

## Board Meeting 4-10-19 Transcription

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

**Williams:** Good morning, and welcome to the April 10<sup>th</sup>, 2019 regular meeting of the Orange County Board of Education. I call it to order. A few business items; administrative items. Our regular meetings are typically held at 10 a.m. Today, it is held, obviously, much earlier. The agendas are posted on our website and they are also available at the back of the table. Anyone wishing to address the Board, to express their free rights, is requested to complete a little card that we have in the back and please give it to our good recorder, Darou, up front here. Each individual is allowed up to three minutes per meeting and may not give up his time to others.

As a matter of consistency, the Board does not engage in a dialogue with the public comments if questions are asked. So, if you're ignored and you ask a question to the Board, don't be offended. That's just the way we do things here. This is a public meeting and we're obligated to be respectful and to demonstrate civility towards the Board, the good superintendent and his good staff, and other guests attending this public meeting. Anyone deemed to be disruptive will be requested to leave and will be removed by our good sheriff deputy, pursuant to Code...Penal Code 403 and that is posted on the left side as you enter into this building. Penal Code 403 is defined as every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting.

Examples of disturbing a public meeting include, but are not limited to, clapping, standing up, holding up signs, and anything that draws attention to themselves and away from the business of the board. We thank you for attending today's board meeting. As is our custom in our policy, we have an invocation, and I have my good friend from the Islamic Institute of Orange County, Dr. Soboh. He is a dentist, another professional colleague, and we welcome you, sir, to give us our invocation.

[AUDIENCE MEMBERS WHO CHOOSE TO DO SO, STAND AND BOW THEIR HEADS]

**Soboh:** In the name of God, the most compassionate, most merciful. Oh God, we ask you to bless us among those you have blessed. We ask you to guide us among those whom you've guided. We ask you to protect us among those whom you have protected. We ask you to heal us among those who you have healed. Oh God, we are gathered today for the interest of our children. We ask you to protect our children. We ask you to protect our children from all kinds of harms. We ask you to protect them from accidents and diseases. We ask you to protect them from drugs. We ask you to protect them from immoralities and...indecentcies. We ask you to protect them from bad politics.

We ask you to protect them from anything that might affect them and would not make them productive, grown-up citizens to this nation, to this county, and to these...the cities that they live in. Oh God, we ask you to guide our leaders in the school system, those who are making decisions for the sake and the interests of our children. We ask you to give them the wisdom to make the right decisions, to make the right choices. We ask you to give them the strength to stand up, to speak the truth against injustice. Oh God, our children are so loved to us.

They're so precious to our hearts. We ask you, with all your might, to protect them and guide to their interest all those who wish, their good intentions. In the middle of disagreements and disputes, we ask you to have to all...that all of us will have open minds to understand the opinions of the other side, and to reach mutual and respectful understanding. And, eventually reach out in that to make the right decisions that will take our schools; in these days with the flood of immorality is going around us, to take them in the ship of safety, to the shores of safety. Amin/amen.

**Williams:** Thank you sir. And, as is typical, we will remain standing if you want, but we will have the Pledge of Allegiance, and I will lead us. Right hand over your heart if you so desire.

[AUDIENCE MEMBERS WHO CHOOSE TO RECITE THE PLEDGE OF ALLEGIANCE, PROCEED TO DO SO]

**Audience:** 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, and you all may be seated. Thank you again, Dr. Soboh, for being here. It was a very gracious prayer, and we do pray that good decisions are made, and that everyone has the same mind to do what is in the best interest of our communities, families, and children. 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:** Very good. Introductions, good associate superintendent?

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

**Williams:** Very good. For informational items, we do...need to make a minute changes here. So, I'll announce that when we get there, but may I have a motion to adopt the regular meeting for today?

**Bedell:** So moved.

**Williams:** So moved. I need a second.

**Barke:** Second.

**Williams:** A motion, a second. Any discussion on this item?

**Gomez:** Yes.

**Williams:** Yes?

**Gomez:** I just want to be clear for the public that if there are agenda items prior to the public comment, which is at Noon, that we will take public comment, because we can't vote on anything unless the public has an opportunity to weigh in.

**Williams:** Absolutely. We've always done that and I totally agree with you. Thank you for

reminding us. So, if you do have a public comment on any of the items before we actually get to them, please, again, fill...we request that you fill out the card that is in the back and give it to Darou. Any other discussion? Barring none, we have a motion...

**Gomez:** Hold on. Also. I want to be sure that the minutes reflect that I was not in attendance for the closed session items, and that was not clear in the meeting, nor was I briefed on those closed session items afterwards. So...and, also closed session item number four should list the topic. It's...again, to try to be transparent to the public, we need to indicate what closed session topic number four is. It's just listed as topic four.

**Williams:** Okay.

**Gomez:** So, what was closed session topic four?

**Williams:** So, there's a couple things you did...mention in those comments. Number one is the adjustment to the minutes that we're going to do after this. The other...

**Gomez:** Well, the agenda. Okay, the agenda item...

**Williams:** Agenda item closed session four...

**Gomez:** ...number four does not have a title on it.

**Williams:** Okay. So, dear, dear Counsel, for closed session four, could you address that and the reason it is listed as it is?

**Rolen:** Mr. President, members of the Board. The Board has received a number of Public Records Act requests. We addressed those Public Records Act requests and the protocol that the Board is going to follow in closed session. We didn't know how many Public Records Act requests would be received at the time of the Board meeting, so we had a general item because it could be a point of litigation.

**Gomez:** Okay. Well, then, it should say public record request, even though there might be more than one, correct?

**Rolen:** Understood.

**Gomez:** So, if it...states that, that's what should be on the agenda, so, again, the public understands what the closed session item is.

**Rolen:** That's perfect.

**Gomez:** Okay.

**Williams:** So then, what we should do is add public records request...

**Gomez:** Right.

**Williams:** ...as for the reason for it.

**Gomez:** Correct, and then the amendment to the agenda.

**Williams:** Will you make that amendment?

**Gomez:** Yes, I will make the amendment that the closed session topic number four should indicate that it's a public records request.

**Williams:** Okay, and that's a friendly amendment and I see Dr. Bedell would love to second that.

**Bedell:** Twice...

**Williams:** Twice. Okay, any opposition...discussion on that friendly amendment? Okay, all those in favor say, aye.

[ALL BOARD MEMBERS SAY, "AYE"]

**Williams:** Okay, so that item carries. So now, we're going to go back to the original main motion which is the adoption of the regular meeting to include, specifically, in closed session four, that it is regarding Public Records Request Act.

**Gomez:** Thank you.

**Williams:** Anything else? Okay, all those in favor of adoption of the agenda, say "aye".

[ALL BOARD MEMBERS SAY, "AYE"]

**Williams:** Oppose? Abstain? Motion carries, 5-0. Now, getting to the minutes. Good Trustee Gomez, if you can help out once again, because this is mostly for Darou?

**Gomez:** Yes.

**Williams:** There's some minute corrections.

**Gomez:** Yeah, and just more clarification, that for the closed session items, it should indicate that I was not present for the closed session items one through four. And, again, the minutes should reflect what the closed session topic number four was at the time.

**Williams:** And, that would be public records request.

**Gomez:** Correct.

**Williams:** Did you get that?

**Sisavath:** Yes.

**Williams:** Okay, very good. Okay, so we have a...I need a motion. Actually, is that your motion?

**Gomez:** My motion is to make those amendments that I just indicated.

**Williams:** And, I'm going to add one more item as a subsidiary item that Darou asked me to do. And, that's to move the name...make the correction to Richard Handsberger, and move it from item number 12 to number 13, as he was the attorney representing Vista Condor at the time. Is that correct? Is that what you wanted me to do? Thank you, Darou. Okay. Okay, so we have...

**Gomez:** Excuse me. So, that was to that add to item number 13 in the minutes?

**Sisavath:** Yes.

**Gomez:** Okay.

**Williams:** Change the name.

**Sisavath:** The last name was spelled incorrectly.

**Gomez:** Oh, okay. Okay, got it.

**Bedell:** That's not fatal.

**Gomez:** Okay, thank you.

**Williams:** Okay, so we have a motion and friendly amendment. I need a second on the minute changes.

**Barke:** Second.

**Williams:** Second by Trustee Barke. Any further discussions? All those in favor say, "aye".

[ALL BOARD MEMBERS SAY, "AYE"]

**Williams:** Oppose? Abstain? Motion passes 5-0. Okay, moving on to item number one: Resolution 919. May I have a motion for such? Actually, I'll make the motion because I'm the one who put it on. I make the motion, so I need a second.

**Barke:** Second.

**Williams:** A motion and a second. Any...discussion on this resolution, and the resolution is to pay Special Counsel, Mr. Greg Rolan? Being that there's no further...

**Gomez:** Wait, hold on. Okay, so we've got this item on the agenda and it indicated that the Executive Committee had previously approved the invoices, but again, the Executive Committee is sort of...it should be advisory to the entire Board. It's not clear to me that the entire Board has weighed in on all the agenda items...all the invoices. And, once again, these invoices...well, let me ask this question first. Are these invoices considered attorney-client privilege? Mr. Riel, can you weigh in on that?

**Williams:** No. That would be...

**Gomez:** Why not?

**Williams:** Because we don't recognize Mr. Riel as the counsel to the Board. If you can recall, that's been a premise that we've been working on since September.

**Gomez:** Okay, but I'm asking for his opinion, and then it would...then we can ask for...

**Williams:** I don't...recognize him.

**Gomez:** You're not going to recognize our own counsel?

**Williams:** Mister...our own counsel is Mr. Greg Rolan. Mr. Rolan, could you answer that question for us?

**Rolan:** Yes. Madam Trustee, the amount of the invoices are on an attorney-client privilege to the extent that the billing entries show mental impressions of the attorney or strategy. Those are privileged.

**Gomez:** I don't see that detail being really strategy given, other than you just indicating conversations with folks. Again, I think it's important to the public. If we're going to spend \$75,000 of the taxpayer money that's being taken away from children, I think it's important for the public to know that, and know what those services are. And so, they weren't even included in our packet. They were sent...we had so much supplemental material that was bigger than the actual agenda this time, and that's kind of disturbing to me because it looks as though we're not being transparent. So, that concerns me.

**Williams:** So, in the effort to create transparency, I think there was a very serious effort to be made, all the invoices of the services that Mr. Rolan has been providing. By the way, it needs to be mentioned, you voted against...accepting Mr. Rolan, so, your prejudice and bias...should be noted in the public record. But, Mr. Rolan has been providing services to us in a very public way, in a very transparent way, for the past seven months. The issue is a previous Ron Wenkart memo that was written with a significant conflict of interest against the Board in favor of the superintendent.

In that he said that to pay for a special counsel when he...when a board general counsel has not been appropriately selected. Ron Wenkart said that would be a gift of public funds, which we demonstrated in a previous meeting that it was not a gift of public funds; that every legal service that Mr. Rolan has been presenting and given to us in supporting us are actually services rendered to the Executive Committee. Unfortunately, you're not on the Executive Committee. You have not called me at any time to ask about any of the closed items. So, when you mentioned that you haven't been briefed, please take responsibility for yourself, Beckie.

**Gomez:** Excuse me. Okay, one of the things...okay, if he is supposed to be representing the Board...

**Williams:** Yes.

**Gomez:** ...it is his responsibility to contact me and follow up. If you and I have a conversation, we could be violating the Brown Act because you have already probably discussed this with someone else. So, I'm trying to avoid a Brown Act violation, that we don't discuss things with more than two of us, okay? Your comment about me being biased and prejudiced is absolutely out of line. Absolutely. Just because I vote against something doesn't mean that I can't be objective about a subsequent item. I am asking to be sure that the public understands why \$75,000 are being utilized for an outside counsel. I don't think that's being prejudiced or biased because I voted against something.

**Williams:** Well, I don't think it's entirely presenting the issue. I think it could be false and misleading because a half-truth is said. The real truth is Mr. Rolan was selected and voted by the board majority in a 3-2 vote in September to provide special legal counsel until the litigation against the superintendent and correct resolution for the selection of the general counsel would be resolved. As you know, we are in litigation against the superintendent on this issue. And so, we need board counsel. Originally.

I tried to get Maggie Chidester, who has been a part of this Board and this department for many years, but for many various reasons, she was unable to accept that. And so, we had to move outside of Orange County to have someone that would not be susceptible to the politics of this matter, and that's when we reached out to Mr. Rolan. Mr. Rolan has been providing superb services to Mari and myself. We talk on many different occasions. So, to be transparent, I'm telling you that the invoices are very appropriate. They're very correct and there's nothing wrong or incorrect about them. So...

**Gomez:** I'm not talking about the accuracy or incorrectness. I'm indicating that the public should be aware of what this \$75,000 entails. That's what I...that's what I'm saying, okay? And, I think you're misrepresenting what my question is. That's all I'm saying.

**Williams:** Well, thank you for clarifying that then. So, question then. So, are...these billing invoices...are they public record or are they attorney-client privilege?

**Rolan:** They're attorney-client privilege. The Board's the holder of the privilege.

**Williams:** Right. So...all the Board was given those invoices. I assume you have them, Beckie?

**Gomez:** I do, and there's nothing on them that indicates they're attorney-client privilege. Most documentation between an attorney and a client is usually marked in some way, and I don't see that any of these are marked in such a way. But, they are directed towards you at your business address.

**Williams:** And, the reason they're directed towards the business address is because of the...original statements that were said by the super...the good superintendent, that he would not pay for the bills. So, bills had to go someplace. If they were to go to this department, they'd probably fall into a dead space. So, they were sent to me and immediately they were reviewed by Trustee Barke and sent to the staff. I don't think that they...

**Williams:** So, the staff knows about it.

**Gomez:** Which staff? Which...

**Williams:** Nina and Darou.

**Gomez:** Okay. So, most of our correspondence does go through Ms. Boyd's office and I don't think that we've lost things or anything like that. So, indicating that things would go into a black

hole or get misplaced, you know, if they're directed towards you and they're indicated that it's a confidential communication, I'm not sure that they would open that communication.

**Williams:** Yeah, I'm not...so sure about that premise. Mr. Counsel, maybe you can elaborate why it was sent to my office.

**Rolen:** It was sent to your office because when we...began this relationship, that was the address we had to send the bills, and it was our understanding that we send the bills care of the Board President to the address on the billing entry, and that they are submitted to staff. That's...

**Williams:** So...to make the allegation that this is not transparent is not true. This has been very transparent. Everybody knows about this. It's the big elephant in the room. Yes, Dr. Bedell?

**Bedell:** Yeah, I would like Greg...did you say these are protected by...client-attorney privilege?

**Rolen:** Yes. To the extent...

**Bedell:** Following Trustee Williams' comment about transparency, can the Board wave that?

**Rolen:** Yes.

**Bedell:** Okay. I move the...we wave transm...wave Board-client privilege on all these invoices, now and future.

**Williams:** And, I second that. Okay, so...we have a...that's a subsidiary motion to the original motion that...we have for this resolution.

**Bedell:** I understand.

**Williams:** Okay, so, I second that. So, any further discussion on waving attorney-client privilege and making these public? transparent. Good. All those in favor say...

**Gomez:** When we say they're making...they're being made public, does that mean they're going to go on the website, in addition to our agenda and our minutes?

**Williams:** I hadn't thought about that.

**Gomez:** Because, that way we can say...that way we can say they are available to the public.

**Sparks:** Well, I think I would add...I'd be comfortable with that if also the other side is putting all of their attorney fees public.

**Barke:** I would agree. One side...

**Rolen:** I would caution the Board to make a reflexive action in the interest of transparency on that, because we haven't gone through each and every one of the bills, and they're very well may be entries that indicate the Board strategic element or my mental impressions. So, it is the...prerogative of the Board to waive this privilege. You are the holder of the privilege. You can vote to do that, but I would caution that we do that. We do it some other time, perhaps when we have an opportunity to go through the bills and exactly see what we're waving.

**Williams:** Right, so...

**Rolen:** There's many months of entries.

**Bedell:** So, these are un-redacted and typically when they provide something in the public, they're redacted with specific information.

**Rolen:** Yes, no, or maybe. You know, but...it requires an analysis of the bill to determine what is said in the bill entry. The billing entries are accurate, and 99% of attorney's bills are not presented to the public.

**Barke:** And, I would agree with Trustee Sparks, and I think that if we are providing that, then the other side should equally provide, and everything should be transparent.

**Gomez:** But, you just said the other side's not representing our Board, and we're talking about a Board agenda that's available to the public. So...

**Bedell:** That's right.

**Gomez:** ...that doesn't make quite enough sense to me. You just indicated that Mr. Rolan represents the Board...

**Sparks:** No. In the effort of transparency, everything should be transparent. If we're going to be transparent, then everything should be transparent, not just one side.

**Gomez:** But, this is the Board. You just said it was a Board attorney. So, you just...said the other...

**Sparks:** It's the superintendent attorney, right?

**Gomez:** I'm sorry. What?

**Sparks:** The other side would be the superintendent representative attorney and...their efforts, so we're going to be transparent, then we need to be transparent with everything. That's...fair and balanced.

**Gomez:** Well, not if it's...not if we're...if he is representing us, because you just said that the other...when I asked Mr. Riel to come forward, I was told he couldn't, because the Board did not recognize him. We're kind of all over the place on this. I'm just trying to get these bills. If the taxpayers...if we're spending \$75,000 of taxpayer money that's being taken away from our kids, we should...be able to explain why we're doing that.

**Williams:** Well, yes, we should, and the real reason the elephant in the room is because Mr. Rolan is providing services. The general counsel was not properly authorized. It was done in a way that was not consistent with the Education Codes.

**Mijares:** That is incorrect, Dr. Williams.

**Williams:** And, that's why we had to hire a special counsel to receive timely legal bills, I mean, timely legal opinions. So...

**Gomez:** Could I ask...Dr. Mijares to respond?

**Mijares:** Yes, I would be happy to and thank you for the opportunity. And, in as much as we are talking about the department being transparent, we're more than willing to be transparent with respect to Mr. Rolan, if we are clear on which attorney we're talking about. But, as the record will show, on July 28<sup>th</sup>...23<sup>rd</sup>, excuse me, September the 10<sup>th</sup> and September the 27<sup>th</sup>, I explained to the Board that I could not authorize payment for Mr. Rolan because we already had and have a general counsel.

We have five attorneys that are serving the Orange County Department of Education and the Orange County School Board. And, our general counsel is Mr. Jeff Riel, and in as much as I am the employer, he was the person that we hired, and we hired him before the current Board as it stands now, was seated. So, the current Board takes office and the first action they attempt to do is to displace him. That is not lawful. So, the...only person I recognize as our general counsel is that person seated right there, Jeff Riel.

**Sparks:** Well, it's an argument but it's not lawful. It's...under litigation right now. So, we actually don't know what the answer is yet...

**Mijares:** Well, it's under litigation...

**Sparks:** ...until depositions occur.

**Mijares:** Well, it will be more than the deposition. It will up to a judge to decide that.

**Sparks:** Exactly. So, we can't make any...

**Mijares:** But...

**Sparks:** We can't just take what you're saying at face value, right now, until it plays out.

**Gomez:** Can I...can you let him finish so we can understand?

**Mijares:** The point...of the matter is that we are in dispute over the hiring of a general counsel. Historically, and since the beginning of time of this...the establishment of this office, the superintendent has appointed the general counsel, and that's what we did, and we followed it in accordance with our previous general counsel, Mr. Ron Wenkart, who served over 30 years here, and has an impeccable reputation in the state, and nationally.

We followed the exact protocol that he asked us to follow. So, you're asking me to pay two general counsels. The law prohibits us from having two General Counsels. So, I'm saying no, I'm not going to pay those bills. If a judge orders us to do that, and obviously, graciously and with a great degree of deference to the court, I will do it gladly, plus interest, but he's not getting paid until then. [POINTS TO MR. RIEL] That's the person that's getting paid, right there.

**Bedell:** Mr. Chairman, I seek your guidance. All right?

**Williams:** I'll try.

**Bedell:** Okay, I know you will. Excuse me. I don't understand and...I'm going to go micro then up, okay? I'm not interested in talking about whether Mr. Rolan paid \$539 for a ticket from Oakland to Orange County, all right? That...I paid \$794 last week to go to Philadelphia. That mean...I don't know what...

**Barke:** Holy cow.

**Bedell:** I know. Right, exactly. So, I'm...of so many minds on this, and the reason I made the motion for transparency, which you so graciously seconded, is it...that's the Board. What the superintendent does is what the superintendent does. I think we take a high level to the taxpayers and say, we're spending \$75,000, Board majority, noted. That way we're accountable, all of us, and we have to defend that as a board member, and explain why we voted for it, or didn't.

I think that's all kosher. I think that I'm fine with that. The problem is we have the authority, and in my opinion, the responsibility to let the taxpayers know what this is going for: the number of hours, how the hours are being dedicated, for what purpose. All right? So, that's why I made my motion for transparency; wasn't to talk about a \$539 ticket. Do you see that? Or, \$34 parking. That's not me. I don't...

**Williams:** And, I think we're all in agreement on that premise, too. We all want transparency. I think what I just heard was that typically when you're presenting legal bills, they are redacted with specific information regarding strategy, what's actually being said. I'm going to look to my special Counsel to help me out with this. But, what I understand is the current bills, they're not redacted. Is that...

**Rolan:** There's no redaction.

**Williams:** There's no redaction.

**Rolan:** There's no changes at all.

**Williams:** Typically when these go public, do you redact it? Is that the standard practice?

**Rolan:** Typically, they don't go public. But, typically, if there is something that is attorney-client work product, is mental impressions, is third-party privacy rights. We have expulsion hearing.

We have inter-district transfer hearings. There's third parties named in the bill.

**Bedell:** Okay. So, Mr. Chairman...

**Rolen:** Normally, the process is that we go into closed session and as a Board, we determine what we're going to release and what we aren't, and if we're going to release everything, that's fine.

**Bedell:** I am comfortable and willing to make an amendment to my motion that the entire Board, not just the Executive Committee, but the entire Board gets to see what's redacted. And, then I'm comfortable with doing that. I just don't want two people to say, oh no, that can't go out. That can't go out. I don't like that. We're seeing that in Washington right now, and I think that's a terrible thing for a public body who claims to be transparent. And...maybe...I don't remember anything on strategy in there, but that...I don't remember what I had for breakfast. So, okay. The bottom line is I get that with the argument you're making, so I'm willing to have this a redacted version that still adds up to the \$75,000, or whatever it is, for the next board meeting.

**Williams:** And, make it public.

**Bedell:** Yes.

**Williams:** Okay. So, I have to withdrawal my second...you're going with...you're going to withdraw yours, and you're going to make a new one, and the new one's going to say...

**Bedell:** The new one, we're going to say, that we...at the main meaning, we will see a version of the bills that the Board, not just the Executive Committee, but the Board agrees have been...I was going to say the word purged, but...

**Williams:** Redacted...

**Bedell:** Redacted, so not as to reveal strategy, etc., then I'm comfortable with that.

**Barke:** Are you comfortable with that...Mr. Rolen?

**Rolen:** My comfort level is irrelevant.

**Barke:** Well...

**Rolen:** It's...with the will of the Board. We are...I am comfortable with the process by which the Board knows everything that's in the bills, the Board knows the privileged portions of the bills, that we have a discussion about what's privileged, and why. And, the Board exercises its sovereignty to make that decision about transparency. That's...that will...would make me comfortable, that everybody knows what we're doing and why.

**Bedell:** So, I'm hearing you say yes to Trustee Barke? I just...

**Rolen:** I forgot what you had for breakfast, too. I don't remember that.

**Bedell:** I don't either. It was delicious. I heard you...she asked you if you were comfortable with the...I heard Trustee Barke, and I want to be sure I get this. I don't want to put any words in our mouth, that if it is redacted as appropriate, that to go public is fine.

**Rolen:** If that's the will...

**Bedell:** If that's our wisdom?

**Rolen:** If that's the will of the Board.

**Bedell:** Thank you very much.

**Rolen:** But in this process by which we redact, I want us all involved.

**Bedell:** Absolutely. I would not make this motion if it were not all five Board members having the option to say what's coming out.

**Rolen:** Understood.

**Bedell:** Thank you.

**Williams:** So, let me just in a parliamentary way...

**Bedell:** Of course, Ken.

**Williams:** ...try and articulate it that we all agree with, because we all are in agreement with the concept of transparency. No, nobody ever wants to be in a position where they're not telling the truth and they're not transparent. So, what were...what you...have and what you were given, for the record...

**Bedell:** Right.

**Williams:** ...is the unredacted attorney-client privilege...

**Bedell:** I understand.

**Williams:** ...invoices. So, everyone has that, you're given to it. So, you're subsidiary motion then is to at the next board meeting, make public the redacted legal services.

**Bedell:** And, that all five board members participated in that conversation and knew why something was suggested to be redacted.

**Rolen:** We should schedule a closed session to have that discussion.

**Bedell:** Yeah, I just don't want two...

**Williams:** You can't do the closed session today.

**Rolen:** No, not today.

**Bedell:** I don't want just two people doing that because I think it's so significant for public transparency in all five constituency areas.

**Williams:** So, then Mr. Rolen, I'm just thinking the next agenda. Should it be a closed session, that we just talk about your bills and list it as a closed session item?

**Rolen:** Yes.

**Williams:** Okay. Is that reasonable, to my board members?

**Gomez:** Is that a closed session item, though?

**Sparks:** It's a litigation.

**Rolen:** The waiver privileges is a closed session item.

**Gomez:** So, you would consider that a...

**Rolen:** A closed session.

**Gomez:** ...a threat of litigation.

**Rolen:** I would consider that a privacy right of the board. The board has to have a discussion whether it's a legal...vote, whether they're going to waive privilege.

**Gomez:** I don't, you know, I just glanced through the bills again just right now as we were talking. There's probably, you know, a handful of names. Some of the names I don't even recognize, so I have no idea what those represent. And again, that's part of my discomfort is I don't know who these people are that you had conversations with, per your bill. There are a couple of public record requests whose names are there, but I don't see this as being a major thing, and maybe they could be categorized as something like, you know, conversation regarding budget authority with trustee whoever. Conversation regarding charter schools with trustee whoever.

I don't think we need to go into the weeds on this, but I think there can be some broad strokes that we can identify how these can be transparent, but yet give the public a flavor of how your time is being spent. And, you know, how services are being utilized. I don't see any student names on any of these in regards to, you know, any of the expulsions or inter-district transfer issues. I may have missed something, but I just glanced through it again. I didn't recall seeing it the first time. I don't see it now. So, I think that would be kind of a non-issue unless we've missed something.

**Bedell:** Mr. Chairman, I think we have beaten this dead horse, but some good conversation.

**Williams:** I think we have.

**Bedell:** And, I would...I think this is hugely important precedent-setting. And, therefore, I think it's important that we have all trustee areas recommend...represented in this conversation.

**Williams:** About a lawyer's bill?

**Bedell:** Yes. Yes, because...no, it's about the redaction.

**Barke:** The redaction.

**Williams:** The redaction.

**Bedell:** That, to me, is key.

**Williams:** So...

**Bedell:** I will call for the question, if you're amenable to that.

**Williams:** Well, I'm still confused.

**Bedell:** Okay.

**Williams:** So, Mr. Rolen, give us...guidance here.

**Rolen:** I'm pretty confused as well. But, what I'm hearing is that we are going to have a closed session discussion about the waiver of privilege, and then subsequent thereto, what type of things we want to make public as a Board.

**Williams:** Is that what you...

**Bedell:** Yeah, yeah.

**Williams:** ...were thinking about?

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

**Williams:** Okay. So then, what we're talking about is on the next agenda, putting a closed session item, and we're allowed to do that for the Brown Act?

**Rolen:** Let me take a look at it, but I'm comfortable with that.

**Williams:** Okay, and at that time in the next meeting, we'll go through. Should we have both the redacted and unredacted to...make a decision about what...I assume, we're going to give the redacted out publicly? I have...no problems with that.

**Rolen:** We have to have a discussion about both. We can't...have a discussion about redactions without the entire bill before the Board.

**Williams:** Right. So, in closed session then next month, we'll have both redacted and unredacted, and most likely we're going to release publicly the redacted, because that's standard protocol and practice. Is that correct?

**Rolen:** I would say that it is not standard protocol and practice.

**Williams:** Oh, it's not?

**Rolen:** Most legislative bodies don't waive their legal privileges, but if that's the will of the Board that they do in this particular circumstance.

**Barke:** I'm not comfortable with fully waving it. I'd like to have more discussion before I fully wave it, because I think maybe some things we should release, and maybe there are some that we shouldn't, so I don't want to, at this point, vote to fully waive that right.

**Rolen:** There's...no vote on the table for that. We have to have the discussion about the implications of waiver, and then if we have that discussion, what you're...everybody's comfortable waving.

**Williams:** And if I may, I'm sorry you guys. Light bulb is going on. Mr. Brenner, if you could come up and give the Board some guiding counsel on what to do on this, and how it relates to our litigation with the County superintendent?

**Gomez:** Okay, hold on. Now, I'm...

**Rolen:** These are different things.

**Gomez:** Yeah, these are different things.

**Williams:** Should we...well, my question is, should we be even talking about this sort of thing? Is it something that you recommend we don't do?

**Brenner:** No, I think it's perfectly appropriate, in my view, that the Board take up this issue of transparency and potential waiver. It may decide to do one thing or the other in that regard. That should be done after a careful discussion by the full Board in closed session, so that an informed and considered judgment can be made. That's not what the motion or Board recommendation is on the table now.

The Board recommendation on the table now is simply whether or not to approve and direct the payment of Mr. Rolen's invoices, that the full Board has and has had before it, in its possession, all five Board members here today in fully unredacted form. So, that vote on that recommendation can be taken up now and can be taken up publicly, as it should be. The redaction issue is a more considered and detailed matter to be taken up in closed session. So, I do agree with that and I hope that's helpful to the Board.

**Williams:** Okay, very good.

**Barke:** Yes, thank you.

**Williams:** So, I'm fine. Beckie, do you have anything else? Jack, do you have anything else?

**Gomez:** No.

**Bedell:** I just...if we approve this motion that's in the agenda. Why do we need to do anything about redaction?

**Barke:** Yeah.

**Bedell:** Because, if we approve what's here, then...

**Williams:** The resolution...

**Bedell:** ...it's moot.

**Williams:** The resolution.

**Bedell:** Yeah, because the motion says approve, and we have seen it. They haven't seen it, so why...and that's...I think you make an amazing, interesting point. A subsidiary motion, Mr. Chairman, to use your words, would be to postpone consideration of these minutes, or the bill, rather.

**Williams:** No, I don't want to do that.

**Bedell:** Okay.

**Williams:** I don't think...that's a consensus by this board. Trustee Sparks, do you..

**Sparks:** No, I'd like to move forward with...

**Williams:** Okay.

**Sparks:** ...adopting the resolution.

**Williams:** Okay. So, let me just...looking at the resolution here, what was it, Jack, that you were concerned about?

**Bedell:** Well, I'm saying if we approve this resolution to pay the bill, why would we ever want to see the bill again back in a redacted form, except to release it to the public? I guess that would be the motion.

**Barke:** Or, going forward, bills going forward as well. We can discuss. We're just talking about getting him paid for services rendered at this point...

**Bedell:** Right.

**Barke:** ...but, we can still talk about what we want to do with the bills going forward as a practice.

**Bedell:** But, forget about redacting?

**Barke:** No, we don't have to forget about it. We'll...talk about it in closed session at the next meeting. But, I think that what's on the table is we have a gentleman here who has been working for months, unpaid, and that we owe him some money, and that we'd like to pay him.

**Williams:** And, just to continue with that, the resolution doesn't talk about releasing invoices publicly. It's just saying, you know, this is how much they are...

**Bedell:** To write a check.

**Williams:** Right. That's all it is. So...the subsidiary motion that you're making is to, in the next May meeting, in a closed session, talk about the form in which we release these invoices. Is that correct?

**Bedell:** Yeah, and Trustee Sparks is making a...Trustee Barke is making an interesting question. It's more than just one set of minutes, then. It's the establishing of the precedent, and I'm saying, for example: If we agree that we're going to redact...make up something silly to make my argument; cab fare. We're going to redact cab fare. We'll know in the future we'll have redacted cab fare. Do you see...is that where you're going, Mari?

**Barke:** Yeah, I mean, I'm not thinking we need to redact cab fare.

**Bedell:** Well, no, I'm not...but, that's just a silly example to make the point that I...we'll establish theory. We're going to redact a student...somebody we expel. Obviously, we're going to redact that name, and so, we don't even need to talk about that anymore. That's...what I'm saying.

**Williams:** Yeah. Okay, so it sounds like that's a conversation we're going to have next month in closed session, and this was good discussion on it. Please forgive me, Trustee Gomez, if I insulted you. Nothing was meant...

**Gomez:** You didn't insult me. You were just inaccurate, so...

**Williams:** Okay.

**Gomez:** I want to be sure that...

**Williams:** Very good, very good. I'm not so much agreeing with that premise.

**Bedell:** What a surprise.

**Williams:** So, the subsidiary motion, then we'll get to the main motion, is to bring this up in greater detail in closed session, about what is released in...redacted form and...I second that. So, we're going to vote on that. I assume there's no more discussion on that? All those in favor say, "aye".

[TRUSTEES SPARKS, BARKE, WILLIAMS AND BEDELL SAY, "AYE"]

**Williams:** The motion...the subsidiary motion passes 5-0.

**Gomez:** No, I did not vote. You didn't ask for opposition. So...

**Williams:** Okay. Opposition?

**Gomez:** Opposition?

**Williams:** Okay.

**Gomez:** I vote no.

**Williams:** Thank you for correcting me. Okay. So, the motion passes 4-1. Okay, now, getting to the main resolution, we have a motion and a second. Any further discussion?

**Gomez:** Just for clarification. Do we have any public comment on this?

**Boyd:** On item one?

**Gomez:** Yes.

**Boyd:** No.

**Gomez:** Okay. Good.

**Williams:** Okay. Barring...I assume there's no more questions? Okay, barring that there's no more questions, this is a resolution. Darou, will you take roll?

**Sisavath:** Trustee Sparks?

**Sparks:** Yes.

**Sisavath:** Trustee Barke?

**Barke:** Yes.

**Sisavath:** Trustee Williams?

**Williams:** Yes.

**Sisavath:** Trustee Gomez?

**Gomez:** No.

**Sisavath:** Trustee Bedell?

**Bedell:** No.

**Williams:** Very good. Motion passes 3-2. Moving on to resolution #18-19 (the agenda lists this as resolution #09-18 under Board Recommendations), number two. I think we do have public comments on that, Nina.

**Boyd:** Yes, you do. You have the timer?

**Williams:** The resolution is in opposition to Assembly Bill 1505.

**Boyd:** Are you going to...did you make a motion on that, or are you just going to take public comments first before the discussion?

**Williams:** Let's take public comments.

**Boyd:** Okay, so I'm going to call two names. If the first person will go to the podium and the second person line up, we'll try to get through these quickly. Michelle Anderson, followed by Natali South.

**Anderson:** Tell me when you're ready. Good morning, Superintendent Mijares, President Williams, honorable board members and staff. My name is Michelle Anderson, and I'm the regional manager for Advocacy for the California Charter Schools Association. I'm here this morning to ask this board to continue to do right by the students and families of Orange County, and approve this resolution to oppose AB 1505, a school choice killing bill, and one that focuses on adults and not on students who need the support and the alternative choices that charters provide. This bill eliminates the rights of families to appeal politically-motivated decisions to close their charter schools.

AB 1505 also makes it more difficult for high-performing charters to rely on student learning as gain...student-learning gains for reasons of renewal. Instead, it puts in some other politically-motivated issues such as finances of districts, facilities, etc. And fine...and, in addition, innovative programs need to also be considered, and this bill will not allow that to happen. Let me bring some numbers to the forefront that can be attributed to this board. There are 14,000 Orange County students who are being well served by 31 public charter schools. This board has authorized 16 charter schools. Of those 16, I have the voting records for the last three years and those include 12 charters.

And, I would like to say that of those 12, nine of those schools were unanimously approved by this board when they were denied by other districts for politically-motivated reasons. One of those was approved 4-1. The other two recently were approved 3-2. So, these are all students that are being positively affected by having school choice, and it's not to say that the schools from...in the districts that they would attend are not good, but their parents wanted them to have an...a choice. And, that's what this bill will help kill and that's why we want you to go through and please put this proposition...this resolution for opposition to 1505 through, because we have too many successes that would go away. Thank you.

**Boyd:** Natalie South, followed by Martha Fluor.

**South:** Good morning, superintendent, board president, and board members and staff. I'm Natali South, director of executive support with Citrus Springs Charter Schools. I'm here today to ask you to adopt the resolution in opposition of AB 1505. Citrus Springs proudly partners with this board to serve 259 students in our Citrus Springs Charter. As you may recall, we received unanimous support from this body when we brought our charter to you on appeal from the denial issued by Santa Ana Unified School District. If 1505 existed at that time, it would have been impossible for Citrus Springs to open.

Because we are able to personalize education for our students and offer flexible programs that meet their individual needs, Citrus Spring students continue to thrive. We are thankful for the opportunity to provide these families with a choice in their education. If AB 1505 were to pass, boards, such as yours, will lose their rights to authorize charters, such as Citrus Springs and therefore, our 259 students, as well as many, many others, will lose their opportunity to seek alternative education to the tradition school districts. The appellate process is foundational to our country and should not be manipulated to serve the whim of any political party. We are asking the Orange County Board of Education to continue to put kids before politics and adopt a resolution in opposition of AB 1505. Thank you for your ongoing support of our students.

**Boyd:** Martha...

**Williams:** Thank you, Natalie.

**Boyd:** Martha Fluor, followed by Barbara Schulman.

**Williams:** Good morning, Martha.

**Fluor:** Good morning. Good morning, Trustees Barke and Sparks, Bedell, Gomez, and President Williams. My name is Martha Fleur. I reside at 20111 Southwest Cypress Street in Newport Beach, California. And, I rise and...to speak in opposition of...to your board resolution, number two. Your own Bar Policy, 40...412, states the following: "The County Board of Education encourages the establishment of quality public...quality charter schools in Orange County as an integral part of the California educational system." The boards – and it goes on – "The Board believes that the charter school provides an...one opportunity to implement school-level reform and support innovations, which improve student learning and enable students to become self-motivated, competent and lifelong learning...learners.

These schools shall operate under the provisions of their charters' specific state and federal laws and regulations, and oversight of the chartering agency." You also go on in terms of the appendix. It says: "When considering charter petitions, County Board shall be guided by the

intent of the legislator...legislature, the quality charter schools are, and should be, an integral part of the educational system. It shall be the policy of the board to give appropriate consideration to charters...for charter schools to be operated under its jurisdiction. It is objective...it is the objective of the board that all charter school petitions shall be reviewed in accordance with the law and spirit of the law.

Accordingly, the board shall implement state, federal laws, and regulations that are fully and fair, and protect the interests of parents, students, and the public when granting or denying charter petitions.” In this context, I find it incredible that embedded within the...petition, paragraph number five says, “Whereas AB 1505 would eliminate the charter schools appeal process for existing charter schools that are revoked or non-reboard, and would severely limit appeals of new charter petitions, thereby denying a safeguard for local communities, families, and schools to appeal to a neutral and often...decision to deny or close highly charter school.

And, whereas denying or limiting the right to appeal a local charter to a...higher authority.” Well, I find that incredible, especially when you are supposed to be in this petition...in this resolution, to take into consideration those petitions and the rights of the local community. And yet, on the last two board meetings, over 70 individuals from their local communities appeared, and over 20 or 30 spoke in support of denying that appeal and only a handful spoke in support. And, these were members of our communities.

**Boyd:** Your time is up.

**Fluor:** Thank you, as well as your highly qualified staff to deny those appeals. Again, I rise in support of denying and please do not approve this resolution.

**Williams:** Thank you, Martha.

**Boyd:** Barbara Schulman, followed by Carol Crane.

**Schulman:** Good morning, superintendent, president, board members. My name is Ms. Barbara Schulman. I happen to sit on the Saddleback Valley School Board this year. I was just elected in November, but that is not why I'm here. I'm here as a concerned constituent, so, this is just me speaking. I would like you to vote no on this, and I'll tell you why. If finances are locally controlled, then so should charter schools. Thank you.

**Williams:** Thank you, Barbara.

**Boyd:** Carol Crane, followed by Lynn Riddle.

**Crane:** Good morning. My name is...my name is Carol Crane, and I'm here this morning to speak against your resolution. On your agenda today is a resolution in opposition to Assembly Bill 1505. It's obvious...obvious that the majority of this board would remove the county board's authority to overrule the decisions of local school districts that have denied petitions to establish charter schools within its boundaries. Just like other counties, because you have this appeal process, a huge amount of pact money has flowed into county school board races to pro-charter candidates, with Orange County not being an exception.

Financial campaign contributions, as we all know, are public record, and in this 2018 campaign, combined contributions of \$430,000...\$430,000 were made to Ms. Barke and Ms. Sparks from pro-charter pacts to support their campaigns. Combined, Barke and Sparks spent over \$800,000

in their 2018 campaigns. In contrast, Dave Boyd and Mary Navarro, opponents of those two, spent a total of \$85,000, a tenfold differential. Ms. Anderson earlier talked about not politicizing this process. Follow the money; follow the money. While legally this is not a conflict of interest, it does raise the public's concern when those trustees elected through pro-charter school money use the power of their vote on every single occasion to overrule a local district's denial of a taxpayer-funded charter.

This type of action is irresponsible and not in interest of all the students. Seeing firsthand the inferior quality of the ISSAC charter, denied by our district, and then listening to the flaws pointed out by your own staff, it's apparent that three pro-charter supported trustees are participating in what I see as a rigged system. Please note that your opposition to AB 1505 reveals your true colors. We're aware of your charter-pact ties and these pay-to-play tactics. These are our kids, and we care about each and every one of them. We wish you did as well. Please consider not to passing this resolution. Thank you.

**Williams:** Thank you, Carol. Judge Riddle.

**Boyd:** Lynn Riddle, followed by Kapil Mathur.

**Riddle:** I thank you, ladies and gentlemen, of the board. My name is Lynn Riddle. I reside in Newport Beach. I've been a lawyer for about 42 years. I didn't graduate from law school until I was 39, so you can do the numbers. I spent 14 of those 42 years as a federal judge, and I'm sort of, then, directed in my life to look for evidence and motives. And, when I reviewed this resolution, that's what I was looking for. Let me remind you that in 2018, California Public Schools Pact, that's a pact whose ID numbers end in 433. This information is available from the Secretary of State's Office. Jointly, that group contributed 400, excuse me, \$950,000 total to four county school boards that were running seven different...seven candidates.

Two were running from San Diego County, and jointly, they received \$440,000 for their two offices. The two running from the county of Orange received \$425,000. From the county of Sacramento, there was one candidate that received \$155,000. And, two from Riverside County received \$800, excuse me, \$89,000. The San Diego board members, both of them, lost. Orange, Sacramento and Riverside. All of those candidates passed. I was very interested. I looked at your resolution. I have a copy of it here. Then, I went online and I found, interestingly, and remember the two other county boards that were successful where the charter schools were successful in...not electing their candidates, were Sacramento and Riverside.

And, on...what I found online was that on March the 26<sup>th</sup>, Sacramento County also had a board resolution in opposition of Assembly Bill 1505, which is identical to the one that is proposed here by the county of Orange. And, that on April the 3<sup>rd</sup>, Riverside County has the same opposition to 1505 in front of it with virtually the identical language. My guess is that that's coming from a source that provides a template. And, who would provide that source? I rise as strongly and firmly as I can to ask you to please oppose this motion, and to support 1505. This board should be removed, and all county board's should be removed, from being an appellate body. This board has demonstrated beyond...comprehension how it doesn't work. This is not a fair process, and you have not acted as a proper reviewing body. Thank you.

**Williams:** Thank you, Judge. Kapil, you're up.

**Bedell:** Is this the last one?

**Boyd:** Yes.

**Mathur:** Good morning. My name is Kapil Mathur. I'm the founder and executive director of the Orange County Academy of Sciences and Arts. We are a K through eight, public charter school approved by this board. I'm here to support the resolution in opposition to AB 1505. First of all, I want to say thank you. I left my campus this morning; 359 students who were happy, engaged in an innovative, fun, and academically fruitful program that we've developed at our charter school. I'm not big on test numbers. We're not a school that focuses on testing, but I will tell you if you go and look at the California school dashboard, which is our state's authority on the quality of schools, our school is focused on the individual growth of students.

And, if you look at our data compared to...this is our third year; so, comparing our first year to our second year, in English language arts, our students improved 18.5 points. Our local district improved less than that, substantially. In mathematics, our students improved 29.7 points. So, this is 359 students who had 20-30% growth in the same standardized tests that are used at every public school in the state. Were it not for this body's ability to hear my school's appeal, our school would not exist and these students would not have that opportunity for their growth. These are not cherry-picked students. We have a high percentage of socioeconomically disadvantaged students, a small but growing percentage of English learners, and foster youth.

And, we have a significantly high number of students with disabilities. All of these students are being able to access the curriculum and make improvements according to the state standards in their core subjects. So, I thank you for that. I just want to leave with one thought. There's been a lot of...there's a lot of talk about money, about who's getting money from what, who's getting money from there. I think the only thing that we all have to remember is that the money for education, it doesn't belong to the charter school. It doesn't belong to the district. It doesn't belong to any board. It belongs to the students, and it should be spent where the students' parents feel that they're going to get the best education for their kids. Thank you.

**Williams:** Thank you, Kapil.

**Bedell:** Could you tell me where we are now?

**Williams:** We're...we just finished public comments for item number two. Are there any more...?

**Boyd:** There are no...

**Williams:** No more?

**Boyd:** ...other public comments.

**Bedell:** Is there a motion to approve it?

**Williams:** I don't think there was a motion. We haven't gotten to that point.

**Williams:** Okay, so, we're done with public comments. I have a motion for number two. The resolution to adopt resolution 08-18 in opposition to Assembly Bill 1505...

**Boyd:** Do you want to get closer? Too much dialogue, we can't hear you.

**Williams:** Oh. **[STRIKES THE GAVEL TWICE]** If I can please have decorum and respect as we continue with the business of the board. We're on item number two to adopt resolution 08-19 in opposition to Assembly Bill 1505. May I have a motion?

**Barke:** Yes, I'd like to make a motion to approve resolution 08-19.

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

**Sparks:** Second.

**Williams:** Second. We have a motion and second. Dialogue? Yes, sir?

**Bedell:** As you know, the board has sent me to CSBA, NSBA, and CCBE, right? So, upon reviewing this resolution, I remember last year there was an even more strict version of taking the county boards out of everything related to charter. That's...basically what it did. That's a little hyperbole, but, okay. So, last night I communicated with Erica Hoffman, who is the...one of the...legislative person, one of them, for CSBA, and I asked Erica, and...I'll read it to you. "Greetings. What is the status of 1505? Thanks. Opposition on my board tomorrow." She sends back to me last night, got back to me right away; she's very good. "It's up in assembly tomorrow." – today – "A special order at 1:30 p.m. with the other two charter bills. Carlos has them and can give you a better update."

So, then very quickly after that, Carlos responded; very nice young chap. So, he said to me...get you, and I want to read this to you directly, because I think this is significant as to what we want to put our name to. It says, "Hi, John." He obviously does not know me. "AB 1505 was significantly amended on April 1<sup>st</sup>." Now, my question to you is, when did you get this reso...what is the date of this resolution? Because, does this resolution...have what I'm about to read to you? Okay. I was intrigued by the judges going to Riverside and the other county, because, as I continue, "AB 1505 was significantly amended on April 1<sup>st</sup>. You may know that an earlier version" – my emphasis – "of the bill eliminated the authority of County Boards of Education to hear appeals and authorize charter schools." Earlier version. "The latest" – my emphasis – "amendments restore the authority of a county board of education to approve a petition for charter schools that serve county students."

That's very different than what's here. That's very different. Okay. "County-wide charter school authorization was also restored." – very different than what's here – "Adding any requirement for approval first from the school district in which the school will be relocated. A limited appeal process was also added back to the bill." That's different than what's here.

**Williams:** A limited appeal process?

**Bedell:** Yes.

**Williams:** Do we know the details of that?

**Bedell:** I'd...that we can get, but the reason why I'm saying is...let me...finish this letter here then I'll tell you why I think I would be embarrassed if this goes out the way it is, because it's not factually what 1505 is. That's where I'm coming from. Okay. "A limited appeal process was also headed back to the bill. The appeal would enable a petitioner to appeal or deny petition to the county board of education for alleged procedural violations."

The amendment authorizes the county board to remand the petition back to the school district for reconsideration if it finds a violation, or if the appeal contains new and different materials." Okay, so, my view is, that's going to be easy to spin that where I'm coming from on this if you're one of my detractors, right? That this resolution as written contains elements that are not in the bill that we say are in the bill, and we don't like. That's my understanding. Does staff have a different view of that?

**Williams:** But, which part of the...

**Bedell:** I'm just talking in general, Ken, because if it's got one error in it, I don't want it...that one is enough for me.

**Williams:** Okay, because, I'm listening to what you're saying, and let me validate. You know, we don't know any of the details, and these bills go back and forth, and are amended and they're...merged. I think in paragraph one, two, three, four, five...paragraph five, second sentence...

**Gomez:** Which whereas?

**Williams:** ...that would be...

**Bedell:** Fourth.

**Williams:** ...the fourth whereas. You know, the general concept of this bill was to eliminate the appeal process, and even if it's...in this language that you just shared with us, it would limit the appeal process. I still think that this resolution still applies to that. There's nothing in here that would be inconsistent with what you say or the current bill. Everything in here talks about what we've done with Samueli, our 14 public charter schools. So, I don't know if I, with all due respect to the elder statesman. I think that this...resolution is certainly appropriate and speaks to it, and I would not be embarrassed by sending it up there. Other dialogue?

**Gomez:** I, as in my previous experience, when we've been asked to either support or oppose a bill, we always have the language of the bill. And, the language of the bill as it stood maybe at the point that this was written, we don't even have. And, I knew...I read the bill a few weeks ago, and I've known that it's changed, but I can't really support or oppose, you know, a bill without having the correct language of the bill at the time we're voting.

And, because we don't, and I know it's...going right now, it's going today for some additional review. I don't think it's appropriate that we do that. I mean, I'm all...you know, in my public life, I've never, again, been able to ask to either support or oppose a bill without having the actual language in our agenda packet at the time it was written, because we know it's in flux. So, I don't feel comfortable voting on this today.

**Sparks:** I'd like to move forward.

**Williams:** Okay, any comments, Trustee Barke?

**Barke:** No, I just...I would like to move forward as well as some referenced here. We've got some terrific charter schools that have been appointed by this this board, as well as at the district level. I think that having an appeals process here is important for the families and children of Orange County. We need to give them choices. As I've talked about before, I think competition is what makes for the best choices for our children and families. I don't think it's a political issue. I think it's about the kids. It's about the families, you know, whether it's a bank or a bookstore or a hospital. We don't just have one because, you know, we think it's the closest or the best. We need options.

What about if a hospital said you couldn't have, you know, urgent care, to send your kids, but that's what you want to do. I think we need to maintain the choices we have. We've heard from Vista. We've heard from...all these great schools. Also, Samueli. That's another terrific school that serves our most vulnerable youth in the county. They have a significant amount of foster

kids. Without Samueli that was approved at this board, those kids would not be getting the education that they're getting. So, I think there's enough evidence of the appeals process being an important tool for the families of Orange County.

**Williams:** Any further dialogue? Being that there's none, this is a resolution and we poll the board. Darou.

**Sisavath:** Trustee Sparks?

**Sparks:** Yes.

**Sisavath:** Trustee Barke?

**Barke:** Yes.

**Sisavath:** Trustee Williams?

**Williams:** Aye.

**Sisavath:** Trustee Gomez?

**Gomez:** No.

**Sisavath:** Trustee Bedell?

**Bedell:** No.

**Williams:** Motion passes 3-2.

**Bedell:** Mr. Chairman, a point of clarification. In the par...the third whereas clause, it says 14. I thought we had 16. Is that correct? Is that a typo? Where it...I don't know who prepared this, but where it say 14 public, we have 16. Do we not, staff?

**Boyd:** Correct. Excuse me.

**Williams:** Okay. So, is that significant, Dr. Bedell?

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

**Barke:** Well, I think that...14 of them are ongoing. We have ...approved 16, but we don't have 16 that are yet...

**Boyd:** You oversee 16 schools. They're authorized by this board. So, regardless of where they are, they've been authorized and approved. There...are 16 schools.

**Barke:** Okay.

**Boyd:** So, if you want it for accuracy purposes...

**Barke:** Okay.

**Boyd:** ...there are 16.

**Bedell:** That's...

**Williams:** Yeah. So, unfortunately, that wasn't brought up, Jack.

**Bedell:** Again...

**Williams:** I'm just kidding.

**Bedell:** I appreciate that. I just want to say I don't want to be affiliated...

**Williams:** Yeah.

**Bedell:** ...you know, I get strict construction on this with anything that's got a glaring error, our school...it's...our record is better than what that rec...that number says.

**Williams:** Yeah.

**Boyd:** I would suggest we correct. But, it...there are 16...the first sentence is...would be changed to 16. The other 14 would remain, because 14 are only operating right now. The other two will open this summer. So, you have 16 that are authorized by the board...

**Barke:** But, 14 operating.

**Boyd:** ...but 14 operational.

**Williams:** I don't think, from our parliamentary procedure, we can go back and change a vote. Please help me out, my elder statesman, on this.

**Bedell:** Very quickly, it would be a motion to reconsider. Then we could just go real quick with it. That would be real fine. If we move...somebody was on the prevailing side...

**Williams:** The other thought is, is it substantive?

**Bedell:** Well, I think it looks even better for us. I mean, you've got 16...

**Williams:** Then, why didn't you vote for it?

**Barke:** Yeah.

**Bedell:** Why? Because I don't...it's got inaccuracies. It's not...what our parent organization said.

**Williams:** Yeah.

**Bedell:** That's why. I'm proud of my no on that one.

**Williams:** Thoughts on that? Is it substantive?

**Sparks:** I don't think it's substantive.

**Williams:** Okay.

**Barke:** I don't either.

**Williams:** Okay, so I've got to, with all due respect, I've got to keep on with this meeting.

**Bedell:** I understand that, Ken.

**Williams:** We've got a lot to do. I appreciate...

**Bedell:** I think this is a danger when we borrow somebody's template that leads to that.

**Gomez:** Can we get a date on that, when it was written just so we can have an accurate...kind of comparison as to where the bill was when this was written?

**Williams:** So, it was submitted...oh boy, when was it submitted?

**Bedell:** Long before it?

**Barke:** I'll have to look at my email as to when you sent that to me.

**Bedell:** Is it long before April 1<sup>st</sup>?

**Boyd:** Yes. It was two weeks...

**Williams:** Yeah, it's probably a few days...before that. Yeah, we had an executive committee...

**Bedell:** Okay.

**Williams:** ...meeting.

**Boyd:** It was prior to that.

**Williams:** Was it prior to that?

**Bedell:** So...in other words, it was before it was amended?

**Boyd:** Correct.

**Bedell:** Okay.

**Williams:** So, moving on with our...meeting...

**Sparks:** I have to excuse myself.

**Williams:** Okay. So, good Trustee Sparks has an education-related event that she has to go to. Thank you, Lisa.

**Sparks:** Thank you.

**Williams:** Take care. Health and safety travel to you. Moving on with our meeting. We do have a presentation on...outsourcing charter schools. The School Works will be presenting their PowerPoint presentation on the ability of this board to decide to outsource and to give to a reputable education company, the ability to save money and to outsource their charter appeal process. As a matter of...historical perspective. We will be talking about a policy change that would be under board roundtable later on today. And then, next month, the actual decision to adopt School Works as an outsourcing vendor will be also discussed.

**Bedell:** Mr. Williams, I...this week I...this month, I can't blame it to medication. Last month I could blame it on medication. My understanding is when we had a presentation that was going to involve PowerPoint, the board...didn't we...Linda Lindholm and David Boyd did some policy or something on...

**Boyd:** Dr. Williams and Linda, but you do have a board policy.

**Bedell:** Okay. We had...a good policy that said the board would be aware of a Power...or be given PowerPoint before it happened.

**Williams:** Right.

**Bedell:** Do I have that right? Okay. So, now, we did not get that from them, did we? Maybe it's in my packet and I missed it.

**Williams:** So, I believe you received a hybrid version of this exact presentation. I think probably, and you can tell me, if you work on it. I did ask this...good company here to give me something that I can get to my board members, and they produced a document that was probably in its early stages, I'm...assuming, but the PowerPoint presentation...there are some technicalities that we didn't get it until today, I...believe. Nina?

**Boyd:** Correct.

**Williams:** So, anyway, does that...does that answer your question?

**Bedell:** Yeah. I was just...wanted to that...so, my memory is correct with the policy, just a hybrid of it.

**Gomez:** We're not getting it ahead of time. That was...the policy before; that we would get it ahead of time.

**Williams:** Yeah. So, the exact PowerPoint presentation...and I think for historical perspective, the reason for that was because Mr. Boyd, at the time, presented a very controversial PowerPoint presentation, and that went out in public, and there was debate between him and I on an issue that I can't even recall, that was so many years ago. And, there was a public records request for that PowerPoint presentation by David Whitley, because he was mentioned in it. And so, from that...Beckie, I don't know if you were here.

**Gomez:** No, it was just before I was elected.

**Williams:** Yeah. So, from that, it was because David would not release that public...that...document to the department. In fact, he didn't do it. We had to eventually find it through the archives. Correct me if I'm wrong, Nina, but we eventually found that...PowerPoint presentation and was able to give it to Mr. Whitley. So, that was kind of the reason for that. So, yes, ideally, would we have the actual presentation? Yes, but there was some technicality that occurred in between.

**Bedell:** So, this is just a presentation today. There's no voting today?

**Williams:** That's correct. Right.

**Bedell:** So, then we would have an opportunity to do a detailed analysis between now and the May meeting?

**Williams:** That is correct.

**Bedell:** Is that fair?

**Barke:** Absolutely.

**Williams:** That is correct.

**Barke:** Absolutely.

**Williams:** Okay, please introduce yourselves.

**Wechtenhiser:** Good morning, and thank you, the members of the board and the members of staff, for having us here today. We are pleased to have an opportunity to introduce ourselves to you, tell you a little bit about School Works, and answer any questions that you may have about the proposal. Just for clarification sake, the PDF document that we did send to Dr. Williams is an exact PDF of the PowerPoint that you are seeing today. No...modifications were made.

**Williams:** Okay, so...

**Wechtenhiser:** It's just a different electronic format.

**Williams:** So, it's the PDF that was given to them previously?

**Wechtenhiser:** Correct.

**Williams:** You haven't changed...

**Wechtenhiser:** No.

**Williams:** ...any of the content? Okay. Wonderful.

**Wechtenhiser:** Okay.

**Williams:** Does that help, Jack?

**Bedell:** Yep.

**Williams:** Okay. Please go, Kim.

**Wechtenhiser:** Okay. So...

**Williams:** Just for the record, could you please put your names into the record, by the way?

**Wechtenhiser:** Absolutely. My name...

**Williams:** And your position and title?

**Wechtenhiser:** Sure. My name is Kim Perrone. I am...or, Kim Wechtenhiser-Perrone. I recently got married, so, my name has changed, but I am the owner and president of School Works. And, I've been with the company as a client, originally, as a consultant; now as president and owner of the company, in some respects, since about 2004.

**Hartman:** Good morning. My name is David Hartman, and I am a managing director of accountability for School Works.

**Wechtenhiser:** Great. So, a little bit about School Works. We are an education consulting company. We have been around since 1998. So, the company is in his 21<sup>st</sup> year of operations. We provide a variety of education consulting services across a broad spectrum of clients, including traditional school districts and traditional schools, charter schools, charter school authorizers, we work with school leaders in both charter and district schools. We support philanthropic organizations that support education reform initiatives in both sectors, and a variety of other foundations as well.

Specific to our work with charter schools in particular, we have...we provide a variety of services that include the...evaluation of charter applications, and we've done that for a multitude of clients across the country, some of whom are identified here on this slide. They include the Louisiana Department of Elementary and Secondary Education, the Rhode Island Department of Elementary and Secondary Education, San Jose Unified School District, The School District of Philadelphia, and Chicago Public Schools, among others. We also provide supports for

author...critical authorizing functions for the work of authorizers, including renewal decision-making support, support for quality charter school development.

In other words, working with charter school founders to help them successfully get through the application process, and we provide authorizer technical assistance in other states as well, including the department of education in Maryland and Indiana, among some of the other clients that I mentioned. In addition, we work with a variety of charter school operators, including the KIPP Foundation, Public Prep, some national heritage academies, and another small network in the Massachusetts area called City on a Hill. Again, my name is Kim Wechtenhiser-Perrone. Just a little bit about my background is I have a background as a charter school authorizer in two different states.

I served as the associate vice president of the State University of New York Charter Schools Institute. I was a coordinator of new school development in Massachusetts, which meant, in both locations, I was responsible for working with the staff and teams of reviewers to make recommendations to authorizing boards, such as yourselves, about whether or not the board should authorize or continue to authorize a particular school.

I have unique experience in supporting boards of trustees and leaders of new charter schools to understand their roles, responsibilities, and obligations as they pertain to operating charter schools and overseeing charter schools in those particular states. And, I participated as an application reviewer in a multitude of states as well.

**Hartman:** And, thanks again for inviting us. Again, my name is David Hartman. So, my background is as a former authorizer at a university in Minnesota, Hamlin University. I led the charter school's office in the state of Minnesota, and in that process, launched and helped to implement the first authorizer review process. So, authorizers in the state of Minnesota have to meet a standard, a national standard of how they operate, and so, Minnesota went through that process.

I led that process. Since working with School Works, I've worked with the state of Ohio, the state of Maryland, Indiana, Louisiana, Rhode Island, to name some. It is not limited to charter school application process or authorizers in general, but my work is focused specifically on what we call accountability systems to set clear and transparent processes, and evidence those processes with high stakes decision-making processes.

**Wechtenhiser:** So, School Works is unique in the expertise that we bring to this work because we have comprehensive, broad, national experience. As you have heard us mention already, we work in states across the country, with local boards of education, and with state boards of education, as well as school boards directly. We have a range of experience in project management and project execution; 21 years of success working with a variety of sizes, different organizations, and accomplishing our goals and the goals of each project.

We bring to the table a staff of highly experienced charter school authorizers, people who have done this work nationally, and have that broad range of expertise and experience looking at the evidence to make recommendations to boards like yourselves. And, again, broad and deep consultative experience. As I mentioned, we are not just working in the charter school sector. We

work with a range of traditional school districts as well. In fact, the majority of our clients are traditional school districts.

**Hartman:** Our approach to authorizing can be summarized here. This is just an organization of what it is...that we do. So, relative to what we're talking about here, we are in the authorization phase. And so, we support high-quality authorizing which does a thorough and transparent process of reviews in working with the clients that we work with. We typically talk about the next phase being contracting and setting clear and measurable time-sensitive expectations. We help those clients with oversight and corrective actions. So, when those expectations in the contracting phase are not...met, that there is documentation that shows or recognizes that they have been met or not, and then corrective actions that align with the expectations of the client that are identified within the contract.

Finally, it all leads to the renewal process, which you're all familiar with, which reinforces the expectations that are set in the contract. And, it's all an evidence-based process in what we do. And so, it's a cyclical process. The last piece of that is our approach to high-quality authorizing is to support the stats, and make sure that the folks who are working in all of these areas understand, implement and communicate those expectations with a thorough understanding of what they do. And, they have the support to learn that. The process that we've been asked to present to you can be identified in five stages. So, there's the...here, we'll actually walk through them one by one here. Stage one is the actual review of the document itself.

So, we identify two reviewers who engage in the review of the petition. They look at that and they draft a recommendation. We have a third reviewer who we call our quality reviewer, who reviews the recommendation draft. And so, if there are, hypothetically, let's say there are four different proposals or petitions that are being considered and the reviewers are not consistent, that quality editor makes sure that a consistent level of detail and lens in evidence goes into any recommendations so that there's interrater reliability, I guess, and reliability and fidelity going forward.

Stage two, we have a financial reviewer who reviews the financial documentation to consider that, and they review that relative to all of the criteria that are identified within the evaluation form, or the rubric. So, we always push back to the criteria and make sure that the petition itself aligns specifically to those criteria.

**Wechtenhiser:** One of the services that we have provided to a couple of our clients, upon request, has been an additional level of review that we call a due diligence review, which includes a couple of different components. And, really, this is just to make sure that the people who are represented in the application are actually representing themselves truthfully. So, we have engaged in media checking and just going back, doing Google searches and finding relevant news or any kind of notice that might be relevant to the individual, or perhaps a partnering organization to the applicant group, just to make sure that there are no concerns anywhere else across the country.

We do some fact checking as well. And then, another piece of this would be to conduct background checks by a third-party organization that we use just to make sure that there are no criminal concerns or complaints, you know, anything that would rise to the level of concern to

your...as part of the applicant group. So, that's something that we presented as an option within our proposal.

**Hartman:** Similarly, the fourth stage is optional and we built these stages to reflect the process that you all have established. And, we know that there is a public hearing that precedes the interview phase. We're not sure if that is something that you're interested in, but we wanted to articulate this, that that is something that we could support in the facilitation through that process. And so, that, frankly, is laid out here as an option.

**Wechtenhiser:** And then, finally, the last component of the review process that we're proposing is a capacity meeting and an opportunity for applicants to clarify any outstanding questions with regard to their applications. This is usually when two of the School Works reviewers would come to the table face-to-face, or potentially virtually with the applicant group, and ask them clarification questions about their...the...proposal. The purpose of this is twofold: is one, just to actually gain clarification about the model that is being proposed and make sure the reviewers fully understand it. But, it's also to ensure that those individuals who are representing themselves as the founding group have content knowledge and deep understanding of the model that they're proposing.

Just to make sure that they are well equipped to not only implement the model, but if their members of the board, proposed board of trustees, that they're equipped to evaluate and oversee that entity in the implementation of that school model, as the...model is being implemented. So, we would use some standard questions to go through that process as well as create custom questions based on that application process. And again, in order to provide a cost-effective solution to the board as an option, that could be conducted virtually. It's been very effective with other entities we worked with. Some of our clients choose to do that in person as well.

**Williams:** Do you have any questions? Yes?

**Bedell:** My question is for the superintendent, Dr. Mijares. And then, I'll have some, Mr. Chairman, I'll have some questions. How...when you...and maybe perhaps you need to speak to your counsel, how do we articulate this process with our in-house charter people who have certain...I imagine, rights, or labor law right? I'm trying to...envision how this would articulate. This is off the top of my bald spot. As I said, I just got this today, and I appreciate your patience. It seems to me that the way it is written, if this gets...a rejection gets sent to you, it's not clear to me how you articulate back with this department.

And so, I guess what my concern with...superintendent, I'm interested in what you have to say on that, because we have...does the department do a review, and then, we have School Works' review, and then the board has two reviews and we decide which review to go with? See...I don't know how that works. We have people who are employed. We are hiring two people to...who are going to be evaluating the 16 charters or more, depending on how far we go, and I'm just trying to make sense of this articulation. So, I defer to you, if you give some vision.

**Mijares:** Okay, so, my answer...there's two parts to my answer. I'll give you the pragmatic, philosophical side. And, on the legal side, you're right. I'm not a lawyer, but we do have our legal counsel here who can speak for the department. You recall that we had no unit to evaluate

charters. There were not a lot of charters in Orange County at one time. But, as we started to see charters, the petitions come to the board on appeal, largely, and of course, we did our Samueli Academy, and we have a charter that we created for our ACCESS program. The charter started...to proliferate and at the behest of the board, we created a unit. And, of course, our staff felt administratively that that was required. So, we have hired people.

They hold positions to review charters, and they do an outstanding job. This board has commended them time and again. In fact, they're always commended by the petitioners, how well they do. So, if this is a duplication of services, now we have the displacement of staff which would cause an issue. Because, under California Law, you cannot outsource certain positions. So, if I may, I would like to have Mr. Riel come to the podium to talk to the board about the legality of it. You asked the question, Dr. Bedell, so we're trying to give you a full answer.

**Bedell:** I appreciate that. I appreciate...I understand how the process has to be.

**Riel:** So, Dr. Bedell, thank you. That's a...good question as it relates to legal issues that are being really contemplated here. And, you have to understand the full context of the difference of the jurisdiction between the county board and the county superintendent, which is very, very different than the jurisdiction that a local school board would have over the authorization of a petition. Here, what is very clear...the intent of the law and the intent of good governance is that those two entities work together to individually fulfill their responsibilities, statutory responsibilities, under the Ed Code for the operation of the county sup...the county office. Here, what's very clear, is that the county superintendent is the employer.

That's been in case law and attorney general opinions, as well as permit decisions, that the county superintendent is the employer of all classified certificated personnel. So, if we have a function and it's a certain...and...rightfully so, the superintendent indicated you can't displace or supplant services that are being conducted by class...people...student...or, excuse me, personnel in classified service, which is what our charter school units are. Now, that's not the end of the component, because the...county board does have the authority, under certain circumstances, to engage for special services. Education Code Section 1042, subsection D, permits the county board to contract for, and employ, or employ, persons furnishing special services in...and advice and financial, economic, accounting, engineering, legal, and administrative matters.

So, the board does...the county board does have the authority to engage special services. However, they have to actually be special services. They can't be services that are already being conducted by personnel within the county office. Special services, for purpose of Education Code, depends on the nature...determining whether they're special services, determine...it depends on the nature of the services, the qualifications required in the persons furnishing those services, and the availability of those services from other public resources.

The attorney general, in the context of legal services, have pined on this issue, and that's something that's been in front of the board before, and has made a determination when there is legal services available there's only four situations in which outside legal services can be retained: conflict of interest, second opinion, not...no timely advice, or, if they're truly special services.

There is a case that's very instructive on this point in James versus...James versus Stockton, which, in that scenario, a school district board authorized outside counsel to represent the school district. When the school district presented to the county superintendent for authorization of the warrant, the superintendent denied the warrant, because the services that were provided to the school district were not special services, and should have been conducted by county counsel, which was the requirement at that time.

**Bedell:** May I just interrupt you here, because I want to be sure I understand? This is to the superintendent. So, you, are of the view that this, as presented – remember, we just got this this morning, okay? So, be fair with us, please, okay, because that...since we have this unit, we don't need special services. Is that...that's the Reader's Digest. Is that...what I'm saying? Does that make sense?

**Mijares:** In a nutshell? Yes.

**Bedell:** Okay.

**Mijares:** No to disparage those that presented, because I can see by the quality of their work, they do good work, but you're asking us to now take what has been done by staff and give it to an agency external to employment here. And, as I understand the law, I mean, I don't know if you're...going to hit this point, but...

**Riel:** The point was very clear in the James case that the board didn't have the authority for...to retain special services in those circumstances, and the same argument applies here, because the superintendent has employed class of...people in classified service to provide that...service. And, they have provided that service over the course of the last 14 years, 16 charter school appeals, and continue to provide those ongoing services. The county board can't supplant the superintendent's responsibility as the employer for those classified positions, absent them being...there being special services, and here, because the charter school staff has provided those services for the last 14 or 16 years, in whatever...in various forms as its...gone forward. They simply wouldn't be considered special services.

**Bedell:** Thank you very much. I have a question for the proposers, please. Again, thank you for your patience. Mr. Chairman. You have been all over the landscape, and I appreciate that, but I read that you've only been in San Jose, in California. Is that correct? And, that's San Jose Unified School District. So, how many charter appeals were you responsible for in San Jose?

**Wechtenhiser:** Specific to those particular services, we have provided services...

**Bedell:** That's all I care about, is the charter review. I...you can be painting walls and I don't care about that.

**Wechtenhiser:** Sure.

**Bedell:** I'm caring...about the charter piece because I think this is so significant for our children. So, regarding...my question is, in San Jose, how many of these did you do, what you're proposing to do for us?

**Hartman:** In San Jose that was for unified...

**Bedell:** Right.

**Hartman:** ...and there were two.

**Bedell:** Two?

**Hartman:** A year...14 months ago.

**Bedell:** Two in 14 months, and how...

**Hartman:** So...we did it over the...

**Bedell:** Sure.

**Hartman:** ...fall / winter...

**Bedell:** That's...fair. And, how many students, off hand, did that represent?

**Hartman:** I don't recall.

**Bedell:** Okay. Okay, so I would like to go back to your proposal please, and thank you again, Mr. Chairman, for your patience. On...you're saying on stage one...can you put stage one up? And, I apologize for my eyes. "School Works assigned two reviewers...to each case." How are they picked?

**Hartman:** Just one second. Here you go.

**Wechtenhiser:** Yeah. I...so, there...the reviewers are chosen based on, first and foremost, their expertise with charter school authorization processes. Secondly, if there are particular school models that the proposal is entertaining, for example, if it were a...Montessori school that was being proposed, we would make sure that there would be someone on the review team with Montessori experience. And, we also look at the grade levels that are represented.

One of the things that School Works brings to the table is that the majority...large majority, almost 100% of the people who work for us have held multiple positions in both schools, districts, and at the policy or state education department level. So, if they had experience working in a school or leading a school with that particular grade level, we would make sure that someone with that expertise would also be assigned to it. So, if it were an elementary school, we would look for elementary folks.

**Bedell:** So, stage one is done. You...the review...they review all the recommendations to shore any evidence that you have up here. Then, there's this financial reviewer. So. minimally when you get a case from us, should we go that way, it's going to be \$6,300 right there. Fair enough? Okay. Now, go to...the next slide. Due diligence, please.

**Wechtenhiser:** The due diligence...yeah, okay.

**Bedell:** And, that's optional. Okay, is Kelly in the room? Somebody from our charter unit? Kelly, what do we do for due diligence? Do we do anything like this? Yeah. I appreciate the candor of your answers. I appreciate that. So, do...you see what due diligence is?

**Gaughran:** Right. We do all the background checks. We do review everything that is presented in front of us. We...do everything.

**Bedell:** So, automatically you would be able to tell us if some proposer has...gone to a failure?

**Gaughran:** Absolutely, and...

**Bedell:** We would know that.

**Gaughran:** I have in the past as well, yes.

**Bedell:** Okay. Thank you. The next one, please? The public hearing. Is public hearing...Kelly, I'm sorry, is this...at stage four, this is \$4,375, okay? This public hearing, is this an option we have?

**Gaughran:** No. A public hearing is required. A public hearing is required of every charter petition.

**Hartman:** Ours is required.

**Bedell:** So, we would have a public hearing, but they wouldn't have to have a public hearing?

**Gaughran:** Well, I don't...know anything about them. All I know is California Education Code requires a public hearing of any charter petition within 30 days of submission.

**Bedell:** Okay, so, this public hearing is not optional?

**Gaughran:** Not here in California. No.

**Hartman:** It's optional as part of the contract whether or not you needed support at that phase of the process. We are not...

**Bedell:** Oh, so you...

**Hartman:** ...running...

**Bedell:** can do the first one, and then, we would come in, then...

**Hartman:** First one...

**Bedell:** Stage one.

**Hartman:** Yeah.

**Bedell:** And then, due diligence will be up to us?

**Hartman:** Correct.

**Bedell:** Stage...the public hearing, would be...we do it.

**Hartman:** It's up to you. But what I do. We have a choice whether or not we support we have a

**Bedell:** But...we don't have a choice, do we?

**Hartman:** Whether or not we support...

**Mijares:** Yes, you do. You do.

**Barke:** We have a choice of having a public hearing?

**Barke:** We would...no. We don't have a choice. We have a choice of whether we ask them to support us...

**Bedell:** But...you made my point exactly. You made my point exactly. And now, the next one, stage five: "Two School Work reviewers conduct clarification and capacity meetings with charter school petitioners. A combination..." There's no involvement of the board in stage five?

**Hartman:** That's up to you.

**Bedell:** So, that's either \$2,800 or \$3,800 if we have the board involvement there, right? I mean, is that right? I want to be fair, here. I'm...again, this is just the first time I've seen this, so I don't...

**Wechtenhiser:** Can I...can I...?

**Hartman:** So, if I may?

**Wechtenhiser:** Go ahead.

**Hartman:** Excuse me.

**Wechtenhiser:** Go ahead, answer him first.

**Hartman:** If I may? We're not proposing to do anything different from what you're doing. It would be in support of your process. And so, with stage five, I think with where you're going with that, we've worked with different clients in different...who have different approaches to this. So, in the state of Louisiana, for instance, they're required to do a third-party review of new charter school applications. So, they contract out that expectation and we fulfill it. In Chicago Public Schools, it was a team of folks – two School Works folks – and then experts from Chicago Public Schools who participated in all three stages, one, two, and five, through that process. And so, we are representing in these slides what we do, not comprehensively everything that you want to do.

**Bedell:** That is fantastic. You've answered my question. So, we're going to have double work on a single reject? Pieces of double work? What you do, and then what we have to do. And then, we're going to bring all this together and see if there's a marriage. Do I have that right?

**Williams:** No.

**Bedell:** What's wrong?

**Williams:** You don't.

**Bedell:** Help me.

**Williams:** I will.

**Bedell:** Ayudame, por favor.

**Williams:** So, to begin with, this is a serious discussion about changing the process...

**Bedell:** Right.

**Williams:** ...which I'm very unhappy about. It's too adversarial and too politicized. And, this is not about employer or employer relationships. No one ever intends to fire anybody from the staff. School Works has the capacity to do many aspects of the appeals process, and they're presenting that to us. Which one the board eventually adopts, and again, we're going to talk about that later. And, by the way, I...we will talk about under executive committee, a subcommittee with the staff to talk about how we would implement this. So, we don't have to implement everything that they're capable of doing. I think these good people here, Kim and David, you...you're doing a great job. I think they're presenting options to the board.

How we use them will be up to the board, and that's a discussion we'd have with the staff. No one ever intends to duplicate. This is not about duplication. If anything, it's anything but duplication. It would be replacing. For instance, I would like to see stage one, stage two be done by this particular organization. Stage three, stage four and stage five, you know, we can...do that [SIC] our own, keep our staff [SIC] do that.

We need to have ongoing review of our current 14 or 16 charter schools, depending upon how you...define that, so we need staff to continue to do that. There are state requirements. So, that...was something that in the final outcome, whatever the board wants to do...my personal opinion, I like...I'd like staff to continue with that. But, as far as the initial appeal, I...and we talked about this...as briefly mentioned several months ago, that this was a consideration. And, Nina, I think you might have mentioned about outsourcing.

**Boyd:** No. That did not come from me.

**Williams:** Or, someone did, but it was mentioned, and then, Trustee Barke met this organization, was introduced to it, and we began to talk about it. And, in order to make this a very neutral process to...stop this adversarial entity that...that's been created, this process has been created, it's way too politicized. Outsourcing to a neutral third party who is competent would be a reasonable alternative for the board. And so, you know, whether or not we do all the other different stages here, that's up to the board.

**Barke:** Can I just add...some comments? So...I did not meet them directly, but I believe it was CSBA where I met some people from the San Jose Unified. They were using School Works very successfully. They have quite a few charter schools. I asked them a little bit about their process, and I look at it because I know our staff does a terrific job. I talked to the charter schools and the interaction is great, that we're doing a great job. I think we've gotten to a point where we have 16 charter schools, and perhaps we could use a complement to our process. So, adding to it but not taking away. I don't think there's any idea of replacing anybody, but that perhaps our staff will

eventually become maxed as a result of having 16 charters that were overseeing now, and they could be a compliment.

Which I think, for the taxpayers, would be cost effective to outsource the... first, initial process, or whatever we want. And, I look at it as stage one, stage two being what might be a cost-effective way to get a initial, quick review and not worrying about our own resources and using our resources for other things, but I never looked at it as taking away from the staff, because I do hear terrific things about the staff. And, I know they work well with the charters. I just look at it as a complement, and... as Ken says, just for an independent look where nobody has, you know, anything...really nothing to gain or lose from it. They're outside the county, they're outside the state.

So...that's what I looked at it, and talking to San Jose, they seem to be using them, have had great success, and so, just seemed like an option as we grow. Because, I know the cost of us taking on additional staff, when you take in account the salary and the benefits and, you know, everything that goes along with that, the pensions, you know, all those are things to consider. And, we don't have, you know, we just have a case cost versus all those additional costs that comes along with...staffing up. So...

**Williams:** As a matter of record, I did ask Nina, an estimate, again, a rough estimate, and I was quite surprised...Nina, please help me out if I'm incorrect. The average was 220, 230, 240 hours that staff put in to the last couple petitions each, and the costs range from anywhere from \$12,000 to \$15,000?

**Boyd:** I think it was \$12,000 to \$14,000. But, I think it...for point of clarification, and you're correct. Yes, you did ask for an estimate. We backtracked because it wasn't...we did it on the front end and...captured hours and so forth. And, the numbers of hours isn't...was not unique to those charters. It's our process that we utilize, because we do a capacity meeting in the very beginning. We meet with the petitioners, and so, we bring a number of staff from the areas: business, which would represent financial; special ed.; instruction. So, as you all contract with independent contractors to do this work, or some who are employees of yours, we have internal capacity to do the same thing.

And so, we pull the specialized individuals in. So, the numbers of hours are the people that are reviewing, asking questions, going back and forth. You know, the communication and correspondence and so forth. So, from the standpoint, very similar process in terms of what they've identified here. Same things that we do at a different level, and so...I mean, I appreciate the fact that you all have all the things that connect the dots, they're right there, and I'm also appreciative to hear from the board that this was not to displace...

**Barke:** Absolutely.

**Boyd:** ...even though, I know that staff is under the employment of superintendent, so, that staff has known they can't get fired. So, that...was never an issue. But, I do think it's also historically...the board has...entered into contracts, or tried to contract for services. That's something that has been an administrative function of the superintendent's office, and we utilize vendors and consultants all the time. So, I see this as this might be an option for staff utilization,

not so much for...where the board would be doing something, because...I see...those very differently. And, in terms of, and I know that you'll dialogue with Mr. Rolan with regards to what you can and can't do, but it has always been reported.

Because, as...and Ken, Jack, you all know, we've had a number of vendors, consultants who have wanted to make public comments, come and share their...what they can do, and then, those have been directed to staff to see whether or not it's a service that can be utilized by the staff. And so, this is a little confusing because it is coming from a different perspective and one that historically...we've always said, or, we've always been told that legally, the board doesn't enter into those types of agreements. That's something that the superintendent and/or staff do, but we certainly do want to know what services are available. We always are trying to enhance, and that's why we send our folks to professional development and training and all the same things that, you know, I'm sure that you all are doing.

We're attending national authorizer conventions and conferences as well. My team has participated in those. So, it's not...we're just staying confined to our little Orange County, in terms of what's happening here. We want to make sure that we are savvy and we're experienced, and we know what California Law says we're supposed to do, but, additionally, what we can do to support the charters that have been authorized by this board, because we don't want to see any students or families that fail.

**Williams:** Questions, Jack?

**Bedell:** I'm going to...my colleagues here. They might help me.

**Williams:** Beckie?

**Gomez:** How many people are on your staff?

**Wechtenhiser:** Full-time, I believe we have about 10, but we have hundreds of consultants that we work with across the country who are, you know, do a majority of their work with us. They're not full-time employees.

**Gomez:** Okay, so they're spread across the country, so, they're familiar with a particular state and the laws? Because you're...it's...I'm sure, probably a challenge to keep track of all the different state laws and what the requirements are.

**Wechtenhiser:** Sure, but, as the associate superintendent...mentioned, we do attend those national conferences as well, and participate in a variety of state-specific events from time to time.

**Gomez:** Okay, I have a question for Mr. Riel, very quickly. Are the folks in the...our OCDE employees, are they represented?

**Riel:** They're part of classified service? So, they're not...they're management employees in classified service. They're not necessarily represented by the unit, but because they're in classified service, they still receive the same kinds of protections under the Education Code for those in classified service.

**Gomez:** Okay, so we would have to be extremely mindful of, if we were to do something like this, that we do not supplant those...folks because they are represented?

**Riel:** That's correct. There is a provision because, again, school boards are employers, and so is the superintendent, an employer. So, there are...there is an Ed Code provision specific to local school district boards, and the superintendent as the employer that can look at contracting out services that's currently being done by classified personnel, but under very limited

circumstances. And, that...that applies just to the employer, which are the county...excuse me, the local districts and the superintendent.

**Barke:** Again, I just...I want to make sure I emphasize, there's no...certainly my innocence in bringing them was never to supplant any personnel. That was not...it was really as an added...just an additional support, but never to supplant anybody.

**Gomez:** Well, I want to...to be sure that we're all on the same page on that.

**Barke:** Yep.

**Gomez:** Secondly, I guess I don't quite understand. We...get very positive feedback from all of the petitioners from our charter schools about our charter school unit.

**Wechtenhiser:** Absolutely.

**Gomez:** They are very professional. They're very mindful. They work with them, sometimes multiple times, even though there's an agreement for only one or two meetings, that there's multiple meetings to try to get the petitioners, you know, to meet the criteria that...we expect. And, I guess where the challenge has been over the past year or so, is that we've had some petitioners come before us, agreed to do things...oh, maybe I could ask you to come forward again? The...folks here.

**Williams:** Kim and David.

**Gomez:** Kim and David, I'm sorry. Okay, so, one of the challenges I think that we've had in the past year, is that we get to what we think is an agreement with our petitioners, and then, at the eleventh hour, not so much. They don't want to comply with what we thought they agreed to. How do you deal with that?

**Wechtenhiser:** That...that...we make a recommendation to the board as to whether or not we would encourage you to, or there's...sorry, let me correct that. We make a recommendation as to whether or not the applicant has met the standards of the process, and we leave it to your discretion, your very wise experience, to determine whether or not you would like to follow our recommendation, or go against our recommendation. What happens in subsequent...phases of authorizing, and let me just bring up the cycle of effective authorizing slide here.

**Bedell:** It's on page three.

**Wechtenhiser:** So, there are varying functions that authorizers should be fulfilling. One is the authorization, which is ultimately...occurs when the board approves to...moves to approve or deny a petition. What happens in subsequent phases...so, anything outside of that yellow triangle (referring to the PowerPoint slide), it's not what we're proposing or discussing. So, for example...at this point in time. So, for example, if an applicant gets to the contracting phase, which is when you're asking them to ultimately sign into agreement the standards and expectations you have for them as they operate as a charter school, that is not on part of our proposal today.

**Gomez:** Okay.

**Wechtenhiser:** Okay? So, ultimately that would be, you know, I think, right now the way your county and superintendent work together, the board and the superintendent work together. That would fall under the staff's responsibility.

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

**Wechtenhiser:** Yes?

**Williams:** Thank you, Trustee Gomez. At this point, I'd like to continue but we have some recognition of some very fine people. Are you...going to be taking a flight back early? Can you stay for an hour? What's your schedule and time?

**Wechtenhiser:** We can actually stay, yes. I wasn't planning on flying out until tomorrow and David's flight was canceled this morning because there's a large polar winter storm headed back to Minneapolis. So, we are here. Yes, we'll be happy to...

**Barke:** Lucky you.

**Williams:** Very, very good.

**Gomez:** You're lucky to stay in California.

**Wechtenhiser:** Exactly.

**Williams:** So, the board will be in recess for five minutes. We do actually go onto closed while the staff...

**Boyd:** Closed session? We won't be able to do five minutes of closed session.

**Williams:** How long will it take?

**Boyd:** They're bringing them in right now. So, you do a restroom break for five minutes.

**Williams:** Restroom break? Okay. So, we're going to be having a five minute break. No closed session.

**[DR. WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF THE FIVE MINUTE BREAK]. UPON CONCLUSION OF THE BREAK, DR. WILLIAMS STRIKES THE GAVEL 4 TIMES TO CONTINUE THE MEETING]**

**Williams:** Welcome back. The time is now 11:12 a.m. We are at a very special moment in our board agenda, and we thank you for your patience. We have had a very vigorous dialogue about public policy and governance, and our department at...but, the most important thing right now is you folks who are here that we are honoring. So, I will be calling miss, or, excuse me, Dr. Christine Olmstead to the podium, and she will lead us in the facilitation of the presentations.

**Olmstead:** Good morning. This morning I get the pleasure of honoring our National Board...Certified Teachers, and the national board recognizes teachers who have gone through a rigorous process demonstrating accomplished teaching by submitting evidence that their practices meet five core propositions and national board standards. Board certified teachers endure a peer-rated process, then assess these submissions. Board certification is a hard-earned distinction. This process is described by many as the most valuable and transformative professional development they have ever had. And, it also impacts the...students and schools, and their districts that they serve.

Today, we'd like to recognize three local teachers; one who could be here today, the other two are with their students and have earned this distinction. We'd also like to thank special people who have supported them through this process. Leslee Milch is in our audience, and she is a consultant for us that does great work [APPLAUSE] with Cal State Fullerton. Kathy Boyd is our director for our career education unit that helps [APPLAUSE] support the process as well, and Susan Carle is our coordinator for National Board Certification, and a National Board Certified Teacher, herself. So...our two honorees who cannot be here, we still want to honor them and say their names to you.

So, Tim McFadden is from TeWinkle Middle School in the Newport-Mesa Unified School District. So, he earned his National Board Certification, and Bernard Jane, from Back Bay High School in the Newport-Mesa Unified School District, also is a National Board Certified Teacher. But, with us today is Cristina Brown. Cristina, go ahead and come up and I'm going to have Dr. Williams and Dr. Mijares join her. Go ahead and stand in the middle [APPLAUSE] for everybody to see.

And, Cristina teaches at Gordon Beatty Elementary School in the Buena Park School District. She is...declared an accomplished teacher in the Exceptional Need Specialist / Early Childhood Through Young Adulthood certification area. So, she is working with our youngest and brightest. Congratulations to Cristina [APPLAUSE]. And, Cristina is joined here by her family today. If you could all stand with her...[APPLAUSE] little girl, and we'll also have her superintendent, Dr. Miramontes, come up and have a picture with our superintendent, Dr. Mijares.

**Bedell:** Christine, if I might?

**Olmstead:** Yes, you may.

**Bedell:** This is one of my district schools...

**Olmstead:** Okay.

**Bedell:** Right? And, the recipient looks younger than most of the students I see. So, she's obviously got a lot of accomplishments, but, my understanding is the...superintendent is not known for his modesty. My understanding is Buena Park district, which is one of my districts, has had several distinguished teachers like this. Am I correct?

**Miramontes:** Correct. Seven.

**Bedell:** Seven. [APPLAUSE] You joined an argus group, and thank you for coming today.

**Brown:** Thank you so much, Dr. Bedell. [APPLAUSE] My mom is here and she's one of my...

**Williams:** Come on up, mom. [APPLAUSE]

**Brown:** My mom is a teacher at Santa Ana Unified School District, and she's my biggest inspiration. [APPLAUSE]

**Mijares:** Your mother did a beautiful job in Santa Ana as a teacher and administrator, just did everything that a stellar and administrator would do. But, we did comment how we wish we had passed this test. [LAUGHTER] We didn't pass it, so, you did.

**Brown:** Thank you, Dr. Mijares. [APPLAUSE]

**Olmstead:** Thank you, Dr. Williams.

**Williams:** Thank you, Dr. Olmstead. Okay. So, now, we get to go to the next special part here. And, that's our Orange County Classified School Employees of the Year, and I'll call Ms. Newfield, come on up. Is it Dr. or...

**Newfield:** Oh no, not yet.

**Williams:** Not yet. Okay.

**Newfield:** You can always have hope.

**Williams:** Thank you, Nicole.

**Newfield:** Good morning, President Williams, members of the board, Superintendent Mijares. This is one of my favorite days of the year, truly. Today, we are honored to recognize six talented and dedicated professionals as the Orange County Classified School Employees of the Year. [APPLAUSE] The California Department of Education established the CSEY program in 2008 to recognize exemplary public school employees who serve students in preschool through grade 12. Sixty-four nominations were reviewed by our judging panel and these wonderful

finalists were selected based on work performance, leadership, and commitment, school community involvement, and going above and beyond.

The common thread seen with all of our finalists is that they do their work with enthusiasm and integrity. They are extremely productive and technically proficient, and they are leaders in their schools and communities. We are pleased to welcome the family, friends, and district representatives and school board members of those being recognized today. Our generous community partner, SchoolsFirst Federal Credit Union, has joined us in honoring the Orange County nominees by sponsoring a full-page ad in today's Register, and you can see the celebrities up here if you have time [MOTIONS TO A PRINTED COPY OF THE AD THAT HAS BEEN DISPLAYED]. And, joining us on behalf of SchoolsFirst is Josh Smith, who is the executive director of advocacy. [APPLAUSE]

Our honorees will be presented with a certificate by one of our Orange County Board of Education members, and they will receive a \$500 check from SchoolsFirst. [APPLAUSE] They look very surprised and happy. Thank you, Josh. It is now my privilege to introduce you to each of our Orange County Classified School Employees of the Year. When I call your name, please come forward with your district representative. Our first honoree is Maria Mejia who is joined by Dr. Gabriela Mafi, Superintendent. [APPLAUSE] And, Maria is in the Garden Grove Unified School District. She is a bilingual instructional aide, and she's representing the category of Paraeducator and Instructional Assistants. She has been with the district for 29 years.

She works in a kindergarten class where she helps with everything from instruction to classroom management. Maria says the active environment helps to keep her young and alert. She feels blessed to work with caring teachers and families. She always tells the kids we're not just preparing you for first grade, we're preparing you for life. So, other than academics, the top three things she aims to instill are to be honest, to be organized, and to be a good person who is ready to serve. One parent shared that Maria has a natural ability to connect with students and their families. She welcomes everyone with her big heart and open arms, and her principal said that Maria is just one of those rare individuals who is lit from within.

Her selfless dedication motivates the entire school community to do more, and Maria just sees her work as a calling. When she found out about this honor, she asked herself, "Do I really deserve this award? I just love my job and I love what I do." Well, the answer to that question is clearly, Maria, yes. You deserve this award. Board member Beckie Gomez will now present Maria with her award.

**Gomez:** We already did. [LAUGHTER AND APPLAUSE]

**Newfield:** Thank you. Noah Valadez, please come forward with Carol Hansen, superintendent of Ocean View District. [APPLAUSE] Noah works in the district's maintenance department, and he's representing the category of Maintenance Operations and Facilities. He has been with the district for 30 years, and he actually told me he started when he was in middle school. [LAUGHTER]

I'm not sure if I believe that. Noah is responsible for fixing everything throughout the district from floor to ceiling and beyond, including playground repairs. He shared that one of his favorite things to fix is broken swings because he loves to see how happy the kids are when they can get

back on and fly again. He takes great pride in his work and it shows. He has a strong sense of ownership and responsibility for keeping staff and students safe. For many years, he has been the primary on-call person who responds to issues after hours. His colleagues trust his abilities and his judgment in any situation because he is calm and capable. Noah finds his work rewarding and he feels very much appreciated by staff, students, and families.

He loves giving back to the community where he and his children grew up, and now, he even has grandchildren in Orange County schools. His team members hope that he will stay with the district long enough to see his great-grandchildren start school. [LAUGHTER] And, board member Beckie Gomez has already presented Noah with his certificate. [APPLAUSE] Deborah Watkins, please come forward with Art Jimenez, Westminster School District. [APPLAUSE] Debbie is one of the main cooks in the district central kitchen, and she's representing the category of Child Nutrition. She's been with the district for 24 years. Debbie starts her day bright and early at 5:30 a.m. with a smiling face and a can-do attitude. How many of you can say that? [LAUGHTER]

The kitchen prepares and delivers over 6,000 meals per day. In addition to her regular duties, Debbie prepares meals for 50 students who have food allergies and special diets. Her meticulous system for knowing what each student needs, and her attention to detail, have resulted in 24 years without an incident in the district. And, that is a big deal. To promote student engagement, Debbie leads tours of the nutrition center. She enjoys spending time with the students as she shows the equipment and explains the process of how the meals get planned, prepared, and served. The highlight for students is walking as a group into the huge freezer, which Debbie shared is twice as big as that refrigerator at Costco that you can walk in. [LAUGHTER] Pretty impressive.

One student who has a special diet was excited to see that she has her very own bin in the kitchen with her name on it. Debbie said it warms her heart to take extra steps to care for the students each day. She confirmed that she really does smile at 5:30 a.m. [LAUGHTER] and throughout the day, because she gets to work with amazing people who are like a family to her. Debbie leads by example and her strong work ethic and positive energy inspire the rest of the team to do the same. Board member, Dr. Ken Williams, has presented Debbie with her certificate. [APPLAUSE] Kelly Prouty, please come forward with Dr. Clint Harwick, superintendent, and we're representing Huntington Beach Union High School District now.

Kelly is the secretary at Edison High School, and she is representing the category of Office and Technical. She has been with the district for 14 years, and she is responsible for managing the office of a bustling school with 2,500 students and 250 staff members. Recently, I saw a meme that described the definition of a school secretary: someone who solves a problem you did not know you had, and in a way that you do not understand. [LAUGHTER] See also, wizard or magician. If you work with Kelly, you probably relate to this. She is known for being a problem solver who is never afraid to jump in and help. Her main role is to support the principal, which means she's involved in every aspect of the school from attendance and budgets, all the way up to safety and supervision.

She's the go-to person for everyone on campus. Her principal shared that Kelly is a true leader who makes everyone feel like they are the most important person. When funding went down for

the associated student body, Kelly started the HB Resolution Run, which has since raised over \$100,000 for the school, the McKennaClaire Foundation for Pediatric Brain Cancer, and other charitable organizations. She's just thrilled that the run has grown into something that's more of a school activity and it connects and supports the entire community. Kelly's favorite part of her job is interacting with the students, and she also loves being part of such a caring team. She said it's like having a second family that supports each other through good and challenging times.

She also said that her real favorite part is Friday afternoon dance parties [LAUGHTER], line dancing, specifically. It's clear that her colleagues truly value the positive contribution she makes every day. Board member Mari Barke has presented Kelly with her certificate [APPLAUSE]. Gabriel Ramirez, please come forward with Meg Cutuli, who is a board member with the Los Alamitos Unified School District. [APPLAUSE] How many of you saw the big yellow bus outside? [LAUGHTER] That belongs to Gabriel because he had to work today, and he will work after this. He did not take the day off. Representing the category of Transportation, Gabe is a bus driver who serves students from preschool, all the way up to the adult transition program.

He cares deeply about the students and goes above and beyond to make sure they feel welcomed and valued every time they enter his bus. Gabe shared that his favorite part of his job is just being with the kids. He's been on the same route for 25 years, and he loves seeing the students grow up. The district serves 10,000 students, so, as you can imagine, Gabe has met a lot of them over the years. That's about 250,000 kids, Gabe [LAUGHTER]. That's a lot of kids. He tries to make their bus rides memorable by asking about their lives and sharing funny stories. He just loves to laugh, and the kids make him laugh every single day. Gabe is passionate, also, about the safety and well-being of students, and he will do anything he can to support every child on his bus.

He makes it his daily mission to ensure that all students feel capable and cared for. Gabe was recently awarded by the California Highway Patrol with a challenge coin for his outstanding ethics, dedication, and service as a school bus driver. He has been humbled by all the accolades. He just feels lucky to have the best job ever where he gets to work with so many kind, accepting people, including the kids. And, his community is lucky to have the best bus driver ever. Board member, Mari Barke, presented Gabe with his certificate. [APPLAUSE] Anna Lopez, please come forward with Dr. Scott Scambray, superintendent of Fullerton Joint Union High School District. [APPLAUSE] Anna is representing the category of Support Services and Security.

She is the district community liaison, and in this role, she ensures that students and families have the resources they need to be successful. Her work involves foster youth and homeless services, parent education, family engagement, and support for English language learners. Anna is passionate about making sure that parents are included, informed and involved. Her inspiration for helping others started long ago. When she was in elementary school in Westminster, she had a positive experience with the district's community liaison. Her mom didn't speak English and Ms. Veronica helped her to navigate the system and provided supports...through some difficult times.

She also helped Anna to think about the future and to see all the possibilities education can provide. Years later after Anna graduated from college and started her first job as a community

liaison, go figure, at Westminster School District, she was thrilled to find out that Ms. Veronica was still there. Now, Anna is loving her job every day and she's grateful to give back to the community she serves in Fullerton Joint Union High School District. Board member, Dr. Jack Bedell, will present Anna with her certificate. [APPLAUSE]

The stories shared today represent just a few of the many exceptional qualities of our CSEY honorees. They truly exemplify the contributions of classified employees throughout the county. Thank you all for the important work that you do every day to ensure the health, safety, and academic achievement of our students. At this time, we'd like to have all of you come forward with your certificates for one final photo. [APPLAUSE]

**Boyd:** Nicole, is that with the board and the superintendent?

**Newfield:** Let's do one with just finalists, and we'll take one more photo with the board members and Dr. Mijares. [PICTURES ARE TAKEN OF THE FINALISTS, THEN MORE THAT INCLUDE THE BOARD MEMBERS AND DR. MIJARES. FURTHER APPLAUSE IS GIVEN, FOLLOWED BY LAUGHTER] Please join me in congratulating the 2019 Classified School Employees of the Year. [APPLAUSE AND CHEERS] This concludes our presentation. We'll turn it back over to Dr. Williams.

**Williams:** Thank you, Nicole. As we continue on with our meeting, we would love to celebrate with you in a reception next door. Lots of good things: cake, vegetables, fruit. So, we're going to be adjourning the board right now and we're going to be joining you in the reception. And then, we're going to be in closed session because at about 12 o'clock, we have public comments. So, we thank you for being here. Congratulations to you all. Many blessings to you. [APPLAUSE]

**[PRESIDENT WILLIAMS STRIKES THE GAVEL ONE TIME TO SIGNAL THE BEGINNING OF THE BREAK. UPON CONCLUSION OF THE CLOSED SESSION, THE BOARD MEMBERS SIT IN THEIR RESPECTIVE SEATS]**

**Williams:** Are we all here? We are here. **[PRESIDENT WILLIAMS STRIKES THE GAVEL 5 TIMES TO CONTINUE THE REGULAR MEETING]** Good afternoon. Welcome to the Orange County Board of Education. We began our meeting three hours earlier and we went over a few informational items. I will go over that again, but first we're going to report out for what happened in closed session with our attorneys. And then, I'll go over those with you, and thank you all for being here. Greg.

**Rolen:** Mr. President, members of the board, The first item under closed session we voted 4-0...the board voted 4-0 to approve a public statement concerning the...result of Anaheim litigation. That statement will be on the board's website. On the second matter of...on the closed session agenda, we received information from litigation counsel on the Chino Valley litigation. No resolutions were passed and no action was taken. And, on the fourth matter on the closed session agenda, the board received information and had discussions about responses to Public Record Act requests, and again, no resolutions were passed and no actions were taken.

**Williams:** Very good. Mr. Brenner?

**Brenner:** Thank you, Mr. Williams. On the third item in the closed session, the board received an update on the status of the litigation with the superintendent. Our fee statement for February time was reviewed and considered by the board; a vote taken. Approval for payment was passed by the board with the vote being Trustee Williams and Barke voting in favor, Gomez voting no, and Trustee Bedell abstaining, 4-1...2-1-1, and no resolutions were passed. No action taken other than that.

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

**Boyd:** Dr. Williams, can I give point of clarification?

**Williams:** Absolutely.

**Boyd:** The agenda has closed sessions listed but numerical order. So, if I can just reiterate that the last comments by Mr. Brenner were related to closed session number one. The previous comments from Mr. Rolen, in sequential order, were related to closed session two, three, and four.

**Rolen:** Correct.

**Boyd:** Thank you.

**Williams:** That is correct. Thank you, Nina. Very good. So again, welcome to all of you who are here, and I just want to go over a few of the...what we call policies and etiquette here and remind that this is a public meeting of the business of the County Board of Education. And, we make real serious decisions, but more important to us is listening to our constituents. And, that's what you're here for. We put this public comment at a close hour that everyone can be here. As you may or may not know, there's a lot of information, a lot of dialogue that occurs that delays a meeting. So, we tried to make this for the public's convenience here.

A part of the concerns that we have is that we don't want anyone to stand out and make gestures, stand up and shout, hold up signs, snap, clap, or whatever it may be that will interfere from the focus and attention that we're giving to our speaker here. The public comments are not an opportunity to have a dialogue with the board. We don't do that as a general rule. So, if you ask a question and we just sort of look at you dumbfounded or blank faces, it's because we typically don't respond in a public fashion. So, with that, we have 31 cards.

**Boyd:** No, we have 36 now.

**Williams:** 36 cards? Okay, so, typically, we give about three minutes for public comments to each speaker, and according to our past practices, because there's a lot of people here that want to talk with us, we typically have allowed everybody to talk. So, we're going to allow that to happen. So, we're looking at an hour-and-a-half...hour-and-45 minutes. If, however, somebody said something that you have heard that you want to talk about, you can shorten the whole process up. You can say what you want in those three minutes, certainly. We're not going to limit any free speech here, but certainly it would help to facilitate the meeting just to say, I agree with speaker x, y and z, and what they said. So, those are the ground rules, and any other comments? Yes, Nina?

**Boyd:** Just point of reference. We do know that there will be some translations that need to occur, and so, we will allow a couple of minutes extra time to ensure that we're capturing the comments appropriately. So...

**Williams:** Very, very good. Okay. So, let's watch democracy in action. Our first public speaker. If you can...

**Boyd:** I will call two names. Just so that we can keep it moving, if the first speaker would come to the podium, and then the second person would just line up behind them, over close to the wall or in the aisle way. And then, I'll call the next speaker so that we can continue that process. First up will be Al Holguin followed by Ruth Kobayashi.

**Holguin:** Good afternoon, council. My name is Al Holguin from Mission Viejo. This is regarding closed session number three on today's agenda, Chino Valley. Again, the Orange County Department of Education has lost their fight for invocations at these meetings. Last month on March 8<sup>th</sup>, 2019, the United States Appeals Court for the Ninth Circuit has denied your appeal to intervene with Chino Valley School District case regarding invocations at school meetings. It's over, it's done. Now, it's your turn to stop invocations at these meetings. This is not a church. This is not a mosque. This is not a temple. What you are doing are forcing your beliefs on these kids, which has been proven time and time again to be against the United States law.

Let me remind council, currently, all students in public school have every right to pray. They also have the right to bring the religious books to school and to take off their religion...to take time off for the religious holidays. No one is stopping these students from practicing their religion in public schools. Grown-ups are the ones that cannot lead class in prayer or lead a football team in prayer, or have invocations at public schools...school meetings.

Let their public...let their parents guide their religious beliefs. School officials and council members need to stay out of this issue. If council wants to have invocations at their meetings, then try a different position at a religious school as this current position is not right for you. Again, I'm requesting council to stop invocations at these meetings and to remove invocations from your public website. Thank you.

**Williams:** Thank you.

**Boyd:** Ruth Kobayashi followed by Joyce McNabb.

**Kobayashi:** Good day. My name is Ruth Sanchez Kobayashi, and most of the time when I speak at public meetings, it's to encourage or advocate for a positive course of action. Sadly, that has not been the case recently in this room. Today, I am here to shine a light on a very serious disappointment. You see, I'm a conservative Republican and evangelical Christian, and a Newport Beach parent who wants to see all kids get a great education at public, private, charter or any great school. Last month, a substandard charter school with an utterly incoherent leader was approved against the recommendations of the professional staff of this organization.

I watched a political operative watch the board closely, and a charter school association member texting in striking coincidence as a member of the board looked at her phone for most of the discussion about that charter school. Since then, I've learned through public disclosures what we heard a lot about earlier in the day about very generous funding of elections of some of our members from the Charter School Pacts. Our community will hold our leaders accountable for being influenced by special interest big money over due diligence in making these decisions. Politicize...politicization of local elections from either party, mine or the other, is not what we want to see.

We must insist that our elected leaders carefully vet charter schools, respect the...recommendations of their own staff of professionals. We should call out anyone for being so influenced by charter association members and political operatives that sit in the board meetings visibly influencing, or attempting to influence, decisions that have serious ramifications. Again, I'm for all great schools. I don't care their stripe. Great charters are an important part of our educational landscape.

However, when a substandard charter is approved by leaders who give the appearance of being entrenched in political ideology through the contribution of special interests, what does it say about our leaders, including those that I voted for this last year? In Newport Beach and Costa Mesa, we plan to watch the ISSAC school very closely and to hold accountable our leaders who place them in our district at our expense. Thank you.

**Boyd:** Joyce McNabb...please, hold your applause. Is Joyce McNabb here? Followed by Cyndie Borcoman.

**McNabb:** I'm Joyce McNabb, Joyce McNamara McNabb from Costa Mesa, and I'm here today to offer 100,000, thanks to Newport-Mesa School Board trustees. Thank you for recognizing the International School for Science and Culture's shortcomings. Thank you for rallying the community to our local schools. Thank you for supporting our local schools as I think appealed to the county board. Thanks for laying out the whole chronology in our local newspaper. And, all in time for St. Patrick's Day. It seems the luck of the Irish that I sat through the county board's open meetings in January, February and March. I listened to Ms. Gould's presentation malarkey, and I could only ask, why?

Why would people come from L.A., petitioning to start a school, their school, in our district? Why might the county divert public funds intended for public education to this venture? Why would some county board members be so extraordinarily accommodating to ISSAC's proposal shenanigans? All this despite the reservations of its own professional staff. Why? I listened, to...the responses of Newport-Mesa's professional staff. Their representatives: dedicated, qualified.

And, we know now how this is all come out. On March 6<sup>th</sup>, the...board voted 3-2, to overturn Newport-Mesa's denial of ISSAC's petition. Trustee Mari Barker [SIC] represents the county's District 2, which includes both Newport Beach and Costa Mesa. She voted with the majority. I can only ask, why? And, perhaps you ask why am I here speaking out on this today? It's the Irish in me.

**Boyd:** Cyndie Borcoman followed by Sarah Bach.

**Borcoman:** Good afternoon, board and Dr. Mijares. General comments from the community is mandated for...elected officials to hear concerns of the citizens. I was very concerned for the meetings in December, January, and February that parents that came to speak and citizens that came to speak were restricted. It was only 10 citizens who were able to speak in the meeting, and I appreciate today, and I think last month, you amended your policies and you're allowing people to speak. And, I appreciate that. Thank you. I would like to address an incident that occurred at

the February board meeting. Dr. Williams, I'm sure you have spent your career trying to build a respectful reputation.

I don't understand why you would squander your reputation by calling an esteemed community leader, Dr. Navarro, superintendent of Newport-Mesa School District, a liar at the February meeting. This is shameful behavior. Another note: As a taxpayer, I'm very concerned that the school board members, Barke, Sparks and Williams, approving school...charter schools that don't have in place the minimal standards for special education and school districts have denied. It's alarming that schools are being approved that don't meet minimal requirements. The board was advised that once they approve the charter, even if there was serious issue, their charter was not mandated to improve their program.

The taxpayers money should be used to fund...should not be used to...and fund inferior schools and privatize public education. The group of educators in ACCESS save our students, and ACCESS want to make sure the board is aware that the teachers of...ACCESS submitted a petition of no confidence for the Assistant Superintendent, Laura Strachan. She continues to bully staff, refuses to listen to input. The remedy was to have Laura go to meetings and listen to staff's concerns.

I want you to be aware the staff, many of them have layoff notice; they are in fear of her. She does spite...she is spiteful and she does make them in fear of their jobs. I just would like to say please support the teachers of the non-confidence vote on Laura Strachan. I also want to say at meetings, she has said one-tenth of the teachers, only one-tenth of the teachers of ACCESS, are able to teach...are confident and able to teach, and that they would never be able to get a job in a regular school district. Thank you.

**Boyd:** Sarah Bach? Brenda Lebsack. Brenda Lebsack? The other person's not here.

**Lebsack:** Oh, got it. Okay.

**Boyd:** Followed by Inhee Kim.

**Lebsack:** On your mark, get set, go. Greetings, Dr. Mijares and trustees. The Orange County Department of Education is utilizing the Human Rights Campaign to train teachers and administrators about creating safe, inclusive school climates. I am concerned about OCDE's connection with the Human Rights Campaign, HRC. I've been studying the elementary books and lesson plans developed by Welcoming Schools from HRC. Here's a few samples: They/She/He/Me/Free To Be for pre-k through fifth grades. [WHILE MS. LEBSACK SPEAKS, MS. KIM HOLDS UP VARIOUS BOOKS AND SHOWS THEM TO THE AUDIENCE] A book about non-binary gender pronouns reads, "You can change pronouns from he to she, or from she to he. You can use new ones like z, or, create your own like tree. Some people use, they. There are many more pronouns waiting to be discovered and used."

Next, "Red: A Crayon Story", for pre-k through first grade. "Everyone thinks the crayon is red because of its outside label, but really, the crayon is blue because that's what's on the inside." The lesson plan tells students to share an inward identity not easily seen by others. For example, "Someone who looks at me may think I am a girl, but I am non-binary, and my pronouns are they and them. Non-binary is defined as people who do not feel like a boy or girl. They may feel like both or neither."

Next book: “Neither”, for pre-k through first grade. A parable about unlimited genders. “Once upon a time, there were two kinds, this and that. But now there are many kinds: this, that, sort of, just, somewhat, what not, rather, a little, either, very, neither, and both. And, all are welcome.” Another book, “A Day in the Life of Marlon Bundo”, grades k through five...fifth. This book calls Vice-President Mike Pence, by name, boring and not fun. It calls legislative officials who supported Proposition 8, mean stink bugs, and shows kids how to vote and kick these stink bugs out of office.”

The Human Rights Campaign sent me 32 of these books, a class set for free with lesson plans because as a teacher, as myself, they want to help me create a more inclusive, safe and welcoming classroom. This book breaks CSBA policy which states, “Class instructors are not to use their position of influence on students to forward their own political or social views.” In my opinion, HRC is not an ethical organization.

They're using primary classrooms as their political pulpits. They are very biased, yet OCDE hires them to train school employees or creating...on creating safe schools' climates. They are not inclusive or safe. They are exclusive and vindictive toward anyone who does not share their gender ideologies or political social views. I hope Orange County Department of Education will reconsider future collaboration with the Human Rights Campaign Welcoming Schools. Thank you.

**Boyd:** Inhee Kim followed by Phuong Baker.

**Kim:** Good afternoon. My name is Inhee Kim, and I'm a mother of two children and a public middle school teacher. I was informed that the Orange County Department of Education sponsored a professional development workshop called Cultivating Safe School Climate for LGBTQ Youth on March 21<sup>st</sup> with presenter, Vinnie Pompei, from the Human Rights Campaign. I would like to share my personal experience with you concerning this organization. I attended the three-day conference, Human Rights Campaign: Time to Thrive, in Anaheim on February 15 through 17, so I could learn how to create more inclusive welcoming schools. I love the title, the theme, The Time to Thrive.

However, I cannot say if their conference impart [SIC] me as an educator to better serve our students. Instead...the content I heard from their leadership alarmed me, and I was asking myself, whose time to thrive is it? At one workshop, they introduced a curriculum for k through second grade. The content was teaching young children that gender is at heart, and it was promoting children to choose their own gender-indicating pronouns, and...or, even encouraging them to create one for their own. And, this one was...defined as the idea of human brains. So, I asked, can teachers lose their jobs if they refuse to use plural nouns, such as they, them for a student or staff who says they are both, or want to be called a z, e, or tree? The HRC's representative said yes.

If the district has a non-discrimination policy against gender identity or sexual orientation, and then the rep also added the union will not cover the teacher. And, the teacher will be accused of discrimination. I wonder. What does that have to do with cultivating safe school environment...climate? At another workshop, I asked, if a sixth-grade student claims she is a boy trapped in a girl's body and wants to go on puberty...blockers, but does not want to tell her

parents, what should [SIC] teacher do? The HRC representer [SIC] said, ask permission for student to connect her with a LGBTQ ally so she can get on the puberty blockers. Help the student obtain what she wants because this could be a life or death situation.

Please treat it like a life-or-death situation, bypassing the parents and school counselors is crucial because they might be religious and try to convince [SIC] child to reconsider what she wants, and after effects. And, to prevent any possible conversion therapy that could be tried. In this short response, I wonder where is the parental rights and obligation to keep their own children safe? I also asked, if a fifth-grade student identifies as a gender-fluid and wants to fluctuate between boys and girls cabin during 5<sup>th</sup> grade science camp, what should staff do? [THE TIMER SOUNDS AT THIS POINT] And, they said we are going away from sex segregation for school activities.

**Boyd:** Your time is up.

**Kim:** Sorry. Okay, just one last sentence. So, what they were just focusing on was, they said it's time for churches to be educated, and coming out of ignorance and the misinterpretation of the Bible. And, they also said kids are not biased, so educate the young. And, is there where the OC Department that...of Education is endorsing? And, that's what I would like to ask.

**Boyd:** Phuong Baker followed by Luis Olan.

**Baker:** Good afternoon. My name is Phuong Baker. I'm an elementary teacher and a parent in Orange County. I was shocked to learn that if my daughter was to enter kindergarten, she would be subject to receive gender teachings as early as the age of four. This could be done without parent notification and no opportunity to opt out. Being exposed to gender teachings during these formative years may cause confusion in their development. I realize this is being taught in the colleges for student-teachers. Even though districts may not have approved curriculum about gender in the elementary grades, educators can bring it in because we are allowed to use supplemental materials.

Due to this academic freedom for teachers, this is going to be hard for districts to monitor or control. The law, AB 329, says it's allowable in the elementary grades and EC 51932B says, "Parent notice is not required and there is no opt out." This is an infringement on parental authority. I've already pulled one of my three children from public school. However, I'm hoping more controls by districts can be enforced, concerning these controversial teachings from the state, so parents can have a peace of mind when they send their children to school. After learning what can be taught in elementary grades, I shared about the gender teachings with many parents and communities we are involved in...with, such as track, karate, churches, and schools.

Many families share the same views as I do. As parents, we have the right to have a say-so and know what our children are learning in school. Districts are trying to increase enrollment. However, these controversial teachings could cause a mass exodus out of public education, county and statewide. I thank you.

**Boyd:** Luis followed by Maria Olan.

**Leon:** John Leon, interpreter.

**Boyd:** Thank you.

**Olan:** My name is Pastor Olan. I'm a pastor in Garden Grove. I'm also the president of an alliance here in Orange County. Recently, I learned about the education rules, the curriculum that is being presented to our schools. I was surprised to hear of some, especially because the state renders us the opportunity to those that speak English, but not to those that speak only Spanish. As a leader in my community, I'm here to tell you that we care for our children and their education as well. We have values, strong values, family and religious, and we are thankful for the public education, but, not when there is an abuse. We can not render or surrender our principles given by God. We will raise our children according to our values.

Our children are not for sale. Our confidence is in God, and I thank God for that logo that stands behind you, but is also before us. We should also consider it. Dr. Mijares, with a lot of...respect, as our Hispanic representative, we ask that you would defend us. Please help us to correct this error so our voices may be heard. We're asking God to give you wisdom to be able to correct this situation. Please...count on our prayers for you. Thank you.

**Boyd:** Maria Olan followed by Jinah Yi.

**Olan:** Greetings, Dr. Mijares and board members, my name is Maria. I help lead many Hispanic ministries in Orange County. I have recently view [SIC] some of the contents on the health framework, the laws and curriculum coming from our state. I could not believe what I saw. Why will anyone want to compromise the innocence of children? Why will anyone want to confuse them about their God-given gender? Why will they want to remove parents' rights? Why will they teach things in school that go directly against so many people's cultural and religious beliefs?

Why are non-English speaking parents being silenced? Why does the state think that they know what's best for our kids? Why are they trying to sexualize our children and disguising it with clever, nice words like inclusive, safe, and welcoming? I have many questions because this is not the America I know. Please, Dr. Mijares, we pray God gives you great courage to do what's right for the sake of our families and children. Thank you for listening.

**Boyd:** If you all could please refrain from clapping. It...hinders my ability to get the next speaker up. Jinah Yi followed by Saga Zhou, or Zhou? I'm sorry for the pronunciation. Jinah, or Jinah (sounds like Jinay) Yi? Okay. Thank you. Saga?

**Zhou:** Yes, I am Saga.

**Boyd:** Okay, thank you. Followed by Andrea Tapia.

**Zhou:** So, I already translated my speech. So, I can do the English part and my friend, Lilly, will do the Chinese part. Is that okay?

**Boyd:** Okay. We'll do a...five minute...

**Zhou:** Greetings, President Williams. Dr. Mijares, and trustees. My name is Saga. I'm originally from China and has [SIC] become an Orange County resident since 2009. I work hard to come to the U.S. to pursue my American dream. I believe in the freedom and equality of this country, and I believe and I trust the education system and the government here. Just like many other Chinese immigrants, we made [SIC] home in the golden state of California, and we believe that our children could be [SIC] benefitted and protected better in a society. [LILLY SPEAKS IN

CHINESE FOR THOSE IN ATTENDANCE WHO SPEAK CHINESE. ZHOU THEN CONTINUES]

However, AB 329 has passed without getting the public's attention and enough awareness, especially to minorities whose native languages are not English, meaning school district follow the rules given by the California Department of Education to provide equitable access of information for non-English speaking parents and student. Yet, the OCDE does not. They broke their own rules and went against their own policies. They asked for community, statewide input on a very controversial, nearly 1,000 pages health framework. During the two, 60-day phases. Note, the framework was provided in English only. How many of you have the courage and ability to read it through?

So, non-English speaking parents throughout the state could not participate in the input process. We were excluded. We parents cannot get decided what you taught [SIC] to our children. We were discriminated against by the California Department of Education. In a while, I want to ask you why? [LILLY ONCE AGAIN SPEAKS CHINESE FOR THOSE WHO SPEAK IT IN ATTENDANCE. ZHOU THEN CONTINUES] Ed Code 9515 states that the framework will be made available for public review and comment, and Chinese-speaking parents part of the public. [LILLY SPEAKS CHINESE, THEN ZHOU CONTINUES]

In the California Department of Education's language service policy, it says, "The California Department of Education is responsible for ensuring that all...persons, including limited English proficient...are provided equal access to the information. So, they broke their own policy. [LILLY SPEAKS CHINESE, THEN ZHOU CONTINUES] Do they think non-English speaking parents are...care less about their children's education and safety than English-speaking parents? Why are we being treated like second-class citizens? Not to mention about the meanings or reasons for us to be against the controversial sex education and confusing gender education to our young children, which are not...only...unnecessary [SIC] distracting, but actually damaging and abusing. Our American dream does not include unlimited gender options and we want our parental rights back. [LILLY SPEAKS CHINESE, THEN ZHOU CONTINUES]

**Boyd:** Your time is up.

**Zhou:** Okay.

**Williams:** Can you wrap up in about 10 seconds?

**Zhou:** Okay, sir. We're asking you, Dr. Mijares, as our elected educational county representative, to advocate on our behalf of filing a complaint to the federal Office of Civil Rights against the California Department of Education. We demand a say into our children's education, especially when our core values are being disrespected. We will do everything we can to defeat the evil AB 329 and it's framework. [DR. WILLIAMS STRIKES THE GAVEL THREE TIMES]

**Williams:** Thank you.

**Zhou:** Dr. Mijares, we elected you to represent us. Now, it's time for you to take a stand for us. Thank you.

**Williams:** Thank you.

**Boyd:** Andrea Tapia followed by Araceli Justiniani...Justiniana? I'm sorry.

**Tapia:** Greetings, Dr. Mijares and trustees. I am standing here today because we are concerned of what is happening in our schools without knowledge of parents. In Santa Ana, for example, the LGBTQ Youth Fair is held at Spurgeon Middle School. I understand it is a weekend event. However, kids as young as sixth grade can register online without parent consent. Last year, an individual from the LGBTQ Center of Orange County gave the children makeup lessons at the fair.

We also learned that this same individual has a criminal record for prostitution, yet, this individual was allowed in school, risking the safety of our students. I do have a copy here of the public record for you to review. These things are happening at schools without the knowledge of parents...the knowledge or consent of parents. What is happening to our schools? What is happening to our leaders? We are here to ask you to please stand with us. Give us back our parental rights. Put...children first, not agendas. Please do the right thing. Thank you.

**Boyd:** Araceli followed by Linda Cone. If you want to bring that over to...if you all have handouts then bring them over to us. Not to the board or the superintendent. Thank you.

**Justiniani:** Good afternoon, Dr. Mijares, members of the board. We have tried, by all means, to be listened [SIC] in our school districts, talking to our principals. We also went to Sacramento to speak with the Department of Education, but we have encountered complete silence and injustice. Dr. Mijares, you know all the facts about the law, AB 329. They are planning to indoctrinate our children, sexualize our adolescents. They have invite [SIC] Planned Parenthood to be the instructor in the junior...in high schools. They also have removed parents' rights.

Today, I ask you, Dr. Mijares, please represent us and please, can you back us up to send a complaint to the civil rights for the discrimination that they made against minorities in California? This is the future of our nation, our children and our youth. And, we are going to defend our inheritance, our conscience, and convictions and values in our hearts and our minds demands this. We ask Dr. Mijares to be our voice. Thank you very much.

**Boyd:** Linda Cone followed by David Alabron.

**Cone:** Superintendent Mijares, board, and members of the audience. Dr. Ahmed Soboh, who gave our invocation this morning, and a very good one; it was a very meaningful one. He's graciously and very kindly allowed me to speak for him which I consider to be a great honor. I'm going to read a portion of his comments that he gave to those who were here on May the 9<sup>th</sup>, 2018. His words about Comprehensive Sexual Education were relevant then; they're even more relevant now, particularly in light of what you have already heard.

These are the words of Dr. Soboh: "My name is Dr. Ahmad Soboh. I'm the chairman of the Islamic Shura Council of Southern California, an umbrella organization for 70 mosques and Islamic centers representing over 500,000 community members in Southern California. I sit on several boards and boards of trustees as well. And, I really want to share with you my perspective, and my community's perspective, on this matter. Our community is very, very diverse. We come from different backgrounds, different ethnicities, different social and economic strata, but we all agree on one important thing, which is the love of our children. And, that is what I hear from the people who are talking here.

So, with all respect, I am requesting you to consider the genuine and emotional things that you are hearing not as rants. These parents are concerned. These are parents who really fear for the most cherished assets they have, their children. We believe that parents have the right to be involved in their children's upbringing, to be involved in their children's education. And the more we strip away rights from parents, the more the children suffer. We try our best to abide by the law, and that's what I heard from the superintendent, but we have a high value in our country, and that's called democracy.

And, that's why we are here. We are need to...we need to talk about our voices. We want you to take our voices to the highest authorities. We want you to take our voices to those who can change these laws." I want to thank Dr. Soboh for the honor of representing him here, and his Muslim community. I consider this to be a great honor and I consider the time that you have allotted all of us to do this, also to be honor. Thank you very much.

**Boyd:** David Alabron followed by Jessica Geyer. Is David here? Okay, Jessica Geyer followed by Emily Park.

**Geyer:** Good afternoon. I support AB 329 and the health framework, and I'm here today just to speak in regards to the draft health framework being available only in English. I would hope that within our local districts, we could partner with nonprofits to provide translation services that that best fit our local needs.

As a practical matter, it would be cost-prohibitive and time consuming for OCDE to translate every single draft they publish into multiple languages, given that they publish multiple drafts, each draft clocking in at a few hundred of pages, and including fairly technical language...about health and education. Also, I would like to say that all frameworks like this health framework are simply guidance to local school districts and are not mandated by law. So, school districts will choose what pieces they decide to and whether they go with the guidance or not. So, thank you.

**Boyd:** Emily...

**Park:** Emily Park. Being in charge of our children's education, I ask you to look into your conscience and see what you're teaching our kids. First, you're using textbooks like the Teen Talk to teach our kids to better engage in sexual activities, what sexual toys to use, the effectiveness of lubricants, how to engage in oral sex and anal sex, and teaching that it is okay to be sexually active in teenage years. Then, once the young girls get pregnant, you teach them there is an easy solution of abortion. My parents taught me that teenagers should not have sex. You can call my parents old-fashioned or strict, or unrealistic. However, as a 41-year-old mother of two children, I realize that my parents were right, and I would teach the same thing to my kids.

Teenagers are not supposed to have sex. Yes, there will be many who will not listen, but still, as adults, as parents, as teachers, as the public school, we should teach them the right thing; to not promote sexual activities to our kids. Do not tell them it is okay, because it's not. Most of all, do not teach our kids that abortion is okay. Abortion is not okay. I have a friend who had an abortion in college. At the time, she thought it was something she definitely had to do. She honestly thought it really was nothing because so many people said it's nothing, but she told me

that so many years have passed, and it left her the deepest scar in her mind. She can never forget it, no matter how hard she tries.

That moment the vacuum sucked her baby out still haunts her mind time to time. This [SIC] is her very own words. The acute pain she felt in her abdomen after surgery, she still remembers it like it happened yesterday. We know about these things in life because we learned it through experience. Kids don't know anything like this. Do not lie to them; it is okay to kill their babies. It is not. Abortion is not easy. It is not the right solution. It will leave them the emotional scar that will last their lifetime. If you have conscience, you really have to think about what you're doing, and that's all I'm asking today. You have to stop this kind of education no matter what...kind of laws are passed. You have to stop promoting sex and abortion to our children, and we will fight until you stop this.

**Williams:** Excuse me. Could you...state your name for the record?

**Park:** Oh. Emily Park.

**Williams:** Thank you.

**Park:** Thank you.

**Boyd:** And, Jenny Chung followed by Joy Park.

**Chung:** Good afternoon, members of the board. My name is Jenny Chung who resides in Orange County. Did you know that Orange County has the second largest Korean population in the United States? Koreans also represent the second largest Asian community in Orange County according to the US Census. However, about half are not literate in English to understand and we, the non-English speaker, were excluded from the opportunity to read and comment in the writing of the framework. Wasn't that the [SIC] new framework all about not discriminating against different type of gender and promoting inclusion? I call this exclusion and discrimination. My fellow Korean-American and I understand what it's like to be different from the norm.

We are the minority group and that's fine. We can live with that. However, wasn't...what's not right is it...is the fact that this curriculum is taking away our God's given freedom and rights as parents. It's taking away our rights to choose what's best for our children. In addition, all curriculum and materials should be available in it's entirely [SIC] to anyone at every school site and district office, including...presentation, demonstration, class activities, worksheets, and instructions from outside guest speakers like Parent Parenthood. Also, translators should be made available to parents who are not English speakers, so they are not excluded from the information.

However, numerous parents experience difficulty trying to inspect curriculum at school sites, especially Anaheim union district. Parents have the right to excuse their children from this law...as long as you submit your request in writing to the district, but without complete access to the curriculum to review, or translations of the curriculum to understand, parents cannot make any...make an informed decision to excuse their children from it. So, please, includes [SIC] us in and translate everything into different languages. Thank you.

**Park:** Hi, my name is Joy Park. J-o-y, last name, Park, p-a-r-k. Thank you for this opportunity. One group of people imposing their sexual perversion on to everyone else and a [SIC] administrator enforcing it to every child in this nation. Since when did we start being tolerate to

everyone and everything? We, as loving parents and educators, have been teaching our children exactly what to tolerate and not to tolerate. The passing of this measure is perpetuating the exact opposite of what our fundamental principle [SIC] are. Whoever is behind the effort of passing this measure should be ashamed and apology [SIC] to the children and parents of this nation. Come clean about your corrupt and twisted moral [SIC], if you have any dignity at all.

Do us all a favor and show these kids that you are the perfect example of what not to be. And then, last, I wish we have the same access what the English is not a first language, and then we really appreciate it since this matter to us. I regret it, like, we not raising our kids by ourself [SIC]. We need you guys, and together, with all the respect. And then, hopefully, we can continue to part of this journey and then, thank you so much.

**Boyd:** Grace Chiu followed by Mindy Lee. Is Mindy Lee here? Thank you.

**Chiu:** Dr. Mijares, members of the board, staff members. Thank you so much for taking your time to listen to us today. I know it's lunchtime, and I hear everyone's stomach's grumbling. I know mine is, but anyways, I just want to take the time to just introduce myself. My name is Grace Chiu. I'm a Korean-Taiwanese American. I was able to serve as a preview...previous district director...I'm sorry, a previous district representative for former congresswoman, Mimi Walter. I'm a Tustin resident, and more importantly, a mother of two boys. My husband's in the audience. He hates it when I let him...but, he's here. He's supportive.

I just wanted to let you know that...as mentioned previously, there's a growing number of patients...parents becoming more aware of this, the...Health Education Curriculum Framework that just got passed last month. This curriculum is oversexualized, age inappropriate, and medically inaccurate. Parents, such as myself, and many of us in this room are appalled, saddened, and outraged by what's coming down the pipe. I would be absolutely embarrassed to mention terms like anal or oral sex in front of you. It's embarrassing. It's the first time I'm meeting you, much less in a classroom setting. The children are as young as five.

Complex and delicate subjects such as sex, gender orientation and gender fluidity should be taught in a personal, very deliberate manner in the safety of a home, rather than impersonally in a classroom. I'm here today because there's a large specific number of constituencies whose views have been underrepresented since the beginning. I'm speaking of a large number of ethnic communities in Orange County whose children will be subject to this curriculum. Orange County is comprised of these ethnic...minorities. I have statistics here. There are 34.6% Hispanic individuals here. That's a million people. African-American, 1.6%. Native-American, 0.2%. Asian-Americans, 20.6%. Native Hawaiian Pacific Islanders, 0.3%, and white, non-Hispanic, 39.7%.

There are many minorities that live in this great county. One of the greatest traits of this country, and in Orange County, is a melting pot of diverse communities, such as we have here. Many...for many of them, English is not their primary language, and many of them...felt completely left in the dark as the healthcare...as the Health Education Curriculum Framework draft underwent a 60-day statewide community input process without being summarized and translated into other languages, as mentioned previously. In other words, this has passed without

the input of a large number of constituents. This is not how things should be done, and I'm very disappointed that constituents were left out in the process.

If you feel strongly about the statement, would you please rise? [VARIOUS MEMBERS OF THE AUDIENCE STAND] Thank you. At the end of the day, I love my...city, my county, my state, and this country. My parents left their homes of Korea and Taiwan to be here and raise us in what I considered to be the greatest country in the world. This is my home. At the end of the day, all I want to do is raise my children to have the same values and principles [THE TIMER SOUNDS AT THIS POINT] as I do. I just want to thank you, again, for your time. Please help us protect our children. Thank you very much.

**Boyd:** Mindy Lee followed by Napa Aldalati.

**Lee:** Hello. In Anaheim, Planned Parenthood came into the junior high school classrooms and taught 12-year-olds about anal sex, oral sex, demonstrated how to put on a condom. This curriculum was state advised and, it actually happened just last month. They did not notify parents, clearly. They...they sent home a half-page...slip of paper that had a box to check off on it, as if it was...as it has...sorry, as it has been happening for the past years. When the parents confronted the teachers, the director of education and the principal, they called her a liar. They asked if her child could have made it up by searching YouTube and other websites. Would their whole class make up something so graphic?

Now that this is actually happening, and not just rumors or false information, I am afraid of the implementation of the framework in our elementary schools for children as young as five years old. They need to...there needs to be some kind of boundaries to how the curriculum will be implemented. Right now, it's sort of a free-for-all for each district to kind of take this information and use it to...however they like. Let me ask you this; would you be comfortable teaching this curriculum to your children or grandchildren when they're five years old? Are they really going to teach intercourse to first graders? Are they going to show illustrations of sexual content to third graders? Please consider the future of these children.

If this is to promote inclusiveness in equality and diversity, why were there non-English speakers not included in the writing or commenting of the framework? This is discrimination. There may be some students who genuinely struggle with sex gender identity. However, what if even a few students become gender-confused as a result of this curriculum, who otherwise would not have, especially the ones who are vulnerable?

Have...they have low self-esteem and they need a sense of belonging. Or, would a student start to think it would be cool to experiment with gender and sexuality? This would be tragic and have lifelong negative, possibly unreversible [SIC] consequences. Please make sure there are requirements for each district to involve parents and teachers in approving what curriculum gets to be in their schools. Thank you.

**Boyd:** Napa, are you here? Sirin Hamou? Sirin? John Kors...

**Korszyf:** Korszyf.

**Boyd:** Thank you, followed by Grace Chiu? Oh, you already spoke.

**Korszyf:** Thank you. Honorable Al Mijares, it is an honor to stand here. And, my grandparents have lived here for over 40 years in Orange County. I've been educated in different places here. I came from South America. When I came 40 years ago, this place, I trust the education. I trust...totally my career, my future. Today, as I'm standing here, I have grandchildren and I'm afraid that these...this pivotal time will take us to something worse and worse and worse. You already hearing [SIC] it. We say in Spanish, "no te matas con la madre". You know what that mean? Be careful to get with the mothers of these people. I just was [SIC] spoke to Univision and Telemundo...and I said these is [SIC] millions and millions of people. Mr, Mijares, you know, that when you touch them, they are like...I will say the word, fieras.

This is more the tiger and they will step. And, this governor, our governor, and all what we have this money has been already spent on this. What we see those booklets. I was just watching today. I can show you here the pictures. Those are travesty. Those are incredibly wasted money, and we can tolerate education. Ph.D.'s here sitting, you can say this will have no ramifications, it will have no damage. I am afraid that even in Orange County, if we don't put our foot here, like I use sometimes, the rapid therapy that we hit three, four times, and on our floor here and says [SIC], this is...enough is enough. This is a travesty.

This is...I can never believe I am...I am a person in divinity. So, I can say that I represent all the faith here from the other people. I've been a hospital chapel for 25 years, and I sit in front of many people that were trying to commit suicide. I sit in front of people, adults, and they came to me for counseling. As they were saying, you know, what I'm so confused because I have been seen like a...spinning like a...spiral and going down, because this is...getting us to something that I fear that we will have less education and more of this. Please stand up. Let's take a step forward and let's say in California, in Orange County, we need to give ourselves a great example for what is in the future. Thank you.

**Boyd:** Pastor John D. Leon followed by Cecilia Iglesias.

**De Leon:** Good afternoon. I am Pastor John D. Leon, and I want to thank you, Mr. Mijares, President Williams, and the board, for listening to us. I want to make a quick statement. I hope I can beat the clock. When I was outside, I heard a lot of people dissatisfied and unhappy. They were representatives of the Muslim community, the Chinese community, the Korean community, the Vietnamese community, the Hispanic community, the English community. And, there was a lot of satisfaction [SIC], a lot of comments about what is going on that has made them unhappy with these procedures. And, here is my question: Why do we focus on inclusivity or equality for one group of people, LGBT, and ignore the rest?

And this is what has happened. To create exclusivity, to create equality and comfort for one sector of people, the rest are left outside. We have a...set of words behind you, distinguished board, that says, "In God We Trust". And, many of us were raised under the precepts of that...very thing that establishes our country as a whole. So, I wonder, for a man that was raised in the barrio, and I grew up never hearing these things, never seeing these crazy little books. And yet, my parents guided me to a...level of abilities where God gave me the opportunity to go preach in 22 prisons of the...here in California, starting with San Quentin, Vacaville, Tracy, Soledad...all the prisons, and yet, I never even looked at one of these little books.

So, my thought is that my parents had it right because I came out okay. [PASTOR D. LEON SPEAKS IN SPANISH FOR THE AUDIENCE MEMBERS WHO SPEAK SPANISH THEN REVERTS BACK TO ENGLISH] I would like us to return to those precepts, not excluding LGBT. No, but, not as a mass excluding so many unhappy other segments...of our community. We can't do that. Thank you.

**Boyd:** Cecilia Iglesias? Adrian Crawford followed by Alma Pedroza-Nieto.

**Crawford:** Okay. So, what I see happening here and happening in a lot of places is there's a lot of fear, a lot of misinformation. A lot of people wanting to be unhappy with the system. There's going to be a mass exodus. As I see, it's already happening. Where are these people going? These people...these people are taking their children to charters. There's some charter groups here that are very happy that all this is happening. They're going to get a bunch of kids. I see that charter has a place. It...allows for people who aren't happy with the current system to find someplace else to go and have their children educated. But, Orange County already has a program like this.

It's called Community Home Education Program, and it's a really good program. It's been around for about 30 years. It allows people to come in and gain control of their education process, work better more closely with the teachers, and CHEP, as a program, can help to catch a lot of these families who are unhappy with the traditional school system, and still stay within public school. And, this program should be growing. The problem is that most people don't even know this program exists. It used to promote. We used to go to...schools and churches and tell people about hey, we have this program, you know, you can send your kids here if you're unhappy in your public school system.

But, about 10 years ago, that changed, and rules changed, and we...the CHEP was no longer allowed to promote. And, since then, the numbers have been going down really fast, to the point that, today, it's only about 300 students, dropping from about over 1,000. But, this program can grow again if we invest where it's losing money, because there's less students there. But, if we promote in earnest, we can roll our numbers again and bring back these children; these children who...the family are unhappy. It's a win-win situation for everyone because, you know, families will leave...the public school system, traditional school system can still have an education system within public school system, and doing home school at the same time, with the support of parents and teachers, get an accredited education.

And so, that's what I'm here to promote. I'm here to promote expanding the Community Home Education Program. Right now, it's in danger of a shrinking too fast. We're going to...it's going to close two sites because it costs too much money. And, I fear that if that happens, we lose our edge. We lose our ability to say, hey, you over here in Cypress, we can help you because now we're not in Cypress. We can't help you, sorry. You have to go find a charter or something like that, and, I know it's expensive. But, if we could just get a little bit more time, another year to honestly promote...this weekend is the biggest education opportunity in...of the year. 46,000 parents and families are going to go through it. This is our chance to promote and prove that we can grow. [THE TIMER SOUNDS] Thank you.

**Boyd:** Alma Pedroza-Nieto followed by Olivia Mendez.

**Pedroza-Nieto:** Good afternoon, board members. Thank you for taking the time to listen to me. Well, first of all, I personally want to ask you forgiveness because it is not you who created this law. It is not you that are bringing this into our schools on your own, yet, I wanted to bring to stand out about to mention an...event that I have heard twice. Once present at a board meeting in our...in my district, Santa Ana Unified School District. I am a mother of eight. Six are in the school district. I have three autistic children, three with IEP, and one coming on...in next year. On [SIC] one of these meetings, Laura Kanter...the LGBT leader, mentioned that she was in favor on AB 329 because, apparently, many homosexuals commit suicide due to the fact that they don't feel accepted by society or by their families.

And I, eventually, went also to Sacramento and she brought it up again, the same situation. So, doing my research on suicidal [SIC], it's not only homosexuals that commit suicide...suicidal [SIC]. It's also common people like me; even people that are in different religions. Why? What's the fact that is causing this suicidal increase in our society? Well, to me is, the lack of God in their lives. The lack of God in our lives brings emptiness, brings meaningless to our life. Brings nonsense to suffering which we are all...we all take a little better part of this suffering no matter what. And, this actually makes us stronger. Now, on the CDC reports that a 32% of the...those that consider themselves homosexuals have a greater risk of committing SEC...STD infections.

They have a greater...rate of being raped, and, they also have a greater rate of having behavioral...issues. Now, if this education comes into place, this is my fear. My...that not only my children, but that all the children will be put into this risk of STD infections more easily, that the rate of homicide...suicidal will also increase. And I, as a mother, I beg you please to listen to all these parents that are concerned, to listen to me and to help us bring a better education to...in our school districts. Thank you.

**Boyd:** Olivia Mendez followed by Yovanna Medina.

**Mendez:** [MS. MENDEZ UTILIZES A TRANSLATOR]

**Translator:** Hi, good evening. I have two children. Today I thought I would be praying, but I've come to speak. I hope that God is going to speak through me, but everything that I'm going to say is going to touch your hearts and your spirit, so that everything I say is going to be to defend our children. I have two children. One is 12-years-old and in eighth grade, and another one in first grade; six-years-old, first grade. I'm a very involved parent. I've been helping and working for the last seven years. I'm currently in the Santa Ana Unified School District. I am really concerned because I am the voice of the parents, and I'm trying to make you, Mr. Mijares, understand.

Sorry that we're putting all these burdens on you, but, we need to find someone on the board that we can trust that is going to be our voice. And, we need you to fight for our children, our little children, for us and for this new education. I'm not against the sexual education law and everything that it says, and that it's going to teach our children. But, it, again, does not follow gender identity and ideology. I do believe that it's not necessary, and I think it's my right to teach these subjects to my children and that, in my way, I'm going to teach these to my children. I urge you to please listen to our voices, our feelings, and what we think.

I really wanted to have more children, but looking at the state of the world and things that are happening around us, I really...I'm very discouraged from having more children. I think that this is for young people that are going through, and I think they're just bottling that the fact that they see how the world really is and they don't want to really want us to become pregnant and have anymore children. We need to find someone that among you that we can trust, because you guys are our voice. You guys are here because you needed our votes. Now we need you to give us back what we gave you so that we can feel supported as parents. Thank you for your time, for everything you have done, and may the lord move your hearts to do what is right. Thank you.

**Boyd:** Yovanna Medina. Jorge Carmona. Oh, I'm sorry. What's your name?

**Medina:** Yovanna Medina.

**Boyd:** And, is Jorge...

**Carmona:** Yes. I'm here.

**Boyd:** Okay, so if you'll be right behind her.

**Medina:** I'm Yovanna Medina, and I'm a resident of Mission Viejo with the Saddleback Valley Unified School District. In 2014, the California Department of Education wrote the Family Engagement Framework. It was designed for the student achievement. District principles...under the district principles it says, "A demonstrate leadership." – I'm going to quote from the framework – it says, "Ensure that all schools have parent, family involvement programs, meet requirements of the state and federal law regarding family involvement, ensure parent representation on district and school committees as required by law, involve families and advisory bodies and training strategies."

Under access and equity it says, "Ensure that critical parent information is readily available in accessible formats, and languages as spoken by families in the district." Education Code 48985: "Ensure that the parent representation on committees reflects the composition of the student body, ensure that schools have a system in place with multiple strategies to facilitate two-way communication with parents and community members on regular basis." In regards to the AB 329, we understand that is the law, the...curriculums that have...that are out there, there [SIC] go...far; what they say more than what the law actually wanted us to teach our children.

I would like to hear from you guys, from the Orange County Department of Education, for you guys to have a word of support to school districts across the county that have acted, or are acting, in fear of retaliation from the ACLU, that if they don't adopt...extreme explicit materials, they're going to become...a case for a lawsuit. A STEAM in Orange. STEAM is from you guys where you're actually encouraging school boards to create a task force with parents and every single school district to have parental input to create a curriculum that will comply with the law.

But...that is...suitable, age appropriate, medically necessary, and with the virtual of the parents. I'm sad to not see Ms. Sparks here, who I voted for. And, I really would like to make a call to your conscious and to really represent the people of Orange County, the parents and the children. You guys know better. You guys understand the law, but you guys are also parents and single parents. And, you know what is going to come if this moves forward. You guys understand that this is going to have a long-lasting impact in our youth, and this can really transform the next generation. Please do what is right. Thank you.

**Boyd:** Jorge Carmona followed by Gabriela, and I'm not sure if it's Mullen or Trullen?

**Mullen:** Mullen.

**Boyd:** Thank you.

**Carmona:** Hello, my name is Jorge Carmona, and this is my son, Elijah. He is...he's four years old and he's in pre-k right now. We live in the city of Santa Ana on the borderline of Tustin, so he goes to the district of Tustin School District, and I am a father of five. I have five wonderful kids. My daughter, my oldest daughter, decided to go into cosmetology right after school. My other daughter attended Urban Community College. My son, he's right now in Santa Ana Community College. He wants to be a fireman and he's working hard to get his associate degree to become that. My daughter, Leslie, has been accepted to three universities.

She hasn't even graduated from school yet, from high school now, and I'm very proud of what my kids are doing right now. I was very proud of the public education that they were receiving until recently. We find out that all these laws and all these things that are changing here in Orange County, like AB 329, and I'm really worried and concerned about my little one. And also, I'm sure that everyone else here, all these parents that are here, some of them are here for the same reason. And, we just want to thank you for giving us the opportunity to hear our point of view. I'm completely against that...I kind of read the curriculum called framework of what they call it, and I totally disagree with the stuff that they are trying to teach.

It's as young as four-years-old as him. I want to tell you about something that happened when my wife went to pick him up from school. One of these little school friends is a little girl. She said, "Mom," – she was telling her mom because we were walking to our cars, and she told her mom – "Mom, our teacher said that I can be a boy if I want to, and...or, I can...my brother can be a girl if he wants to." And, I just want to tell you guys that we were shocked to find out that four-year-old kids are learning this stuff right now. I'm sure you guys are parents. I'm sure that you guys have grandchildren, and it's deeply concerning what...it's happening in our great state of California.

So, please consider what you hear...from us here today, and I'm sure that a lot of these parents agree were well, we're saying to you. And, one more thing. I'm just...want to add we would like to receive from Dr. Mijares some information. If it can be passed in Spanish for the Spanish-speaking community, because we haven't received this information for...of the AB 329 in Spanish. So, we were really appreciative we can get that translate or something for our community. Thank you very much for your time and have a wonderful day.

**Boyd:** Gabriela, and Gabriela is our last speaker.

**Mullen:** Hi, good afternoon. Thank you for the time and thank you for holding your lunch, too, so you can listen to us. I am...I'm a home school parent. One...currently, one of my children is attending kindergarten at the Yorba Linda-Placentia School District, and I am here supporting other parents who have children in the public school system. Most of my neighbors, my nieces, my nephews, my family, they're part of the public school system, and they...we have a wonderful district in Yorba Linda-Placentia, and our teachers are amazing. And, I'm just a little concerned...I'm really concerned, actually, about the subjects that are suggested on AB 329, and

I am even more concerned about the lack of information given to parents whose language is not English.

I am a native Spanish speaker, so if you hear my accent, that's...what it is. I recently became a US citizen because I love this country, and my children are being brought up here. My husband is from here and so, I am now, too. I don't understand how this law is supposed to be all about inclusion when so many communities of non-English speaking parents have been left in the dark about this 1,000-plus page document. I strongly oppose the implementation of this framework until we have proper translation for all the non-speaking...non-English speaking parents who want to know what is going on in their children's schools. I am also concerned about the teachers who want to...they want to see the...their children not being confused.

And, I am not...I don't understand how they're going to be pretty much forced, because this law says that they have to teach these things, and what if these things go against their values? So, they're not being...they're taking away their freedom from teaching what they believe is right and what's wrong. I trust that you have parent...that you have children, that you have grandchildren, that you have nieces, nephews; children that you care in your neighborhood and you want them to have a proper education, and not just indoctrination, which is happening right now.

And, I also want to...what's the word? I want to encourage Dr. Mijares to bring proper translation for the Spanish communities, because you are here representing us, and I trust that you can do that. And, once again, I want to thank you all so much for listening to each of all of our concerns, and I hope you have a blessed day.

**Williams:** Thank you very much. Is that the last of public comments?

**Boyd:** Yes.

**Williams:** Okay, so at this, time public comments, since we have no more further cards, we're going to be moving on with our meeting. The prerogative of the board to take maybe five minutes to take a little break and come back. Five minutes? Okay, so, the board will be on five-minute break.

**[DR. WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF THE 5-MINUTE BREAK. ONCE THE BREAK CONCLUDES, DR. WILLIAMS STRIKES THE GAVEL FOUR TIMES TO CONTINUE THE MEETING]**

**Williams:** Okay. So, the county board of education will be back in session, and for all those who are thinking about leaving, we would encourage you to take your conversations outside of the room. Otherwise, you're going to be escorted by our wonderful...deputy sheriff here. So, thank you for coming. Thank you for being here. We're going to continue on with the business aspect of our meeting, and we're going to go to consent calendar. May I have a motion for consent calendar?

**Barke:** I make a motion.

**Williams:** I have a motion, and a second by...?

**Gomez:** Oh, sure.

**Williams:** ...Trustee Gomez.

**Boyd:** Was that Trustee Gomez?

**Gomez:** What am I doing now?

**Williams:** The consent calendar. Okay, so, the consent calendar there may be multiple items and we make one vote on it. But, today it's very, very simple. We're granting diplomas to our students from our ACCESS programs. Okay, all those in favor say, "aye."

[ALL BOARD MEMBERS SAY, "AYE"]

**Williams:** Oppose? None. Abstain? None. Motion passes 4-0. We're going now to item number seven, staff recommendations: approving the material revision to Vista Condor Global Academy Charter concerning admission preferences. May I have a motion?

**Bedell:** So moved.

**Williams:** So moved, and a second by...?

**Barke:** I second.

**Williams:** Trustee Barke. Okay, any discussion? Barring that there's no discussion, it's a fairly simple item. All those in favor, say, "aye".

[ALL BOARD MEMBER SAY, "AYE"]

**Williams:** Oppose? Abstain? Motion passes 4-0. Moving on with charters item number eight: charter school submission. Nina, I do not think there's any, but tell me if I'm wrong.

**Boyd:** Well, it'll be part of the script that Aracely will call for. We don't have any currently.

**Williams:** Okay, so do I call...you want me to call, Kelly?

**Boyd:** Aracely, yeah.

**Williams:** Okay, I'll call...I will call Aracely.

**Boyd:** Oh, I'm sorry, I skipped over. We have no submissions, so call Aracely up. I just skipped over item eight because I knew there wasn't anything there.

**Gomez:** So much for starting early today.

**Bedell:** And, this is the motion where the board is moving to close the Samueli Academy?

[LAUGHTER] They're tracking. They're paying attention.

**Williams:** That's good.

**Gomez:** They're the only ones left.

**Williams:** Okay, Aracely, I invite you to the podium.

**Chastain:** Thank you. Today, the board will hold a hearing to consider public input regarding the request for material revision by Samueli Academy to add grade seven and eight to the school's charter. Prior to public comments, representatives from Samueli Academy are allotted ten minutes to address the board. Then the hearing will open for 30 minutes of public comment. Garden Grove Unified School District requested, and has been provided, with all the documents related to the material revision. I now call. Mr. Anthony Saba, executive director of Samueli Academy to the podium.

**Saba:** Good afternoon, distinguished board, Dr. Mijares. It's good to see you. Thank you for a few minutes of your time today and for considering our request. Really quickly, though, I'd like to introduce a few people who will speak shortly. Ms. Fleming is our new head of schools. She'd like say hello in a minute. Fortunately, that's no longer me, and the CEO of the Orangewood Foundation, Chris Simonson, is here as well. But, I also want to point out that our CFO, John Lucas is here, should you have any financial questions. And, last but certainly not least, is our

distinguished board member, Nicole Washington, who's here to show support as well. So, I'd just like to give a quick update and the quick reason for our requested expansion.

Things continue to go very well at the school. We continue to have a 96% attendance rate that we're very proud of. Our students really enjoy coming to our campus. We have a very long waiting list. We have two graduating classes so far. There has been 98% graduation rate. We're very proud of that. 96% of our graduates go on to two or four-year college, and I'm really happy to tell you my favorite statistic is probably the one that says 88% of our kids are persisting through college, which is more than twice the national average for this demographic. So, we're extremely proud of the progress that our team has made. Budgetarily, we're very sound with very good reserves. I'm sure you noticed that.

We have very high school culture remarks. UC Irvine is a good partner of ours, and they administer school culture surveys. And, our students, you know, we knock it out of the park and we're happy about that. And, we made great process, or progress, on the residential that Mr. Simonson – I mentioned to you before – or here in a second. Before I close, I just want to mention that the main reason that we would like to start the seventh grade is really, you know, to get these kids sooner. We pull from so many different junior highs, you know, not just Santa Ana but around the area. And, our kids come to us in such varying levels, and it is quite a challenge.

At the ninth-grade year to...try to get them on board at the same time, and if we can get them to seventh grade year, that gives us two years to really start changing their heart. Some of these kids for...you'd be surprised to know, don't come with the best work ethic. But, at what we feel like we're really good at what we do, and if we could just get to them a couple years sooner, it will really help increase the impact, especially with the foster youth, and especially with the upcoming residential. And, this will also increase our pool for residential foster youth to live on-site, if we were expanded seven to twelve. So, with that, that's all I wanted to mention. The school continues to go well.

We are very proud of our partnership and have nothing but good things to say about the staff here. So, thank you for the continued support and with that, our new head of school, I'm very happy to introduce you to. She's been on the job now about nine...10 months, I think, and her name is Lee Fleming. And...we stole her from a school down in San Diego where she was a principal of. So, she would like to just say few a quick words. This is Lee Fleming.

**Fleming:** Oh, I just leave it? Okay, great. Thank you. I'm just...I'm really honored to be here. I have been here at Samueli since July and with the partnership with UCI, I have really gotten the opportunity to engage in some of the research to make sure that we're paying attention to our own practices. As a newcomer, it's easy for me to come in and ask questions because I don't know, you know, what's been happening for last six years. And, I'm really pleased with what I've been finding. My previous...I was administrator for three-and-a-half years in San Diego County. And then, prior to that time, for nine years I traveled around the country and did professional development in schools all over; a little bit internationally as well, and project-based learning.

So, I'm relatively well versed and have been to over 120 schools across the country, and I love Samueli Academy so much. I love it the most of all the schools of course, and I just wanted to say that I feel really, really good about our expansion. And, I really feel like giving our kids an

introduction to a project-based learning and a part of that family community, and that sense of belonging that I feel like Samueli has cultivated so well. I'm just happy to be here, and if you have any questions about instructional type things, I think that's my arena now. So, I think that's it.

**Simonsen:** Afternoon, everyone. Chris Simonsen, CEO of Orangewood Foundation. Back in 2012 when we came to the board initially to get our charter approved, one of the key components of our program was an on-site residential program that would support foster youth in the county. There's been a lot of legislative changes in the state around foster care, and we had a lot of stops and starts, and had to wait for the state to get caught up on some things. But, the last year-and-a-half, we were working diligently with the county and the state on our program of operations. And, I'm happy to say that in the last few months, both county and the state have approved our operational plan for our residential program.

So, we're about to embark on going through the administrative process of getting licensed. We're about to also get started on breaking ground on May 2<sup>nd</sup>, and all of you are invited to participate in that ceremony to really kick off the actual beginning of the residential program on campus. We're excited that we're going to be able to serve more foster youth by being able to have them spend their time during the week on campus with us where we can provide them additional support, both educationally and emotionally.

And then, on the weekends, have them connected up to a family member or a foster family that we will be supporting as well, with the ultimate goal that the state and county have of maybe getting that weekend placement into a permanent placement to have those foster youth have a family setting that they can grow up in. So, we're very excited about the progress we've made in the last year, and it was a big milestone in the last two months to get both county and state approval. And, we appreciate all the support that you've had for our school and for Orangewood Foundation over the years. Thank you.

**Saba:** So, that will conclude our initial comments. Are there any questions?

**Bedell:** Mr. Chairman, my memory is that we were going to see a significant percentage of your enrollment be foster children. Why...where are we with that?

**Saba:** So, right now, that's a big reason we're building the residential. We want it to be significant. It's...make no bones about it. It is difficult to get these foster youth. In fact, we just...I got a PowerPoint presentation that was done somewhere, yesterday. And, I think all schools in Orange County are really having a trouble...not necessary if...they all...don't necessarily attract them, but enrolling a high number of foster youth, and that's why this residential is so needed. We've met with many kids over the years. Transportation is the ultimate barrier. They may live in a group home in Costa Mesa. We've had kids take multiple buses from Costa Mesa to come to our school, but that's a resilient kid, and resilient group home. Most don't want to do that. So...

**Bedell:** Do you have any right now?

**Saba:** Absolutely. Yeah, we have foster youth now. The issue is we don't have enough. It's never going to be enough, to be honest with you, but the residential will be a huge step forward in the

right direction.

**Bedell:** Thank you.

**Williams:** Yeah, I was going to say real quickly, I remember when we were starting to put together your academy so many years ago, from a long time ago, but you didn't really get out of the gate real quick. We came back; we redid it. And, one of the major obstructions was that you couldn't limit it to foster kids. You had to expand it to the entire community as I recall. Please elaborate.

**Saba:** That's absolutely correct. In fact, that's a good thing. I really think the more foster youth we've talked to, you know, that whole label, foster youth don't like the...most of them don't like the idea of going to a school for foster youth only. Who...and who would? I certainly wouldn't want to go to school for any sort of label. And so, by opening up to the community, in general, it really does give us a good hybrid model and these kids can learn with different kids. And, the other kids can learn from the foster. I mean, it's a big melting pot and we're super proud of that. So, I think that was the right way to go. I am 100% certain it was. We've just got to get more foster youth. So...

**Williams:** We're so very proud of what you have done.

**Saba:** Thank you. We're proud of our partnership as well.

**Boyd:** Before you open it to questions, we follow the...Aracely has a script just to make sure that there's nothing from a district or the other before we move to...

**Chastain:** We make sure that there's no public comments. So, the hearing is now open for public comments from individuals who have submitted a comment card to address the board. Each individual will have three minutes to speak with a total of 30 minutes allotted for comments. President Williams, please call for the first speaker.

**Boyd:** I have received no cards.

**Chastain:** As there are no speakers, I now close the public hearing and turn the meeting back over you to facilitate any questions the board may have. The board will render a decision at the May 8<sup>th</sup> board meeting.

**Williams:** Very, very good. So, I think we have, as a board, just to receive this information, ask questions, and then we're going to be voting next month. So, I don't have any questions. Anything...?

**Gomez:** I just have two quick questions. How many foster youth do you have currently?

**Saba:** Currently, I want to say 14.

**Gomez:** 14 out of a population of...

**Saba:** 500.

**Gomez:** 500?

**Saba:** Now, here's the...back end of that question. Is, we had, yeah, we had two of our foster youth adopted two months ago, so, we would have had, two months ago, we would've had 16. Now, it's the same kids and these are still kids where very much social-emotional issues. They practice self-harm, unfortunately, and so, these kids go in and out of care, which is why that question is so difficult to answer; which is why I now, as part of our application, we now ask if they've ever been in foster care. And, we have a whole bunch more who were one point. So, we...really are moving away from that label just because these two young men, in general, that we know, they're the same kid. And, they...

**Gomez:** But I think it's important for us to know...

**Saba:** Absolutely.

**Gomez:** ...at some point, they were identified.

**Saba:** Absolutely.

**Gomez:** Because, the fact that they got adopted is a wonderful thing.

**Saba:** Yeah, sure.

**Gomez:** So, you know that...shouldn't be kind of a black mark against you...

**Saba:** But, it kind of feels that way in...in that we want so many foster youth, you know, and so, it's just one of those questions that we always kind of chuckle at when we get answered or asked, because it really depends on when you ask.

**Gomez:** Yeah. Okay, and secondly, what are we looking at for a target date for the residential?

**Saba:** Fall of 2020 is our goal construction...

**Gomez:** So, it will be year round.

**Saba:** ...and we plan to phase a residential in, much like we did with the school and build kind of, you know, 25% at a time as opposed to putting them all in on day one.

**Gomez:** And, just because this happened before I was elected, so, it happened a long time ago. But, when you initially put your application in...

**Saba:** Yes.

**Gomez:** ...for...and how long did it take from the initial application to actually the time you opened the doors, because I think you went through a couple of iterations. Wasn't that...?

**Saba:** So, I was actually...I was brought on, and Chris wasn't quite the CEO just yet. So, I was brought on a year early, and the application had just been approved. So, to be honest with you, I wasn't brought on until the application was approved. So, I'm probably not the best person to answer what happened before then, because I was not here. In fact, the CEO at the time wasn't here. I don't know if Chris can speak to that much.

**Simonsen:** Are you talking about the application for the charter?

**Gomez:** For the charter, yes.

**Simonsen:** Yeah, we went back and forth with the county, just revising the charter to make sure the language and the preferences, especially for foster youth, were all in alignment. I mean, there was maybe a six or nine month process to get it to where it...everyone was satisfied with it. So, like Anthony said, it was, I think, February of 2012, that it finally got approved. And then, we brought Anthony on in July of that year.

**Gomez:** So, there was some back and forth in order to make sure everything was all right, and good to go.

**Simonsen:** Yeah.

**Gomez:** Okay. Thank you.

**Boyd:** Kelly and I were both here during that time and worked with the folks...that were bringing forth that charter petition. So, it was actually a two-year process prior to what they brought forward in that final because of the conversation around the foster youth and the residential. And, the fact that the law at that time, there were a lot of hurdles and so forth. And so, we were really working with the folks from Samueli and Orangewood Foundation to help connect them with folks up in Sacramento, as well as things that had to be done here.

And so, the homework and the things that they had to do in terms of...because they didn't do a written petition initially, there was a lot of conversation about what should be in it, what could be in it, what would be approvable and...because we've had the conversation before...Santa Ana

denied them. But, they came with a countywide petition. So, that came to the board as a countywide petition because it was serving foster youth. And so, the initial...when they were first talking about the fact that they were going to be in the demographic area of Santa Ana and Garden Grove, and going directly to a district, it changed because of it becoming a countywide with the emphasis on foster youth, which then falls to the county board as opposed to a district.

And, I think they did a really, really super job in terms of the consultants that they had working, because at that time, Susan Mas was a consultant. They had a consultant from out of state. They had...they had just a stellar team of folks who were working with them and the folks from Orangewood Foundation.

**Gomez:** Okay, good. Thank you. Okay, that's it.

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

**Barke:** I'd just like to comment that I'm one of your hugest fans, and reading through, I think the reasons that you're expanding seventh and eighth grade are just wonderful reasons. And, I just think it's wonderful. I've toured the facility and I'm just so excited.

**Saba:** Thank you. Remember that in case we come to you with a k through six, one of these days.

**Williams:** We'll be there in support. I will, at least, if I'm still around.

**Saba:** I appreciate that.

**Williams:** Okay, moving on with our meeting. Thank you very much.

**Saba:** Thank you.

**Williams:** We have no vote, so, we're going to go back to an earlier presentation by School Works. So, Kim and David, if you're still here, there are some questions that we still had. Thank you for coming back. Thank you for being here. And then, after that, for the board, we'll do the public hearing. I imagine that'll be 2:15 p.m.?

**Boyd:** You mean the inter-district...?

**Williams:** I mean, not the expulsion. The inter-district, yeah. Okay, so, anybody want to start with questions? Okay, so, let me just sort of get us started here. Talking about the motivation behind this was to augment the process now, and to give as you will see later, of the...board, the discretion to either go with staff or to outsource the initial charter review to an outside agency. Part of what School Works can provide which...gives the breadth and expertise to what you do, is you can do the whole thing. But, we certainly don't want to displace staff. We have some very good staff. We may have had some disagreements along the way in the process. It's been...can be very politicized. It can be very adversarial; the process.

We have good, hard-working people that sometimes don't always see eye-to-eye on certain issues. So, kind of how I see School Works fitting in here, is to do that initial review, make it to a neutral party. We can save some money with costs, and then, the remainder of the charter school appeal process, you know, the public hearings and the actual contract language, I thought we would leave in-house. So, the only part that I thought that would be a good fit with...our entity was the outsourcing of...that initial petitioner and review. Is...that something that certainly your company is able to do, and be willing to work with us?

**Wechtenhiser:** Oh, absolutely. Yes.

**Williams:** Okay.

**Barke:** Well...and, I don't think that you really have to even make a decision. I mean, I agree. I think that that was the issue that I was looking at as well. But, if for some reason we became jammed up and we needed you to go further on one submission, we could on a, you know, just do that. You know, but it's not set in stone.

**Wechtenhiser:** Correct. We structured the proposal to allow maximum flexibility to the board, dependent upon the needs. So, that's why they're presented in different stages. And, you know, with some optional components attached.

**Williams:** Very good, and as we will see in the board discussion, there will be a charter school ad hoc committee that we'll be appointing, and I'll go into that when we get to that part on our agenda. So, the...process, then, for you to do stages one and two, that will be \$6,300. Is that right?

**Wechtenhiser:** That's correct.

**Williams:** Okay, and who does your assessment of the financials?

**Wechtenhiser:** We have a couple of different individuals or organizations that we work with, but the qualifications, maybe you can speak to some of the consultants that we tend to use. For example, one of them is a consultant who continues to do application...financial application review for us and for many of the clients that we previously identified. He's a former vice president of financial oversight for the State University of New York Charter Schools Institute, which is one of two statewide authorizers in the state of New York, as an example.

**Williams:** Okay, and one of the natural questions that we would have is each state is different. Each state has their own laws. I assume...I haven't looked at New York's laws, but I would assume there may be somebody who can, but not specifically the same.

**Wechtenhiser:** Yeah. They...

**Williams:** So, you would have to be looking at our laws...

**Wechtenhiser:** Correct.

**Williams:** ...and be experts on the laws here. Is that correct?

**Wechtenhiser:** Correct, correct. Are you asking, specifically, as it pertains to financial review, or generally speaking?

**Williams:** Generally speaking.

**Wechtenhiser:** Yeah, that's not a problem. We have several consultants who are based here in California and who do some work with charter schools around California. We have also, as I mentioned, provided other services to charter schools in California and understand...the roles and responsibilities and obligations that they just...they meet...they must meet as part of their public accountability. And so, all of that experience informs the type of reviews...reviewers that we would staff on...onto this project.

**Hartman:** The only thing to add is that every process that we employ, we go through a very deliberate process to make sure that the criteria are clearly stated, right, for the evaluation itself. And so, our team members, our reviewers, are instructed and expected to follow through, specifically to the criteria that are listed there. And so, it's...we would ensure that it is clearly articulated with you all, as in our client relationship to make sure that what our reviewers are looking at are clearly stated. And, when there's a need for looking at a specific aspect of law, we would make sure that they understand it through and through.

**Wechtenhiser:** Could you give the example of Ohio and some of the training and norming that...

**Hartman:** Right.

**Wechtenhiser:** ...that you structured for the teams there.

**Hartman:** So, what typically comes out of the process is once we engage in a process...so, in the example that Kim is talking about, there are 32 specific standards that are used for an evaluation process. There are four different ratings that can come through for any one of those standards. So, there are criteria that are baked into each one of those. So, we go through a very deliberate process with the client to make sure that we have agreement as to what type of evidence would satisfy that particular rating.

So, you do the math on that, you know, that's...well more than 32 or 33. And so, we create a document that we all agree to, like you agree, we agree, that that is the interpretation of what it would take to achieve that rating within that particular aspect of the rubric. And, that ensures that you have confidence in the process, that anything that is being recommended or not recommended aligns with the standards that you all have adopted. And, we are satisfying those standards through our evaluation.

**Williams:** Can you send us a...the copy, or copies of work that you have done along those lines, so we can all look at the type of work you've done?

**Hartman:** Absolutely.

**Williams:** Okay.

**Hartman:** Yeah.

**Bedell:** Mr. Chairman, I just...may I follow up? That's a great question. I'm not the least bit interested in what you've done in Louisiana. I'm particularly interested in what you've done in San Jose, because you told us there was over a period of 14 months, there were two projects, right?

**Hartman:** Yep.

**Wechtenhiser:** To the extent...

**Bedell:** I'm...I was in Travis in New York last week. You could have been there. Frankly, my dear, I'm interested in what's going to happen to our kids and the possibility of duplication of effort. What happens if you do one and two, and the staff has to come in three, four, and five, and there's a huge something that's not going right? That's possible. But again, Louisiana does not impress me. I've been there. All right? I'm not...and, you can quote me. I don't care. But, the point is, you do not have a long, extensive record dealing with all the controversies that we've had, and trying to get where we are with our quality schools. And so, I'm really concerned about that, and where...there's a huge amount of money for me.

I'm very conservative fiscally, so I don't see what's broken. I can tell you something that's broken is you've talked about hostility and political, you know, whatever. We have a lot of districts in this county who are really ticked at us; who are really ticked. So, if we're going to talk about bringing people together, we got a much bigger issue than just placating a charter proposal, in my mind; being really candid with you. I am not impressed with this. If you had done 95 charters with the 20...the 57 county boards in California, you have my attention. But, right now, you

don't. I'm just trying to be candid. I'm not protecting the staff. I don't see what's broken. It's, you know, the adversarial relationships.

You should go to some of our dinners and hear what the...our local districts are saying about this board and hear what some of the other boards around the state are saying about our board and adversarial relationships. So, I'm not bagging on you, it may sound that way. I think our staff...you hear people...our charter people love our staff, overwhelmingly. They have complimented them overwhelmingly, and I don't see what's broken. And, to spend money, I've got...I've said this to Dr. Williams, and I'll say it publicly, I intend to vote no on just about every expenditure for the rest of the time this year, given what we're spending on other areas than what's coming away from our children. And, this falls into that category, especially, but I can't justify it, based on your lack, my word, California experience. I'm just being candid with you.

**Wechtenhiser:** Thank you. We appreciate that. We appreciate...one of our core values is success-oriented feedback and so, I accept and receive that. Thank you. I would just simply like to add that I will need to make sure that those reports that we produce for San Jose are publicly available reports in order to protect their confidentiality...

**Bedell:** Sure, that's fair.

**Wechtenhiser:** ...and I would hope that you would understand that...

**Bedell:** Of course.

**Wechtenhiser:** ...that we would do the same...offer the same courtesy to you.

**Bedell:** Of course.

**Williams:** Very good. Any...anybody else? Okay, I think that there's nothing else to add. Thank you very much for coming here and presenting. We do appreciate it.

**Wechtenhiser:** Great. Thank you all, again, for your time. We really appreciate it.

**Bedell:** And, Mr. Williams, I would like to thank you very much for...

**Williams:** For what?

**Bedell:** ...your collegiality as it relates to my comments.

**Williams:** I don't agree with it. I think there are severe issues involved in the process of the appeals; the adversarial relationship. We can talk to charter school people. They will never say anything directly to our staff, but they're fearful of them, and there's a lot of things that are going on here that I'll be more than happy to talk about within our ad hoc committee with the staff.

**Boyd:** Why wouldn't you talk to the staff about those now, so that we would be aware of what those issues are? Because, we have not heard that and I guess...

**Williams:** Nina...this is not the time to have public airing of...

**Boyd:** But...you've just brought that up.

**Barke:** Yeah.

**Williams:** Well...

**Boyd:** You put that out there, that people are not happy with us, and then let, you know...

**Williams:** This is not the time or the forum to talk about that.

**Boyd:** Well, then, you shouldn't have brought it up.

**William:** No, Jack brought it up to begin with, and you're being, you know, someone who's trying to promote something that I don't think we need to air dirty laundry now.

**Boyd:** I'm not trying to promote anything, Ken, but...

**Williams:** I disagree...

**Boyd:** ...I'm trying to get clarification on your statement is all, because it's part of the record,

and so, you leave it hanging out there. So, if somebody's reading the transcript or listening to the audio, then they're believing that there's something there that hasn't been corroborated...

**Williams:** That is exact...that is exactly what Jack said, that there's no problems. And, I disagree with Jack, and that was my statement, to respond to him, not to create a whole argument or a foundation for another issue. I think these type of things belong in an ad hoc committee with the executive committee, the staff, and other stakeholders, and...we need to have that communication dialogue.

**Boyd:** So, we take the full board out of the conversation?

**Williams:** What we can...no...I'm saying that.

**Boyd:** Okay.

**Williams:** That's...why we have an ad hoc committee. I'll be more than happy to bring the board in any time, but there are there are issues out there. This is not a complete, harmonious process where we are in the Shangri-La. There is a lot of disharmony out there, and there's a lot of things I could say, but I am not going to say it and airing dirty laundry. I'd rather do that privately. Okay. So, moving on with our meeting here, we're going to go with the time...it's not a time certain. We have an inter-district appeal and that...is that closed or open?

**Boyd:** Closed.

**Williams:** Closed. Okay. So, at this point, we will clear out the...room for the closed hearing.

**Boyd:** Do you want to have Renee...?

**Bedell:** Do we have Renee here?

**Boyd:** Do you want to do number 10 and 11 before we do that?

**Williams:** Oh, okay. Thank you for reminding me. Yeah. So...

**Bedell:** That would be good.

**Williams:** So, my bad. Moving on to number 10. Renee?

**Bedell:** Move approval. Expediting the agenda.

**Hendrick:** Change my script. Good afternoon, President Williams and members of the board. Thank you for allowing the superintendent to conduct this hearing for public input into the super...the...sorry, the CSEA proposal to the superintendent for the 2019-20 school year. At this time, I'd like to have...to open the public hearing and invite any members of the public to comment on the CSEA proposal for...2019-20. Carrying no comments this time, I'd like to close the board meeting now. For the second one is, thank you for allowing the superintendent to conduct this hearing for the public input into the superintendent's proposal for CSEA for the 2019-20 school year, and so, you have copies of both of those. At this time, I'd like to open the public hearing and invite any members of the public to comment on the OCDE proposal for 2019-20. Hearing no comments, the hearing is now closed. Thank you for your time.

**Bedell:** Thank you.

**Williams:** Very good. Okay, now we go to number 13, and that is a closed meeting. So, I ask everybody who is in the audience who's a not a part of the staff to vacate. We'll take about five minutes to setup.

**Bedell:** Sounds good.

**Williams:** Okay, the board will be in recess.

**[DR. WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE CLOSING OF THE PUBLIC MEETING. HOWEVER, BOARD MEMBERS CONTINUE TO DISCUSS POINTS OF BUSINESS AND DR. WILLIAMS DECIDES TO PROCEED TO ANNOUNCEMENTS]**

**Boyd:** I can have Kelly come back over..

**Bedell:** I would like her down, please.

**Boyd:** Okay,

**Bedell:** May 8<sup>th</sup>, at 10 or 9 a.m.?

**Boyd:** 10 a.m.

**Williams:** That's at ten o'clock.

**Boyd:** Our regular time, right, Ken?

**Williams:** Yeah. As we're clearing the board, we just kind of go to announcements...

**Bedell:** Sure.

**Williams:** ...from the executive committee. So, just as a reminder, the month of May is the...Jack Hammett Award and the...Freedom Foundation. We were going...we've been talking about this for several months now, about awarding about a dozen of their World War II, and Korean, and Vietnam air veterans who are active and involved in educating our youth, of the past.

And so, we're going to be giving that...award and reminding the community of these people. I was going to...but we have a full color guard from the marine base in...just outside of Bakersfield, and come down and present the colors. All of the Freedom Foundation folks will be in their World War II, Korean, and Vietnam dress...khakis. And, it's going to be kind of an officious type of...thing, and I'm work...the board or the executive committee is working with Darou on all those details, but just the kind of FYI.

**Bedell:** Ken, what is the one we do with the scholarship? We used to collect money for a scholarship.

**Williams:** Right.

**Bedell:** What was that?

**Williams:** So, that was the Jack Hammett Scholarship where we all contributed as a board...

**Bedell:** About \$100?

**Williams:** ...for an essay and...bring me up to date on that. It's been a while.

**Boyd:** Students were...have been involved in writing this since the second semester. I would need to check with Laura Strachan to find out where they are in the process. I had checked with her in February. And so, just because of, you know, decline and so forth. We weren't sure how many essays there were, but I can follow up and send that information to you all with regards to whether or not we will have the same number of students, or...what that will look like. And, if so, then we will then send out something to you all with regards to your participating in contributions for the award.

**Williams:** Yeah. So...I usually contribute a couple hundred dollars to the...kiddies that gets divided up. So...

**Bedell:** The...total number of winners?

**Boyd:** We had three and in some years, we've had four because there was a tie and so...and it's typically the, you know, the first, second, and third place. And so, there's either three or there's four recognized, and they receive a cash award from this board and a certificate that's framed.

**Williams:** Yeah.

**Boyd:** And, we've done it at least \$300...\$400...\$500...\$650, depending on how much. It's \$700, \$650, so it would be like \$300, \$200, \$150, or \$100 for the third place.

**Gomez:** So, you'll let us know.

**Boyd:** Yeah.

**Gomez:** Okay.

**Boyd:** Definitely.

**Williams:** I say just give whatever you want to give. Get that information to Darou and Nina...

**Boyd:** When you're saying the color guard, are you going to have the color guard at the beginning of the meeting, or...?

**Williams:** Yes.

**Boyd:** Okay, and so, are those adults?

**Williams:** Those are full born marines?

**Boyd:** No. I was just asking because we have students who do color guard at Sunburst, and I didn't know if you...so, you're saying you're bringing someone down from Bakersfield, and we have our students. And, they just did a phenomenal job at a conference.

**Williams:** I like...that idea.

**Boyd:** So, we can check to see if they're available if...but, again...

**Williams:** No...I like that idea, and you're absolutely right. We've done that in the past. Well, the people that are up there on the Marine base up in the inner part of California...

**Bedell:** They'd probably be happy...

**Williams:** They'd probably be happy not to come. They do that every day. So, if you can, Nina...

**Boyd:** I'll check to see if with the...our program leaders whether or not they're available on that date.

**Williams:** Okay.

**Gomez:** I'm sure they would love to be out of there.

**Boyd:** Just a reminder, though. The May meeting, typically, you will have a budget study session an hour before the board meeting. And so, you would start your board meeting because this budget study session is a part of that, just so that the public can...and then, you'd do the other at 10 o'clock. So, if you're going to continue down that road with having the budgets that study session, then that would be at 9 o'clock. If...you asked the question in terms of time, but the actual business part of your meeting would be at 10 o'clock. So, we would need to change, you know, make sure that we're posting it accordingly.

**Williams:** So, at 9 o'clock, do we adopt an agenda and the minutes and do the invocation or not? I can't recall how we did it in the past.

**Boyd:** Well, you've done it both ways.

**Gomez:** We have to...

**Boyd:** You have to start the meeting, and then you would say that this...you can start it one way that has been done is you start the meeting, and then, you recognize it that the board is in a budget study session. And then, at the...

**Bedell:** Recess to a budget session...

**Boyd:** and then, you do your other...you can do the flag salute, invocation at the beginning if you choose to. You all have gone back and forth because before, we didn't have invocations and that wasn't part of it, so, I think it just...

**Williams:** Okay, so, the...we'll...the executive committee will figure that out with...Nina.

**Gomez:** Regardless, we're starting at 9 am.

**Williams:** Regardless, we're starting at 9, yeah. How we do things will be different. Good Mr. Superintendent?

**Mijares:** Yes.

**Williams:** Welcome back.

**Mijares:** Thank you. Yes, Mr. President, members of the board. Great to be with you today. I wanted to just call your attention to one item, and that happens to be that on Friday, I participated...not only myself, but many of us, we participated in the Distinguished School Award Ceremony at the Disneyland Hotel. And so, as you know, the California Department of Education recognizes distinguished schools, the distinguished schools, and it's all tied to very clear metrics. So, it can't be gained. You have to really show that our students are exemplary, that they're making the mark, and they're on top of their class in many, many different ways. It's a complex system of metrics, but I wanted to say, and this is...true to form.

We had all...there were 30 counties, because this was only going to recognize middle schools and high schools. So, many counties don't have middle schools and high schools. There were 32 counties and 280 schools, about 1,200 people in the auditorium. And, proportionately, we won...Orange County, because we recognized 25 of our schools. Nobody even came close to that, other than L.A. Unified...Los Angeles County, and they have twice the number of students as we have, over twice the number of students. So, proportionately, they have 40 schools, see? But, you have to remember they're much bigger.

We had 25 and our cohort band, which is, you know, Riverside, San Bernardino, Imperial County, except for L.A. and probably...I suppose you can throw Ventura County in there. We just dusted them. They maybe had four or five San Bernardino County...that's a big...system. So, I just wanted to commend the leadership, and the teachers, and students, and board members of this great county, because we historically have done very well.

**Bedell:** Do we have a list of those schools, Mr. Superintendent?

**Mijares:** Yes, we do.

**Bedell:** If I could get that, that would be good.

**Mijares:** And, I see Christine out there. Christine, and your unit, Dr. Hittenberger, is not here. But, all of us who have been part of...really, we do a lot of professional...we do most of the professional development in this county. And so, it's keeping our teachers aware so that they teach appropriately in the classrooms, and students are, you know...making the grade, and their parents are involved. So, it's a very unified effort to accomplish this, but...you know, I like to compare as...I mean, I'm always looking at how does Santa Clara, the Silicon Valley, how are they doing? You know, that's kind of a benchmark for me. They didn't come close to us, so, congratulations to our county. That's all.

**Williams:** Very good. Okay, moving on with board discussion. You have in your packets a different redline policy on adopting charter schools here and having gone through this and going through the idea and process, I wanted to introduce this to the board for discussion and potentially, a little later on. So, there's no action going to be on this. The document, basically, I identify and makes more concise the language, and instead of County Board of Education that's referred to the current document, we be lined...redlined now and just put forward to make it consistent. And so, what we did is we talked about the role of the charter school appeals and oversight in the process.

And, I'd like to see that change. The executive committee, Mari and myself, we've talked a lot about the process, and I think it could be more harmonious. I think it can be less political and it could be less adversarial and more welcomed environment for all the stakeholders. So, I give this to you all here to review, and at some point, it may come up for a board vote. But, it's given to us as a courtesy to let you look at it and review that.

**Gomez:** And, I think as we get an update on the legislation, this may get altered a bit?

**Williams:** Yeah, slightly. Yeah.

**Gomez:** Okay.

**Williams:** Everything's in flux here...

**Gomez:** Yeah.

**Williams:** ...in California. The other issue, alongside with all this, is creation of a [SIC] ad hoc committee. And, I talked with the Dr. Mijares about getting together to kind of fix the problems that I see. Again, I'm not going to be saying anything untoward, or negative, or disparaging, or airing dirty...laundry, but I think the process can be improved. And, there's a lot of things that I have had in personal conversations that I have...I need to talk with...people in this community; in this department. And so, the ad hoc committee would be Mari and myself, and the superintendent, and staff, and a charter school representative who would represent the charter schools. And so, that's something I just wanted to bring to the board for discussion...

**Bedell:** When?

**Williams:** To let you know. These are baby steps we're...taking here.

**Bedell:** Okay, because, what you just said, I like the idea of that committee, but I also think it should have a district representative on it as well. For example, a school district where that has gone through charters are where they've been smacked down or whatever, because we're talking about harmonious relationships; transparency. We have 27 school districts and several of them are very unhappy, and rightly or wrongly...rightly or wrongly, I think if you want to get them something to have credibility, we should go to a school district and say we're putting this together, and we...would you like to be a representative?

**Williams:** I think that's reasonable, Jack. Which one would you rather...?

**Williams:** I don't know. I just got thing. I...you...are you talking about this one today?

**Williams:** No, no, no, but we're going on to this ad hoc committee.

**Bedell:** Okay. Yeah, I just think...that's...I think...

**Williams:** Asking a school district, I think that's reasonable.

**Bedell:** A school district that has history and experience with charters. Yes, and experience with

being overturned by us...something, so we get another set of eyes on this whole thing.

**Williams:** Absolutely.

**Gomez:** It might be two district representatives.

**Bedell:** Well, I'm not...I just want to think that...

**Gomez:** I think you'd have to look at the makeup of it to see if you've got sort of a balance of different...

**Bedell:** Size of districts...

**Gomez:** Yeah.

**Williams:** Yeah, I agree. So, good recommendation.

**Bedell:** Thank you.

**Boyd:** Wouldn't you also identify what the purpose of the ad hoc committee would be because if you're talking about including other folks into this committee, they may or may not want to participate for whatever reason. I think...it really depends on what the purpose and...even in terms of...I know you talked about having conversations with Dr. Mijares, but I think before there's commitment from anybody, it's what's the purpose of the ad hoc committee...?

**Bedell:** The charge. What's the charge?

**Boyd:** What would they be doing? Is it just a conversation as a, you know, a review of something? Is it discussion? Is it, you know, feedback based on comments? I think those things would also need to be...it's interesting, though, because there's already something circulating that says that this board is going to have an ad hoc committee, and it's identified the ad hoc committee as the executive committee, members of staff, and the CCSA, and then a couple of members from our authorized charters. So...

**Barke:** Where is that circulating?

**Boyd:** It's come from CCSA. So, I don't know if that's where your conversation started. And so, there's been...but that document has been...is out there, based on...I'm not sure what it's based on. I know that there was a meeting with charters that were authorized by this board and CCSA, and I'm not sure if you all attended or not, but it was said that it was an executive committee meeting with those charters to discuss these things. So, there's things coming before this board that are already being discussed in the community, and I think it's important that you at least know that yeah.

**Williams:** Yeah, sure. Nice to know that.

**Mijares:** The other thing is, Dr. Williams and I just talked about this meeting. We hadn't really gotten into it as we are right now, but on that same note, I was at a meeting, a CCSESA meeting on Monday, and what was circulating there is something very similar affecting the Riverside County Office of Education; same kind of situation coming out of CCSA. So again, whether it's rumor or fact is yet to be known, but that's also happening.

**Gomez:** Well, I think before I could support this and maybe we're not even there yet, is to just really identify the charge and what we intend to do by having this ad hoc committee. So, you

know, what we need to do? Once we figure out our charge, then we can figure out who needs to be on that committee.

**Williams:** Right. So, Mari and I we've talked about this and wanted to bring it to our board to get input from you two folks, and from Nina and Dr. Mijares on this. So, there's been no...obviously, no decisions have been made, so I'm not sure of whatever these documents are. But, this is something that we go forward and we will report back and create some documents about the charge of the committee, the purpose, and so on.

**Bedell:** Ken, I just want to...in transparency, all right? I appreciate that. When I read this document, and I know this is the 400-12, and with the red line, which to me...and I just...I don't know any history of this document. But, on the bottom of page two, when I see statements like: "The executive committee of the board, hereinafter referred to as EC, is solely vested with the discretion to appoint or to decide." I wrote there, wow, because that's a power of two that disenfranchises...1.5 million people, because three trustee areas, and it...and then you go to the next page. Ken, this is a draft, right?

**Williams:** This is a draft. Absolutely.

**Bedell:** Okay. So, then...my angst is a little bit reduced. However, it...if you go to the second page, "The EC, as necessary, shall act as a liaison between the board, outside independent review, OCDE staff, and charter petitioners." I think we need to know that when we elect...the executive committee because they may be different people to put in those roles. You then drop down. "The EC may assign OCDE staff." I honestly didn't know they were ours to assign.

**Barke:** No.

**Bedell:** And, I'm not being cheeky. I...this document read to me...don't...this is in quotes, all right? I'm not making an ad hominem attack. It almost read like a "crypto-fascist, power grab in the name of two people." Now, whoever the executive committee is today, three years from now could be entirely different, and there is this...it's like what's right now, and I want to make a political statement, but I will, the Democrats want to impact...make the Supreme Court bigger, right, so they can get more decisions they want? Well, in five years they may be a different...they may not want that...who's on the court.

I just think this document read not as an inclusive board document, but read as a power grab in quotes, and I'm not impugning anybody's character, and executive committee power. There's nothing in here as I read again, fast, that said, "And within 24 hours, the executive committee will report back in writing" or what...you see what I'm saying? There's no...so, something could be out there between meetings and we wouldn't even know it. So, that's how...I appreciate that it's a draft. Those are just my comments.

**Williams:** I appreciate that. And, if you can write that?

**Bedell:** Sure.

**Williams:** ...and document that and send it to me...

**Bedell:** Of course.

**Williams:** ...we can incorporate some of your ideas into this document. Again, it's a draft. It's nothing that is submitted as something we're going to vote on and...

**Bedell:** And, I get that but I just...didn't want to let that go before something got developed.

**Williams:** No, and I appreciate and respect your opinion very much Jack. What you said adds a lot of wisdom to it. It may not be the executive, it may be an ad hoc committee. Right now as the current...

**Bedell:** We may have a subcommittee, a charter review subcommittee of three members.

**Williams:** So, in the current policy that we have, there's actually an ad hoc committee on charters that we're not utilizing. And so, the idea and concept was well, let's make that Brown Act-wise and legal, so we're not communicating serially, and...let's just make it the EC that makes the decision for whether it's going to be an outside organization doing the initial appeal, or whether it's going to be the staff to do that.

The idea is that the board should have the primary responsibility of determining the process. This is a board of education, delegated tasks, and state education codes. And, I feel that if we are to be the ones primarily responsible for making decisions, we should be in the decision-making seat. It should not be staff that's making decisions. It should be the board that's making decisions. So anyway, I hope that helped...

**Bedell:** Thank you for hearing me. I appreciate it.

**Gomez:** I think we have to watch the line between...we're a policy making board, and we, you know, there's...something in here in regards to, you know, the board or the executive committee giving direction to OCDE staff, and we're not the employer. So, I think we...when we look at some of the stuff, we need to be mindful of...the language.

**Williams:** So, that's a good question. So, when appealed...if I can?

**Gomez:** Sure.

**Williams:** When an appeal is submitted, who makes that decision whether it's going to be the staff or an outside reporter...

**Gomez:** Well, the staff can give a recommendation but we're the policy-making board. So, I think that's why I'm just saying is that we just need to be mindful of us making policy versus making decisions in regards to how to direct employees.

**Williams:** Well, so...we're creating policy just like we do for a lot of different things. We're not telling employees what to do. We're creating the policy. That's what the board of education policy is. It's all about how everybody responds...

**Bedell:** Role, right.

**Williams:** ...roles. So...

**Gomez:** Yeah, so that's why I'm just saying, let's be mindful of that.

**Williams:** So, you're saying refine the language?

**Gomez:** Yeah.

**Williams:** Okay. I'm...open to that. Absolutely, and if you want to suggest language, I'm more than happy to...

**Gomez:** Because I also had the same concern as Dr. Bedell about the executive committee having...solely vested the discretion. So, again, the full board cannot give up there ability to two of the executive committee members. So again, we just need to be mindful of the language.

**Williams:** Right, right. Yeah. The entire intent is never to leave the power to make decisions to the executive committee. The executive committee recommend...represents the board. They are voted by the board. And so, in trying to keep with the Brown Act, so we don't break the Brown

Act, it just made more sense to have the executive committee make some of these more early on decisions, because we'll be in between board meetings where the board may not be able to make a decision regarding these things.

**Gomez:** Where did this suggested language come from? The red font that we're looking at?

**Williams:** I did it. I created it; something that we...Mari and I have been talking about, and we've gone over on the phone and yeah, I created it.

**Gomez:** Okay.

**Boyd:** Just a historical. The committee previously that you all had, Linda Lindholm and David Boyd were that committee, to...they developed language for this charter policy and so forth. And, we worked with our in-house counsel and staff and then brought it back to the board and the board reviewed it, made some refinements and so forth. And, that's how it originated for those who have...were not on the board. And then, over time when there were different things that came up, then that references Ken, saying to the ad hoc committee, was reference that the board would determine, at that time, who would be involved, if, in fact, they needed to have individuals and so forth. But, from my recollection, correct me if I'm wrong, the only two who participated as that ad hoc were David Boyd and Linda Lindholm...

**Williams:** David and Linda, yeah.

**Boyd:** ...on two separate occasions with regards to dialogue about that. And then, just as another point of reference, they know that you talked about, you know, the temperament and the things that need to take place. The staff recognizes that we are never making decisions and determinations. We're giving you information that we hope you can use as a tool or guide or things that will frame how you're going to vote, but ultimately, as I've dialogued with each of you individually, the board makes a determinations on whether it's approved, denied, or what next steps occur. The staff doesn't do that, and all of the staff know that. If there are challenges with anything, we bring that back to the board.

There are some things that we do act on prior to bringing it to the board because they may be safety, financial things of a sensitive time issue and then, those things are communicated with you all in advance of the board meeting, similar to our recent conversations on one of our charters that we have a concern with. It's not on the agenda. We're not having dialogue, but each of you were contacted with regards to some concerns, and the fact that we're watching so that you're not blindsided. Or, if something happens in the community that you would at least be aware. And, that's how we've always approached it.

**Williams:** Very good. Regarding the draft Notice of Violation, that's something we've been kicking around and maybe that may go to this ad hoc committee to kind of figure that out and what we're going to do with that. Do you have...anything new that to that conversation, Nina?

**Boyd:** Well, we may have something next month. I just don't know because there's nothing in terms of language that I think that I would add currently, but just in terms of, you know, there will come a point in time that the board will be...the staff will make a recommendation. Board will determine what they're going to do, but the question comes up, how many notices of concerns, or, how many out of compliance issues are there before, you know, you...and you're

issuing. And, I don't think that there's a magic number. I think it really depends on what it is. And so, I'm not sure that we can make language refined enough to...I think it's really going to be situational in terms of what's coming before the board.

**Williams:** Okay. Good. Regarding charter school status update. Just FYI, Erin Craig. I contacted her regarding her situation at their school and you'll be happy to know that probably within the next week, their entire construction loan will be paid off, and that will be a tremendous help with them on a fiscal basis.

**Bedell:** Where are they getting the money, Ken? Is that from the state?

**Williams:** That I did not ask; that I did not ask. But, that construction loan should be paid off.

**Bedell:** This is the one with Santiago Community College building?

**Boyd:** Yes.

**Bedell:** Is that the right one?

**Boyd:** Yes.

**Bedell:** Okay.

**Williams:** Well, kind of.

**Gomez:** Your drama.

**Bedell:** Yeah, so, that's Unity Middle?

**Williams:** That's...Unity with Erin Craig. That's the one that we had the fracas about four months ago when they expected...yeah, the city kind of put them in a bad situation, made a huge amount of red tape and burdens to overcome. And, the board decided to call it quits and we got told that day in the meeting, and a lot of things happened subsequent to that where they got reborn, they got remade, whatever term one wants to use. And, they didn't throw in the towel and they are fighting. And so, I wanted to update the...

**Bedell:** So, are we going to go through ad seriatim?

**Williams:** Pardon me?

**Bedell:** Are we going to go through these ad seriatim? Charter updates?

**Williams:** So, yeah, so that's...the last thing here.

**Bedell:** Great, thank you. We already did the Samueli today, right, Mr. Chairman?

**Williams:** Correct.

**Boyd:** You said you had questions for Kelly with regards to the charter school update?

**Bedell:** So, Kelly, if you go...may I speak, Mr. Chairman?

**Williams:** Absolutely, this is a...

**Bedell:** April 10<sup>th</sup>. This document, this charter school update. So, we took care of Samueli and then we got the...they're going to do the seventh and eighth grade, and they're going to have a residential facility. They're looking to get more foster children.

**Gaughran:** Yes.

**Bedell:** Okay. Legacy College Prep. So, if they don't...have the construction completed, do they just stay in the present facility?

**Gaughran:** They're hoping...it depends. So, they might be able to...if it's not completed, they might have some of it completed so they can move like ninth grade in, and then the following year, move the rest of the grades in. So, they're working with the construction to make sure that there's at least a phase available by 2020.

**Bedell:** Okay. So then, that...to Unity is the one Dr. Williams was just talking to us about. So, if you read that paragraph, we have...discuss that paragraph for me because if...she is going to pay

off one of my...regarding that, says here that they're not paying invoices in a timely manner. That's not new. Is it?

**Gaughran:** No.

**Bedell:** Okay.

**Gaughran:** No.

**Bedell:** Dr. Williams and I have been very concerned...

**Gaughran:** She's been waiting for some donations.

**Bedell:** ...right. So, that we're going to continue to regarding the concern. Now, Dr. Williams reported...do you have any information to further amplify what Dr. Williams reported?

**Gaughran:** We keep hearing that there's a donation, a large donation coming, and so, I haven't heard that...I have heard that when they get that donation, they will be putting a chunk of it towards the construction costs and other outstanding debt. But, I haven't heard within a week, this week, I've heard that in the past, but I haven't heard it this week. So...

**Bedell:** So, somebody's...that's good news if they got a corporate sponsor or somebody.

**Gaughran:** It would be good news for them to get some...a serious chunk of money, yes.

**Bedell:** But, we don't know if it has to be paid back?

**Gaughran:** Yeah, I have not...we have not been notified of that.

**Bedell:** That's fine, that's fine. The next one, Kelly. Print the... number...the next one is probably a personnel case, which we probably shouldn't discuss in public right? Somebody's been terminated. We probably shouldn't discuss that in public.

**Gaughran:** Right.

**Bedell:** Okay. The next one, is this Loma...Lomita Harbor City by Los Angeles?

**Gaughran:** Yes, so, they're expanding. They have a...they opened up a school in San Diego County. They have the school here and now they have a school in LA County.

**Bedell:** Okay.

**Williams:** And Kelly, just for the record, the schools in San Diego and LA County are not operated by us. Is that correct?

**Gaughran:** Are not operated by...?

**Williams:** The OCDE.

**Gomez:** Authorized.

**Gaughran:** They're authorized by the county.

**Bedell:** Which county?

**Williams:** San Diego County, it's authorized by San Diego County?

**Gaughran:** Correct.

**Williams:** And...the LA County is...

**Gaughran:** That's authorized by LAUSD, I believe. LAUSD. So, the San Diego one, they were denied by, I think it was Oceanside. I'm not positive. Was it Oceanside? Oceanside, and then they went to the county and were approved on appeal at the county.

**Williams:** Okay.

**Bedell:** Okay, so then, Epic. So, Dr. Williams, you have been historically been very close. Do you have any information on this? They're off 9%? in their reserve?

**Williams:** I don't have any information on that.

**Gaughran:** This is a second interim budget that we just received, and it indicates a reserve of - 9%, which is a concern. However, Community Strategies, which is their CMO, has waived their \$488,000 fee this year, and they're going to send them a new contract to recoup those dollars in

future years. And so, consequently, that will bring the reserve down to -2%, and they're working to increase enrollment next year so they can have some reserves by the end of next year.

**Bedell:** But, they have to pay that 400 back?

**Gaughran:** Yes.

**Bedell:** Over time?

**Gaughran:** Yes, they will. Over time.

**Bedell:** So, that ties that over?

**Gaughran:** Correct.

**Bedell:** So...but...then explain to me that last sentence under Epic.

**Gaughran:** So, there's an investigation. When we first got Epic Charter School, they were being investigated by the Oklahoma State Bureau of Investigation, and possibly by the feds. I can't recall if the feds were involved back then, and it never really ended but nothing ever came of it. And then, now, all of a sudden, there's...Tulsa news has contacted us and...they're reporting that the federal...they're being investigated by the feds as well as, again, Oklahoma State Bureau of Investigation.

**Bedell:** Do you know what their enrollment is?

**Gaughran:** In Oklahoma, it's over 10,000 possibly, 13,000 students.

**Bedell:** In Oklahoma?

**Gaughran:** Yeah. It's 650 here.

**Bedell:** 650? Okay.

**Williams:** Could you tell me the results of the FCMAT review audit?

**Gaughran:** So, for the FCMAT, they had...some things that they had to correct, which they did, but they did not find fraud.

**Williams:** Did not find fraud. And, how much was the cost to do that FCMAT audit?

**Gaughran:** I don't believe there is a cost for a FCMAT audit.

**Williams:** Was there a cost for our department?

**Boyd:** No.

**Mijares:** No, it's absorbed by the state.

**Williams:** It was absorbed by the state. The reason I mention...I mentioned that is because on FCMAT's website, it does indicate that there was a figure. Again, I'm very poor with numbers. It was a fee of \$96,000 at the...

**Boyd:** Right, but the state of California pays that, not us.

**Williams:** Okay, so we didn't pay for that? Okay.

**Mijares:** You know...and I might want add that it was FCMAT that found that the methodology they were using to claim state apportionment was flawed. And so, by the fact that...they got in there to correct that, averted a major problem that would have happened at the end of the year. So, that was a good thing, and I think that the Epic people will tell you that, too.

**Bedell:** Right.

**Williams:** By the way, do you know what it cost Epic for that FCMAT audit? Would you like to know?

**Bedell:** Yeah; maybe not.

**Williams:** \$120,000 it cost, and that came out of their budget just to defend it.

**Bedell:** Why?

**Williams:** They have to hire attorneys and...auditors.

**Boyd:** No.

**Williams:** That's...what I was told. You mean...

**Boyd:** We can have a conversation about that, but I can give you the background, and if you like, we can tell you, because all they're doing is producing records. Now, if it's copying and so forth, but FCMAT goes to their site and it's a matter of them looking at and reviewing records and dialoguing with them. So...

**Boyd:** Anyway, that's what I was told by one of the people from that charter school.

**Boyd:** Interesting.

**Bedell:** Okay. So, thank you for the patience for my colleagues. OCASA: This has been one of the biggest hits that I think, unfairly, that detractors of charters, very unfairly, go after them and say they are not taking care of special ed. kids. Here, we see that these kids...this has been a concern that they're not testing all them pursuant to state code.

**Gaughran:** Correct, and that's from the CDE, not from our staff.

**Bedell:** That...so, the state did that?

**Gaughran:** The state audited that and then contacted them to say we're coming down to take a look at that.

**Bedell:** Who manages OCASA?

**Gaughran:** You mean it on my staff? Teresa.

**Bedell:** Okay. The workforce. What is that FCMAT about?

**Gaughran:** The FCMAT's been ongoing most of October, I believe?

**Bedell:** And...what was the cause of it? Do you know why?

**Gaughran:** There was some question about how they were doing business with some of their internal vendors.

**Bedell:** Okay.

**Williams:** And, from what I recall, the conversation was that was way too complicated for our staff to handle...

**Gaughran:** Right.

**Williams:** ...that and you required a little bit more expertise.

**Bedell:** So that's...good.

**Gaughran:** It's a very complex organization. A very large...and they have many boards and they cover a lot of state area, let's just say. Very large.

**Williams:** And the state is picking up that...

**Gaughran:** Yes.

**Williams:** ...audit, too?

**Gaughran:** Correct.

**Williams:** So, when we refer them to FCMAT, do we have that referral letter?

**Gaughran:** I imagine we do.

**Williams:** Yeah. I'd like to see that.

**Gaughran:** That's not my office.

**Williams:** Oh.

**Boyd:** I don't think that it's a letter. I'll find out.

**Williams:** Okay. Yeah, I'd like to see that.

**Mijares:** I don't know if there's a letter per se. It...we'll check to see and be happy to get that to you. But, I think it might have also been through just word of mouth because so often what happens is that if we can't get data from these sys...these schools, and we make many requests, or it's delayed, or it comes in a way that's not conclusive; it's incomplete. Then, that tells us there

needs to be some other mechanism to get that information, and that's FCMAT. That's what they were designed to do. Again, recognize, we didn't create FCMAT, the state did.

**Bedell:** I'm almost done, Mr. Chairman. Thank you, Kelly. So, we had some...the police reports are not our business but that...under Vista Condor, middle sentence, they were selected for a federal audit. That's done randomly?

**Gaughran:** Yes.

**Bedell:** So, there's nothing there.

**Gaughran:** That's not because they did something...

**Bedell:** Right...

**Gaughran:** ...lied to them or anything like that.

**Bedell:** Is it the same with Tomorrow's Learning Collaborative.

**Gaughran:** Correct, yes.

**Bedell:** Okay. Now, go down...the National University one. This is the one based in San Diego? National is in San Diego?

**Gaughran:** Yes, National is based in San Diego, but this school is in Saddleback Valley.

**Bedell:** Okay. Now, why will they not receive state and federal funding in June?

**Gaughran:** Because they didn't get approved early enough in the school year. So, when you get approved at the very end of the period, which in their case was September 28<sup>th</sup>, you can't get approved past September 30<sup>th</sup>, you might recall. And so, they missed...they'll get the money. It's just going to come in, I don't know, June or something.

**Bedell:** So, they have to pay back then, National, to...because National is covering...

**Gaughran:** Right, but National is giving them a 0% loan. So, once they get the money, they'll just send it back over to National.

**Bedell:** Does that mean that they'll be short in the future?

**Gaughran:** My hope is it will be better in the future. They need to raise...they, too, need to increase their enrollment.

**Bedell:** So, they do have debt to where you're watching that?

**Gaughran:** Correct.

**Bedell:** Okay. If that bellies up, does the...this department eat it?

**Gaughran:** It just...again, it just depends on what that means. If, you know...I mean, I don't know that we would eat it. I think that we could end up in court, but I don't know what, you know, who knows what a court would do?

**Bedell:** Thank you very much, Mr. Chairman.

**Williams:** Excellent. Okay, anything else? Otherwise, I'd like to adjourn us.

**Bedell:** Oh, praise. So moved.

**Williams:** At 3:27 p.m.

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