

## Board Meeting 6-12-19 Transcription

### [PRESIDENT WILLIAMS BEGINS THE MEETING BY STRIKING THE GAVE THREE TIMES]

**Williams:** Good morning. It's silent. Everyone's ready for us to begin. Thank you very much for coming, we appreciate it. On behalf of the board and our good superintendent and staff, we thank you for taking the time to speak because you care about the things of our community in Orange County. And of course, the marvelous kids who sit up here in the front two rows. We're here to honor you. Our regular meetings typically start at 10 a.m. unless they are otherwise noted on our website. The board agendas are on the back should anyone want it, and of course it can be reviewed online.

Anyone wishing to address the board during our meeting today under public comments is welcome to do so. There is a card at the back that we ask that you request so we can put you in line or in a queue and that will be given to our good Associate Superintendent, Nina Boyd. You're allowed three minutes to address the board. During the public comments the board will not engage in the dialogue. That's typically not what we do. The public comment is to hear from you. So, if we don't talk back if you ask us a question, it's because traditionally that's what we do. We'd be more than happy, each individual board member I know, will be more than happy to talk with anybody on an individual basis during any of our breaks.

We do have a state Penal Code, which is interesting for you kids here to understand the state Penal Code 403 that says anytime that you disrupt the public meeting, that's actually a misdemeanor and for that we have our good Sheriff Deputy here who will help us if there's any problems -

**Audience:** [Laughter]

**Williams:** - but we don't anticipate that. We're very good crowd here in Orange County. So, with that, I call the meeting to order and what is typical is that we have a wonderful, wonderful guest here today, Dr. Christina Williams, from a local church who's going to lead us in invocation, and I just want to give a quick introduction. She is a member of a local church and very gracious and kind, and participates in prayer for many elected leaders, both at the local, state and federal level, and she participated in prayer for many of our people there in Washington, DC. And we appreciate you being here and if you can come and lead us in prayer, and if you want you can stand. Thank you, Pastor Williams.

**Christina Williams:** Thank you. I always believed that every decision I made, according to the scriptures, had an effect on generations. Psalm 112 says that, "If I would obey God, every generation of his Godly lovers will experience his favor and will be blessed, prosperous and influential." So, the decisions and the directions I've

made, I believed, had a rippling effect upon generations, so it's an honor to do this. The scriptures say in Psalm 127 that, "Children are a gift from the Lord. They are a reward from him." So, you guys are gifts.

Oh loving and gracious God, you are indeed the giver of all good gifts and we thank you today for your blessings, for the successful outcomes of the scholastic achievements of our students, and for staff and teaching and support members and board members. We ask that you would bless this meeting today, abundantly. We ask for your wisdom, guidance, courage and strength. Be with us in all deliberations and help us be wise in the decisions we make. For the good of all those who have placed their trust and confidence in our leadership and for the future blessings of our communities, give us insight to lead with integrity that our decisions may reflect what is right and good.

Help us to make decisions that are for the good of all and to the health and well-being of every student in our communities. Dear Lord, we ask that you would grant us humility to always seek your will in all that we do and say. All glory to you, loving God, who indeed knows how to give us good gifts. Amen.

**Audience:** Amen.

**Christina Williams:** Thank you.

**Williams:** If you want to stand, our next protocol in our meetings is to give our Pledge of Allegiance to this wonderful flag that represents liberty and freedom to us all. So, will you please follow me? Put your hand over your heart and begin.

**Audience** (who choose to participate): 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:** Very good. You may be seated. Our good Recording Clerk, Darou, if you would take roll call?

**Sisavath:** Trustee Sparks?

**Sparks:** Here.

**Sisavath:** Trustee Barke?

**Barke:** Present.

**Sisavath:** Trustee Williams?

**Williams:** Present.

**Sisavath:** Trustee Gomez?

**Gomez:** Present.

**Sisavath:** Trustee Bedell?

**Bedell:** Here.

**Williams:** Okay. Any introductions our good associate superintendent?

**Boyd:** There are no introductions at this meeting.

**Williams:** Very good. And then the next part of our meetings is we have – everything is very formalized here, very traditional – so this is good that you get to see this and I'm referring to, on the record, to our wonderful CHEP kids here in the front row, but

now we adopt an agenda and then we're going to approve minutes. So, this is how democracy, and this is how our great nation operates. So, I do have – and I'll make a motion because we have to remove an inter-district appeal – item #10 on our board. So, I'm going to move that we adopt the agenda with the deletion of #10.

**Bedell:** Second.

**Williams:** Second? Okay, any discussion on the agenda today? Barring that there is none, all those in favor of the agenda please vote, “aye”.

**Board Members:** Aye.

**Williams:** Oppose? Abstain? Motion passes 5-0. Moving on to the minutes, we have our regular meeting of May 8th and the 21st that we need to approve. May I have a motion for that?

**Barke:** I'll make a motion to approve the minutes of May 8th.

**Williams:** I have a motion by Trustee Barke and a second by -

**Sparks:** Second.

**Bedell:** Second.

**Barke:** Sparks.

**Williams:** You didn't speak up quick enough -

**Sparks:** I'm sorry.

**Williams:** - Trustee Sparks. Second by Dr. Bedell. Okay any discussion on this? If not, all those in favor say, “aye”.

**Board Members:** Aye.

**Williams:** Oppose? Abstain? Item passes 5-0. Now at this time, I am going to call our good Dr. Laura Strachan to the podium because we're going to -

**Boyd:** Wait.

**Gomez:** You have to do the agenda for -

**Bedell:** Another set of minutes.

**Gomez:** - the special minutes.

**Williams:** Oh.

**Barke:** Special meeting.

**Boyd:** Special meeting.

**Williams:** I thought we took it up with the same. Okay.

**Gomez:** No.

**Williams:** Okay.

**Boyd:** It just wasn't mentioned as the same. You could have but -

**Williams:** In my small mind I was thinking that.

**Boyd:** No problem.

**Williams:** Okay. So, I've been corrected -

**Bedell:** So moved, the special -

**Williams:** - publicly admonished.

**Bedell:** I'll move the special.

**Barke:** I'll second it.

**Williams:** Thank you, thank you. All those in favor say, “aye”.

**Board Members:** Aye.

**Williams:** Oppose? Abstain? Motion passes 5-0. Okay. Now we get to move on and I'm going to call Dr. Laura Strachan to the podium here to facilitate our recognition of our wonderful community school home schoolers who participated in a special academic endeavor and did extremely well.

**Strachan:** Good morning, President Williams, members of the board, and Dr. Mijares. The Team America Rocketry Challenge – it's also a tongue twister – also known as TARC is one of the largest rocket contests in the world. This annual competition gives middle school and high schoolers a chance to design, build and launch model rockets, providing hands-on opportunities to tackle real-world engineering problems and challenges. This year's finals were held on May 18th in Great Meadows in The Plains, Virginia. 830 teams throughout the United States competed for these coveted positions of 100 that will go on to Nationals.

There, the finalists compete at the national title, more than \$100,000 in cash and prizes and the right to represent the United States in Paris and International Rocketry Challenge. I am proud to announce that our community home education programs team was among the top 100 teams securing a bid to the Team America Rocketry Challenge final fly-off and competed among the country's elite. This year's competition was very complex. Each team was tasked with blasting a capsule containing three raw eggs to an altitude of 856 feet and returning it all safely to the ground with the eggs intact. I can't get them home from the grocery store, let alone do that.

**Audience and Board:** [Laughter]

**Strachan:** CHEP teacher and team advisor, Kristy Kazmark, stated that, the most challenging aspect for all the teams was having to have two parachutes on the payload stage and one parachute on the engine stage and not have them tangle coming down. So, it was a very intricate process not just thinking that it would lightly land. This was the third time that our CHEP students have competed in the contest and it takes dedication from students, parents and our staff. Students met weekly as well as on their own time and they designed and built rockets using a computer-aided design program called Roczen.

Ms. Kazmark said that her interests are so high now that we will be offering a Team Rocket Challenge class developed in conjunction with the Department of Defense's STARBASE Youth Program, which is a program jointly produced over at our Los Alamitos space. We are all extremely proud of these students and their dedication and their progress throughout the year. Before I call the students up, I would like to introduce the adults that have helped lead this team.

If I call your name – if Kristy Kazmark, if you could please stand? She's not here? I thought she was going to be here. I apologize. Okay, Machele Kilgore, our principal is one of our big supporters with CHEP. And, is our service director here today? Stacey

Hendrickson, if you could please stand? And, our TARC mentor, Tim Ziesmer. Thank you. If you can give them a hand.

**Audience:** [Applause]

**Strachan:** CHEP is a home education program and our parents are our main support with our students learning. If I could have our parents that participate in this program stand up, please, for recognition?

**Audience:** [Applause]

**Strahan:** Now I will call the students up to the receive their certificates from a board member and Dr. Mijares, and I will ask them to stay up here so that we can do a group picture afterwards. Paige Jones?

**Audience:** [Applause]

**Williams:** Okay, Paige, thank you so much for what you do. When I played with rockets it was the Fourth of July rockets.

**Audience:** [Laughter]

**Williams:** Nothing like these kids.

**Audience:** [Applause as Paige receives her certificate and takes a picture with Trustee Williams and Dr. Mijares]

**Strachan:** Our next student is Patrick Malies.

**Audience:** [Applause]

**Williams:** Good strong grip there.

**Audience:** [Applause as Patrick receives his certificate and takes a picture with Trustee Williams and Dr. Mijares]

**Strachan:** Franklin Nguyen.

**Audience:** [Applause]

**Bedell:** Franklin, you can launch a rocket.

**Audience:** [Laughter due to Dr. Bedell needing to help Franklin properly display his certificate as he receives it then takes a picture with Dr. Bedell and Dr. Mijares]

**Strachan:** Our next student is Regina Rodeghiero.

**Audience:** [Applause and laughter while Regina takes a picture with Dr. Bedell and Dr. Mijares]

**Strachan:** I think genius runs in the family. Our next student is Emily Rodeghiero.

**Audience:** [Applause as Emily receives her certificate and takes a picture with Trustee Gomez and Dr. Mijares]

**Strahan:** Carter Chi.

**Audience:** [Applause as Carter receives his certificate and takes a picture with Trustee Gomez and Dr. Mijares]

**Strachan:** We have another very smart family. Dalton Chi.

**Audience:** [Applause as Dalton receives his certificate and takes a picture with Trustee Barke and Dr. Mijares]

**Strachan:** Logan Crawford.

**Audience:** [Applause as Logan receives his certificate and takes a picture with Trustee Barke and Dr. Mijares]

**Strachan:** David Duong.

**Audience:** [Applause as David receives his certificate and takes a picture with Trustee Sparks and Dr. Mijares]

**Strachan:** Last but certainly not least, Timothy Louie.

**Audience:** [Applause as Timothy receives his certificate and takes a picture with Trustee Sparks and Dr. Mijares]

**Boyd:** We're going to do a group picture.

**Strachan:** Students, if you can come this way, we're going to do a group picture with you over here (in front of the dais).

**Boyd:** Some board members in the back. Have two rows of students.

**Strachan:** Kids, can I get you maybe into two rows?

**Boyd:** Once he finishes taking pictures, we'll let them stay up here and then all the rest of you can take pictures. Okay? Keep smiling. Keep smiling, everybody's good.

**Audience:** [Laughter]

**Strachan:** Thank you very much for recognizing our outstanding CHEP students today.

**Audience:** [Applause]

**Williams:** You know what this means? It means you're the future engineers and the greatness of this country. Keep it up. Keep up your academic studies. Study hard and climb the educational ladders of life. Go for that doctorate level, become the next NASA engineers bringing us closer to Mars and way beyond. Thank you very much. You may...if you want to stay for the meeting, you may find it interesting, you may not, but you're more than welcome to stay. Parents, if you have to take your children this would be a good opportunity. Thank you again for being here and being a part of our family here.

**Audience:** [Applause]

**Williams:** Okay, so we're going to be moving on with our public meeting here and we're at the point of public comments. Do we have any public comments?

**Boyd:** The first is Adrian Crawford, and the second followed will be Rosemary Rodeghiero.

**Williams:** And just as a reminder for our audience, I know sometimes there's a lot of excitement and emotions that happen with certain topics. If you can just hold yourself, take a deep breath, exhale it. We don't want to provide too much distraction for our public comments and what they have to say. You're up, sir.

**Boyd:** Just before we start, I just want to mention that we do use a light timer. So, it will start on green, move to yellow and then to red, and we would ask when it gets to red, if you haven't finished talking or speaking that you would finish your sentence, not your paragraph, your sentence.

**Audience:** [Laughter]

**Boyd:** Otherwise, I will ask you to please stop, okay? Thank you

**Crawford:** Okay, I've been to this meeting before. These kids that did this rocketry challenge are the children of CHEP West and CHEP North, the sites that will be closing when consolidation happens of the CHEP sites. These kids will no longer be

in CHEP because their school is going away. So, no, there probably will not be a CHEP team with these kids next year because these are the kids that will no longer be in CHEP. Consolidation is meant to save money by reducing the amount of space we use, by laying off teachers, by reducing the student body by two-thirds, and so they will save money at the expense of the children in this program.

We would like to prevent this. The Public School Review for 2015-2016 school year published information online at PublicSchoolReview.com and it ranked CHEP in the top 20% of schools in California. The percentage of students achieving proficiency of math was 55%, higher than the California average of 37%. The percentage of students achieving proficiency in reading and language was 65%, higher than the state average of 48%. And there was a graduation rate of 85-89%, which was higher than (the) state average.

These numbers have since gone up. In the California School Dashboard, it shows that there has been a 3% increased graduation rate and a suspension rate of -.1%, so these are all good things. There's a lot of talk that CHEP is expensive but CHEP is home school and home school is cheaper because parents put a lot of the bill for the program that they run. Parents spend upward from \$900 per student, per year, on average. They don't need buses because they drive their kids everywhere themselves. They make use of public services like the libraries and public parks and city services, and that spreads out the cost of education among other programs not under OCDE, so it should be cheaper.

So consolidating is meant to sort of help with the problem of declining numbers within CHEP. Seven years ago, CHEP was a growing program and it was growing because CHEP promoted, and then the public schools or local schools got mad because they were losing students. So, rule came about the said no more promotions, so they stopped promoting, and each year since then, there have been less and less students. So, the problem is we want to grow this number, so we need to promote, and that didn't happen this year like it was promised.

**Boyd:** Rosemary...

**Rodeghiero:** Rodeghiero.

**Boyd:** Rodeghiero, thank you.

**Rodeghiero:** I'm going to let you know that when I timed my speech, I was right at three minutes.

**Audience:** [Laughter]

**Rhodagero:** Ladies and gentlemen, today I was hoping to address the OCDE, Orange County Department of Education. However, I believe this to be a misnomer. I believe to be addressing the OCDPME, the Orange County Department of Prioritizing Money Over Education. When I had my twins, Emily and Gina, I was determined to give them a better education than the traditional public schools were providing. So, I began researching my various options including private school such as Heritage Oak and

Fairmont. Then I began to consider the unusual concept of homeschooling. Family and friends were completely opposed to this notion.

However, I continued in my pursuit with the stipulation that I would continue as long as it was working for both my children and myself. How much could I screw up kindergarten? And then I found Community Home Education Program, North County Campus in Anaheim. What I found was not a school but a group of dedicated and loving teachers and staff who became my family and my support during kindergarten through seventh grade that our campus existed. There was no other school like it and that was something you either refused to see or chose to ignore.

Homeschooling is education that happens every minute in many ways in a homeschool child's life, not only during traditional school hours of curriculum, but also through cooking, laundry, gardening lessons and other life skills at home in a thousand different ways during regular day, or traveling during the school year to local field trips, state or nationwide destinations, or various locations around the world. The teachers offered educational support where required and emotional support when we parents started feeling insecure.

In the meantime, our children would shine educationally, spiritually, emotionally, socially, as CHEP would offer individual classes that would allow our children to develop friendships and learning classes outside the normal curriculum that would only enhance their education. It is the best education available. The last three years have been truly the demise of our beloved CHEP. We have grieved at the loss of our families and teachers that have departed as deeply as we would have grieved at the loss of a family member. So, this has been a very slow death for us. Gentlemen, ladies, the loss is truly that intense.

Who are you serving by enabling this catastrophe? You're not fooling anyone with the rouse of what the central campus is. We know it is only a matter of time until the central campus becomes non-existent and converts to a Pacific Coast High School with its beautiful new theater and science lab. In the eight years that my children and I have been attending CHEP North, I've met and have been associated with many parents who are as passionate about homeschooling through the old CHEP program as I was, even though we all had various reasons for doing so.

I know that it is much too late to restore the 31-year-old institution you systematically destroyed, which was the oldest of its kind in the U.S. by the way, but I had to express myself. I can look in the mirror every day knowing that I live to educate not only my children but as many others as possible, to make other lives better. What will your legacy be?

**Boyd:** Thank you. Regina Rodeghiero followed by Vicentia...T.

**Audience:** [Laughter]

**R. Rodeghiero:** “Education the key to success in life and teachers make a lasting impact on the lives of the students.” This quote by Solomon Ortiz is exactly what happens throughout the life of a community home education program student. Hello teachers, parents, students and board members. I'm Regina Rodeghiero, a previous student from the community home education program who attended from kindergarten to seventh grade and was forced to transfer due to consolidation. Today, however, I'm hoping to be the voice of my fellow students who feel as if they were disregarded and brushed aside in this decision to consolidate.

The day I walked through the doors of CHEP North, I was barely six and had no clue that the next eight years of my life would lead me to be the person I am today. Never would I have expected that my nine years at CHEP would be cut short to only eight years due to a consolidation that could have been prevented. When I found out the shocking news that I would no longer be able to attend CHEP, I felt as if a rug had been ripped from under my feet and the carefully created future I'd planned for myself had come crashing down before me. I may no longer be attending CHEP, however, that does not mean that I cannot attempt to change this for other students.

By closing these two sites you are effectively closing two schools and stripping away the spirit and heartfelt atmosphere, condemning this program to its death. Many of the students I have talked with agree that this decision to consolidate was not made with the students' best interest in mind. The first reason being that this new site is not fit to accommodate handicapped children or family members as it is two stories and has no elevator to help them get to the second story where most of the classes are planned to be held. When questioned about this issue, many said they don't have to attend the classes. My question is why are we denying children education?

Lastly, many CHEP students are home-schooled because they have found traditional methods do not work for them and have blossomed in the tight-knit homeschooled environment. So, with no other options, we are being forced to transfer. This consolidation is supposedly happening because of lack of enrollment and funding. However, if this was true then why is CHEP moving to the least-attended site and nothing being done to promote and fundraise. We must stop making excuses and start finding solutions that help the students rather than causing them to leave.

One lesson that is promoted at CHEP is that we shouldn't dwell on what's already happened and instead decide how to move forward with critical thinking and decision-making. This is why you, as members of the board and Department of Education, must consider a solution with the students' best interest in mind to help save our schools. “Education is not only a ladder of opportunity, but it is also an investment in our future.” This quote by Ed Markey rings true the families of CHEP because we know that CHEP is the ladder to our future. To consolidate is to remove it entirely. This is why I sincerely hope you reconsider the consolidation of CHEP before this incredible institution fails. Thank you.

**Audience:** [Applause]

**Boyd:** Vincentia...and is it, Tjahjadi? Okay.

**Tjahjadi:** CHEP is serving a lot of children. Children who have a hard time in a traditional class setting are able to flourish in CHEP, and a lot of CHEP graduates are successful in higher education and life. Last year at the OCDE meeting with parents, Laura Strachan kept telling parents that we do not want smaller West and North sites, and consolidation is what we want even though parents kept telling her that we do not mind smaller West and North if that is what's necessary to keep those sites open instead of consolidation. At the end of the meeting, I talked to the new principal, Machele Kilgore.

I told her that the reason CHEP enrollment keeps going down is because CHEP never promote. Then she responded, "the good news is that now the administration will let CHEP promote." Hearing that gave me hope that she understood what CHEP needs to grow and that she will promote seriously to grow CHEP, but that did not happen. The administration did nothing to promote CHEP. To promote you must first have a brochure, but there was no brochure until I designed this myself for Imaginology. The whole year, we did not have a booth at big educational events where other homeschool programs promote, such as the Orange County Children's Book Festival on September 30th.

We had over 33,000 attendees. On the STEAM Fair on March 15 at the Pomona Fairplex, which was marketed to over 300,000 parents and educators, CHEP almost did not have a booth at Imaginology because the administration said it was too late to submit a new application. Once I heard that, I made a call to Chris Dunn, the person in charge of booth applications. She told me that it's not too late and there's still space available. I emailed Chris Hall, the vice principal, who helped me to register. Then we worked together to collect parents and teachers to man the booth.

A parent, Diana Wong, provided a prize wheel to draw family and my husband, Adrian Crawford, stood outside the booth talking to parents for two full days. Children are leaving public school but not going to CHEP. Instead, they are going to charter because word-of-mouth promotion by CHEP parents cannot compete with event promotion attends by hundreds in one day.

Mr. Mijares, have you been to CHEP? Have you spoken to the children? Do you know what you're closing? It's a great program. You should get to know it. At the end, the ones who benefit most from CHEP consolidation is PCHS. When CHEP closes own because of continued declining enrollment, PCHS will have a brand new science lab, brand new theater and mass square footage to expand. Thank you.

**Audience:** [Applause]

**Boyd:** Michelle Anderson followed by Erin Craig.

**Anderson:** Good morning, Superintendent Mijares, President Williams, honorable board members and staff. My name is Michelle Anderson, and I'm with the California Charter Schools Association. I'm the regional manager for north San Diego County and Orange counties. I'm the good news delivery person today. CCSA is proud to announce that all four of the Orange County charter schools that were in renewal have been successfully approved for their five-year renewal terms. All have successfully progressed academically and show sound operations.

These were approved by their authorizers, Magnolia, by the State Board of Education, Capistrano Connections, Community Roots and Oxford Prep by Capistrano Unified School District. These schools have demonstrated that they not only know how to operate a school but get the best out of students. In particular, I want to note Oxford Preparatory Academy, run by Jill Marks who worked very hard, hand-in-hand with the Capistrano School District to get through some changes in management and some other issues, and have done a great job, were unanimously approved by the Capistrano School District and held in high regard because they stand by themselves within Capistrano School District on where they stand academically.

There's just as nobody that approaches what they're doing. So, something is working right. And Capistrano itself is a wonderful school district with really good results, so when you have this happening, this is good. The charter schools in Orange County are rocking it and I brought a report that we sent over to Senator Tom Umberg's office showing just what charter schools are doing over district schools in his district. It is amazing. They are head and shoulders above, 10 percentage points or more above what the district schools are doing. And it's not necessarily that district schools aren't serving kids.

It's that when parents and children find what works for them, they do better and that's why one size does not fit all. We need school choice, and so, I want to thank this board for making that still happen, although those out in the state are trying to change that, but this does work. One size does not fit all just like our CHEP families have seen. So, what CCSA is doing is we are promoting school choice. This Friday, on the 14<sup>th</sup>, we're having a public school choice town hall and mini Charter Fair. CHEP will be there as well as the charters that are legally authorized in Orange County to participate.

We're having another – and this is in Mission Viejo – hosted by National University Academy Homeschool, and then we're having another one on Thursday, June 27<sup>th</sup>, hosted by Vista Heritage Charter Middle School. And so, we invite the public to come out and find out what school choice is about. These are public schools that work for all. You can talk with representatives from CHEP to see if that program works for your students as well as other charter schools. So, thank you again for your support.

**Boyd:** Erin Craig followed by Cindy Borcoman.

**Craig:** Good morning, President Williams, members of the board and Superintendent Mijares. My name is Erin Craig and I'm the founder and executive director of Unity Middle College. It's my understanding that there's been some concern brought to you about our ability to stay open and move forward, and also to pay our vendors. And I'm here to give you an update of what we've gotten through this year, and also on how we're going to move forward. Throughout the construction and cash flow challenges this year we've continued to focus on student learning, differentiation, and serving our 84 scholars.

Today, our projected enrollment and budget for next year is 125 students total, with 120 fully enrolled. We continue to support an increased number of students attempting and succeeding in college courses and look forward to continuing that in the future. First, I'd like to talk about the overpayments. As you know, cash flow this year, because of construction and overpayment, has been a big problem for us. To date, the in-lieu money has been paid in full by March and our last payment to CDE is occurring this month. And so, by June 30th, we will have no more overpayment that is left over.

As far as our construction, in January a private foundation came forward with the interest and intent to pay off 100% of the amount of money that was still owed to the contractor. We spent four months of due diligence, back and forth presentations, documents and a settlement number with the contractor and the landlord, and two days before the disbursement was supposed to happen, the president of the foundation had emergency brain surgery resulting in an ICU stay for many days with everything put on hold.

Ten days ago, they came forward to us saying that they will now pay 50% of what we owe and in the last 10 days, we have secured funding from my landlord at 1937 Chapman in Orange County Community Foundation, and our settlement discussions are in full swing to resolve this with the goal of June 30th close of fiscal. So, with the CDE and in-lieu overpayment resolved and with everything hopefully going well with the contractor payment being resolved in the next two weeks, we can move forward. We understand that we had CAM as far as cash flow helping us this year and that will be resolved as well.

Working with Icon School Management, they've helped us identify private investors with a simple interest rate of no more than 9% for a one-time cash flow influx in July to help us get through at the beginning of the year, with no more cash flow influges or borrowing against receivables moving forward. We continue to focus on our students and our community, and they are our number one priority. They're learning in a positive, safe environment with air conditioning now. Sounds funny, but it's true.

Our diverse students are thriving and we have students who have passed one college course, two college courses, and we even have a student who has successfully passed eight college courses in two years. We continue to look forward to working with

OCDE staff resolving our last final hump of these challenges this year and moving forward to continue to serve more students in the future. Thank you.

**Boyd:** Cindy Borcoman. Cindy will be our final speaker.

**Borcoman:** Good morning, Dr. Mijares and board. This meeting started out with a hope for the decisions made by this board and the superintendent for the good of all the students that are here. Unfortunately, the last two years under the direction of Laura Strachan, that has not been happening. We've been basically decimated; our education system. Adrian Crawford comes here each meeting with the hope of trying to restore the CHEP program, you know, and you saw these kids, their hopes and dreams, and I just can't understand why these decisions are made because I know there's the money, it's just the priority of money.

I know some of the money is going for lawyers and stuff to advocate for charter schools. Maybe that's a good thing to have charter schools that are working but you also have to think about the students that you already had here. And you had a program that was an honorable program that was like the best possible program in the state, and now it's being decimated and you're putting it to another place. It's going to disrupt their education. The same things happen with the juvenile courts' schools. They just laid off the all the assistant principals to go back to the classroom.

That means there's no leadership as far as going to meetings, going to parent-child meetings and advocacy meetings. It's just being destroyed and I just hope that each of you board members go to these schools and know what's going on and talk to the staff, because we're at a really critical point. You guys have the power and the leadership to guide this in a better direction and I just hope and pray that you do that. I really do because I put 32 years in this department and the last two years, I saw it go down the drain with the morale, I'm talking about.

And you know that the staff have already done a vote of no confidence on Laura Strachan, and yet you still have her here, and she is destroying our department. And I just want to let you know that and I just hope that you think about it and make some better decisions, thank you. And I want to really praise Adrian. He's spearheaded these parents and these kids here that are all here. I mean, it's great, what his programs done, so, also Machele Kilgore has done a great job. Thank you.

**Audience:** [Applause]

**Williams:** Thank you. Any other public comments, Nina?

**Boyd:** Not at this time.

**Williams:** Very good. Okay, moving on to our meeting. We do have a budget presentation. I call Ms. Renee Hendrick to the podium to lead us in the budget presentation.

**Hendrick:** Good morning, President Williams, members of the board, Dr. Mijares. Today, we're going to look at the preliminary budget for the 2019-2020 school year.

As you see in your budget packet, not only do we do the budget for the 2019-20 school year, but we also estimate where we'll end up for 2018-2019. That's included in your package. To kind of look at the state budget, since that's where the majority of our funding comes from, some of the risks of the state budget are the budget is predicated on the assumption that the economy will slow but not contract.

We have seen continual growth in California, although it invests in state reserves and reduces debt to strengthen our resiliency, even a modest recession could undo recent gains. Because of California's unique position as a global economy, we are much more susceptible to changes in the global economy. Our high and prolonged tension with China could actually weaken our emerging markets and global equities, as well as create more economic volatility. The state has been able to put money into their Rainy Day Fund. The May revision includes an additional \$1.2 billion in the Rainy Day Fund, bringing the reserve to 16.5 in 2019-2020.

The Rainy Day Fund is now expected to reach its constitutional of 10% of General Fund Revenues in 2020-2021, two years earlier than we predicted in January. That's been a big push by – it was Governor Brown, and now Newsom is following the same pattern – is making sure that as a lot of California's tax revenue actually comes from personal income tax and capital gains, so the capital gains tax that they receive maybe one time in nature. It's not ongoing. So trying to be wise and not putting ongoing expenditures with that revenue.

By the end of 2022-2023, the Rainy Day Fund balance is projected to be \$18.7 billion and the revised budget would also – for the first-time deposit \$389 million into the Public School System Stabilization Account. Last month, we talked a little bit about some of the legislative conversations regarding targeting California school funding. As you know in California, we are lowly funded compared to other states. Out of a recent study on California's physical effort to fund schools, we got a grade of “F”. California's per capita personal income is \$44,000, is above the national average, but it provides only \$34 for each \$1,000 of personal income to support schools.

If you compare that with New York that has \$46,000, so a little bit higher than us, they provide \$55 per \$1,000 of income. They earned a grade “A”. And New Mexico, which is considerably lower per capita personal income at \$36,000, provided \$48 per \$1,000 of personal income, also earning a grade “A”, but California receives an “F”. Our statutory COLA is at 3.26. The January budget had forecasted that at 3.46. It's down to 3.26 now, I'm sorry. Outside of the Local Control Funding Formula, these programs will all receive a 3.26 COLA.

Also, is that Special Ed., Foster Youth funding, Child Nutrition, Preschool, a mandated Block Grant, and American Indian Education, and we don't receive any of those, but we do receive the Early Childhood programs. For our COLA on Special Education, the Budget Compromise Committee actually has talked about raising the level of funding to the 90th percentile, but one of the big factors we have – and all of

our schools in Orange County – is as our attendance is declining, our number of Special Ed. students are not. Yet, our funding is declining because it's based on General ADA. It's not based on the Special Education.

We've all seen reduction of funding in this way. Even raising that to the 90th percentile isn't going to help with that loss of funding. For ACCESS and special schools as a whole, if you look at all our total Average Daily Attendance, you can see that we went from 10,416 – and I apologize for my little numbers here – in 2010-2011, and we're projected for next year to be at 4,754. This is by program going back to 2012-2013. You can see our juvenile court schools went from 1,276 into a forecast of 356. Last month we talked a lot about the changes in juvenile justice system and how the incarceration Community Schools C went from 3,228.

We're projecting that to be at 926. We are very concerned. Right now there is a bill pending that could actually impact this even more. They're trying to not allow for probation to refer students anymore. For specific items, that is where we get a large amount of our referrals in the C category. Community Schools Secondary – First Semester. This is our S1S program and you can see how that has helped us greatly. 2012-2013, we had 359 students. This year, we had 357. We anticipate that going down to 253. Our CHEP and PCHS program went from 1,800 in 2012-2013 to 550. 550 is projected for this next year.

The PCHS S1S program has grown considerably and it's now stabilized. It started 656 in 2012-2013. We anticipate that being the same as last year at 1,232. That is a six-to-eight-week program. Students come in for the summer and then go back to their school district of residence. Our expelled students have stayed fairly constant. It started 178; we're down to 135. Again, with some of the changes in legislation, districts are not expelling students for the same offenses. The ones that we do serve normally have the most egregious infractions. Our Community School A and B: This is where students are referred from school districts, and you see that's where our largest loss has been, along with CHEP and PCHS.

In 2012-2013, we had 1,210 students. This year we project to have 521. The S1S has been a component of that. This year we are serving students on district sites during the summer. We have up to 490. This year we saw 281. We project that will go down to 214. The College and Career Prep Academy charter, which is our dependent charter for this county, they continue to grow. This year, their ADA is 176. We project that will be 197. Their enrollment in that program you'll see when they do their LCAP presentation, is quite a bit larger. It's just that they may only be here to get 20 credits.

The ADA we capture from them, that may not be that great, but they are moving towards their goal of graduation. Total for ACCESS as a whole is we went from 9,316 students to 4,800 this year, and we project 4,384 for next year, so, a drop of 424. I will say that when I did this presentation last year, that was about the same number we had projected for this year, and instead we dropped by 795. Our Special Skills Program

has stayed pretty consistent. In 2012-2013, it went from 474. It's now at 386. We had quite a few graduations, but we've had as many referrals as graduations, so we anticipate that staying flat if you look at our overall trend of decline there.

One of the challenges we've had is if you take the S1S program out, which only runs six to eight weeks, what does that look like in our staffing ratios and our enrollment throughout the year? You can look and that's pretty dramatic. In 2011-2012, we had 8,730 students during the year. If you take that S1S program out, we're down to 2,685. We've had to adjust staffing and facilities in order to meet the number of students that we actually see on a regular basis. In looking at the analysis, changes in housing costs and educational policy over the past few years have led to significant declines in public school enrollments in Orange County.

ACCESS, in general, and CHEP, in particular, have been impacted by these changes. In Orange County as a whole, including public schools and charter schools, in 2014-2015, our enrollment was 497 in 2016. And, for this year, that's down to 478,823. As a reminder, we only have one district in Orange County that actually is showing growth. We have a couple of districts that may have stayed flat, or had grown by one or two, but only one significant growth. We also tried to look at other alternative education programs across the state. If you look at L.A. County in 2010-2011, they have 3,871 students. They, in 2017-2018, only had 1,468.

San Diego County had 3,894 in 2011-2012, In 2017-2018, that was down to 1,540. And then Riverside, although a much smaller program, the percentage decline is the same, so from 651 to 426. Overall, in the budget, one of the main philosophies the board continues to have is structural deficits. For ACCESS as a whole, in 2016-2017, they had a \$4.1 million deficit. In 2017-2018, they had a 7.2. Remember, we offered retirement incentive going into 2018-2019, which we thought would help mitigate that deficit. We still had a small deficit of 3.2. But as of right now, the projection for 2019-2020 is \$8.6 million. With that, I'm going to have Jeff Hittenberger talk about some of the discussions regarding the CHEP program.

**Hittenberger:** Thank you, Renee. Good morning, President Williams, Dr. Mijares, members of the board. Ms. Hendrick has shared with you some of the enrollment challenges facing ACCESS in general, and CHEP in particular. In our memos of May 7th and May 13th, we shared with you more details about these challenges, their impact on the OCDE budget and our decision-making process. I'm happy to provide some additional analysis and response to a request from Dr. Williams on behalf of the executive committee. These are very challenging issues to navigate.

I can say from experience and having visited these CHEP sites that these are outstanding programs, that these are outstanding students, these are wonderful parents whom we deeply appreciate; their families who are deeply committed to their children's education. We appreciate that commitment and their advocacy. What we face are some daunting challenges. Let me start with the good news and it's captured

on this slide. The CHEP program is not closing, but will continue to serve students and families with the best qualities of community instruction that students and families have always appreciated in CHEP.

We believe in the CHEP program and we believe in its mission. Here are the specific challenges that we face within CHEP from an enrollment standpoint. You can see from this slide that these are not issues that arose recently. It's been a long-term trend beginning with that 1,374 number that Renee referred to earlier from 2012-2013. There's been a continuous decline in enrollment. To today, this year's enrollment at 370. Since 2012-2013 to present, CHEP's enrollment has declined by 1,004 students, which represents a loss of revenue in excess of \$11.2 million. Why the enrollment decline? Renee has already referred to some of the factors.

Housing costs clearly are a major factor. Young families have been moving away from Orange County in record numbers. That's affected enrollment across the county as Renee mentioned. We have continuing enrollment declines in 90-plus percent of Orange County School Districts, creating greater incentives to keep students in the district and not refer them out to ACCESS. And to add to this, when the Orange County Business Council projects out enrollments 20 years into the future, their projection is continuing decline in enrollment for the next 20 years. So, this is a structural long-term change in Orange County demographics.

In addition to those changes, we have increases in parent options, including charter schools and district-provided alternative programs in Orange County that serve the same students that historically have participated in ACCESS programs, such as CHEP. This is a sampling of Orange County districts that now offer Elementary Homeschooler Independent Study Programs: Capistrano Unified School District, Irvine Unified School District, Placentia/Yorba Linda Unified School District, Tustin Unified School District, and there are others that are offering similar programs.

Likewise, many of you are familiar with the range of charter schools that now serve homeschooling, independent study families. These are just a few examples: California Virtual Academies, and you can see the charter authorizers there; Connection Academy, authorized by Capital Unified; EPIC charter, which is authorized by the Orange County Board of Education; Likewise, the National University Academy Charter School, authorized by this board; Opportunities for Learning Charter, authorized by the Capistrano Unified School District; Springs Charter School, authorized by the Orange County Board of Education, and we could make a much longer list of programs that are offering similar services to the students who historically have been part of CHEP or other ACCESS programs. This, as well, is a factor in that enrollment situation that we have laid out for you. No one enters into a discussion about consolidation such as we have been having lightly. We understand the implications for families and the challenges that consolidation represents. We've laid out here for you some of the stages in the decision-making process.

In 2018, spring, we did the enrollment and fiscal analysis and it's suggested as you can see from the enrollment decline numbers and the fiscal numbers, that consolidation might be necessary. We had extensive input from parents and staff at that time. We kept the board informed about enrollment situations across the ACCESS program, including CHEP. At that time, we seriously considered consolidation in spring 2018, but with advocacy from families, we decided to continue to provide high-quality program at three sites, and to provide an additional year with multiple sites to monitor enrollment patterns to see if we would see a stabilizing or even an increase in those enrollments over the subsequent year.

Unfortunately, when we looked at the numbers here in 2019, we saw that continuing enrollment decline and financial deficits followed. We had an additional 39% decrease in enrollment over the course of the year and had further discussions with parents and families, and with the superintendent. We developed a consolidation plan for 2019 with the goal of sustainability. The idea is that the best chance for sustainability in CHEP is to marshal our resources to cut the deficits and to provide high-quality program, rather than at three sites, at a single site; not an ideal outcome, but one that gives a better chance for sustainability over the long term.

The superintendent had discussion with families about one final push for 2019-2020 enrollment with the idea that if we could show significant interest and increase in numbers with a target date of June 1st, that would give us an opportunity to reconsider consolidation at that point. Parents were participating in trying to get the word out as has been described earlier. Unfortunately, at this point, the numbers needed to keep those three sites open have not revealed themselves. The decision-making process was data heavy, that we don't have time to go into all of that detail, and I know that this is difficult to see but it is the kind of analysis that was done; North CHEP site and West site.

In both cases, you have a bit more than 100 students currently enrolled at both. We found that, of those students, 46 come to the program from out of county, which presents particular transportation challenges for those families. We found that 92 of the families live either at an equal distance or closer to the Tustin site than to their current sites. For other families, the transportation challenges of consolidation will be greater than for the families of those 92 students, but that just gives you a sense of the kind of analysis that went into this consolidation plan. The question of pursuing charter authorization for CHEP.

This has been one that's been discussed in depth by our team, research has been done. There have been a number of factors that suggest that perhaps that would not be the wise direction to go. A couple of those have to do with costs and the change from county funding to charter funding would actually leave us at a disadvantage relative to where we are now. Likewise, costs related to special education would probably be higher and more challenging in a charter scenario than in our current structure. We

have a super, high-quality program with outstanding teachers. We invest heavily in the program, which is part of the reason CHEP offers such a strong program.

If we were to be a charter competing with other charters, we would not have the same ability to offer the kind of financial incentives to families that typically charters can do, because of not having the same salary level and investment that our program does. There's the possibility of a legal challenge to the conversion of an existing school to a charter school. This is another factor that we'd have to consider and was considered by our team in looking at this possibility. There's also the potential of strained relationships with districts and this might negatively impact referrals, not only to CHEP, but to other ACCESS programs as well.

Ultimately, ACCESS programs are dependent for their enrollment on referrals from districts. If districts pull back further from referrals that could have a negative impact on our programs across the board. And there's still uncertainty regarding enrollment impact of changing to charter, so even if we did this, would it impact enrollment positively? We haven't been able to establish that, so that gives you a sense of how that question was factored in to the planning process. In summary, with overall implications, the data above, the data that we've looked at, point to the need for consolidation of sites to align CHEP staffing and structure with student enrollment so as to make CHEP sustainable at an enrollment level consistent with current realities.

Consolidation of sites is carried out through ACCESS's enrollment patterns change. When enrollments increase, the county superintendent may determine that new sites are required, consistent with his responsibility, for administrating and operating the county community schools. While consolidation is necessary at this time, OCDE is committed to working with CHEP families to get the word out and identify additional families who would benefit from the services CHEP provides.

Should enrollments increase significantly, site expansion might again become viable. And finally, CHEP will continue to offer strong support and instruction of the students in 2019-2020 at the Tustin site alongside ACCESS as highly regarded Pacific Coast High School. And with that, I'll turn it back to Renee.

**Hendrick:** When we talk about program consolidation, due to declining enrollment and changes to services we provide to our students, we've been making changes to the ACCESS program. We've had a reduction of staff through retirement incentives and reductions in staff, over 60 certificated positions and numerous classified positions. Increase in staffing as relates to improve or increase services to students based on the LCAP. One of the things you may remember is in the LCAP, and you'll see that today, we've added other staffing; counselors, reading coaches, those type of things to help our students.

Remember, the portion of our LCAP does have to show increased or improved services to students we serve, increased, career technical programs, consolidation of sites to ensure that students are able to receive a more robust experience. It is not

possible at sites with less than five teachers, and we have consolidated over 48 sites for ACCESS programs since 2014. Some of the new areas for growth for OCDE is increasing subject area experts for districts that are in differentiated assistance, increase in data analytics to help districts in differentiated assistance, increased levels of assistance for review of the local control accountability plan.

As you guys saw, too, this year for OCDE as a whole, and then our Career College and Career Prep Academy. Remember, Dr. Mijares and the staff see 27 of those, and so, it is quite a task to meet with each of the districts with that. And a possible increase in staffing for business services division, as we review system requirements and changes in legislation that affect the needs of the districts and community colleges we serve. Some of the areas of concern competing with needs for students that are traditionally served by county offices. Example is the CHEP program. We have other districts that are serving the same students; we're all competing amongst each other.

Increase in expectations due to strong economy and low unemployment, staying competitive and attract highly qualified staff. Just like anybody who owns a business now, it's getting more difficult to recruit staff. We have to look at options for that and then no real growth in revenue from the local control funding formula. This is due to excess property taxes we've discussed in the past, how that now flows through the county courts and legislative changes that have increased the cost of employment. Kind of give you just a few ideas.

We talked a lot about the pension costs last month, but if you just look at the last few years and some of the changes we've had in legislation, we now provide sick leave to our substitute employees, which we now need to track, and then they'll be able to use. Additional leave requirements-we now have a new Family Leave. There is legislation to extend that Family Leave another two weeks. Not only is it just the leave, but you also have to track all those leaves and not only for the people to take them but also to back fill all the substitutes for that. Those have had major impacts on our budget. This is our graduating class from CCPA. With that, I will turn the meeting back to...actually, do you want to do the public hearing next?

**Williams:** We're done with your presentation? Very good. There are some questions, I'm sure, all of us have regarding what was presented. What would be the privilege of the board? I want to get those questions, but do we want to do a public hearing now, or do the questions first?

**Gomez:** I'd rather do the public hearing.

**Williams:** Rather do the public hearing? Okay, then we're not going to leave item #2. We'll go back to it and ask questions. Okay, so let's do item #3: the public hearing, and then we'll go back to item #2 and ask questions.

**Hendrick:** Okay. Good morning, President Williams, members of the board. At this time, I'd like to open the public hearing and invite any members of the public to comment on a 2019-2020 proposed budget for the Orange County Department of

Education, which includes the College and Career Preparatory Academy charter.

**Boyd:** I have no cards.

**Hendrick:** We have no cards.

**Williams:** We have no cards for the public hearing. Okay.

**Boyd:** We have no cards related to the budget.

**Williams:** We have no cards related to the budget.

**Hendrick:** At this time, I'd like to close the public hearing.

**Williams:** Just for the record, the public hearing is there intentionally by the legislators to allow the public to have input on the budget that is presented to the board. The board had a presentation today. We actually adopt the budget at the next meeting, which is June 26, I believe.

**Hendrick:** That's correct.

**Williams:** So, you're welcome to come up to us individually if you have any questions or comments on the budget as the board entertains the budget at the next meeting. Okay, any other comments by my board members?

**Bedell:** This is on the side? That's okay? Is that where you're going?

**Williams:** Pardon me?

**Bedell:** We can talk on the side about what Renee just presented?

**Williams:** Yes. I just made some extemporaneous comments.

**Bedell:** Now it's open to the board as to comment and ask questions?

**Williams:** Now, we're going back to item #2.

**Bedell:** Okay.

**Williams:** Right.

**Bedell:** Renee, it never occurred to me that we would have out of county students. So, talk to me about what that means and what is the impact on program and revenue?

**Hendrick:** We take all students that have a referral. Whether they come from another county or not, we will take them if they have a signed referral. The impact is there driving time to sites is obviously larger because they're not -

**Bedell:** Sure.

**Hendrick:** - closer to our site. My understanding is we have students in Los Angeles, San Bernardino and Riverside County, also.

**Bedell:** And do they bring ADA with them?

**Hendrick:** They do if we have a signed referral, yes.

**Bedell:** Okay. Thank you.

**Williams:** Are any of our referrals not granted by the district?

**Hendrick:** Yes, we have. That is one of the biggest issues we've seen is districts, especially ones that have their own program, will not sign a referral at times.

**Williams:** Okay, but do we have students enrolled in our program even if they don't have that signed referral?

**Hendrick:** We shouldn't because remember right now, we bill? The districts actually receive this funding and we have to bill them to get that money back. Most of them will not release that to us if we can't show them a signed referral.

**Williams:** I see. So, the referral is required before we can get kids into our CHEP programming. That's one of the crown jewels, I think, of this department. Of my 24 years here, I just loved it and I am going to say a few things that may be strange but for me, this CHEP program, in my 24 years we've had kind of this co-governance relationship. The superintendent carries out the duties and the operations and the supervisory oversight, but the board has also had a great amount of input into these programs. And under the auspices of three different superintendents, this is the first time something like this has come up.

I recognize the fact that this board has been apprised over the last six, seven years about the declining enrollment and that's a real serious concern. What I am surprised at is the decision to close this program, or not closing the program, let's be very specific on that, but we're closing sites. That has a negative impact on the kids and the parents and the families that go there, and that decision was really made without board knowledge, input. We had a couple memos, the presentation you gave was great. Jeff, thank you for making a great presentation about all the information, but we didn't have it prior to today. I didn't know any of that prior to today.

I knew about declining enrollment but none of the details that you give, so there is some concern regarding governance issues and the fact that the board didn't vote on the closure, and that may be an issue that comes up at the next board meeting; to get a second opinion regarding State Education Code authorization. And it's important to put on the record that the board never participated in the closure of the CHEP school sites. We knew about it, we knew it was happening, but we didn't know about until it actually happened. So, leading into another question, then, what hinders us from creating CHEP into a charter so we're not limited by the school districts?

We know that the local school districts will not release kids to come into our program. And in previous discussions, I have mentioned why can't we convert this into a charter school? And you articulated that here in your document. How much are we talking about if we were to convert it to a charter school because that's going to increase enrollment?

**Hendrick:** We're not sure it will increase enrollment because you have charter schools doing the same type of thing. The other thing is we do believe there will be a legal challenge because you're not allowed to convert an existing school into a charter school. Right? That could be a legal challenge.

Also, as a county community school, we get funded on whatever their district or residence is, and so, for some districts that is significantly higher than what the charter school may be, because the charter school is based on where their residence is of that charter school; we get it. If we get a student from L.A. Unified or Santa Ana Unified,

they have a significantly higher funding level than they would as a charter school. Those are some challenges compared to a county community school than having a charter.

**Williams:** I don't know about what the law says about conversion of school because I do know that in Orange Unified, we had the middle school there at Santiago Charter Middle School. They were a public school and they became a charter.

**Hendrick:** That was years before the legislation was enacted -

**Williams:** Okay.

**Hendrick:** - forward to the changes of the conversion piece.

**Williams:** Again, we haven't received any legal input or knowledge of that, so I don't know. You may be right.

**Hendrick:** Dr. Williams, I just want to clarify one item. This is not the first time we've gone through site closures. In 2000-2001, you may remember, we had closed all of our childcare centers.

**Williams:** That was tough, yes.

**Hendrick:** And the board took no action at that time either. Then in 2013-2014, we closed all of our Outdoor Science schools. Both of those impacted a large number of staff, created a lot of layoffs, and the board did not have an action on that either. I just wanted to clarify that.

**Williams:** Okay, I didn't bring it up but thank you for sharing that. Any other questions?

**Sparks:** I have a few comments and questions. In your ability to fund schools, you're saying that California's fiscal effort gets an "F".

**Hendrick:** Yes.

**Sparks:** Not good.

**Hendrick:** No.

**Sparks:** Obviously, you're getting some federal revenues in Inclusive Early Learning. It's gone up significantly from 23,000 last year up to 726,000.

**Hendrick:** You're looking at federal revenue?

**Sparks:** Yes, and the ESSA School Improvement, you're going up also, significantly, from 90,000 up to 509. And in the Inner Agency Contract, you're going up from 730,000, but the prior year is 1.5, up to 6.2 million. So, you are getting some additional federal funding. Then if we go to the state, I just want some clarification on some of the state issues because as we pointed out, the impact of the rate increases for retirement contributions is going up significantly; it's not sustainable. But as you indicated, Dr. Hittenberger, that in your 20-year projections, enrollments are going to go down, continually down, and that's because of the infinite that Joel Kotkin talks about, the "Infinite Suburbia" problem.

**Hendrick:** Right.

**Sparks:** The lack of affordable -

**Hendrick:** Housing.

**Hendrick:** - attainable housing; huge problem.

**Sparks:** So, having laid that groundwork, then in the state funding, I want an explanation of the MTSS funding going from 1 million up to 13.5 million. That's just insane amount of increase.

**Hendrick:** That was a statewide grant, and we do get a lot of that, where we'll get a one-time grant. What you'll see is that was one of the one we received in this year that we don't receive in next year, because actually, we spent over five years.

**Sparks:** Right, but I'm wondering if that is impacting the "F" grade in terms of fiscal effort.

**Hendrick:** I don't think so. I think it is on a per capita personal income. California has always been at the bottom. We kind of increase depending on what chart. We could be 41 or 36. I think a lot of that change with Prop 13 actually, right? Because before that, schools were funded by their local property tax, and then once Prop 13 passed, it now became at the state level. The real issue is that the state doesn't look at education. They say it's a priority but Proposition 98 is supposed to be our floor of what we receive. It's become our maximum. That's really kind of what the issue is, because if you give more to education, you're taking away from something else in the budget.

**Sparks:** Of course. No, I understand that. I just want to point some of these things out because -

**Hendrick:** It's a good point.

**Sparks:** - these are things that obviously people are looking at. Right? Where are we going to cut the waste? The Health Framework went up from 858,000 up to 2.9, almost 3 million. That is just an insane increase.

**Hendrick:** Again, that a statewide initiative.

**Sparks:** Yeah, it's not sustainable. Retirement -

**Hendrick:** It's for a specific purpose -

**Sparks:** - is just not sustainable.

**Hendrick:** - it's for to do specific trainings. Their thought is one-time money, you do the training and that money will be moved to the next training, whatever that may be; may not be us. This year with the Health Framework, another county office got, I think, the Social Science Framework. That's how the state does it to relieve their costs. They're going to pass those and that's what we've seen a lot of over the last few years, is things that used to be done at the state level, now they're pushing those down to the local levels.

**Sparks:** Yeah, I understand. I just think these are huge problems that people need to be fixing the legislature and so forth. Obviously, your offices are looking at what you can do on this level as well and just moving the money around, and the categories and just trying to cut the waste where you can. It's just really concerning as I look through every aspect of the budget, and I don't want to take up too much time. I'm just horrified. I just going to lay that groundwork.

**Mijares:** Mr. President, may I comment for just a minute in reference to what Dr. Sparks is saying? As Renee mentioned, Prop 98, which was approved by the voters and the legislature a number of years ago, two or three decades, perhaps, which sets the minimum limits on how schools should be funded, and it's a very complicated formula which we can talk about at a later date if you wish. But what the legislature does often, and the governor is, that they do horse trading with the extra money that has come into the coffers of the state of California. Like with the MTSS Grant, that was money granted by the governor outside of the normal funding processes.

We did receive another 15 million, but that was designed very specifically to share with UCLA. UCLA got a little more than half of that 15 million dollars and it's going to the center for the transformation of schools that's sponsored by UCLA. Will that happen next year? We're not sure. It just depends on how much extra money the governor and the big five as they call them; Speakers of the House, Speaker of the Senate, whether they have that money to dole out in this manner. We're hoping they continue to support initiatives like the MTSS. But what really drives us is the Base Revenue Limit that is given to us to educate every student in our classrooms, and that is really the bread and butter that supports our schools.

**Hendrick:** Dr. Sparks made a really good comment. I think, just for editorial purposes, I will share that the voters also passed Proposition 30 and then Proposition 55 to guarantee school funding. I'm not sure if you're aware, the schools really only received about 40% of that funding. The rest really goes to help the state general fund. It kind of shows the state's commitment to our funding.

**Sparks:** Thank you.

**Williams:** Trustee Barke?

**Barke:** I don't have any comments. One actually just curiosity. How did you choose which site to consolidate to within CHEP? Because I hear that the others were very popular. What was the basis of that?

**Hendrick:** When you looked at mapping what students would be affected, the miles they would drive. In all of our consolidations, we look at who are the students that attend this site? If we move this site here, what would that look like? The minimum distance and then would it be able to house both programs, which is an administrative savings for us. It's not just the facility cost when you look at keeping those sites. It's also all the administrative staff that has to be there also.

**Barke:** Thank you.

**Gomez:** Just a couple of quick clarifications. It looks like we offered, I'm looking at page 16 of our document, another early retirement incentive. I don't know if you actually gave a number of folks that have accepted that or are in that process.

**Hendrick:** We got 11 teachers. It was a much smaller incentive this time. For teaching staff, it was \$50,000 or they could purchase benefits, depending on their plan. We had seven teachers from the Alternative Ed. program, which is where we

were focusing, and the rest came from Special Schools. It was a total of 11 certificated and 11 classified staff. Again, for both incentives, they were not offered any management.

**Gomez:** Okay. What do we anticipate those savings will be, or do we know that number yet?

**Hendrick:** I do not know them off the top of my head. I do not know. They have been incorporated in the budget though.

**Gomez:** Okay, as far as the retirement goes, we're still being challenged there. Those numbers still continue to go up. Is there any way or any...I know I always get hung up on the city stuff because we have other ways we can raise money, but we're kind of hamstrung here -

**Hendrick:** We are.

**Gomez:** - with what we can do.

**Hendrick:** Right, because we are in state pools so it's not like a city where you have a separate contract so you could pre-fund that. We're in a state pool. If we were to pre-fund something, it goes to the share as a whole, we don't do it just for us.

**Gomez:** It doesn't affect us -

**Hendrick:** No.

**Gomez:** - as much?

**Hendrick:** The Governor Newsom, though, has made an interesting proposal which looks like it's moving through, whereas he is going to fund outside of Proposition 98 excess revenues to actually buy down some of that liability, and that will help. It doesn't decrease our rates from what they are right now -

**Gomez:** Right.

**Hendrick:** - but it makes them lower than what they would have been, but it also helps with that long-term liability. The goal is to continue in that manner and then they have changed our retirement significantly over the last few years; they've passed legislation. Somebody that's hired today will have a very different retirement than I will -

**Gomez:** Right.

**Hendrick:** - for an example. I think those are ways they're trying to make those changes. We're not able to pre-fund that. We could put money in a trust that would help us make those payments over years. That is possible and that's one of the things that we are investigating. Nobody in Orange County has done that yet and we're just trying to figure out - you have to put irrevocable trust and there's a whole bunch of things that go with that, but that is one of the things that we may be looking at.

**Gomez:** Okay, and that could alleviate -

**Hendrick:** That would help us to make -

**Gomez:** some of the loss-term funding.

**Hendrick:** - payments maybe down the way.

**Gomez:** Right.

**Hendrick:** It doesn't pre-fund it but it does set money aside for us to make those payments, if that makes sense.

**Gomez:** Yes. No, I completely understand that but that's actually a good option if that is feasible for us to do. CSEA, where are we on those contract negotiations?

**Hendrick:** We just started.

**Gomez:** Okay.

**Hendrick:** And they have an open contract this year.

**Gomez:** Okay.

**Hendrick:** The full contract.

**Gomez:** Okay.

**Hendrick:** We have a lot of language to go through. I think they've only had two meetings so far.

**Gomez:** Okay, so we don't have that -

**Hendrick:** That's not incorporated in the budget.

**Gomez:** - figured in the budget at all at this point? Okay.

**Hendrick:** Since we normally wait until the groups are usually both are settled before we give the same agreement to managers, so we haven't included that in the budget either, but certificated is because that was a completed settlement.

**Gomez:** Okay, so there's no need to other than for management with that or certificated, too? CSEA settles for something or agrees to something. Do we have a need to anywhere else? No? Okay.

**Hendrick:** Normally we do, but we do not.

**Gomez:** Okay, all right. Thank you. That was all I have for now.

**Williams:** Dr. Bedell?

**Bedell:** I'm fine.

**Williams:** You're fine? Just a couple comments taking off from what Trustee Gomez brought up regarding retirement. That's something we've been working with and talking about for quite some time, and I think we've discussed our state senator, John Moorlach's prediction of the looming equivalent of an Orange County Citron bankruptcy here in California. Are we even considering factoring into the excess liability for these retirements account?

**Hendrick:** Well, we are factoring. We have an increase in employer rates. On page 19 it kind of shows that effect. This is keeping the same exact dollar, not increasing dollars for salaries. It's on page 19. It goes from \$10 million in 2020 to \$22 million. It doubles as an employer what we're paying. The last slide I have here on the concerns, our concern is as we have to keep budgeting for these increased costs, but we're not really getting increased revenue. That's where our concern is. You have to start cutting things in order just to pay for these costs that continue to increase.

**Williams:** So, the costs to the employer to this department is going up each and every year -

**Hendrick:** Right.

**Williams:** - and the services that we're rendering -

**Hendrick:** Could go down, yeah.

**Williams:** - go down, hence part of that equation is the CHEP's site closures -

**Hendrick:** Right.

**Williams:** - as well as other decrease in services that are given. Question on – by the way, thank you for everything that you've done, Renee. You've given me a lot of information I asked at the last board meeting there in May. I'm going to ask some questions regarding the legislative and advocacy contracts that we have. If we can just go through them only because it may have been the budget, but really, the board has had very little role, insight or knowledge on these.

We haven't seen any of the contracts or reviewed them. Could you go through what is the Ball-Frost's group? What's their responsibility? What do they do? How do they help us? In what manner have they been used? Their contract now is about \$108,000, annually, as I believe. We'll go through each one of these if you can help me?

**Hendrick:** I will try because I don't have my copy in front of me. Remember years back, we actually had an in-house lobbyist, Mike Kilbourne who was an employee of the organization, and that was his main duty, was to do legislation. Once he retired, we didn't have in-house staff with that expertise. We had done an RFP to go out for legislative services for the office. It's not just our office, it's also the school districts. An example -

**Williams:** We're paying for school districts?

**Hendrick:** - we're representing Orange County as a whole. I know that Dr. Mijares can talk about with the Orange County superintendents, how they may have specific items or tracking. All of us belong to different groups. Our HR group will track all of the pending legislation to do with human resources and what the impact would have on schools. What they will do, specifically, is their meeting with each one of the cabinet members as a whole, and then the district superintendents and they highlight the areas that have the largest impact to schools. They will help us in understanding what the legislation means, whether there's a possibility it'll pass/not pass.

There may be bills that we may say if it's amended, it may be helpful to us. They would work on the author's on maybe amending that. It's kind of a broad range of what we're looking at. I'll give you an example of one of the bills on Transportation. The late start for transportation was a big deal for a lot of school districts, the added cost that that would have to school districts to start their high schools later. Each one of the districts said this is what the impact would be to me, x amount of dollars. They rolled together an aggregated cost for Orange County to show the impact and then send that to legislature to say. "This is what happens if you pass that bill." We have a more powerful voice when you're speaking on a countywide perspective.

**Williams:** Do we have a detailed analysis of the bills that were being tracked?

**Hendrick:** Normally when we're meeting with them, they will give us that list of bills. It depends on where you are in the bill cycle, because it's only from February through whatever, they may highlight. They're asking each of us, based on our expert knowledge, which ones are important for me for districts for the business sense, and which one from the HR sense. We'll flag those.

**Williams:** Are they always fiscal business-related advocacy?

**Hendrick:** No, because it could be like a late start to a school day, it could have to do with an HR issue. They could have a lot of different factors. I'm probably going to concentrate on those two areas because that's my area, whereas, maybe Christine Olmstead would look at the educational piece, and Dr. Mijares has to look at all of it.

**Williams:** Right, and was there any other advocacy done on the anti-Charter School Bill AB 1505?

**Hendrick:** I'm not aware. That wouldn't be something that I would have brought forward.

**Williams:** Moving on to the Federal Legislative Management Contract. What does that do and what type of things are they tracking?

**Hendrick:** That's Bob Canavan, which I know for those of you who have made a trip to Washington, D.C. He's the one that is instrumental in those meetings, and he's also given updates to this board on federal legislation. He's working on the federal piece. A big piece is the ESSA right now, and what that looks like, and the impact to California. He's basically helping us interpret those things and then providing legislative help with that also.

**Bedell:** Ken, I can help you here, I think, maybe. This is the group that has been at the forefront of working with us to get better funding for IDEA.

**Williams:** Right.

**Bedell:** They have set up meetings throughout the bureaucracy; private and public pieces of education bureaucracy, right into the Department of Ed., right into it with key legislators, Ken Calvert, etc., over the years. They have been working very closely on that, and in addition, their expertise is on school construction. We've had some help within conversations with school construction, and also with the forestry money. People don't think that Orange County gets forestry. You know that in your area, but relatively speaking, not a lot of money.

**Williams:** Right.

**Bedell:** Relatively, they have been very helpful in working with the forestry money to keep it coming to Orange County. They're very closely articulated to the National School Board Association. They have entrees to the leadership of that organization and they also have leadership or access to key people on subjects that have been of interest to us as directed by this board; IDEA meeting is a big one.

**Williams:** Sure. Lastly, on the Legislative and Advocacy Contracts, the Capital Advisors. What do they do?

**Hendrick:** Kevin Gordon is the leader in there, and Jack O'Connell. They are doing legislative things. Usually, there are more general expertise areas so they will come speak to OCSBA, those type of things. One of their things they're working on right now is the county office funding issue as far as trying to keep our money for our taxes instead of sending it to the county courts. There's 10 different county offices. They've helped us on some waivers at the state level, they have specific expertise in certain areas. That's why you will use different companies based on what their expertise is. It's just not trusting just one voice, having to get a broad avenue of what legislation looks at.

**Bedell:** Ken, that's a great question. Again, if I might, because Kevin has worked very closely with our OCSBA.

**Williams:** Okay.

**Bedell:** He's here just about annually and we can cherish his access to this particular governor, regardless of what you may think of the governor, or what I may think of the governor. Kevin has opened open door with this governor. He's been working with helping on minimizing the damage to the charter bill that you're talking about. When we get to be organization memberships, Kevin has been very closely working to get Democrats in line, if you will, not being so hostile to charters. That, to me, is a big piece as I understand it, of what he's currently doing.

**Williams:** Kevin Gordon's been around for a while -

**Bedell:** Yes.

**Williams:** - and he's been very helpful. Jack O'Connell, is that the former -

**Bedell:** Yes.

**Williams:** - superintendent?

**Hendrick:** And he's a partner in that company, also.

**Williams:** He's a partner. Is there like a one-year ban after you leave office that you can't be advocating or lobbying here in California?

**Hendrick:** Doesn't sound like it.

**Williams:** No, I think that's in Washington, D.C.

**Hendrick:** I don't think that's there either.

**Williams:** There's no ban?

**Hendrick:** I think they're proposing that.

**Barke:** They're proposing it.

**Williams:** I think that would be a good bill to pass. Okay, moving on to the other item that I requested at the last meeting, the report for legal fees and settlement. I'm looking, I believe everybody got this.

**Barke:** I remember there was a large fee in there, almost about 300,000.

**Hendrick:** That's probably for OCERS.

**Barke:** What is that?

**Hendrick:** That was our lawsuit we had with the Orange County Employees Retirement System. We were a member of that before we split from the county. After all our members are left, we're actually no longer paying into that. They are billing us for what they said is an unfunded liability. We did have a suit. What you see in there is actually part of our settlement, it's not the attorney's fees. We now are paying them on an ongoing basis for that unfunded liability. We lost that lawsuit.

**Williams:** I know we met in 2016 because we received a bill from OCERS in closed session.

**Hendrick:** Right.

**Williams:** The bill was to, I believe, the board and the superintendent and to the department. And after, I really haven't heard anything about that. What happened after that?

**Hendrick:** We lost the lawsuit.

**Williams:** There's actually a lawsuit?

**Hendrick:** There was a lawsuit.

**Williams:** Did they sue us?

**Hendrick:** They sued us wanting...

**Williams:** So, the superintendent and the board?

**Hendrick:** ...and the board.

**Williams:** Why didn't the board know about that?

**Hendrick:** You did it that time. It was 2016 and we did give you, I think, there were a couple of updates on that. It's been settled for a couple of years, I think,

**Boyd:** I remind you that that's the one that Linda Lindholm -

**Mijares:** Recused.

**Williams:** Recused herself.

**Boyd:** - recused herself, and there were conversations with the board related to the status of each time we got some information. Just as you're saying, closed session and there were conversations and so forth. Once it settled and we lost that, that information did come back to the board. But in terms of the administrative portions of it, there hasn't been ongoing conversation other than what's been in the budget.

**Williams:** Okay, so the board was named as a defendant and it went to court, and we lost that case. When was that? Do you remember?

**Boyd:** Ron was handling that so Ron Wenkart -

**Williams:** Okay.

**Boyd:** - was advising.

**Hendrick:** It was a couple years ago because it was Wendy who was involved in that, too.

**Williams:** And we appealed that to the State Appellate system, appeal system?

**Hendrick:** And lost.

**Williams:** And we lost there. So, state precedence was set? Okay.

**Hendrick:** You're seeing the payments because it's a settlement payment. Whereas normally retirements has to be up and the employee benefits, the 3,000 piece, since that's not really any of our existing employees. That's why it's captured in that legal piece because the settlement cost, and we will be paying that for quite a while.

**Boyd:** I think it's important. We have two board members who weren't here at that time. The other part of that and the reason why we felt that we didn't owe money was because when we separated, there were only a limited number of employees that were still in that retirement system. Everyone else was in PERS or STRS. I think by the time this came up, we had two individuals and they were both retired.

When the county went back and started looking at their financials and so forth, they decided that because we had some individuals who were receiving payoffs in retirement, and they didn't see any income coming from this office, they said, "Wait a minute, you all owe us money because we have an unfunded liability based on, we're still paying out for employees that are in this retirement system." We said, "No, we don't," and went back to the documents to say it was silent on that.

That was the reason why we thought we would prevail, because there was nothing that indicated we should continue to pay once those employees were no longer here; we weren't paying into the system. That gives you some background in terms of what that was about. It really had to do with payments to employees that were no longer part of this organization, but the county is paying that in retirement.

**Mijares:** May I also comment, Mr. President?

**Williams:** Sure.

**Mijares:** This pointed up to the intractable issues you find with these pensions and how difficult they are to address. And in this case, remember you had employees that were formerly employed by the Board of Supervisors, by the County of Orange. They then came over in the conversion to us, so now this became an employer-employee issue as part of their benefits. And when we received the bill from OCERS, it was some outrageous number. They wanted -

**Hendrick:** 3.1 million.

**Mijares:** - to pay. Where did this come from? So, we started talking to them. You start conversing with each other and how many people did we have left that we're still drawing down?

**Hendrick:** About 15.

**Mijares:** 15.

**Hendrick:** It's 15 people and/or their beneficiary. If it was just the 3.1 million, we may have settled -

**Mijares:** Right.

**Hendrick:** - but they also reserve the right to go back and bill us at any future time. And that was the piece that we were –

**Mijares:** That was the part we fought, because the way it was structured it could have doubled and tripled, and we were saying how much hemorrhage do we have to do here? If nothing else, perhaps the courts will at least grant us some relief on future years. So, they were asking OCDE to do something that they were not asking other public entities to do. That was part of our lawsuit. Other public entities had the same situation, but they came to us because they thought we had the money to do it, to pay them.

What we decided to do is to challenge it in court and unfortunately, I don't think this is inappropriate to say, but the judge that handled the case said, “Well, somebody's got to take care of me when I'm old, so why aren't you doing this for these people now?” We knew going in, philosophically, we were on an uphill battle, and we lost. And the Appellate Court chose to leave it alone.

**Williams:** When you say we fought them, who actually was the plaintiff in the lawsuit? Was it the department, or was it OCERS?

**Mijares:** OCERS.

**Williams:** OCERS was the plaintiff?

**Mijares:** Yes.

**Williams:** Okay, so we were the defendant in the lawsuit?

**Mijares:** Yes.

**Williams:** I see, and then when the decision went against us it was decided, wasn't by this board, to go to the appellate level. Is that correct?

**Mijares:** The decision was made by myself and Mr. Wenkart -

**Williams:** Okay.

**Mijares:** - and we had another counsel that was serving us.

**Williams:** Is that different counsel than the original?

**Mijares:** Yes.

**Hendrick:** It's the same counsel as the original suit, so, yes.

**Mijares:** Oh, I'm sorry. Yes, with the original. That makes sense to have had a new counsel at that point on the appeal.

**Williams:** And that's Sheppard, Mullin and Richter. Is that correct?

**Mijares:** Yes.

**Hendrick:** Right.

**Williams:** And that's the 292,000.

**Hendrick:** I think the annual settlement amount is \$230,000 a year, and that will change based on an actuarial study every year.

**Williams:** Okay, help me out here.

**Hendrick:** The actual legal fees is only like 40. It's not very much. The majority of what you're seeing in there is the actual settlement amount. You can see if it says -

**Barke:** Page 5 if that's helpful.

**Hendrick:** That's possible, yes.

**Williams:** Page 4 and 5.

**Barke:** 4, it starts on 4.

**Hendrick:** Where you see Sheppard, Mullin. That would have been a charge from the attorney, where if it says Orange County hearings. That's the settlement amount.

**Williams:** Okay. For instance, on 8/9/2018, the Orange County hearings and OSERS. That \$20,000 amount. That's what we're paying -

**Hendrick:** Monthly.

**Williams:** - monthly -

**Hendrick:** Monthly.

**Williams:** - into OSERS for these 15 or so employees? I see.

**Hendrick:** Or dependents.

**Williams:** I see. Okay.

**Mijares:** Well, in reality, we could share with you how much we're paying for all of our employees who are retired, be it CalSTRS or PERS. This was another situation like that, and that's why you have Senator Moorlach concerned. And our office says talk to Senator Moorlach about this, and he thinks that this is sort of an impending bubble that's going to pop at some point. You heard Renee talk about a trust. Dean West also has experience with trusts and that's one possibility for us to do our part to safeguard all of our employees if the state explodes. Sometimes people say, "Well, you have way more than a 3 or 5% reserve for economic uncertainties.

You don't need to have more than a certain amount of money under law." But we're saying that's testimonial, I think, of this department and the board to be very circumspect in all of our spending decisions to not be in a deficit. We've never really honored a deficit-spending model. That's part of our problem with ACCESS, but keep in mind that a reserve, a healthy reserve, can be eaten up in 36 months; three years.

And now, you factor in this concept of the retirement thing that could explode. That's why we're considering taking a maybe a chunk of that money that's in our reserves and putting it into a trust. That will give us, we think, protection if there is a major catastrophe at the state level where they can no longer fund STRS and PERS. Even now if you look at these actuarial studies, there's a problem. There's a big problem. That's why the governor is trying to make more demands on districts to set more money aside for these retirement benefits.

**Williams:** Thank you, Dr. Mijares. I would exhort and encourage that the board participate in that decision-making process about the creation of this trust. It may be an Education Code that empowers the superintendent to do these things. because we each have our own responsibilities, the board as well as the superintendent in the governance of this department. We co-govern in a lot of ways, but I think because it impacts the budget, it impacts the board. I just kindly ask the courtesy for that. Moving on with my questions, I don't want to take up too much time. What is the Knobbe, Martens, Olson and Bear?

**Hendrick:** That's another risk management. That is are probably going to be our worker's comp. cases.

**Williams:** I see. Do we have, I assume, we have outstanding workers comp. claims?

**Hendrick:** Yes, we have a lot of worker's comp. claims.

**Williams:** And we're self-funded?

**Hendrick:** We're in a JPA for that.

**Williams:** A JPA.

**Hendrick:** It could be they're either helping us with the hearing, or it could be just settlements in general.

**Williams:** Okay, and would that be the same for the Atkinson-Andelson -

**Hendrick:** Those won't be -

**Williams:** - Dean?

**Hendrick:** - workers comp. related, necessarily, although some of those tie together. Those will be more discipline issues.

**Williams:** Like the \$26,000 just last month, May 31<sup>st</sup>, we paid out to them. What was that for?

**Hendrick:** It was for a discipline for an employee; employee discipline.

**Williams:** Okay, so this isn't student discipline. They're taking us out to the woodshed and someone's getting spanked. Okay.

**Hendrick:** It's the process we go through.

**Williams:** Got it. I like using these euphemisms that are kind of folksy like. Please forgive me.

**Barke:** Can I just ask, just so I understand, what the OCERS lawsuit...is that now settled and we're just making payments? Because I still feel like we're paying a lot of attorneys' fees when I look in here.

**Hendrick:** The appeal completed in 2018-2019. That's why you're still seeing a small piece of that.

**Barke:** Okay, so that's always going forward?

**Hendrick:** An example is, right now, they're asking us to pay another \$377,000 for their legal fees, which is not allowed under statute. That's something that Jeff Riel is having a conversation with, and Dean, and so -

**Williams:** Who's asking us to pay \$377,000?

**Hendrick:** OCERS, to pay their legal fees.

**Williams:** They want us to pay their legal fees for the Appellate Court appeal case, as well as the original?

**Hendrick:** Yes.

**Williams:** Okay, and when was the Appellate Court's decision? When did that happen?

**Hendrick:** I don't know off the top of my head, I'm sorry.

**Gomez:** December.

**Hendrick:** I think it was in December.

**Williams:** Okay.

**Barke:** It just looks end of last year and still early this year, we're still paying out a chunk of change to Sheppard.

**Hendrick:** An example: that demand letter is going to take a conversation with them to have them help us write a demand back and say, basically, we don't believe we are responsible for that. It's not the first time they've asked us to pay that either.

**Williams:** I assume Sheppard, Mullin is helping us on that question.

**Hendrick:** Of course they are.

**Williams:** Because we don't have the documents, if we can have the Appellate Court review, that would be really helpful, as well as the original lawsuit against this department. That would be great. Any other questions from board members?

**Gomez:** I would just like to make one comment and clarification. During this whole budget process, and a lot of our conversation, I think, comes from our budget process, over the past couple of years that I've been on the board, we have watched enrollment decline in certain areas in the jail schools, as well as some of the other ones. We've had to look at offering the early retirement, we've had to look at closing school sites, consolidating and that's just part, I think, of any organization just trying to be fiscally responsible to try to identify where we can save cost.

Without compromising, what we're trying to do for our students. I think that the budget often brings up some of those issues even though they're discussed in other contexts. I think it's just important for us to keep that in mind as we're looking at the budget, as well as for the public to understand what we are trying to do to be responsible with public dollars as well as continue to educate our students.

**Williams:** Question: as far as reducing even just \$100,000 or \$200,000 that's being presented to us, is there anything in here that we can take off, a little bit here and there, to reduce the budget, specifically for travel, conferences, maybe some of the organization's we belong to? The National School Board Association, that's \$13,000 right there. I'm not so sure what we gain from that other than probably decreased fees for the conferences. Then we have the Educational Legal Alliance dues. I don't know what that is for.

**Hendrick:** The Educational Legal Alliance is a JPA that all school districts pay into for special education, and it was to help if there was training, and to help if there was a large court case. The district share pull those costs. The majority of that has really been based on training for staff throughout the county to minimize Special Ed. Due Process hearings.

**Williams:** And the almost \$10,000 for the CSBA, the membership dues. What benefits do we get from that besides decreased conference fees?

**Boyd:** I think, maybe, Jack, do you want to speak to that because those -

**Bedell:** I'm glad you asked that question, Dr. Williams, because if you look there with CCBE. Those two organizations as we speak probably are in the hallways of Sacramento protecting the legislation for charter schools, and to getting the bill, was it 1050?

**Williams:** 1530.

**Barke:** 1505.

**Bedell:** That was so obnoxious to us. They are going to full court press the head of CCBE, who is a lawyer from Northern California who has been very involved. You're not going to recognize what they've done on the assembly side. Now it's over in the senate side so they have to continue. Those two right now, this year, are extraordinarily beneficial to what I see as what this board wants out of legislation as it relates to what we're doing in Sacramento.

**Gomez:** We continually get those newsletters. We get a packet every other week of all the magazines and newsletters that are telling us what's going on not only in the county, but the state and the national level. Having that information to know what's going on I think is crucial, and if we were to not be in those memberships, we're going to lose that information.

**Williams:** They have like a gold, platinum, or aluminum level that we can decrease it?

**Audience:** [Laughter]

**Williams:** It's probably just the same key. Okay.

**Barke:** I agree. I think the CSBA, there's probably a lot of benefits. What about the National? Do you feel that, as well, that we –

**Bedell:** That's a great question. One of the main benefits of the National Organization is that they have been very effective in changing No Child Left Behind, rather than reauthorization. They have been at the forefront, very responsive to what we thought what our people wanted in Orange County in terms of those changes. They also now, right now, there big push right now is IDEA. We were at the forefront of that piece. They are using some of our materials from our county and local district base for them. They have networks with legislators.

We have not had trouble getting in any legislative office from anybody in the county; that's a given either here or there, without them, we wouldn't have access to other legislators from around the country who are, in fact, on appropriations, who are in education, or in labor. They have been sort of an entree where we have taken our material. For example, they were the entree for us to get into Gary Munday's office who has no reason to see us, but that office was helpful in talking about IDEA.

**Barke:** I was involved a little bit when I went to -

**Bedell:** Right.

**Barke:** - NSBA in D.C. and that was some –

**Bedell:** And I was here. I was glad you were there. A county of this presence with this number of students, not to be visible in any of those organizations, I think, would be very short-sighted. Considering the amount of money, and your question is a fair one; what do we get? I think there would be at least, an image issue is what's happening to

Orange County now. They were at the forefront of IDEA funding, and now NSBA is doing IDEA funding and we back out. See what I'm saying, Ken? I think there's a timing. If the issue was something that was not particularly relevant to us, I'd say okay, let's not have that conversation, but right now, they got our issue.

**Barke:** They're advocating for things or not. What about the lobbyists as opposed to that? Do we have any input as to what their lobbying for when they're there, like on 1505? Because I actually watched some hearings there and it did not look like they were lobbying against 1505.

**Bedell:** Well, I don't know which lobbying you're talking about.

**Barke:** I don't know. I was watching the hearings and somebody, Jack Frost; Jack, is that his name?

**Boyd:** Jeff Frost.

**Barke:** Jeff Frost?

**Bedell:** I don't know Jack.

**Barke:** They were public hearings. They were on TV. I watched them and I saw students -

**Mijares:** I'm sorry, Mari, can you repeat the question again?

**Barke:** The question is, when we have some lobbying going on, do we have input as to what they're lobbying for? As a board, you as a superintendent? I heard that the districts -

**Mijares:** Yes.

**Barke:** - you talk to them, they have input. Do we have input as well?

**Mijares:** We absolutely do. In a sense, they become a neutral party. We talk to them about our priorities and our issues, and then they do whatever lobbying.

**Barke:** I'm convinced that you do, but do we? That's just a question. I don't know the answer to it. It's not a trick question. It's a real question.

**Bedell:** Mari, again, that's a good question. Historically, this board has told us, and I've been frequently involved going back because other board members came or choose not to, that we are interested in IDEA. We have collected the data on how badly the districts are treated, because they're not getting the up to the 40%. We chose that.

**Barke:** Right.

**Bedell:** And we've chosen to advocate for the forestry money.

**Barke:** Right.

**Bedell:** This board has been involved in those decisions.

**Barke:** Okay. What about decisions regarding 1505?

**Mijares:** Yes, you could have given input. I don't know where you would stand in terms of competence level on an issue that was potentially split voted across the county, let's say. Perhaps one of the things we can do is have a study session, or do some kind of a meeting where we talk about priorities at the beginning of the year.

**Barke:** I think it would be.

**Mijares:** What are priorities? How do we find ourselves in the same side of the fence

on these issues?

**Boyd:** Historically, the county superintendent as an elected, and the board as an elected, have not always taken the same positions on legislation.

**Barke:** Clearly.

**Boyd:** I think that's important for you to know. In terms of sending information, the votes and the resolutions, and the things that the board requests to the different offices and so forth. The board could certainly provide testimony, or they could request that that testimony be read by one of the lobbyists that we have. They would be speaking on behalf of the board; they would be speaking on behalf of the superintendent. Some issues, one party is silent on, and the other has made a public statement or done something. In areas where, like Dr. Mijares is saying, where there's agreement.

An example of agreement for both county board and the superintendent has been State Building Funds. We were trying to lobby for additional proposition funding statewide to ensure that we'd be able not only to build facilities for our program, but also the districts would be able to access funding. As you recall, county offices are 100% state funded. Districts only get a 50% share, but that's an example of an issue where the board passed a resolution. The superintendent also certified that he supported that, and they went out to the state.

There have been issues where the board has had legislation that they clearly either supported or did not support. They wanted that information relayed forward and it was passed through. Some instances, superintendent was silent on, and others there was definitely different sides of it.

**Barke:** If we're approving monies for the lobbyists, I feel like I want to be involved. I don't know if a couple of us on the board would want to be involved, but I know in particular we've passed a resolution against 1505. There was a lobbyist who talked on behalf of Dr. Mijares in favor of 1505. I just would like to know how we decide what we spend, and what we say, and what we do.

**Mijares:** I think that this is a good discussion and we should perhaps, if you want to talk today, we can do it today, whatever.

**Barke:** Just because we're talking about the budget -

**Mijares:** Yes.

**Barke:** - I know there's money -

**Mijares:** Let me say up front that as it in life, we don't always agree.

**Barke:** Absolutely.

**Mijares:** You may not always agree in the same home. It doesn't mean that there is a lack of love or unity. It just means that we are very divergent. The barometer for me largely relates to the county as a whole. If you think of the emanation of county offices and what are we supposed to be doing, we're supposed to be supporting our 27 school districts and the nine community colleges that we have. If the consensus among those groups is a certain thing, I'm going to be very sensitive to that, because

my job is to help them. In theory, your job is to help, I think it is, to help the other board members in those 27 school districts.

**Barke:** I feel like we're here because of the constituents that elected us. That's who we're supporting, but you're also elected.

**Mijares:** Correct, and I believe that I am beholden in the constituents as well, and those other districts are constituents. It may be like, for example, this could play out in a host of things from accountability to how employees are treated, the rights of employees. I've been in situations where some board members wanted to take a hard line approach in a certain area, which I've diametrically disagreed with, because I didn't believe that that was in the best interest of the county as a whole. We all know that there are issues right now pending with respect to charter schools, and there's various opinions out there.

I don't support all of these laws that affect charters, but there's parts of the law that I may support, for accountability purposes when it comes to the academic attainment of our students. I may say the way it is right now, it needs to be tightened. There needs to be more transparency, so I'm going to have that position and that position is mine, solely. I think it's also reflective of the consensus of our superintendents, and even our community college presidents and chancellors. That's the pressure that I bear, but I don't mind at all, of course, us having discussions, so that we can come to at least a common understanding of where this person is coming from, so we don't make assumptions.

**Sparks:** When you mention transparency, and of course, we need transparency with the budget.

**Mijares:** Yes. I told you that.

**Barke:** That's what I'm trying to figure out is how do we decide what our lobbyists say, and you won't them to say yes on 1505? I want them to say no on 1505. We have philosophical differences which is what makes the world go around, which is wonderful.

**Mijares:** Right.

**Barke:** But how do we decide as a superintendent and a board who are both elected, what they say? How do we do that? I feel like there should be some input from us before I hear somebody saying, "Oh, Dr. Mijares is for 1505."

**Sparks:** How often do you guys meet with the lobbyists?

**Mijares:** We meet with our lobbyists once a month on average.

**Sparks:** In person?

**Mijares:** Perhaps eight to ten times.

**Sparks:** In person?

**Mijares:** Yes.

**Sparks:** I think we would just have same kind of access in person.

**Barke:** Or to do it together? I think maybe all of us should be at the table, and negotiate what we want because maybe you want one thing and we want another -

**Mijares:** Right.

**Barke:** - so we just stay out of it or just come to some compromise; something. That would be my wish.

**Sparks:** I think to have equal access in person is important, because just to send a memo is not the same as meeting in person.

**Barke:** I just would like to know what we're doing before I hear it publicly.

**Mijares:** I agree. I think it's a great idea, and whatever model that you choose to impose or talk about, I'm certainly open-minded to go -

**Barke:** Okay.

**Mijares:** - do that.

**Barke:** I think we could jointly get together on it. Thank you.

**Williams:** Okay, just real quick. We need to give public kudos to our good Trustee Bedell, for all the hard work he has taken in the last decade on the IDEA and the forest funds. That was primarily your baby, and you did a Herculean task and effort to keep that going. I tip my hat to you, sir.

**Bedell:** Thank you.

**Williams:** Thank you. Real quick, on the acknowledgement of collaboration with our good superintendent, I think that's very important. I believe what really was a surprise was I got an email, and again, I cannot tell who the email came from, but it was a video of Mr. Frost saying on behalf the superintendent that he supported 1505. That came about the same time as this board publicly took a stance to oppose it. That email also included, documentation that there is a collaborative effort done by the school districts, the superintendents, and school board members to write a letter in favor of 1505; that was said to have come from this department.

I think collaboration; I think openness sun shining the process is important, having equal access that Trustee Barke and Sparks refer to. I think that would be very helpful. That's it. Just real quick, Renee, again, my question. If I can take out \$100,000 or \$200,000, where would you take it out of?

**Hendrick:** You'd have to actually ask the superintendent.

**Williams:** Where would you take it out of, sir?

**Hendrick:** Well, there are funds available, so I guess they would be the decision of the superintendent on what is removed. We're pretty conservative in our budgeting –

**Williams:** What conferences or travel? Do you think we can reduce that?

**Mijares:** Well, I can respond to that. The problem with just summarily reducing it might jeopardize people doing their jobs., A lot of the money that we get requires them to travel for professional development purposes there's meetings held in Sacramento. Despite the fact that we want to cut our ties with Sacramento, I'm not saying I would, but some people out in this big world would. We're still beholden to our state agency and our state officials.

They've been elected and they're actually, I believe, they're ordained to do that work, and we are beholden to them. If here is a grant that we get or there's some funding source that demands travel, then you just can't say, you can't do that. I don't know how to attack a particular travel budget. I think it's already pretty bare bones right now. If you really study it and look at it, we could defend every spending decision that we've made me respect to travel.

**Sparks:** We could cut the lobbyists.

**Williams:** Cut the lobbyists.

**Mijares:** The problem with cutting the lobbyists, it was mentioned earlier, that we had a full-time employee, Mike Kilgore, that did what -

**Gomez:** Probably much more than what costing -

**Mijares:** - than what Jeff was doing. We paid probably double, double-and-a-half his salary to do the same work they're doing, and they have a different entrée. They have different relationships on the ground in Sacramento, and they're very experienced lobbyists and they know how the system works. It's like with anything else in life, if you're not aware of the details and able to navigate that, it makes it very hard to get to an outcome. A lot of decisions are made, I think, in a capricious manner. They're not made in a manner in which I believe really supports the classroom. To have somebody who can advocate for us is necessary.

**Barke:** What is our annual expenditure on lobbyists? What is the, roughly? It doesn't have to be the dollar.

**Hendrick:** I believe it was \$108,000 for Jeff Frost, and then I think it was 50 -

**Bedell:** 54; 57.

**Hendrick:** I can't remember, I'm sorry.

**Mijares:** But that includes travel.

**Hendrick:** That includes their travel. We don't pay them extra for their travel, that's included as part of theirs. Part of that is also is for them to meet with OCSBA, for Capital Advisers, those type of things. In years past, Capital Advisers actually helped sponsor legislation with us if we were sponsoring a bill. We had done some stuff for the juvenile court schools.

**Mijares:** One example, maybe you can explain about Sunburst; helps us with legislation.

**Hendrick:** Helps us with legislation or helps us get meetings with the legislators to help expand that program. I think actually, Dr. Williams, you had worked with some of the legislature a few years ago on radios to register radios. I think it's different every year. There are a ton of bills that are tracked that are aside from where your guys' position is. There's some very big things out there right now that have very negative impacts on us as a school district, or as an employer in general in California.

Those are the type of things are helping us. They also send out education management groups in this the state which we wouldn't have access to that avenue in hearing what everybody else is doing if we didn't have a lobbyist. That's not something one of us could just go sit in.

**Barke:** Typically, the meetings are held locally, or it's us going to Sacramento to meet with them?

**Hendrick:** With Jeff Frost, they're here.

**Williams:** Real quick on Objective Code 5230 when we have a restricted and unrestricted amount there. In the unrestricted travel and conference fees, that's almost \$700,000. What I heard is that there's no room to reduce that?

**Hendrick:** That would be Dr. Mijares' call, but I think we're pretty frugal, anyway. Unless you have a specific interest, you're traveling for or a specific conference, you're probably not having that budget anyway. I know you're looking at that \$700,000 and looking at the size of our budget. It's actually probably lower than a normal school district when you're looking at that travel.

**Boyd:** I think the other thing that's important to note is this county is very well respected in terms of the leadership and the employees that work here, because of the involvement not only locally with the districts, but the understanding of programs and so forth. We're frequently called to participate in hearings or meetings. The California Department of Ed., STRS and PERS Retirement Systems. They may have work groups. From the standpoint that individuals from our office are included in those conversations or invited to participation goes a long way.

From that standpoint, my concern would be to limit the capacity for people to be able to, as Dr. Mijares said, do their job, but more importantly, to have representation from this county at those meetings, to be able to ensure that our voice is heard, and our interpretation of whatever it is. In terms of potential new regulations and so forth, we had a huge presence, because of changes that were going to occur in the State Building Program in terms of auditing and accountability and so forth. We were invited a seat at the table with auditors, state legislators and so forth. That was not something we would necessarily know in advance. It's regulations that now they're looking at pursuing, and then they're calling upon us to participate in those types of things.

I think when you say if there's some wiggle room, some of that wiggle room is anticipation of the unforeseen. We don't know what that might be. That could be less than 50,000, it might be more than 50,000, but that travel is also not reimbursed by the state. From that standpoint, we pick and choose the things that we think are important to participate in, but we also think it's important that this office has leadership in those areas.

**Williams:** In the capital outlay, can we delay refurbishing some of these things out of the \$4.3 million that's budgeted?

**Hendrick:** A lot of that is the site infrastructure we've talked about. A lot of our sites are very old when you get to our school sites. As we move to those bigger sites and try to make room for career tech buildings and things like that. We're adding in some of the improvements that would be needed is what you're seeing there. A lot of our major expenses for this property are actually coming out of Fund 14, which is Deferred Maintenance. If we had to, yes, you could delay some of it, but it impacts our student programs. We have the funds available. When we looked at decisions for consolidation of this to structurally fix the program, we're looking at a one-time cut and looking at what structurally puts the program in the right area.

**Williams:** The reason why I asked the question for the capital outlay for replacement of equipment and things like that. In the CHEP site closures, I heard from many of the parents there that the desks and all of the furnishings were not going to be transferred to the new site. That they're just going to be disposed of, and that there's going to be new furniture purchased for the new site. Is that correct?

**Hendrick:** We are looking at purchasing furniture for almost all of our sites, yes.

**Williams:** If we have current furniture that may not be the best, the newest, and the brightest, can't you save a little money there by just transferring and keeping those?

**Hendrick:** It doesn't change the deficit issue. That's the part I'm trying to understand. The consolidation is an ongoing structural issue. It's not just a one-time fix. You cannot buy furniture next year; maybe you use all our furniture. It doesn't help the program year after year when they have a structural deficit.

**Williams:** I'm not asking about changing the program. I'm just saying, can we save a little money out of this budget, and on how much money we budgeted for new furniture for this new site, but we have furniture right now. Why can't we use it?

**Mijares:** One of the issues that we sometimes find is even in districts where you have a need to, because the budget is precarious, and they can't leave their annual obligations. They start to reduce staff, so it's possible to be reducing staff while you're buying new furniture. The public gets these mixed signals. How can you be letting all these people go and buying furniture?

Well, sometimes it's because the money is restricted; it can't cross over. It has to be used only for equipment and furniture, but that's a tough message to give to people, and I understand that. I don't know if any of this money, where it stands, if it can be withheld temporarily, but the reality is you can't commingle money. We have to look at how this money is being addressed right now.

**Williams:** My simple thoughts are that I don't know how much the furniture costs are anticipated, but we can save the current furniture and put it into the new site and save a lot of money; maybe keep a site open. That type of thinking, thinking outside the box, that process.

**Hendrick:** It's not just the site facility, Dr. Williams, it's also the administration, you've got facility, the utilities, the staff, everything else. As it stands right now, those

sites, if they stay open, are only going to have a handful of teachers. Then, you still have to have a secretary and everything else. It's not going to have the same robust feel they've had. The thought of the consolidation is going to where you can provide more services and have more things available to people which you can on a larger scale, that you can't when you have such a small scale. I think that was really the thought behind that consolidation.

**Williams:** Well, I am done with the questions about the budget. Any other questions for my board? I was advised by our good associate superintendent to move on, because we have a public hearing with LCAP and it's going to be the president's decision here to take it out of order. We're going to go with #5 next, which is a public hearing for the LCAP, and then we're going to hear from Dr. Hittenberger on #4 afterwards. Jeff, you're on you're on deck here.

**Boyd:** Ana Kredel is our chief of special education services, and she's going to conduct the public hearing prior to Jeff doing the LCAP.

**Kredel:** Good afternoon, President Williams and the members of the board. At this time I'd like to open the public hearings and invite any members of the public to comment on the local control accountability plan, LCAP, for the Orange County Department of Education.

**Boyd:** I will call up the first. I have several individuals who'd like to speak to this. The first is Honorable Craig Arthur. He's a juvenile court judge.

**Williams:** You're too young to be a judge.

**Arthur:** Thank you.

**Audience:** [Laughter]

**Arthur:** Is this recorded?

**Williams:** Yes, it is.

**Arthur:** Good. Good afternoon. My name is Craig Arthur. I'm a juvenile court judge in our local juvenile court. I'm appearing on behalf of our juvenile presiding judge, Judge Motoike. We just want to indicate that we are proud of our partnership with OCDE, the leadership of OCDE, Probation, and Social Services Agency. They work hard to continue to improve coordination of services for our foster youth to ensure that academic outcomes of the foster youth remain a priority. The collaboration between OCDE ACCESS special schools and local school districts has continued to increase school stability and graduation rates among foster youth in Orange County.

In addition, the liaison role of the foster youth services manager to the court is very valuable as it allows us to address educational questions and issues and situations that arise in court immediately, which helps our youth and families. As juvenile court judges, we are statutorily mandated to review the youths' educational issues at each and every hearing, so it is of vital importance to the court that we get the information from the various stakeholders who are involved. In addition, the juvenile court's

excited about our collaborative courts. We have a team court that's been in operation for several years.

We work with our very difficult boys and girls who are in the foster youth system being moved around, and a lot of them are what we call crossover youth. They are juvenile delinquents as well as juvenile dependents, so their issues are vast. We also have a grace court which addresses our commercially sexually exploited children, and then we have our new youth development court which is transitioning youth who have been in custody, in juvenile hall, or YLA for a long period of time.

And as they move out into the community we're trying to assist them with lots of services as they make that transition. So, I just want to thank the board of education and the Orange County Department of Education, for continuing to make foster youth a priority in the proposed LCAP that I think you'll hear after the public hearing. Does that mean my time's up?

**Boyd:** When it turns red.

**Arthur:** Should I keep talking?

**Audience:** [Laughter]

**Boyd:** Only if you have something else to say.

**Arthur:** Do you want to talk about budget issues?

**Williams:** You're an attorney, right? You passed the bar.

**Arthur:** I passed the bar.

**Williams:** So, you're really good at talking.

**Audience:** [Laughter]

**Arthur:** No, but it's red now, I think.

**Audience:** [Laughter]

**Williams:** Thank you for what you do, on behalf of board and the superintendent. We so appreciate what you do.

**Arthur:** Thank you.

**Boyd:** Thank you.

**Arthur:** Have a good day.

**Boyd:** Scott Burdick.

**Burdick:** Good afternoon. My name is Scott Burdick. I'm a deputy director at Orange County Children and Family Services. And, as I have worked for the agency for over 24 years now, looking at some of our most traumatized and vulnerable youth, certainly the partnerships that we have is really what makes the difference with all of the work that we do, and we're incredibly proud of the partnership that we have with the Department of Education.

And as we continue to implement our Continuum of Care Reform and have the focus on placement stability for youth, the colocation of foster youth services that are placed with our coordinating team and the social services agency are definitely instrumental to improve the communication and coordination services of our foster youth. So, the

collaboration that we have with OCDE ACCESS special schools in the local school districts has made a significant difference in supporting the educational needs of our youth and foster care through their school stability, and working to improve their academic outcomes.

As we focus on the school stability, the foster youth services coordinating program countywide and ACCESS teams have partnered with the social services agency staff, and the school districts to coordinate these services for the youth that are placed at Orangewood Children and Family Center. And to help with the coordination to ensure that the youth are able to remain in their school of origin when appropriate. We would like to definitely thank the board of education and the Orange County Department of Education, for continuing to make foster youth a priority in the proposed LCAP. We're excited to continue our work together to improve the outcomes for these youth. Thank you.

**Boyd:** Tawnya Medina.

**Medina:** Good afternoon. I'm Tawnya Medina. I'm a division director with the Orange County Probation Department over the juvenile supervision division. I'm here today to speak on behalf of our Chief Deputy, Bryan Prieto, and represent probation's partnership here with the Department of Ed. Probation is proud of our partnership with the Orange County Department of Education. Our relationship with the ACCESS program continues to be strong and beneficial to our youth. The restorative practices work that has been instrumental in helping to defuse conflict and help the youth and develop skills that help them academically and in their lives.

Many youth on probation have participated in the 2018 Summer at the Center program, and we're looking forward to the youth that will be participating this year as well. When you leave the juvenile court schools, the transition work to ensure youth are in the most appropriate school is an interagency collaborative effort designed to decrease juvenile recidivism and maximize success.

The communication between probation and OCDE continues to grow, and puts children and families first by ensuring any system challenges are addressed and overcome through a trauma-informed lens. Probation would like to thank the board of education and the Orange County Department of Education for continuing to make probation youth a priority in the proposed LCAP. We are excited to continue to work together to improve the academic outcomes for our youth. Thank you.

**Boyd:** Janey Perone.

**Peron:** Good morning. Hi, my name is Janey Perone. I'm a little shaky so forgive that. My son, Zachary Neighbor, attends ACCESS in the Placentia/Yorba Linda School District. My kid's amazing and he's had his challenges. More than three years ago, we were going through a domestic violence situation, and his dad was in jail for possession. Zach decided to stop going to school, and my efforts to get him to go to

school were not working. I was failing, and I was hopeless and helpless. I just want to let you know how ACCESS has changed our lives, and the people that we have encountered along the way are amazing.

During the time that we went through the probation system, they gave him a chance. They let us talk. He started going through the contract. This is how the LCAP has come into our lives. The allocation of funds has allowed ACCESS students to have mainstream high school benefits, and what I mean by that is the kids that are going there feel chastised, because it's a special school. So, therefore, they feel like they're not getting the same kind of benefits that would be in a mainstream. The funding has provided counseling, individual counseling, whereas in this case an at-risk child needed to speak to a counselor; came to the school. That was huge for him.

It also provides daily access to computers, guest speakers, career motivation, field trips to visit colleges, and to also to volunteer work. He's taken driver's ed., college classes at Fullerton College with the extension, and was assisted with his college funding applications. A couple of years ago, he was selected to go to the Summer in the Center. That was a phenomenal thing. That is one of the best programs ever, because he's a gamer and he couldn't be that. They taught him, brought him out, polished things in him that he didn't have before, or maybe he had before, but he just wasn't able to access them.

Very quickly, I know I'm being timed, the funding for transportation is my big issue, because without funding for transportation for the children, the school – I know. Can I continue? – The parents can't get their kids to school. I'm a single-income Mom. I would get up and go to work with the expectation that my son was going to find a way to school. Without having the school bus tickets, there's no way he would have been able to do that. However, they're given out at one day at a time. What that means is if it's a long weekend or the person that has quite a few of the bus passes that are needed, that the children can't access them.

**Boyd:** Your time is up.

**Peron:** I'm sorry.

**Boyd:** Thank you. Jorge Ramirez.

**Ramirez:** [MR. RAMIREZ UTILIZES A SPANISH INTERPRETER]

**Interpreter:** Ladies and gentlemen, good afternoon. I would like to ask cordially the superintendent and all his board if you can continue supporting all these fabulous programs, ACCESS programs, so all these programs can help students be away from the streets and from gangs? This way, students can continue to go to universities and colleges to pursue their education. Also, I would like to thank you for the support, because I also had a child there in the ACCESS program, and now he's doing great in college. I also would like to ask for all the rest of the students that are not doing well, because I really love this country and I would love that all students are challenged right now.

They can become very good professionals, because the same way I love this country, I will love for the students to be great citizens. I'm really grateful with this country the United States of America, because I would like to pursue for all of them to continue being strong. Ladies and gentlemen, thank you very much for listening to my words.

**Boyd:** Marta Ramirez will be next. Maria? Is it Maria?

**Ramirez:** [MS. RAMIREZ UTILIZES A SPANISH INTERPRETER]

**Interpreter:** Good afternoon, my name is Maria Ramirez. I would like to ask you if there can be more continued programs for bullying and for drugs? Because my son was exposed to a lot of bullying in school, so he was recommended to transfer to ACCESS. Luckily, ACCESS provided us a lot of support and my son was 18 years old and luckily, he had good grades, so now he's fortunate to be in college. Everything because of all the support ACCESS has provided psychologically to my son, and also to us as a family.

Now they are providing us a program that is called Positive Discipline. Also, we need a support for parents so parents can learn from their students. There's not bad students, they're just kids that do not have a good orientation. I would love for you to continue the support of ACCESS. I'm from Anaheim, I love kids, and I feel that kids are the future. Thank you.

**Boyd:** Martha Martinez, and she will be our last speaker.

**Williams:** And for the next few moments, trying to meet requests by board members here, are there any cards polling for item #7 public hearing on the Preparatory Academy?

**Boyd:** I do not have any for CCPA.

**Williams:** Okay, because if it was, I'd probably want to help them out here. This will be our last one, and then we're going to go into closed session, and come out and we'll take the remainder.

**Boyd:** Martha, you ready?

**Martinez:** [MS. MARTINEZ UTILIZES A SPANISH INTERPRETER]

**Interpreter:** Good afternoon, my name is Martha Martinez. I'm a mom of an ACCESS student. I am very grateful with this school and with all the teachers of this school, especially with Ms. Ochoa. She's my daughter's teacher and with Ms. Griselda. They have provided us a lot of support. My daughter suffered a sexual abuse. When she came to the school, she received a lot of support. I thought I already overcame this, but I'm realizing that I'm not. For me, it is very important that there's more support provided in this school. She was in her district school and she received a lot of bullying from her teachers and from her peers.

Thank God we found this school where she has been improving through therapy and the help of all the teachers. It's been a year from this and it's been very painful for us. But, thank God all these people are receiving the punishment that they deserve. I'm

not going to have enough time to say thank you to all the teachers and all the support that I have received, because my daughter's really succeeding. Thank God for all of you for having all these programs.

I ask you to provide more psychological support, for the students, so the kids can learn about not using drugs, and support for the teachers. The teachers really help their students to move forward. Thank you very much. I would like also to request that you can continue with the Positive Discipline classes with Mr. Tony Orozco. He's a very easy very good benefit for the school, for the parents, and overall, he helps our students. Thank you, and I'm sorry.

**Audience:** [Applause]

**Boyd:** Close the hearing.

**Kredel:** Hearing no further comments, this hearing is now closed.

**Boyd:** Thank you.

**Williams:** [STRIKES THE GAVEL ONCE] Thank you very much, Analee. The board will be in closed session, and then we will return after closed session to complete items #4,6,7,8, up until #16. The board will be in a closed session.

**[PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF THE CLOSED SESSION. UPON RETURN FROM THE CLOSED SESSION, PRESIDENT WILLIAMS STRIKES THE GAVEL THREE TIMES TO SIGNAL THE CONTINUATION OF THE BOARD MEETING]**

**Williams:** Okay, the board of education is in order. We are in an open session now, and we are reporting out of our closed session meeting with closed session #1 existing litigation with the good superintendent. Mr. Brenner, will you officially report out?

**Brenner:** Yes, thank you, Mr. President. The board met in closed session for an update and discussion regarding the litigation between the board and the superintendent. The board took action on our fee statement for April time and approved it. The vote was 5-0 in favor. Other than that, no action was taken.

**Williams:** Thank you, sir. Okay. So, as I referred to earlier before we went into closed session, we're going to go to our time certain. Number 10 has been taken off of our official agenda and we'll be going to inter-district appeal case #11 with the Tustin Unified School District. That is closed session, so for our good citizens and public over here, thank you for showing up and caring.

**[THE AUDIO RECORDING PROCEEDS WITH VARIOUS COMMENTARY, THEN PRESIDENT WILLIAMS CONTINUES SPEAKING]**

**Williams:** Into inter-district appeal hearing and it is an open session. For the record, Trustee Sparks and Bedell were unable to remain with us, so they are absent at this time. Donna?

**Severs:** Thank you. Good afternoon, President Williams, members of the board, Associate Superintendents Nina Boyd and Renee Hendrick. My name is Donna Severs, interim coordinator in Learning Support Services. This is an inter-district appeal hearing for Alyssa Roberts Barrera who will be in the fourth grade for the 2019-2020 school year. The date is Wednesday, June 12th, and it's 2:34 p.m. This is an open hearing. The circumstances of the appeal are as follows: On April 22nd, 2019, the Buena Park School District upheld the denial of the inter-district transfer request for Alyssa to attend George B. Miller Elementary School, a school in the Centralia School District.

The home school for Alyssa is Corey Elementary School in the Buena Park School District. The reasons for the inter-district requests are in your materials. Also, the procedures have been provided to all parties. Therefore, we will waive the reading of those procedures since all parties have had a chance to review them. At this time, I would like to introduce the participants of the hearing. Representing the family is Wendy, Robert's mother. Representing the denying school district is Lori Smock, director of special services Buena Park School District.

Also in attendance, Jeff Riel, general counsel for the Orange County Department of Education, Gregory Rolen, legal counsel for the board, Darou Sisavath, executive secretary for the board, Lorena Rodriguez, administrative assistant, Student Support Services, Mayu Iwatani, manager Student Services, and the staff from our media department. The county board has thoroughly reviewed the packets of documentation that the parent and the district submitted. Each party has the procedures in front of them and the allotted time frames for each party to speak. The lighted timer being utilized in front of Ms. Sisavath on the dais. Representing the student, Mrs. Roberts, you may address the board for up to three minutes.

**Roberts:** Hi, I am the mother of Alyssa Barrera and I'm trying to keep her in the Centralia School District to continue her education at George B. Miller. We live in the Buena Park School District. She's supposed to attend Corey Elementary. The reason that she does not attend Corey is, because of my husband and my work schedule. We start our workday at 5:00 a.m., so we have to drop her off at our babysitter, Tanya Aguilar, at 4:00 a.m. in order to make it on time to work. I work in Century City and my husband in Laguna Hills. We have been asking for a transfer for her since she's she started the first grade. We don't understand why we got rejected.

Neither my husband nor I can afford to quit our jobs in order to stay home and be a stay-at-home mother, and be able to take her to Corey. I need for her to continue her education at George B. Miller. I know that Buena Park School District has babysitting options, but at 6:00 a.m., that unfortunately just doesn't fit in our schedule. We're a family of five. It's impossible for one of us to quit her job. Buena Park School District wants us to keep her with them for financial issues. They don't want to lose her because of that. They cannot provide babysitting at the hour I take my child to a

babysitter. So, please allow my child to stay in the Centralia School District. This has been a very stressful situation on us. Thank you.

**Severs:** Thank you. Representing Buena Park School District, Ms. Smock, you may address the board for up to three minutes.

**Smock:** Lori Smock, Buena Park School District. Thank you so much board, cabinet, for your time and parent for being here. I know this is stressful for everybody, but we'll get through. I want to review my statement because I think it best captures what it was is the crux of the issue for us. Ms. Roberts has requested an inter-district transfer, 2019, and because we felt that we could address the childcare needs as well as the other needs of the child, we did deny that transfer, as well as our appeals committee, and our school board supported that as well. The first request was in 2015 for an older sibling.

We did release that son and allowed him to complete his third grade year, only returning in 2015-2016. This would allow family to make necessary childcare arrangements for the coming year and give them that courtesy. They applied February 2016, for two children to be released citing the same reason. It was denied by the child welfare attendance officer, but then it was reversed by our appeals committee who heard their concerns and were moved by them. Again, they were released for a single year, 2016-2017. That compassion from prior year locked us into a forced release, if you will, for the district for multiple years.

2017-2018 would have been more than enough time for family to find alternate arrangements or accommodations, but it was a final year for the older sibling. So, again, he's released for his final year, then the sibling as well because they would remain at the same school. So, by this time, we feel that it's absolutely time for the children to return to Buena Park School District, because we've given already a combination of 9.3 years to the family to kind of accommodate all of these. One of the things that we have to consider is as we were all releasing families, not only the impact to the single-family but the effect to the district as a whole, because these decisions do affect everybody.

I think the crux is that childcare, and the district has a bus stop to the school, bus distance or shorter distance to the childcare provider. Then they would go to Miller school. So, we could transport the child to a stop closer to her sitter where she could remain at the same sitter at 4:00 a.m., then Miller School. So, I think that really accommodates everybody. She can return to the Buena Park School District, we would provide transportation and she remains at the same sitter. So, I think that accommodation really addresses all of those needs and allows us to retain the students of our city.

**Severs:** Thank you. Ms. Roberts, you have up to two minutes to make your closing statement.

**Roberts:** Well, I understand where they're coming from that we've been asking for the transfers, but it's just the thing is I don't trust anybody, and my babysitter, I have trusted for many years. She's taking care of my children. They go to George B. Miller, so does her children. I just cannot quit my job to take my child over there to Buena Park School District. I just cannot, it's just impossible.

**Severs:** Thank you. That concludes the presentation for the parent. Ms. Smock, you now have up to two minutes to make your closing statement.

**Smock:** Super protective parent as well. I was a member of a church for nine years, and would I leave my baby there? No. It took me about six months to work up to this family I'd hope to leave my child. So, I absolutely can understand where she's coming from. While we don't always feel that's a district responsibility in this point, we are so happy. We cannot provide childcare at 4:00 a.m. We cannot, but we have a solution that we feel will allow her to keep her 4:00 a.m. childcare, keep working because we absolutely know that there is a need to work and support a family, but also attend the Buena Park School District.

Even though her sitter is not necessarily in our district or on our route, we happily will transport to her current sitter, so that she can remain with that sitter that she trusts. She can maintain working, but she can also attend the school in Buena Park School District. We're hoping that that will kind of accommodate the issue, but accommodate the school district as well. We currently release...we're on track this year at about 50% of all requests. Even in declining enrollment, we continue to release based on the individual needs of families because it matters. That's what that appeal is for, so we can hear your voice, we can see your eyes, and we can really think out of the box.

How can we make this work? If we can, we want you to stay with us. If we can't make it work, we will let you go. But in this instance, I think we have a great opportunity not only to make this work but to begin a long-term relationship with this family. We're eager to do that.

**Severs:** Thank you. That concludes the presentation for both parties and completes this portion of the hearing. President Williams, you're now in charge of the hearing.

**Williams:** Yes. I'll turn to my left. Trustee Barke?

**Barke:** How many years have you had the babysitter that you're using for your childcare?

**Roberts:** About three or four years, but I've known her for a long time, though, before this. I used to have another babysitter, but she, financially, is the reason she had to go back to work, but Tanya volunteered to help me.

**Barke:** And you have concerns with the bus pickup near the house and –

**Roberts:** Well, yes, because I have to go to certain way. I have to go to Century, my husband to Laguna Hills. There's not going to be somebody there waiting for the bus to come and pick her up when I still have to go back to Tanya, because I have a baby

that's four months old, then I have to drop off my son. And then I would have to hop on the freeway. You know the 91 is bad, so it's just not convenient for me.

**Barke:** All right, that's all I have.

**Roberts:** Thank you.

**Williams:** Trustee Gomez.

**Gomez:** Just to clarify, to the district. According to what I read, and I think you mentioned this, that you gave the first release back in 2015-2016. Correct?

**Smock:** Yes.

**Gomez:** Okay. So, that's been what three school years now?

**Smock:** 2015-2016, 2016-2017, yes.

**Gomez:** Okay, that was what I was doing, too.

**Smock:** Yes.

**Gomez:** To the parent, now. When you got the first release, the paperwork that we have indicates that it was for that year only. Given that information, that would have given you the opportunity to seek other arrangements if needed.

**Roberts:** So, I became a supervisor to work early in the morning. I've always been working early in the morning. I just cannot. I worked so hard to be where I'm at, so that's why every year I continue to get a transfer. The only reason that we started the transfers was because I moved. I used to live on Panama Drive, which is even closer to George B. Miller, but I moved closer to the 91 freeway. So, that's where the issue came where I had to get these transfers.

**Gomez:** Okay, back to the district, then. The bus options, and I know you've been flexible, I know, when something else that came before us -

**Smock:** Sure.

**Gomez:** - with the buses. Let me clarify that so that, I think, we're all on the same page.

**Smock:** Sure.

**Gomez:** What you're suggesting is that Buena Park can provide a bus to transport the children from the current child care provider to the Buena Park School.

**Smock:** Absolutely.

**Gomez:** Okay, so, to the parent. When you indicated that it would be difficult for you to go here and there, whatever, you're not doing anything different. You're going to the same child care provider.

**Roberts:** I understand. The thing is, Tanya has to leave her house to drop off her kids to George B. Miller, and there's not going to be nobody there. That's an issue right there. I can not tell her, "Oh, you have to wait and take your kids late to school because, they're going to come and pick her up."

**Gomez:** But I think that's probably something that you could work out with the district as far as that pickup time, so that meets the needs of your family, as well as getting your children to school on time. Ms. Smock, is that a reasonable assumption?

**Smock:** It is. And because the school's do begin at similar times, a bus stop would have to be early enough that if she were walking her own children to school, it would

be reasonable to think she can stop on the way when the bus picks her up and gets her kids to school at a reasonable time without -

**Gomez:** Okay.

**Smock:** - rushing.

**Gomez:** All right, thank you. That's all I have.

**Williams:** Wendy, thank you for being here, and thank you, Lori, You're very professional and very graceful; wonderful job. It's very difficult in these circumstances. Mrs. Roberts, you get up and have to leave the home at 4:00? Okay, and when you leave the home, you and your husband kind of leave at the same time, approximately.

**Roberts:** Approximately, yes.

**Williams:** And then, you drop your child off at your childcare, your friend, and from there, does the babysitter bring the child to the school?

**Roberts:** Yes, they stay there, they sleep a little bit, they get dressed there, and then they go with her.

**Williams:** Okay, and then when school's over, they take the bus to the bus stop and your babysitter gets them at the bus stop and take some home?

**Roberts:** No. What happens is my older son goes to Walker, so she has a daughter that goes to Walker, so she takes them first because they go in much earlier. And then from there she takes them to George B. Miller, then she picks them up and then she goes and gets them at Walker, then she comes back home.

**Williams:** And how old is your son?

**Roberts:** My son? My son's 12. I know he could walk by himself, but I just, I'm sorry, I don't let him walk.

**Williams:** I'm a parent, too. I understand. So, what you're thinking the district can do with transportation is what?

**Smock:** Because transportation to the parent's home is of no benefit, because there is no transportation at 4:00, nor child care that we could offer her at 4:00, that what we could do because maintaining that original sitter is important, and in this case we're able to accommodate that. We would then dispatch a bus to the sitter's house. We have a stop for that school that is just a tiny bit closer to the sitter than Miller school. I believe it was .1 mile. It's very close to her, so I don't think it would be a huge imposition, because I know she's running around, but she can arrange to maintain her original sitter. We have Kid Connection; we have ASES.

ASES is a free program from Cal State Fullerton. If picking up at that bus stop is not convenient, the ASES program is no charge. She can remain there until 6:00 and then be bussed to that same stop where the sitter can pick her up. If she wants a different type of program, we have a Kid Connection program, but that is a fee-based program, which is probably not going to fit, but we can make both of those work to help accommodate their schedule so that the sitter still would gather that child after school until a parent was able to receive them.

**Williams:** So, what time would the bus pick up their child in the morning?

**Smock:** So, if school begins typically at eight o'clock, I'm guessing it's going to be between 7:00 and 7:30.

**Williams:** Okay, but that's like .1 miles away from the babysitter. Is that what you're saying? This bus stop?

**Smock:** Her sitter? Yes, it's extremely close to the sitter.

**Williams:** Okay, and from there, the child goes through the rest of the bus stops, picking up other children, goes to school, then would return to the same bus stop?

**Smock:** So, there's some options. She can return immediately after school to that same bus stop by the sitter's house, not by the family's home.

**Williams:** Right.

**Smock:** If that's not a good time because she's got a number of stops that the sitter makes for the other children as well, we have an after-school program through Cal State Fullerton that is no charge to parents. She can remain as late as 6 o'clock, even, and then bus to that same stop by the sitter's home. So, that way a parent wants to, and I don't know what time she gets off of work, but if it's 7:00 or 8:00, our Kid Connection is open until 7:00 p.m. at that site to accommodate working parents, but whatever works best for her, we're willing to be flexible. We're just trying to offer as many options as we can because we find this very workable.

**Williams:** Okay. So, Mrs. Robert's, you get off work at what time?

**Roberts:** I get off anywhere from 1:30 2:00 -

**Williams:** Okay.

**Roberts:** - in the afternoon.

**Williams:** And you're in Century City?

**Roberts:** Yeah, but by the time -

**Williams:** That's a two-hour drive.

**Roberts:** Exactly. So, you know what time I come back.

**Williams:** It's about 3:00, 3:30.

**Roberts:** Maybe sometimes 4:00.

**Williams:** 4:00. Okay, and you go -

**Roberts:** Remember my husband, also. If he comes before me, he picks them up.

**Williams:** I see.

**Roberts:** So, we just call each other; whoever.

**Williams:** Okay, one of the parents will pick up the child at the childcare home, and what would be the problem with that, what Ms. Smock proposes?

**Roberts:** Well, I don't want to be an inconvenience for my babysitter.

**Williams:** Okay, so your babysitter's inconvenienced?

**Roberts:** It's not that. I'm making an inconvenience for my babysitter, because she has to take care of my baby, too, my four-month old. See? That's a lot, too, to deal with, because she's doing me the favor of taking care of my four-month old, plus she has her own kids.

**Williams:** So, you go to the babysitter's to pick up your four-month-old?

**Roberts:** Everybody.

**Williams:** Everybody.

**Roberts:** Everybody.

**Williams:** The whole school.

**Barke:** Part of this is peace of mind all in one place, I'm guessing.

**Roberts:** That's why we don't put her in one of those daycares because of peace of mind. Exactly.

**Williams:** So, your son could come home and is your babysitter home at 3:30 if he's dropped off at the bus stop?

**Roberts:** Well, I mean, yeah, she'll be home.

**Williams:** She'll be home.

**Roberts:** It has nothing to do with the school or that school is better. This just works for me. This has worked for us for many years, and this is why we're here. I could have easily put her address and said that I lived there, but I choose to be honest. I've been coming to you guys to be honest every single year.

**Smock:** We so appreciate that; we do.

**Roberts:** Because it's easy to say, "You know what, I live right here and no one would know the difference."

**Williams:** Somebody would find out. I can tell you that.

**Audience:** [Laughter]

**Roberts:** Somebody would find out, but you know what I mean. You understand me, where I'm coming from.

**Williams:** I do, Ms. Roberts. Thank you. I think that's it for questions. Again, thank you both. Would my trustees like to go into closed session? The board will be out to deliberate and let you know our decision.

**[PRESIDENT WILLIAMS STRIKES THE GAVEL THREE TIMES TO SIGNAL THE BOARD MEETING HAS RETURNED TO OPEN SESSION]**

**Williams:** The board of education is out of closed session. And may I hear a motion in this case?

**Barke:** I'll make a motion to rule in favor of the family options.

**Rolen:** The motion is to grant the appeal?

**Barke:** The motion is to grant the appeal. I love you, Lori. You guys are awesome. I honestly do, I think you're awesome. I just tend to roll with families. I just think families know what's best for their kids, but I think you are awesome and you have gone above and beyond.

**Williams:** So, I'm going to second it because conversation occurs and we have to keep that going. Let me just say very kind accolades and words for the district and you, Lori, and you, Wendy. You both have been very kind, very graceful, very charitable with your words. You haven't attacked the district, Mrs. Roberts. No, it is very difficult as a parent.

**Roberts:** If you knew where I worked at, you would be like, what?

**Williams:** Well, what do you do?

**Roberts:** I actually, okay. I work in customer service -

**Williams:** Real quick.

**Roberts:** - real quick. I work in customer service. I provide the glasses for children that are on Medicare.

**Williams:** Got you.

**Roberts:** So I work for the districts of New York, New Jersey, New Hampshire, and let me tell you, talking to those people, you'll get this way.

**Williams:** Okay. So, we have a motion and a second. We're kind of in the dialogue phase. Any other further comments before we take a vote?

**Gomez:** No.

**Williams:** Okay, all in favor of granting the appeal say, "aye".

**Williams and Barke:** Aye.

**Williams:** Oppose?

**Gomez:** Oppose.

**Williams:** And Abstain? Motion passes 2-1. You're granted. Okay, so thank you very much, Wendy.

**Barke:** Thank you.

**Williams:** We're going to take our next case.

[THE AUDIO PROCEEDS TO THE POINT WHERE THE THREE TRUSTEES HAVE RETURNED FROM ANOTHER CLOSED SESSION]

**Williams:** We have the hearing for LCAP and College and Career Prep Academy. Local control: Do we have any cards?

**Boyd:** Wait.

**Williams:** Laura, I'm sorry.

**Strachan:** Good afternoon, President Williams, members of the board and Dr. Mijares. At this time, I'd like to open the public hearing, and invite any members of the public to comment on the local control accountability plan for the College and Career Preparatory Academy Charter.

**Boyd:** I have no cards for the College and Career Preparatory Academy.

**Williams:** There is no cards.

**Strachan:** Hearing no comments, this hearing is now closed.

**Williams:** Very good. Moving to item #4, the LCAP. Is our good Jeffrey Hittenberger here? Very good. Good to see you, sir.

**Hittenberger:** Thank you, President Williams, Dr. Mijares, members of the board. We are going to shorten this presentation. You have the full presentation in your handouts as well as the document itself. I believe each of you has this and the executive summary. So many people to thank for their outstanding work. Our incredible teachers and staff, our students and parents in the program, and special thanks to Dr. Mijares and our cabinet for their guidance in this process, and to you, our trustees, for your continuing support for these outstanding programs. By now

you're familiar with the layout of the LCAP report and you know the four programs that are represented.

Laura Strachan will be speaking about the first three bullet points; the programs. These are ACCESS programs, and then Analee Kredel will be speaking about the division of Educational Services. Each program has a distinct profile. The 2018-2019 data is on the bottom row here, you'll see the total number of students in our community school programs. 85% are eligible for free and reduced lunch, 30% are English learners, 2% foster students. You see the similar data here for the Juvenile Court School Programs, and for our CHEP Pacific Coast High School programs. Finally, numbers for our division of Special Education Services.

At the heart of all this is our students. We had a couple of wonderful student stories to share with you. This is Yuri Flores, but we will not take the time to do that. You can see Yuri as an example of the many, many students who benefit from going through this program, and likewise in our Special Education Program, this is Ryan, a remarkable young man. Both of them are graduating from their respective schools this week. All of the county office is laid out for you. You're quite familiar by now with this process. You'll remember that there are three categories of state priorities that we're responding to in the LCAP report.

This is the Ed. Code section that states the requirement of submitting the LCAP report to you each year, and this is now, as you can see, the fifth year and the fifth time that we've made this presentation. You will recall that the board of education's role is to receive the OCDE LCAP plan developed and presented by the county superintendent prior to July 1st each year, and to vote to adopt the plan before July 1st.

Once it's adopted by the county board, it goes to the California Department of Education for approval. This is the process: stakeholder engagement leads to the establishment of goals, which, in turn, we identify strategies actions and funding to meet those goals. Then we measure the achievement that then feeds into a new round of stakeholder engagement. This is an annual process, and with that I turn it over to Laura to speak about the ACCESS program.

**Strachan:** I will go through this quickly, but we have engaged many different stakeholders with the development of this plan. We do an extensive survey for staff, students and parents, as well as meetings with our stakeholders, our community partners, and our parents within different areas that you can see up there. I will go over some of the statements that we have and I know we're in a hurry, so they are in the LCAP. There is an addendum that you can look at the different comments that we've added; very positive. Just like the state template, we do match those and we have Goal A as our effective use of technology, parent and stakeholder engagement, and both of those lead to our college and career life readiness for our students.

Our Goal A, as I stated, is effective use of technology for teaching and learning to promote 21st century skills. Just to review, you'll be able to look on page seven-eight

for this flow of how we develop the goals. We look at the goal then the need. How will we measure the outcomes? Who needs these services? What actions and services will enable us to achieve that goal? What will it cost? Some of the things we did this year from our LCAP, and we do appreciate your support. It's through your support that we are able to do this by approving the LCAP. We have deployed 20 Promethean boards, which are interactive boards.

You see our teacher here, River Hawksford. He is at our Santiago Creek site using one of our boards. We have 49 school sites with increased connectivity, and 1,604 students were enrolled in our online GradPoint courses with over 1,000 completing with a "C" or better. When we look at our ratio device, and I'll just jump past this, because we are actually above what our goal is. We do look at one-to-one ratios for our community schools and court schools. Chapman PCHS ratio goal is 1-2, and that is because those students are not on site all of the time. However, all of our students, if they are eligible, can check out a computer and a hotspot for access to computers.

It would be one-to-one if they chose to do that. Some of our outcomes for classroom instruction, when we ask teachers or students how often they had classroom instruction; we had 864 students responding and we dipped a little bit this year. We had 67.2% that said daily or frequently. You can see that last year was 70.4%, so we are working on that, but you can see that we've had almost a 10% increase over the past three years.

We will continue in this coming year to support technology infrastructure to include upgrades, bandwidth, firewalls, and switches. We're also looking at kind of out-of-the-box things, like we have the Google Goggles that will allow students to tour the Louvre and to tour Washington, D.C., and never leave their classroom. So, it'll give us our students some opportunities.

**Kredel:** Within the special education division one of the key pieces and technology becomes a key role in this is our unique learning systems, which is our web-based subscription that is designed to meet the needs of students with the most significant disabilities. It's a curriculum that we found to be very effective. Additionally, it addresses those areas: English language, Arts, Math, Science. We're also utilizing ST Math, which, while it was not designed specifically for students with disabilities, it's turned out to be a very effective tool for our students based on the way that the delivery of the information is provided.

Then if we continue to use SEE-GOAL Access Guide, which is a digital tool for our teachers to support them in their goal writing and in writing standards-based IEP's for our students aligned with the Common Core. Then, the last piece is we're running into our fourth year which is wonderful in utilizing the Sandi Fast Assessment Tool, for our students to monitor both their progress and their growth. Technology becomes a very significant piece for our students and we want to, as Laura said, we want to make sure that we are maintaining the opportunities for students.

We want to make sure that our teachers and our students are accessing that, so they can continue to access all of the available services. A lot of things that we're doing tend to be online and we're finding are very effective for our students as well. This is a wonderful opportunity for us to look at engaging students and parents, and stakeholder engagement and collaboration in the community. We have the Freeway League, which has been a wonderful opportunity for both ACCESS, as well as the special school students, to have a chance to work together on a common team, which has been a new venture for us and has been very, very successful.

The Freeway League is the opportunity to bring agencies together, including local alternative schools, districts, probation, law enforcement, of course parents. The Anaheim Sports Center has been a host, Cal State Fullerton, and then you what's a really nice bonus is the local professional athletes who have donated their time to support this, to create this very inclusive. In this particular picture, we have two students there that are part of our special schools program. You wouldn't be able to identify them, and one of them was the high scorer of the game. That's always a nice bonus for our opportunity to work together.

**Strachan:** Within Goal B, looking at our annual updates, we have had 164 parent events throughout ACCESS and our division of Special Education Services. This included open house, parent nights, DLAC, coffee with the teacher; just multiple activities and ways for our teachers to be involved in our school sites.

**Kredel:** The co-curricular activities are a significant piece for all of our students in both programs and our statistics have told us that over the past year, we've had an increase by about 7% participation, which is extremely positive. The picture that you see here is our national champion DHH students that are in Washington, D.C. They flew to Washington, D.C. to an event hosted by Gallaudet College called The Battle of the Books, and they came home the victors, nationally. So, very exciting. These are middle school students that were required to read multiple books and then compete against their DHH peers, nationally. So, really a great opportunity.

In addition to Battle of the Books and the other activities, we also had Summer at the Center, Pure Game, college field trips, career day, mock trial, Inside The Outdoors, and then of course, the freeway series. In addition, we currently have approximately 68% of our students that go on to the post-secondary work in the community. This is a picture of one of our students, one of our actually recent graduates that is doing go-backs at Michael's. It's a really nice opportunity for us to not only provide opportunities for our students, but partner with the community businesses and so on throughout our program.

We have over 50 businesses throughout the county that provide us opportunities for our students to have work experiences. As always, we always know that parental involvement is an extremely important piece and opportunities. You'll see, nearly all of our parents reported that they are aware of opportunities to get involved at the

school sites. That's an extremely positive piece, because we know that those are the kinds of things that provide great opportunities for our students. As we move forward into 2019-2020, career technical education is becoming a very important topic.

It's a topic within our program that we have embraced from the beginning, because we know that our students need lots of those opportunities to hone their skills. With career technical education, this is a picture of our students at the Garden at Harbor Learning Center. Again, another opportunity for ACCESS and special schools students to work together. We've recently hired a career technical teacher in the area of agriculture and natural resources, and we're real excited to watch that program grow as well.

**Strachan:** Throughout 2019-2020, we will be continuing to offer parenting classes, workshops, and training to encourage parent participation in the process. This is one of our Positiva Disciplina that you heard mentioned from one of our parents earlier. It's been a really popular program, teaching parents how to work with their students. And our LCAP Goal C: So, students will increase competencies that prepare them for success in college, career and life. This is actually from the CTE Pathway showcase and these are our students that are showing off their robots that they have built and showcased that day.

Our outcome for 2018-2019: Our current grad rate was 89.4 this year, which is steady from last year. Just to point out that alternative ed. does have usually a lower rate of graduation than most regular schools, so we're actually quite high. They normally run in the 60's, so those students that have come to us that are in striking distance. We actually get them and make sure they graduate. We had 16 tours that took place for 245 students this year. They went to different colleges throughout the area, both four-year and two-year colleges.

**Gomez:** That's Cypress College in there.

**Strachan:** It is. We didn't do that on purpose.

**Audience:** [Laughter]

**Strachan:** We had four school counselors and four community school clinicians that were still funded through the LCAP this year. We maintained that funding and to make sure that our students had the support that they needed to be successful. When we asked our parents if their child is making academic progress, and I want to point out that, again, we really thank you for the support with the LCAP, because this is when we see results like this, it really shows that what we're doing is working. We asked them if their child's making academic progress and 93% of the parents responding, out of 250, stated that they strongly agreed or agreed that their child is making progress.

That is up over 10% over the past two years. When we asked students if they were prepared for college or career tracks, we jumped from 60% to 90.3 in the past year, so

we're very excited about that with our new programs and curriculum, making sure that our students are ready to leave us and go to the next step.

**Kredel:** One of the key pieces for us to be able to ensure that our students are in fact college, career, and life ready is the training pieces that we need to have in place. This is a picture of a couple of our staff. We have both a teacher as well as a para educator. Again, those opportunities to support students and continue to support teachers as they get better at providing the level of services that our students need to support their future goals. Another piece of that is this whole ability to have our students participating in as many community events. This is a group of our students that just recently participated at Cal State Fullerton at the Special Games.

So again, great opportunity to do a bunch of things as well as interacting with community members, as well as college students and typical peers. A really great opportunity. Here again is our group of middle schoolers from Venado Middle School in Irvine. In Washington, D.C., following the Battle of the Books victory, they were able to tour the city and have an opportunity to not only see a university that provides services for deaf and hard-of-hearing students, but have an opportunity to see the nation's capital. So again, a great opportunity for our students.

In the 2019-2020 school year, we will actually add a counselor. Our input from our stakeholders was that we need an additional counselor to ensure that our students had the support they needed so we will fund five counselors for this year, as well as the reading specialist that we just hired. We have a behavior specialist as well as assistants to support the sites, as well as multiple math and English tutors that will be able to assist our students and teachers to make sure that they're successful. We have four Career Success Weeks a year, and this year we also run a Career Success Week Junior for our middle school students, which was really exciting.

Next year, we will maintain that plus we will be increasing our Career Success Junior Weeks for our students. And I will flip through these. I know we're short on time, but I will quickly go through these. This is Andy and this is his before-and-after picture, ready for work. This is James, and he's ready to go out and do finance it looks like. This is Angie, and she looks like she's going to be a lawyer, I think. I gave them all jobs. Nancy is going to be a teacher, I think. This is our students at the end of the Career Success Week in April.

**Hittenberger:** It's a wonderful illustration of the impact this program has on the lives of students. Thank you to Laura and Analee. Finally, you'll see in the document, which they have quickly walked you through, the appendices full of interesting and important information. Appendix G has the survey results and then you have your executive summary. Next steps and timeline, again, adoption of OCDE LCAP by Orange County Board of Education.

At our June 26 meeting, you will have the opportunity to vote on the full document. Submission of OCDE LCAP to the California Department of Education takes place by

July 1<sup>st</sup>. Then, our state superintendent of public instruction approves the OCDE LCAP, provided the plan meets the criteria. That happens by October of 2019. Thank you again for your support and we are happy to answer any questions that you might have.

**Barke:** Thank you for a great presentation, sir. Very good.

**Hittenberger:** Thank you.

**Barke:** It looks like you're making great progress -

**Hittenberger:** Appreciate that.

**Barke:** - judging by the graphs.

**Hittenberger:** Thank you.

**Williams:** Very good. Thank you, Jeff. Any other questions? Barring none, let's move on with our meeting here. Can I just quickly go to the consent counter? May I have a motion for -

**Boyd:** Can we make a comment with regards to item #6, just for the members of the public that are here?

**Williams:** Oh, sure.

**Boyd:** The Local Control Accountability Plan for our dependent charter was provided to the board and we have copies available. It's also online. If the board has any questions, because there's on a formal presentation on that today, you get those to myself. I will get those to the program to answer prior to the next board meeting when you take action.

**Williams:** That'll be June 26 we take action. Okay.

**Boyd:** On either of the LCAP's.

**Williams:** Sure; really wonderful. So, moving on to #8, may I have a quick motion?

**Gomez:** I'll move it.

**Barke:** Second.

**Williams:** Okay, motion by Trustee Gomez, second by Barke. It's getting late. All those in favor say, "aye".

**Williams, Barke and Gomez:** Aye.

**Williams:** Oppose? Abstain? Motion passes 3-0. No board or staff recommendations. Anything on charter schools?

**Boyd:** There are no submissions for this meeting.

**Williams:** Very, very good. We do have one public comment.

**Boyd:** Yes, we do. Tam Duong?

**Duong:** Good afternoon, board president, superintendent. I heard the presentation today regarding the performance of students, especially the Average Daily Attendance program. I understand that CHEP is going to be sharing the building with PCHS in the school year 2019-2020. When the number for the total Average Daily Attendance, I think, it should be separated for CHEP and for PCHS, because on the chart it shows that your school year to 2012-2013 to 2019-2020, it combined. It showed a decline in the CHEP, that's true, but if CHEP declined because of housing affordability issues,

then that should affect other schools as well, such as public, charter, private school, if you arguing that basis.

Charter Schools increase. CHEP test performance results are outstanding. You have to ask, why is it there declining enrollment for the past six years? For school years 2012-2013 to 2017-2018, that's six years. They have plenty of opportunity to promote that if they really care to serve CHEP the way that they said they're going to serve CHEP. Vicentia testified this morning that she, herself, make for sure to promote CHEP. She notified the principal about the promotion, and that there was nothing done about it. Also, item #2 on my list was that there was a last push to keep CHEP sites open.

Mr. Jeff Hittenberger mentioned in his email, on behalf of Dr. Mijares, to give Adrian Crawford by June 1st to identify and secure enrollment of 115 students for year 2019-2020. Then, that was the case, then, I guess, the board or Dr. Mijares will reconsider the consolidation plan. That proposal was made to Adrian Crawford on May 17. He was in D.C. for the TAR Competition with his son. There was no way he could gather 115 students that quickly.

**Boyd:** Your time is up.

**Dong:** Can I have more time?

**Williams:** I'm afraid not.

**Dong:** Okay, thanks.

**Williams:** Thank you very much, sir. Okay, moving on.

**Audience:** Applause.

**William:** Announcements? Superintendent?

**Mijares:** No, we're good, Mr. President.

**Williams:** Very good. Any announcements, associate superintendent?

**Boyd:** Just a reminder related to the agenda. Our next meeting date and that information has been provided to the board. We sent you some updates and the CSBA Annual Conference registration just opened up for December. That information is being sent to each of the board members related to their travel and so forth. We've got Jack and Mari, so far, confirmed for now.

**Williams:** Very good. Just one more item, the executive committee. The executive committee is going to have a little social outreach to our charter school partners here on July 10<sup>th</sup>. The time we haven't yet determined, but the staff and the superintendent, you are all welcome to attend. They're going to be talking with us about their concerns and that's it. Any other issues from the board? Otherwise –

**Gomez:** Can I ask a quick question?

**Williams:** Yes.

**Gomez:** This outreach to the charter schools, this event or whatever. Could you tell us a little bit about that?

**Williams:** Sure. It's just a very informal get-together with the charter school people who have voiced concerns to me, and to make it nice and easy, the executive

committee is going to attend and we're going to report back to our main board the following meeting.

**Gomez:** When I think when we have those kinds of things, I think it would probably be more appropriate to have the board discuss it before it gets scheduled, so we all know what's going on. And then, now, if only two of you are going to attend, the rest of the board doesn't have the information.

**Williams:** Right. So, that's a good point. I've been in the last two meetings, two months now, talked about this and said that we're going to do it. I mean, if you want to have another discussion we can discuss it, but it's -

**Gomez:** Well, I'm talking about the process here as far as -

**Williams:** It's just a simple process, Beckie, where we're just going to sit down and talk. Nothing more than that. There's no formal action that anyone's going to be taking, but it's a good communication opportunity.

**Boyd:** In light of that -

**Gomez:** We no longer have a quorum.

**Barke:** I can stay. I just really -

**Boyd:** Well, just as an information piece, there were comments made about the charters and there being some concern. I did send a communication to the charters that are authorized by the board, since all of the staff work with them, to also try to identify and meet with them, if, in fact, they have concerns. I've received some information but I still have meetings scheduled, so I will be preparing that information as a total to give to the board at the next board meeting. I just wanted you all aware of that.

**Gomez:** Well, and I think that we need to remember we're a policymaking body, we're not an operational body, and that's my concern. That we didn't have the discussion because it sounds like we're getting in the middle of operations, which -

**Williams:** Not at all.

**Gomez:** I think we are because, well, once again -

**Williams:** We can agree to disagree.

**Gomez:** - but I don't know what this is about. That's where the problem is.

**Williams:** Well, it's a get-together, a meeting of the minds. Nothing is formalized. It's a discussion and that's all it is; is a discussion.

**Gomez:** Well, once again, I think we should have been informed and -

**Williams:** You were informed, Beckie.

**Gomez:** No, not to make this event, no.

**Barke:** Are we adjourned?

**Williams:** Would you like to adjourn?

**Barke:** I'd love to adjourn.

**Williams:** Okay, we are adjourned.

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