AUDIENCE APPLAUDS]

**Williams:** Thank you, sir. Next?

**Boyd:** Andreea Payon, followed by Terrence Bates.

**Payon:** I'm a mom of two young children. They're not yet in school, but...and I'm coming from a communist country where, unfortunately, you can see on the market...magazine was women naked. You can see on TV women without bras, only in bikini, presenting shows. You don't see it in California, don't see it in the United States. You can see these things on TV, but I'm horrified to see that this kind of pornography, it's taught in school. I mean, I'm horrified. I can't...I don't understand how anybody in school; the teachers. I mean, this is about, you that are in school then you are forced to present this, and I'm sure you don't agree.

You didn't know at your age about this kind of things and you don't even know how to present them to your kids. Most parents are okay with a sexual education because they don't know how to speak about these things with their own kids. They have no idea what's issues Gender Fluidity is so all this curriculum, send back to the parents to talk at home about, but they don't know what to talk about. Having all the problem would be solved if they would put a policy that would call the parents into education and to give them the skills they actually present all these things at home for their kids, not to teach the kids.

The kids will not educate the parents at home. The parents should educate the kids with things and tools that the school should actually put in their...in their hands. So, I think that would change all the vision about all this craziness that's happening, and I don't know if you guys can put a policy that can help educate the parents.

Invite them at the meeting and invite them to be actually taught tools and skills to teach this at home, and it would eliminate the bullying because everybody would present all this in their own culture, in their own manner to their kids, and will it bring them to their...narrow it down to their own understanding. And, it will not make one fit all. We'll put it...there will be put it through the eyes of the parents. I think that will solve the issue. If you're asking for us to solve an issue.

**Williams:** Thank you.

**Boyd:** Thank you.

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** Terrance Bates, followed by Maria Albright.

**Bates:** Good evening, honorable and might I add, elected Board Members, and thank you for the expert panel and these concerned citizens that are here. My name is Terrance Bates. I live in Fullerton. I have four kids; one is in college now. He went through the public school system and he's successful in college. I have three other kids that are still in the public school...school system and I have to tell you they're confused. Two high-schoolers and one elementary school son. The CHYA sex education agenda has been forced upon parents and children for two years now. This law passed in California by the leftist legislature who, on a consistent basis, passes laws without our knowledge, making sure those who oppose this agenda have no choice.

Why is it that we are catering to a certain group of kids and parents? That seems unfair and...and biased. Since this amoral...immoral agenda is forced on Californians, then I propose that the California State Board of Education actually use our taxpayer funds in a wise way, and implement an online curriculum for all parents, with all children of all genders, and give us parents the choice of what topics to discuss with our children, which will be a true way to opt out. On the flip side, it is sad to say but the facts are that if someone wants to learn and teach perversion, they will figure out a way, anyway, to do so.

Even the parents, but at least this way we can protect the children and parents who do not need or want this perversion taught to them in the classroom. Also, we can make our voices heard about the future of California's Education System, specifically about CHYA, by voting on November 6 for John Cox for Governor, who opposes this horrible law and will do everything he can in his power to abolish it. Thank you very much.

**Boyd:** Maria Albright followed by Joe Imbriano.

**Albright:** Good evening, or night. Thank you for giving us...Members of the Board and all the people here. I am a mother and I concern about not only my children but all the children in here, in the United States, and all the world, because...I feel the love of a mother. Not only for my children, I care for all the children in the world, and I can...this night not in my name, but in the name of the most high, who rules all, or...rules over us all. In one day, each of us in different time going to be in his presence, to be accountable for all our deeds. Believers and non-believers, poor and rich, men and women of authority.

I like going to be accountable. Can be today, tomorrow. We don't know when. Our founding fathers of this Country were strong believers and we know that all of us, we are standing in a land that has been built at cost of thousands of lives. This program is clean...is clear destructive for our children, families and the supreme law of this Country...like the Constitution of our Country, and I'm going to be in a rush because I want to say everything. We talking about freedom, but I don't think we have freedom

anymore. We don't have freedom. The government is taking our place as parents. We are the children are...our children...children are belongs to us.

God entrusted to us are parents. Not to the government; not to the state. Not the OCDE. Not anybody. We are the only accountable people before God and men of our children. When a teenager is gets in trouble, what happened? The police come and...the parents are accountable for anything that teenager does. Why the government is the one that has to...to do all that?

**Boyd:** Your time is up.

**Albright:** Oh, I'm sorry. Okay.

[AUDIENCE APPLAUDS]

**Boyd:** Joe Imbriano, followed by Bethany Guajardo.

**Imbriano:** Good evening, ladies and gentlemen, my name is Joe Imbriano. I run the Fullerton and former.com website. I also run Wi-Fi dangers.com website and the Fullerton and former YouTube channel. I want to thank you folks for coming out here tonight. I didn't hear anybody call to task the legal staff of the...of the County Board of Education or the subordinate Districts to call the ACLU out on their criminal behavior in this matter, because that's what I believe it is, in my opinion. We have medically inaccurate curriculum that's been rolled out and the Districts have been threatened with legal action by the biggest bully of them all.

And the children, as we speak, are in harm's way from a variety of agendas. This is an agenda. Make no bones about it, ladies and gentlemen. This is an agenda to corrupt children and to lower the age of consent, and at the ultimate core of this is a satanic agenda that goes to the highest levels of power in the world government. There's a reason why we have a gold tassel around these flags in here. There's a reason why your names are in all caps on your driver's license, and there's a reason why people like me and you and all the rest of you are here on a work night fighting this. Because, this system has a satanic influence to it that is very deep, and it's very powerful.

And, the only solution to cure this problem is the power of Jesus Christ, in the power of the holy spirit, of God. In the book of Ephesians in the sixth chapter, it talks about the forces of spiritual wickedness in high places. This is not about Anti-Bullying at all, ladies and gentlemen. My mom used to drop me off at 3:30 in the morning at the Balboa Pier when I was 12 years old to go fishing, and I was raised by farm workers out there; fishing. And, I used to fill their buckets with fish because they didn't have the money to buy the rods and I had a paper route and I want to tell you something. None of those men were on Viagra looking at me like a sex object, and I want to tell you our society has degraded into that, and you need to stop being a part of it. Thank you.

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** Thank you. Bethany Guajardo.

**Guajardo:** Hi, I'm actually not a parent but I am a concerned citizen and as a Millennial, since that seems to be a trending thing. And, since apparently being brown, it gives me more street cred. I'm just going to tell you right now that what you guys are... first of all, I'm just glad actually that this is even being held as a Public Forum that we can actually debate it and actually come against it. And, I noticed that there is a huge mob of kids and transgendered just protesting and I noticed that it was clearly just a superficial thing. They just want the attention. They're not in here sitting down and actually voicing their opinions, and you guys, I completely agree with Joe.

I agree with a lot of the things that a lot of people aren't aware of or... or don't want to talk about, and that is that there is a satanic agenda. And, I am sick and tired of just watching our everything be infiltrated and as elected officials, I really pray and I hope that you guys, whatever happens behind closed doors, we can all only guess. God knows what happens with these different elected officials who pass these laws that are completely inappropriate and shocking, and it's satanic and maybe that sounds odd to some of you that don't believe in God, but I'm going to say that, whether or not you believe in God or in Jesus, there is clearly at the highest levels, even if you're an atheist, it is luciferian and this agenda is very clear.

You know, there's a lot of talk about bullying and to me, that's just an emotional distraction from the fact that parents are not being told about things that they can't opt their kids out of, because it's bullying to say that transgenderism is wrong or whatever. But, holy crap, like how is this even a topic? How are we even having this conversation? The fact that we... I'm not... I don't even have kids and I can see how incredibly sick and wrong it is and I completely agree. This is all an agenda to lower the age of consent and to try to act like kids actually have the ability to think and understand what sexuality is. They don't. There are three-year-olds that want to grow up to be a dinosaur, you know? Like, this is just insane.

**Boyd:** Your time is up.

**Williams:** Your time is up, thank you.

**Guajardo:** Thank you.

[AUDIENCE APPLAUDS]

**Boyd:** And the last card that I have is Arthur Shroper? Sroper.

**Scroper:** All right. Yes, my name is Arthur Scroper. I am here in my capacity as the Organization Director for Mass Resistance. We are the international pro-family group that makes a difference. We have chapters all over the country; all over the world. We are fighting the scourge in Chile, and Hong Kong, and Taiwan, and soon-to-be South Africa. Orange County parents, you are not alone. I want to... I do want to say, however, I think tongue-in-cheek, I am Pro-LGBT. I am Pro-Life. I am Pro-God. I am Pro-Bible, and I am Pro-Truth. And, the fact is with all this talk about inclusion we seem to have forgotten something.

Truth and error, and I don't want truth and error mixed together, as they can be the same and coincide. I'm going to say some very pithy truths that seem to alarm people. Transgenderism is a mental disorder, okay? It's not a civil right. There's something wrong with that person. That's not hatred, that's speaking the truth, and as a child when I did bad things, I wanted my parents to tell me the truth so I didn't harm myself further. That's the whole point of an education. Homosexuality, this is an emotional disorder. The...Ms. Haynes, your commentary is excellent and I thank you that you had the courage to say this. We need to hear these commentaries further. You're not born gay.

There is no evidence for this. Transgenderism is not something to tolerate, accommodate, or, enable. Furthermore, all this talk about bullying, please. Look. I got picked on. As a kid, you fight back. You stand up and you speak the truth. I get bullied everyday being a Trump supporter, but I don't cry about it. I stand up and fight back. I had my hat stolen in Berkeley. I'm not going to stop fighting for freedom of speech. The biggest bullies are the LGBT bullies, and I'm fed up, and we're fighting back. That's what you do and that's not hatred to speak the truth on that matter. Another thing: on my shirt it says Taking Back The Rainbow. That's what we're doing. Let's have it.

Let's have a lesson plan on that, and last thing. Let me finish really quick. In Torrance, we have a large Japanese Community. Why don't we teach Boys Day and Girls Day, just like they do in Japan? I want to pass this out to you and I want to say I'm glad I won't have to complain to the DA because you gave us Public Comment. I made the request and you all asked for it and you got it. We the people have the power. Thank you.

[APPLAUSE FROM THE AUDIENCE]

**Boyd:** Sir, if you would hand me those, I'll...yeah.

**Scroper:** Thank you.

**William:** Okay.

**Boyd:** Ken, there was someone who didn't check in with me. We have another speaker. Rosemarie Avila.

**Williams:** Oh, Rosie.

**Avila:** I wasn't planning to speak today. I'm a mother of 5 children who grew up in public schools. I was a School Board Member in Santa Ana for 17 years and I've spent the last 20 years running non-profits to serve inner-city kids. So, I'm familiar with a lot of vulnerable children in our community. I really liked your statement about okay, what's after the hearing? What's the action? And, also yours about transparency. And so, that prompted me to come speak because I think that, you know, their wa...there was an opinion circulated by the Board that their parents can't opt out, and I know somebody mentioned it's confusing whether parents can or cannot opt out.

If there's one thing that could be done is that we could bring clarity to that and the School Districts need to know what whether they can have an opt-out policy. And so, I recommend that if you feel you have the power to decide some things, and...and I know you're supposed to guide the Districts with some of these state policies. If you feel

parents should opt out, I think you should either state, yes, you can under this law. And, if...or you can create your own policy in your own District to opt out, but that you should give transparency and clarity to that, and that would be minimum.

But, that's not enough because now that you've heard, you've seen all these examples of this curriculum, the curriculums that are being recommended are not medically...medically accurate and they promote risky behaviors. Now you have to decide, do you believe that or not? If you believe the children are being taught lies or things that aren't correct and they're being encouraged to do things that are harmful to them, I think you have a duty and a responsibility of an educational leader to say no. To identify transparency, identify which curriculums are not medically accurate and are risky, and you have this fine panel...

**Boyd:** Your time...

**Avila:** ...who studied these issues, who could help you create that list of elect officials. No...

**Boyd:** Your time is up.

**Avila:** I know. All right. The third thing is if Districts have discretion, you should let them know they have a discretion not to teach sex ed, or to teach and emphasize one of the elements or not.

**Williams:** Thank you Rosie.

**Avila:** Thank you.

[AUDIENCE APPLAUDS]

**Williams:** Thank you, Rosie. For everybody out there, Rosie and I have been dear friends. She is actually my mentor. She's the one who taught me. Not that I know a whole lot now, but she...she is the queen. She is my mentor and good friend. Okay, so as we are done here, we're at the point where I'm making the Motion to...to leave and...and...

**Bedell:** So Moved.

**Williams:** ...I say, thank you. Good night. May God bless you and have a safe journey home.