

BOARD MEETING – 5/13/2020 TRANSCRIPTION

Barke: Welcome, everyone. We're going to go ahead and start our meeting this morning. We'll start with a roll call.

Boyd: President Barke?

Barke: Present.

Boyd: Trustee Bedell? Trustee Bedell, are you here? Trustee Gomez?

Gomez: Present.

Boyd: Trustee Sparks?

Sparks: Here.

Boyd: Vice President Williams?

Williams: Present.

Boyd: And did I hear Trustee Bedell?

Bedell: Yes.

Boyd: Thank you.

Barke: Okay, we have [inaudible] on the Agenda, a closed hearing for item number 11 and note that item number seven - the charter hearing for College and Career Prep Academy is for a material revision and charter renewal. I'd like to announce Greg Rolen is also here with us. Our special interim counsel is on the meeting as well.

Williams: Question. The [inaudible] renewal. What was the other item? I didn't catch that. Is that the only one?

Boyd: There's a closed hearing as opposed to an open hearing.

Williams: Okay, so it will be a closed hearing.

Boyd: Correct. No members of the public.

Williams: Okay. Very good. I'll call for the adoption of the Agenda with those two changes to it.

Barke: Do we have a second?

Sparks: Second.

Barke: Moved by Williams and seconded by Sparks.

Bedell: Second.

Barke: Okay. I believe we're ready to go into closed session now.

Williams: We have to vote.

Barke: Oh, I'm sorry.

Williams: Yes, we have to vote.

Boyd: President Barke?

Barke: Aye.

Boyd: Trustee Bedell?

Bedell: Aye.

Boyd: Trustee Gomez?

Gomez: Yes.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: Vice President Williams?

Williams: Yes.

Barke: Okay. We'll now go into closed session.

[PRESIDENT BARKE STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF THE CLOSED SESSION. UPON CONCLUSION OF THE CLOSED SESSION, PRESIDENT BARKE STRIKES THE GAVEL ONCE TO SIGNAL THE CONTINUATION OF THE REGULAR MEETING]

Barke: Jonathan Brenner.

Brenner: Good morning, Board members and Superintendent. The report out from closed sessions one and two is as follows: An update and discussion was had with the Board. Two actions were taken. First, Epstein, Becker's invoices dated April 27 were approved by a vote of 4 to 1; Trustees Barke, Williams, Sparks and Bedell voting in favor, and Trustee Gomez voting against. The Board also passed by resolution an update announcement to be read into the record now and to be posted on the Board's website regarding the litigation. I'll read that now. "Board update on general counsel and budget litigation, May 13, 2020. Due to the public health crisis and related state and county stay at home orders, trial in the general counsel litigation and pretrial proceedings in the budget litigation have been postponed. These matters will be rescheduled once the Orange County Superior Court reopens for normal or closer to normal operations. Currently, the court's closure order is scheduled to run through May 22, 2020. As noted in earlier updates and in the Board's filings with the court, these cases involve important questions of the Board's and the Superintendent's respective legal authority on such critical issues as the retention of our shared legal officer and the approval and adoption of our Annual Budget. These issues strongly impact department policy, management, and accountability to the public. In regard to both issues the Superintendent has adamantly asserted that he has sole power and ultimate authority to appoint the shared legal officer, and that the Board is merely limited to providing input into the Superintendent's Budget but may not make any changes to it.

The Board disagrees. The law clearly requires both agencies to co-appoint their shared legal officer. The law is equally clear that the Board of Education has the sole authority to approve and adopt a budget and that the Superintendent is obligated to submit the Board's Approved Budget, which the Superintendent refused to do with the Board approved Annual Budget for the 2019-2020 fiscal year. California provides a rational framework of co-governance for educational policy and fiscal management within Orange County with separate and defined powers between the Board and the Superintendent that Dr. Mijares has not respected. Unchecked and unauthorized power in the hands of one governmental official is, in the best case, a recipe for waste and a lack of transparency and accountability.

The Superintendent's resistance to the Board's cutting of \$170,000 in travel and lobbying expenditures from this year's budget on the basis that the Board does not have the power to do so, and his claim that the Board's reduction of such surplus spending that doesn't benefit students would 'Set an alarming precedent' is emblematic of this. The Board believes that the voters of

Orange County are entitled to have their elected officials exercise the powers and authority that they have been given by law, and that preservation of the balance and separation of powers is necessary for the voters' interests and priorities to be served.

The Board's informal efforts to reach a compromise with Dr. Mijares for a reasonable working structure for shared governance and authority within a collaborative framework and the contours of California law were unsuccessful. At bottom, the Superintendent has refused to relinquish any of his perceived power and authority, or recognize the Board's authority in these critical governance areas, making these suits necessary.” And with that, that concludes the update and report out for the closed sessions.

Barke: Do you want to do the Pledge of Allegiance or wait for everything? We don't see Bishop Oliver, so we're going to go ahead with the Pledge of Allegiance to start. That will be led by Ken Williams. If he doesn't show up at the end of the Pledge of Allegiance, because he's due at 10, so he's not that late. Thanks.

Williams: Okay. Under these unprecedented times where each of us is under attack by a virus that we cannot see, we all still come together to pledge our allegiance to the symbol of the greatest nation in the world that supports constitutional rights and the right of life, liberty, and the pursuit of happiness of its people. Let us begin.

Board and 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.

Barke: Not seeing Bishop Oliver, I think we will have Dr. Sparks lead us in our invocation.

Sparks: Dear heavenly Father, please bless each and every individual sitting in this room, and each and every individual zooming in in these unprecedented times. Please bless our community, our families who are struggling financially, economically, emotionally, and our teachers and parents who are working together to educate our children through these difficult and uncertain times. Please bless our decision making and the ways that we interact with one another as we move through many of these issues that are not easy and are often uncertain and difficult to get through as well. Guide us through every conversation and every decision that we make throughout this day and moving forward. In Jesus' name we pray. Amen.

Barke: Is that right? Please? Thank you.

Hendrick: Today, we're just doing a budget study session. I'm fine now? Am I okay? Thank you. I didn't want a repeat of last month, so hopefully we're good. This is the budget study session where we kind of walk you through our budget documents, and this is part of our development process. This is where you'd be sharing any input also. Obviously, we're using the Second Interim Budget, because we haven't completely developed the Superintendent's Budget yet. You will see that in June. The timing of this meeting is the day before the governor is going to release his budget. We've heard some items in there, but I will try and share with you the latest that we've had.

I just want to kind of walk you through the documents that you are used to seeing to hopefully clarify some things that are in there. The first one we have is a budget summary book you normally receive. That is your attachment A. It's the unbound version if that helps you. This was developed over the last, probably, I'd say six to eight years. Our former Trustee Linda Lindholm was a big part of helping us put this together. Last year, Trustee Gomez and Trustee Sparks added some items also. We tried to put as much information in here, so you're not reading the full budget document. If we go to page A4, it kind of will show our total revenue. You can see our total revenue is \$282 million. Of that, \$105 million is from the local control funding formula.

The federal revenue is \$51.3 million. We have a smaller portion of state revenue that's outside of the local control funding formula. We have a large section that's local, which is \$105 million. This is where we become very different from a school district. Whereas, a school district won't have as much local revenue. Because a lot of our work is done from interagency contracts or fee for service programs, they show under local revenue. The charts below just kind of show you that trendline from 2016-17 through our projections from 20 to 21-22. I will tell you that probably our projections for the out years are very off at this point, and even for the current year based on the pandemic. If you go to A5, it talks about the local control funding formula.

That is a per student basis, but as a county office we get funded different than a school district. We are going to receive per student funding for our juvenile court school students and our community school students that they call C Funded. Those are students who are going to be probation referred, expelled, or social service referred. The juvenile courts are actually students that are incarcerated. We receive funding for those. For the county oversight, which is a large portion for us, is we receive funds based on the total number of average daily attendance for the entire county. That's for all the mandated work we do for financial oversight, now with the LCAPs, and all the different work we do in oversight of other districts in the county.

On page A6, it shows what our ADA has been. You can see we continued with a downward decline. I will say in this year we actually saw some stabilization of our ADA, which was great, because we've had this large decline. We had a 3.26 percent cost of living for 2019-20. If you remember that we have that tax piece where once we receive our full funding, any excess to that tax gets sent off to the county courts. We don't actually receive the cost of living. It gets billed to the formula, which means we just send less to the county courts. That's part of the state formula. On page A7, it goes into the specific programs. You can see our juvenile court schools, our community schools.

We have our S1S program, which is our Secondary First Semester has been very large. It actually started in 2016-17. We anticipate that it's going to continue for this year. However, since 2013, we had a 769 decrease in 2018-19, and 181 is budgeted for this year. When you go into our other types of revenue, we have different forms of revenue. A contract is where somebody is contracting directly with us for a specific purpose. Entitlements are funded normally through a per student basis and are either part of the state budget or federal budget authority. Most of these funds are ongoing but may have restricted guidelines for expenditures. Grants or projects that

OCDE has applied for from funding agencies and could come from federal, state or local agencies.

They're normally competitive. Reimbursements are where we receive no revenue. Once we have the expenditures, we can be reimbursed for part of those expenditures. That's mostly our Medi-Cal, MAA, our medical billing program, our child nutrition program. Fee for services, which is a large portion for us, that is things like our special schools billing where we bill districts to serve their students, billing for Inside the Outdoors, professional development, our financial systems, service fees and various other workshops. On A9, we have our federal revenue. Reimbursements shows 37.9 million. A big portion of that is MAA. I know Dr. Williams you had asked about that the last meeting.

I have more information at the end of the program on that. I'll get into that then. Special Education, Title I, our juvenile court schools and our community court schools receive what they call Title I Part A, which is for delinquent and neglected students. We receive actually a higher subsidy in that area than regular school districts, because our students are at risk. It breaks down from 2016-17 to the 2019 budget for each one of the programs that we have. They're all listed out there. You can see for reimbursements and interagency contracts. We go into state revenue and it lists all of those there. In local revenue, we've listed everything for you here also. It gives you great detail on all those items. Then, we move to expenditures.

Unlike the school district that their salaries and benefits are normally 80 percent or higher of their expenditures, because we have so much outgo that comes through us and gets passed through to school districts or other agencies, our salaries and benefits only run 57 percent. That's because of that sort of outgo that comes in and goes back out. Looking at this, we have, 1,105 regular employees and 358 short-term employees. You can see the trend on page A17, how we've continued to decrease employees. We had anticipated an increase prior to March. We're not exactly sure what that's going to look like moving into the next year. We're evaluating some items. Page A17 where it shows your classified and certificated salaries, it goes from 2017-18 and then projects out.

This comes straight from your criteria and standards, which is in a separate report also. If you remember in the last few years, we had done some retirement incentives to try and get a large portion of our certificated staff to retire, which saved us from doing very large reductions. We are happy that we've been successful in that area. We feel that we are staffed appropriately I guess is the better way to say it with our ratios for our teachers if our attendance continues to hold as it has. On A18 it kind of goes through more detail of the position. For certificated positions, you can see a breakout of teacher salaries, people support, supervisor administrative salaries, other certificated salaries and total certificated salaries.

These are all based on the California Accounting Code, which requires what object codes you use and how you list these. Our benefits for health and welfare and statute benefits are summarized. You can see STRS is 13 million, PERS is 11.4. We have Medicare and then PARS.

Employees that aren't part of STRS or PERS are required to pay into PARS, which is a Public Agency Retirement System, instead of paying it into social security. That's an alternative retirement plan. Health and welfare is 21 million. Unemployment is part of a school pool in California. We had seen some stabilization of that area. I am assuming that that will change after the pandemic results come in. Workers' compensation is 1.9 million.

We have seen an increase in claims over this last year. We actually anticipate that going from 1.9 percent of total salaries to 2.1. The majority of that is coming from our special schools program where our students have risen in age and size and kind of create more of a physical trauma on our one-on-one aides. They're dealing with them. We do anticipate a large increase there. Other benefits at 2.6 million. Our total employee benefits are 52 million. The chart below shows the impact of the STRS and PERS increases. PERS sets their own rates. The legislature sets the STRS. From 2013-14 to 2020-21, you can see an increase from 9 million to \$30 million. A lot more of our salary increases are really going to pay for those types of things.

Normally when you're looking at this budget book, A20 just kind of recaps everything of those charts and kind of gives you a projection of where we think we're going to go. This was based on second interim. We did have a modest increase for our PPO plan last year. I will tell you that we had met with our broker, I believe it was last week, and our utilization rate is up quite a bit and our cost of claims is up quite a bit. We're wondering what that means, because we also did have a lot of patients that actually didn't go to the doctors for a few months. Will those offset each other? We also do have what they call pulling insurance. Anything over \$150,000, they actually can't rate against us. They only rate us for the first \$150,000 of the claim. The rest goes to insurance.

We are looking to see what that impact would be. I think the meeting with them was very discouraging, because we have a lot of high-class claimants and some large hospitalizations. It felt like they were triggering that they were going to tell us we're having a large increase, but we won't know probably for a few more weeks. On page A21, it goes into your books and supplies: textbooks, general supplies, equipment. We've given you from 2018-19, our projections through 2021-22. On A22 it looks at sub agreements. Those are things that are coming in. Transportation is one where we receive transportation funds, and we pay our transportation carrier out of that area.

The reason why the state sets these separately is they get excluded from our calculation for indirect costs. They dictate what goes into the sub agreement, which is the 5100 object codes. We have travel and conferences and it's broken out. Object Code 5210 is for local travel, conference and mileage, and 5220 is for travel or conferences outside of the area. Then 5230, we had broken out to show registrations for conferences and workshops. The chart below shows you by major division what had been budgeted for second interim. At this point, looking at actual expenditures, we think that's probably overstated by quite a bit. A lot of functions planned for spring did not happen.

Dues and memberships, we had given you detailed information on that at the last, I guess in the March meeting, maybe your last meeting. People insurance, and this is the liability for OCDE is right now \$350,000. We are anticipating probably anywhere from a 10 to 15 percent increase in this area. A lot of that is due to some new laws that passed this last year regarding sexual molestation where employees can go back, basically, forever. Somebody right now could go back and say, in 1972 this happened to me, and they could sue our district. Even though we may not have that liability for our organization, we're all pulled into a pooled insurance and many insurance companies in California are not going to cover this anymore.

Those agencies are seeing huge increases if they're able to get insurance at all. We know this number will be quite a bit higher for next year. Our utilities: water, natural gas, electricity, waste disposal is \$1.1 million. We actually have done quite a few energy saving projects for our sites. We've seen some stabilization in our electricity costs. Our rents and leases are \$11 million. Professional services are at \$22 million, and they're including expenditures for maintenance, service contracts, and those types of things. Communications is \$874,000. That's going to be internet services, sites, posters, cell phones, telephones, and emergency radios - just a summary there.

Capital outgo, our expenditures for land building improvements and capitalized equipment that's over \$5,000. We had budgeted three million for new equipment in 1920, although a lot of those projects may actually not be completed now and will be moved to the following year based on the closures we've had. You may have seen that we do have a project going on to replace the doors and windows. That will be coming out of our deferred maintenance fund. It shows you the other outgo, which is for our essential county Career Technical Program. They're receiving some funding through 2020-21 as an agreement we made with them, because under LCFF, the funding changed. After 2020-21, we will no longer be passing through funds to those districts.

Our interfund transfers show budgeting transfers for the child development program, fund 12. We also do transfer a percent of our expenditures to our deferred maintenance fund, which is required under the school financial hardship program for building. In excess and deficit, if you look at our current year revenue versus expenditure, if there's more money, it's an excess, if there's less of the deficit. The current year is showing an excess at this point. It just kind of lists out the summary. It just shows you that. The other piece is under the fund balance. It projects where we believe our fund balance would be at that time, and then amounts that were committed to specific programs.

There are also ones that were carried over for specific purposes. We have our reserve for economic uncertainties, and we list all the funds we have. On A29, starts our grants and contracts lists that you receive with each budget also. That is the budget summary you normally receive. B1 was the Second Interim Budget. For this last year, I guess for the first and second interim, we've shown you increases of \$25,000 or more for the budget. That's pages B2 through B5. Normally, what you would look at is the sixth, which is showing any major changes between this budget and the prior budget that you've seen. For second interim, it was showing what your increases or decreases in revenues were.

On page B9, is kind of your cheat sheet for major objects. This is telling you overall. For first interim for our excess, we were at \$4 million. At second interim, we projected the 2.76 excess, and it tells you by major object what had changed. On B10, it goes into a summary level of the major changes. If you match your assumptions, they match up to this page. B6 is the first line of B10. You can kind of see where those changes come from. This will go from major object to starting on B13. It becomes broken down more. If I can point out B11 versus Object Code 9780. I know that was one of your questions, Dr. Williams. It's highlighting areas where reserve funds have been set aside.

It's not a budgeted item, it's just funds we've set aside for these specific purposes. I'll get into more detail based on the questions you had asked at the last meeting at the end of the presentation. This will move through all of the detail for the general fund, and then starting on B37 we see your multi-year. When you are approving or disapproving the budget, you're looking at the current year and two years out. That's what the code requires. You can see for 2019 Second Interim, we had budgeted for a \$2.7 million excess. Then going out to 2020-21, we were showing a deficit of 4.5 million in 2021-22 if we hadn't made any adjustments or revisions to that. Page B39 is a summary of our criterion standards. It shows what's listed in those areas.

We did revise this based on the prior board meeting. The one that was actually sent to the state just showed that we have a contingent liability. We just didn't update this book, because this was from March. This is a good area if you want to look in detail of our budget, because it really does a trend analysis on each one of our areas. You received this in each one of the budgets and it kind of goes into detail of where we are off in our trends. They'll look back two years and forward two years. B67 is our average daily attendance. The only other fund where we have salaries is our child development fund. We make sure that we're giving you those. Even though we do not operate child development programs, we have what they call Turn of Payment Programs.

We're just paying providers. We want to show you what that looks, like because there are salaries tied to that. The last tab is the All Funds Statement, and this shows you every fund under the county office. You can see how we have our general fund and special education pass through. We are an administrative agency for the North Orange County SELPA, the child development fund, deferred maintenance, a special reserve Fund, state school building funds, school facilities fund, capital outlay fund for Esplanade. This is where for the Esplanade it resides in this fund 40. The debt service fund is where we pay the participation for the Esplanade fund out of that. Then we have a dental self-insurance fund, and the total for all those funds.

Those are all the normal things you would receive with the budget. To kind of look at the outlook for this year, obviously it looks very different than when we put this budget together in March. Things have changed drastically since then. On May 7, the governor did come out and provide a fiscal update. He anticipates a drop in the state revenue of \$54 billion corresponding to a reduction in Proposition 98 guarantee for schools for 18 billion. If you break that out on a per student basis, it's about 2,300 per student. A quick calculation for OCDE is that's about \$13 million. The state is projecting 33.4 billion below their January forecast, even though through January we were a billion above their forecast at that time.

I will say, though, that the LAO came out with a different analysis, and it's saying that the department of finance is over projecting the loss. They believe it will be lower than that. They believe that if the economy opens up and it goes into U shape, so it comes up quite a bit, that our loss would be closer to 10 percent. If it's an L shape and a slow recovery, it will be about 16percent. Currently, the Department of Finance is saying it's going to be closer to 22 percent. We do have some inconsistencies on what they're forecasting, but the one thing the state does have to deal with is they do have a large budget deficit. Part of that is structural. The revenues have declined by 41.2 billion.

They had a \$7.1 billion caseload increase already built in based on some increases for health and human service programs, and another 6 billion that are mostly COVID related. Going into the budget year, the state already was anticipating higher revenue to pay for these increased expenditures they had added. With that loss of revenue, their overall budget deficit, that's where they're saying they're going to hit the 54.3 billion. The amount of 13.4 billion is in the current year and 40.9 billion is on 2021. The overall budget deficit is equal to 37 percent of the general fund spending authorized in the 2019 Budget Act. It's also three-and-a-half times the revised balance and the Rainy Day Fund of \$16 billion.

The amount of revenue reduction in Prop 98 is equivalent to the 22 percent cost of living, so a negative 22 percent. I think Trustee Gomez and Dr. Williams, you were here during our recession. You would see where we were having negative revenue. They give us a cost of living, and they would put a deficit on it by a certain amount. We're not sure if the governor is going to do that. It seems hard to believe that he would hit us with a 22 percent deficit in this next year. It could be lower. We do anticipate something much lower than that, but the state does have a large deficit also. He is releasing his May revise tomorrow is our understanding, and that will give us a better idea. In the past, do you remember deferrals? We're wondering if he will use that as something again.

What they would do is they would say, for 2019-20, we should have cut the budget by \$10 million. We are going to pay you the money in July for your June apportionment. They count that as next year's expenditure instead of this year's, but the district continued budgeting in this year. It's actually against accounting standards. We're not sure if they will do that again. That was something they did during the recession to try and not pay them for the back money, but to try and help in accounting guidelines. We could see that money we're owed in June get pushed to July. It doesn't affect us budget wise, but cash wise it becomes difficult for some districts. Not an issue for our office, though.

The [inaudible] since June. It may be too early to see the impact of the economic shutdown, because remember taxes were pushed out to July. Until they see the tax revenues in July, it may be difficult for them to say what the state budget is. There may be other revisions that are required after that. I just showed you the headline from the Sacramento Bee on May 7th. Going into our program, we have made a lot of changes in our Alternative Education Program to try and mitigate the loss of students we've had. We do feel like it had stabilized prior to this. We do feel like the type of students that we serve, part of those programs are distance learning to start with.

They've been able to adapt very quickly to the COVID-19, but it's still difficult to say what this pandemic is going to mean going forward.

Our Special Schools Program has continued to slightly decrease. It's been fairly stable. Most of the districts have started their own programs. If they have the capacity to do that, that's the best place to serve those students. We only serve students that districts are not able to serve. That number has gone down. You can see in 2012-13, it was 474. It's now 386. We'll be looking very closely at what our enrollment numbers look like. Juvenile court schools, even though we weren't allowed to have teachers in the institutions, we still were providing educational opportunities for them through packets. For budgetary purposes, we're going to be held harmless for our attendance for this current year.

They're going to base it on what we had through February, so we don't anticipate any further losses in that area. We have started the enrollment process for our SIS Program. Based on the information we're getting from districts, we do think this will be a robust program for us. We are awaiting the governor's May revise. They had originally anticipated 2.31 percent, cost of living. We believe that probably won't get funded, that they'll deficit that at least. We were not anticipating in getting one-time discretionary funding for 2020-21. We're looking at any programs that we were waiting for renewal or if maybe we hadn't received the funds yet to see if those will still be funded.

We have received a notice that we will receive 2.3 million in federal care spending to help with the increased cost of educating our Title I students due to COVID-19. Some of the things that weren't billed in this budget also is we did have a large expense for laptops, Chromebooks, hotspots, and sanitation supplies that weren't included in this budget. That wasn't part of it. Even though we did have a lot of technology over the last two years, we found for our teachers and a lot of our staff, a Chromebook wasn't adequate. It doesn't have enough power. They needed a laptop instead. Our I.T. department has worked really hard to make sure we get the adequate supplies to everybody.

Some our students were given CONGETE, a hotspot, basically, so they would have internet connection at home. We also did help some other school districts and charter schools around the county procure those items, because there wasn't a large shipment. That's something we've been working through. Our salaries and benefits at this time in the budget. We're only forecasting for step and poem, which isn't part of our collective bargaining agreement. The increase for STRS and PERS. We have not started negotiations for 2020-21. We normally would have done that during this time, but based on the pandemic and the unknown budget, we haven't started that. We are waiting for proposal for Blue Shield.

I talked to you about what that increased cost could look like. We do have some salary savings that you don't see in the budget, because we've kind of put a hold on some positions. We have some hard to fill positions that are still open. We're still recruiting for, and if we hire the right person, they will be onboarded also. Especially our I.T. staff is an area that we're always struggling to get qualified staff for, but we'll be reevaluating all the staffing we need to reopen schools. Some of our current year expenditures - we had a lot of items where we may have had

books on order, because that company closed, we haven't received them yet. We've had some furniture ordered that has been delayed.

We're probably not going to receive it by June 30 at this point. Those items were budgeted in this year and we'll reduce the budget for this year. They will move into the next year. We will continue having increase in expenditures for technology needs and safety supplies. As we plan a transition into the new school year, we will have to look and see what is required for that. We will need masks, gloves, and hand sanitizer. I can tell you the office here, we have hand sanitizers for our copiers. We have wipes. We have increased facility staff to do cleaning of the high touch areas, restrooms at least once an hour if not more. Facilities needs for access - we have the one building we were going to move into.

The planning office for Orange has been closed, so we haven't been able to get our plans through. That will be pushed until 2021 also. Ken, to kind of go back to some of the questions you had asked. I did go over the transcripts, so hopefully I picked them all up. You had asked about MAA and what that really served. MAA is Medi-Cal Administrative Activities. We're not doing any direct service to students it's just administratively. Through the state you can be what they call a LEC, which is a Local Education Consortium. We are the lead LEC for this region and so is Orange, San Diego and Imperial County that are part of that LEC. They have a very tight handbook of what you could administratively claim.

Normally, it would be, say a nurse of a child says they feel that they need to go to the doctor. They will give them a referral to a Medi-Cal doctor. They can claim the time it took them to do the referral. It is all they can claim. Since we administer that for the three counties, there's multiple school districts, community colleges and a couple other entities like maybe an ROP. I think we have another agency in San Diego, also. They all file their claims. They come up through us, we audit and submit those claims to the state. The reimbursement comes to us and get dispersed back out. It's really money for those sites. We do get some money for that administrative work that we hold though, for auditing those claims and doing all that.

Williams: You get the echoing, yes. Good job. Appreciate it, Renee, everything that you've done. I appreciate the professionalism that you've demonstrated. To understand this Medi-Cal Administrative Service, we're the regional administrative office for Orange, Imperial and Riverside counties. This...pardon me?

Hendrick: Orange, Imperial and San Diego.

Williams: Okay. There are ROP's and community colleges are involved in this and obviously the school districts. When a child is sick, are they transported to the medical office by school staff? How does that work?

Hendrick: It would be based on the parent's referral. The referral is given to the parent. If the parent asked them to be transmitted, I don't really know. We don't do the individual claims. All we're reimbursed for is referral to a Medi-Cal provider.

Williams: Our services are more what - administrative, then?

Hendrick: This is all administrative. It's just administrative activities only.

Williams: We're not billing for that actual physician's office for the services that he's rendering? That physician is billing the state directly.

Hendrick: Correct.

Williams: Okay. Does this administrative service include transportation of this child and the parent to the healthcare facility?

Hendrick: Normally, no. It's just a referral to the doctor. A lot of times it's a referral to a dentist. If the student comes in, maybe they come in with a fever and the nurse says this is the third time you've been here. They will call the parents and say, "We think you need to see a doctor. Here is a Medi-Cal eligible doctor for you to see." They normally give them a list, not a particular doctor.

Williams: Okay. The etiology of how all this starts, the foundation is the child goes to the school teacher, administrator, or wherever it is and says "I'm sick, I need to go to the doctor." Is that right?

Hendrick: Right.

Williams: Then the school calls up the parent and says, "Your kid is sick. He needs to go to the doctor."

Hendrick: Yes.

Williams: The school then charges for that administrative?

Hendrick: They charge for the -

Williams: - for calling the parent?

Hendrick: Yes. Not exactly that, because it's done on time studies and everything else. We can give you an entire sample. The state basically says who is eligible to serve. They pick a moment in time. They will say, "On October 4 we're going to count everybody who had serviced that time and that's your time study." Based on that time study, that's how you're going to get reimbursed going forward. If I see 10 kids a day, and that day, I only saw four. I'm only going to be able to use that four moving forward, because it's based on a time survey for that one day. That's based on state and federal guidelines.

Williams: These guidelines have been around for how long with this program?

Hendrick: This one has been around at least 15 years. It was the same program but a different name prior to that. We do have a part Dr. Williams, which is the Medi-Cal Direct Billing Program, which our special school uses. That's mostly if it's for an IEP, a psychologist. If the student is Medi-Cal eligible, we can bill for reimbursement for that service that we provide.

Williams: Do we have psychologists that we have contracts with?

Hendrick: We have employees.

Williams: We have employees. How many employees do we have?

Hendrick: We have 1,100 employees. Are you talking about psychologists?

Williams: Psychologists.

Hendrick: Off the top of my head, we have quite a few in our special schools program.

Williams: I see. They're actually employed by this department. They're not independent contractors?

Hendrick: Correct.

Williams: I see. I assume their level of training is an MFCC master's, doctorate level?

Hendrick: Whatever they're required to have as a credential. Yes.

Williams: Okay. Those kids that go to see the psychologist, can you comment on the involvement of the parent given consent and involved in the process? Being aware of what's actually happening?

Hendrick: They're very involved, because it's part of their Individualized Educational Plan. They have an IEP that's done with the parent. The school agreeing on this child needs X amount of hours per week of psychological services. The parent is signing off on that before the services can be rendered.

Williams: Okay. We had about, if you can remember 20 years ago, we had that one father who came here who was very upset with what we did. He came and held at gunpoint some very good employees here.

Hendrick: I was here during that time, also.

Williams: You were there. You remember that. I assume our parents are happy with this, they're involved. They feel like they're stakeholders in their children's health care and wellbeing?

Hendrick: I would say yes. We have very few due process hearings through our program.

Williams: Okay. That's important. Can I ask you a question? Who's our health insurance broker, by the way?

Hendrick: Blue Shield.

Williams: Who is the broker?

Hendrick: The broker is Alliant.

Williams: Alliant?

Hendrick: Alliant.

Williams: What is their percentage of the take of our insurance premiums? Do we know that?

Hendrick: It's probably in the contract. We don't actually pay it. The insurance company is required to pay it.

Williams: The insurance pays it. Right. I'm just thinking if we can manipulate the process, so we can get them to take a lesser cut. It's probably like 20 percent what they take of the cut on the premiums?

Hendrick: I will tell you we had gone out, it's probably been about six years, three years. For the insurance company it's been three years, but we also went out for the broker. We have a Health Benefits Committee, which is management and our collective bargaining teams. We had been with Aeon for years and years and years, and we didn't feel like they were giving us the best service we needed. We had an RFP and met with different brokers, and that's how we chose Alliant. They do a lot of school districts and a lot of public agencies. I feel like they've been very proactive in helping us with our relationships with our vendors. If you remember three years ago, we changed from Anthem to Blue Shield. That was done through a competitive process.

It saved our organization in the first year about \$1.5 million. They continue to help us, and we do meetings with the Health Benefits Committee. They're tracking some of our claims. We had a conversation after we had the meeting with Blue Shield, and they already know where they're going to hit them on bringing some of their costs down. I believe it's less than 1 percent they receive, and it's capped, if I remember correctly at almost 500,000. I'll get that information for you, so there's a cap in there of how much they can.

Williams: The only thought was things are going to get tighter, I think, in California, and we're going to see a significant loss of revenues. That COLA is going to be much reduced as you iterated here. Our enrollment's going to change as I think more kids will be heading into online schools. That brings me to the point that I think we can, and we should do, a better job at promoting our CHEP program and all of the online schools that we have. I was on John Morlock's podcast a couple of weeks ago, and he asked me a lot of specific questions on what's going to be the transformation in public schools. I said, "Well, you're going to get a lot of parents who aren't going to bring their kids back."

That's a whole different discussion when schools will open. Hopefully, they will open soon, but there will be a certain percentage of parents that will not go back to the public schools. They're going to be seeing a decrease in their ADA. I think we can capitalize on meeting the needs of those parents who don't want to go back into the traditional brick and mortar school. My thoughts for the superintendent and staff is that we really look into whether it's marketing, whether it's leaflets, whether it's social media, whatever it may be that we market what we do, because we have a great program here. We have great people here, but people don't know who we are. They don't even know what the Orange County Department of Education is. They don't know about the Superintendent or Board. I think we're a great treasure here in Orange County.

Hendrick: That's a good point. I will tell you some of our districts are also getting very creative. Anaheim High School District, I'm not sure if you saw their press release, but Oxford Academy is one of the highest rated schools in Southern California and all of California, which is in Anaheim. They have announced an online version of Oxford to be starting in the fall also.

Williams: Wow.

Hendrick: I think this is an opportunity for school districts to also step up and do different ways of education. Dr. Mijares and Dr. Hittenberger have already been working on plans, because our PCHS program is all accredited A through G. They are very well poised to take a lot of students that don't fit into a regular district. They are already looking at ways on how we expand that, what that looks like, and partnering with our districts. They don't feel like we're stealing from them, but helping them in that educational opportunity.

Sparks: With the increased costs and setting up those more online environments, are those increased costs from setting up the additional technologies, or is it such that you can have actually more students Zooming in or whatever and it reduced costs? Are you looking at that? I'm sure you're looking at that.

Hendrick: We're looking at that. Pacifica High School has already been online. We've done that process forever, so that's nothing new. I will say for us contractually, we have certain limits of how many teachers can serve students also.

Sparks: Okay.

Williams: If I can hear from our good chief academic officer and our superintendent on promoting our programs. You mentioned it just a few moments ago. Is there any way we can get some insight of what we're doing to promote our programs here?

Mijares: [DR. MIJARE'S MICROPHONE IS NOT TURNED ON AT THIS POINT] Yes, that would be my honor. We are doing a number of things. [Inaudible]...[THE MICROPHONE IS TURNED ON AT THIS POINT] we don't lose any gains that might otherwise be made in the classroom. As you can see here, with COVID-19, it has changed the landscape radically. I don't know that we're ever going to go back to the way we once knew it, frankly. Online education really is going to be the point of salvation in terms of assuring instructional program is not breached. Dr. Hittenberger and Dr. Olmstead are involved in a number of activities that are strengthening what we're doing. In terms of CHEP, we would love it to grow.

There's nothing that would stop us from doing everything we could to help it grow. As you mentioned, and then she mentioned Oxford Academy. When the students don't show up in a local district, you lose the base revenue limit. There's the ethical responsibility to serve everybody that enters the classroom or enters that district, right. Then, there's a fiscal issue that drives them as well. It's a very competitive environment right now. If they come to us, what would preclude a district, for example, from opening their own CHEP program? Many of them are now exploring very rapidly how they, too, can capture the lost ADA. It's a careful balance that we have with our districts. We don't want them to think that we're poaching their students. At the same time, if we can provide a better program than the district, then I think we ought to meet that need of our students and their families.

Williams: I don't think there's any doubt that the future is going to be quite changed from what it was pre-Covid. Society will be forever changed. We're never going to get rid of this virus. It's going to be with us endemically for decades until we get everyone properly immunized. Of course, a good vaccine that's demonstrated with good science is not ready for quite a few months, if not a whole year from now. There comes a question of when we're going to open. I'm not privy to perhaps the conversations that you and Jeff have at the state level and at the local county level with our school districts. If you can share with me, sir, the consensus of when do you think that we're going to open schools?

Mijares: The governor, as you know, was hinting that the schools would not open soon. It was never articulated in his executive order, but every time we heard him speak, he would refer to, "Don't believe you're going to go back to school the way it once was soon." The message we kept getting, and then the executive order did talk about the spacing responsibilities, and the quarantine aspects that we needed to follow. That sort of forced us, if you will, or that compelled us to look outside of the way we normally load our schools. You can't maintain the six feet or the 2.5 meter requirement, necessarily. If you had to exclude campuses of over 250 kids, that would knock down almost every campus in this county.

We have high schools that have 3,000 students. That forced us into this shelter in place, if you will, and to redesign how we're meeting the needs of our students. Really, the schools have never technically closed. They're continuing to provide, where possible, childcare, food, online education and taking care of the staff. Those things have never really stopped. It's just to what degree when you're doing online education. In terms of the reopening, we've established a

committee to reopen our schools. It is populated by, not only educators, but the medical people. We have the new Health Care Agency Director, Dr. Clayton Chau. He is not only an M.D., but also holds a Ph.D. in clinical psychology and completed a residency in psychiatry.

He's now replacing Richard Sanchez who went to work to head up CalOptima, and Clayton came from CalOptima. He's on our committee. We also have our health officer, Dr. Nichole Quick who's serving on our committee. We're also working closely with the Division of Pediatrics at UCI. We have Debra Betts who heads up the Department of Public Social Services. We also have the individual who heads up the School of Public Health at UCI. These people are serving on our committee. The committee is designed to determine how can we open schools sooner rather than later. We got a bit of a whiplash going from opening our schools possibly in the fall, or even maybe later, to the governor now wanting us to consider July or August as the opening of schools.

You can imagine how difficult that task is. You have cases where we know that a large percentage of our teaching staff are between the ages of 60 and 65. They're already in that high-risk category. You have parents who aren't sure about sending their kids back. You mentioned a vaccination. They want to make sure that their kids are going to be 100 percent safe, not just maybe safe. That's another issue. The CARES Act has provided some guidance in terms of allowing teachers to take time off to care for their kids during this period of time. You run up against a lot of issues like that, even belie the contractual agreements that we have with our employees.

They may bolster those agreements in some cases, but we do have contract language that governs how you engage with all of your employee groups. You have to navigate through that as well. I don't think we're going to get a directive from Sacramento that this is what you should now do. We believe it's going to emanate from each county. Remember that each board will have to decide this independent of even us. We're right now serving, hopefully, as guides to our districts. Ultimately, it will become the decision of that school district as to when school is open and how it's going to be open. Is it litigious? It could possibly be. We're hearing of all kinds of things that are lining up in the world of special education, because how do you maintain the IEP of a special ed. student when they're no longer in their regular classroom?

You breach the IEP in a way. You had to make conditions to keep the education going with respect to what we're being told in terms of separation. I think somebody needs to indemnify us, frankly. Maybe the state. I don't know if that'll ever happen. I think that we're into some pretty rough water in terms of when do you open school? What will the schools look like? Can you load your school classrooms as we once did? If not, you will have to potentially increase classroom space. Then, we're headed into one of the most nightmarish budgets that we've ever seen to the tune of some potential \$50 billion in the hole. People are making budgets of 20 percent, 10 percent, 3 percent or 2 percent reduction in the next year.

When you have a small number for economic uncertainties, and now having to potentially cut like that. Not increase the sizes of your classrooms. Some of the sizes of your classrooms, that information is governed under law in grades K through eighth. The number of kids you put in classrooms is right in the Ed. Code. You get the feel for the complexity of this. There's analytics, there's logistics, and there's budget considerations. We have our instructional unit, and Dean West who's back there. I asked him to share it largely, because of his experience in analytics and in the deployment of staff and creating budgets. He's the one that basically is advising all of our districts on their budgets. Then, we work together to approve each district's budget.

In some cases, we have to insert a fiscal advisor with or without the district's permission, because we may feel that that district can no longer meet its necessary reserve limits over a three year period. The committee is up and going. We've got a draft right now of how far we've gotten over the last few weeks. We hope to have something more final in the next couple of weeks that our superintendents will have their hands all over this. It'll be a kind of a living document. They will assume responsibility for it. We will do all that we can to help them. We'll naturally manage our own affairs internally in terms of ACCESS.

We will help our districts and do what we can to continue serving as a pipeline of what's going on with the California Department of Health, California Department of Education, what the CDC is telling us, and the governor's office. Sorry to get off track here a little bit and make it long, but that's kind of where we're at right now. Naturally, we'll keep the Board involved. You, as a medical doctor, would be very, I think, interested in the fact that we have a gold mine at UCI. The Pediatric Pulmonology Division is like one of the best in the country. Then, you're hearing of the traveling of this virus that it's creating new challenges. We used to think that kids were asymptomatic.

Now you're seeing as you saw in New York City, they identified 64 kids who've had a variation of the coronavirus but emanated from the coronavirus. It is a very perplexing phenomenon that we face. At the same time, I feel heartened about it. I think it's beyond our control. It's the control of a sovereign. That's where our faith is rooted, frankly, and you learn from it. I had a teacher in Santa Ana tell me, "Dr. Mijares, I feel like I'm going to be a better teacher because of COVID-19." What he meant by that was he had to do a much better job with online education, and he teaches kindergarten. He's got his kids set up in groups of six. He's been teaching for 25 years in kindergarten. He loves it, but he feels that this is forcing him to be a better teacher. That's how I choose to look at it - positively. Otherwise, you end up in a state of despair, and nobody gains from that.

Williams: I have more questions, but I want to give opportunity for my trustees.

Hendrick: Dr. Williams, you had a few more questions. Do you want me to go ahead and finish?

Williams: Yes, go ahead.

Hendrick: Sorry.

Williams: I do want to get back with this issue of this board and this committee that's meeting. I think that's important.

Hendrick: Okay. Some of your questions also talked about outdated checks. What that is, is that if you have a payroll check or vendor check, they're good for six months. After six months, they stalemate. Basically, move those funds into that account that you saw. You were looking at our 9780, which is the reserve account. It's not an expense, but we're holding it there. The people come ask for those files. We have them set aside, and it does affect our expenditures. You've seen this fund. Now that we don't use it, there's not many [inaudible] for checks. We're doing a lot more electronic deposits. That fund is not as large as it used to be, but we still do a lot of outreach to get the people to cash their checks.

I used to have a teacher who would not do direct deposit. Every six months his principal would go with him to the bank and say, "You need to deposit your checks." We try really hard, but that's what those funds are set aside for. The Classified Employees Grant is money that the state had given that was specifically for classified employees that were going for their teaching credentialing. They were awarded the funds, but they don't get paid the funds until they show us they passed their classes. That's set aside for that. Object code 5851 is one you'd asked. It is redevelopment. We've had redevelopment for quite a while, but you probably haven't seen that expenditure listed that way.

If you remember back when LCFF changed and triple flip of local taxes, redevelopment agencies were basically disbanded. We have these now, oversight agencies. Dean, I know, sits on a few of those oversight agencies. They can encumber their funds, but they no longer collect the refunded dollars. What we were finding is that districts weren't getting the funds due to [inaudible] because of what the redevelopment agency was doing. This company, Public Economics, we've used for a few years. What they do is audit all those to make sure the districts are getting the funds they should from those redevelopment agencies. As the county office, we actually get money from every development agency in the county.

They're making sure that we're getting the money to us, and that we're not getting left out in that process. Not only do they do that for us, they do that for the districts, too. We've been paying for that. They only do that every three years - go back. At some point that will need to be done, because there'll be no more development agencies. The SARC is the School Accountability Report Cards [inaudible] dues are annually for our school site. If they have those reporting on that school site, ours is done first service for each school. Ours is based on our CDS code. There's one for our court schools, one for community schools, and for special schools. Our CCPA has one also, our charter school.

This company, basically, puts that report card together, and then translates it into whatever needed languages. The other thing that's within this account is our media contract for our charter school CCPA. If you remember, we had showed you I think the year before last a media campaign we had. We had budgeted dollars also. Unfortunately, we're not expanding that this year. It'll move into next year because of delays we've had. Under the Fiscal Services there was actually three different contracts in there. One was I.T. security. That was for some auditing we

were doing with I.T. since it's a financial system. There was our contract for total compensation. Every two years we're required to do an actuary report for GADS 68.

We work with a company called May Tax. What they do on our tax water bills, there's assessment charges that we're not required to pay as a public agency. They actually go through all of our bills. If they find any savings, they get 50 percent of it. We've been working with them for quite a few years and that was in there. It's a pretty small amount of money. That's all I had besides the MTSS questions that you had that somebody else is going to answer.

Sparks: Can you hear me? I want to make sure I understand, because there's a lot being thrown out at us right now. If I understood correctly, in terms of the big picture problems that are happening with the budget, you're anticipating, or someone out there is anticipating, 13 million or a 22 percent hit for OC. Is that what I heard, or it could be 10 percent depending on which source you're looking at.

Hendrick: If the governor took a full cut for next year, 22 percent is what it is. For OCDE alone, it would be about 13 million.

Sparks: 13 million. Okay.

Hendrick: We don't think that will happen, but -

Sparks: You have to overestimate. I understand. If it were 10 percent, which is the low end of that spread. That would be somewhere around 6 million, right?

Hendrick: Probably.

Sparks: Something like that.

Hendrick: Depends on how they make the cut.

Sparks: Right. I'm just kind of getting general ballpark here. If we look at the reserves that we have on B52 – B52, that's a group from the '80s – anyway, it's close to that 6 million, the range is 5.6 to 5.87 depending on the year from 2019 up to 2021. We'd be able to be, basically covered, but then we're going to have no reserves.

Hendrick: Right.

Sparks: The questions that I want to pose for you, and these are kind of big picture questions for you and Dr. Mijares. That would kind of cover us for now; but, how do you tweak the spigots in all the various ways that you can as organizations do to then, build the reserve again and also turn off spigots where you need to such as cutting off all current hires, which is what we we're doing at Chapman University? Organizations have ways of kind of tweaking so that you can get through the crisis mode to survival now, depending on how long the crisis mode goes. I'm curious about how you are anticipating getting through at least the initial level of the crisis, given what we know. Then, what is the sort of plan for those, what I'd call turning on and off the spigots, through the budget to then build the reserve again and anticipate what the future might hold?

Hendrick: Right. It's a very good question, Dr. Sparks. I would say the good news for us is the fact that we went through a recession, and we've had declining enrollment. We've been making a

lot of cuts. I think it puts us in a better place, because this is something we're doing on a regular basis. It's not new to us. I will say for some of our school districts, some of the people there have not been through the recession, and they haven't reacted to their declining enrollment yet so they're going to have to do two things. For us, I felt like it's something we do regularly. Every new position has to be approved by the superintendent. We have various controls. One of the questions that's always asked is what are we doing with this position, and can it be done in a different way?

The first thing we did if the position is vacant, we'll not back refill it. We will evaluate if that's still needed. Next, where we'll research are some of our fee for service programs. If they're not going to be utilized, do we still need the staff for that? I'd love to say we have no hiring, but there are certain positions that are going to be. If lost my payroll person who had been here 20 years, retire. I have to have her here. I think we're looking at where are we losing our revenue. In the last years, we have made sure our teaching ratio was more in place. That helps us quite a bit. We won't hire a teacher unless we know we're above that ratio. I think that we're in better shape than some, but it's going to take a lot of effort and a lot of looking. We've put a hold on everything until it has been double checked and a justification with it.

Sparks: Are there reductions in administrative salaries on a sliding scale basis, depending on the amount of the salary? For example, we're doing that at Chapman University where our highest is taking a 20 percent pay cut. Then, down through administration it goes down 15 percent down to 10 percent depending on the level of salary.

Hendrick: We have not done that yet. I will tell you that during the recession we went for six years with no raises.

Sparks: Okay.

Hendrick: Remember we also have collective bargaining agreements with our teachers and our classified staff. Those will all be things that are bargained. It's very difficult to do something you take away, but we have put things in place that will help us. We already have a cap on our health insurance. We could say we're not paying for the increase. That's an employee cost. There are things that we can do, but because of our collective bargaining agreements. Also, for us, if you look at the differential between some of our employee salaries and are management salaries are almost nonexistent. We have some equity issues also. We're also trying to make sure we retain the employees that we do have.

Sparks: Right.

Hendrick: Make sure we keep in line with our local districts and stuff like that.

Sparks: In terms of the way you count the students, the ADA, let's say you go to a model. I know you guys are all trying to figure out what the new model is going to look like. Let's say you went to some sort of block scheduling where on a Tuesday, Thursday you have a classroom of 30 and half the kids go in, social distancing on a Tuesday and the others are Zooming in and the instructor is present at all times. Then, you sort of flip that. Would they all be counted

whether they're online, whether there's a hybrid situation or whether they're in person, are they all counted at the same dollar amount?

Hendrick: They should be, yes. It will depend on whether we get some relief from the state though on the attendance requirements. The districts were very concerned this year that they wouldn't hit our instructional minutes. Right? If there's any way you can prove if they're online, then you should be able to count them. Yes. As long as your overall instructional minutes are required.

Sparks: Okay. Those are the big picture questions I have. They're sort of detailed questions, but I think given that there's so many moving parts right now, and you're waiting on more information from the governor and so forth, I think I'll stop there at this point.

Gomez: I have more general type of questions. I know the May revise will probably send everything into disarray. What I want to ask is do we expect, and I obviously wasn't here during the last recession. I was on the city council, but would we expect an increase in maybe our adult ed. programs because of potential unemployment? Did that happen before?

Hendrick: No, because the state stopped funding it.

Gomez: Okay.

Hendrick: No, that didn't help us.

Gomez: There goes that.

Hendrick: There goes that.

Gomez: Secondly, I want to be sure. We've talked a lot about online instruction, and I have taught online for many years and they talk about hybrid, going back and forth. I also did that, and I had students remote and students in the classroom. It is very difficult. People talk on the chat, you're walking around the room and all kinds of stuff. What I want to be sure is that we plan for more professional development, because just getting on a Zoom call is not online teaching. There has to be activities and other things. I want to be sure that we account for that, because that's [inaudible]. Ultimately, our job here to make sure students get educated.

With that said, we also need to look at technology. you mentioned the hotspots, and you mentioned Chromebooks, laptops, that kind of thing. Where we might've gotten away with maybe not giving everybody that technology, we go into this mode and we have to make sure everybody has the technology. It can get quite expensive. I was taken a little bit by the comment of the superintendent about people becoming better teachers. Anecdotally, that's what we're hearing on our campus. Teachers have had to be more creative and try to get students more engaged. They're thinking, I might want to do this even if I go back to the classroom type of thing. I also recognize the fact that we've got some collective bargaining agreements that might impact class size.

It might impact whether or not we do block scheduling, staggered classes, smaller classes, mornings and afternoons. Like you do with kindergarten, right? That kind of thing. There's just a lot of things. I want to be sure that we're thinking about it, but goodness knows what's going to happen with the May revise.

Hendrick: I will say, Beckie, we're lucky. Most of our class sizes are small already. Unlike what a school district is dealing with, our class sizes do tend to be smaller. It'll be easier for us to do socially. Where we're really going to struggle with is with our special schools program, because I don't know how you social distance when you have a one-on-one aid.

Gomez: That's the issue, I think, is –

Hendrick: Are the children capable of doing that? I think balancing the legal parts with Dr. Mijares [inaudible], what's our liability for not providing a service. The flip side is what's the liability of providing services? That's the area where we struggle the most. We had some students who have two one-on-one aids. Even though we may only have three kids in the classroom, we could have 11 adults. Even though student wise, we can distance, with all the adults in there, they naturally can't. That's going to be a real challenge for us. That's one thing we're looking at, mostly.

Sparks: I want to echo the professional development piece that you're talking about. As everybody knows, I'm hearing there are a lot of discrepancies among the way instruction is being conducted right now. It varies, not just by district, but within district. I think it's due to the professional development piece. Some instructors are just naturally more inclined to integrate technology, and others just don't know how and are in this kind of new world. I think a lot of the professional development we do is more important than others. I think this type of professional development is so practical, so important for our students and our educators to be lifted as much as they can in terms of understanding how to interface with these new technologies to provide the best educational experience.

I'm hearing the students tend to be, on average, less engaged and interactive, even college level students, because you're not getting that immediate feedback even though everyone's on the screen. It creates definitely a different teaching environment in terms of the ways by which we're engaging students. I just want to echo that is, I think, the hugest piece that I know we're all thinking about.

Hendrick: We are. It's one thing to say you can write a lesson, but it's how you engage the students. I think that will be a challenge for us, and we have to make sure we have the right resources to do that.

Barke: I just have a couple of quick questions about the committee to reopen schools. You talked about some of the people on it, you have, as well, some districts on it and some charters. How is that working?

Mijares: We have a number of districts, yes, that are represented on the committee. We have a charter school representative. We also have a parent representative.

Barke: Excellent.

Mijares: Again, remember that each district will also be doing this type of thing. Whatever we provide, hopefully, will be a guide for them to model, but it'll have to be customized based on the needs of that district.

Barke: Sure, that makes sense.

Mijares: I would presume that it would also be something that the superintendents and their cabinets would make sure that it's going to fly. They'll share that with the people that they interact with.

Barke: Are there regular meetings? Is this a weekly meeting, or is this a regular set meeting that happens?

Mijares: We're having regular meetings, yes.

Barke: Okay. Is there some way that we as board members could listen in, Zoom in, participate? I know I get questions from various trustees and districts from constituents. "What are you guys doing?" It would be great if we had the knowledge to know, because it sounds like a great committee and a great idea to work towards our future plan. It would also be nice if we were looped in.

Mijares: For the sake of moving through this thing as a coalition cohesively, we have brought in the stakeholders that we think need to be affected. If we open it up to board members, then that would be boards from across the county, potentially. I think that that may presume too much on the outcome of this document.

Barke: I just meant us. I just meant our Board, the county Board, not boards across all districts. With so many districts, I just meant us as a county so we would know what's going on in our districts and the whole county.

Mijares: I think frankly, from my perspective, I think a better model would be to let us give you some documents on where we're at. Then, you ask the questions that you want to ask. I think one of the things that's important to remember is that as a board member, you do inject another element that may not allow for a free flowing of information among those that are gathered. I don't want to create any kind of an atmosphere that might constrain their communication. If a board member's there, what about another board member and another board member. Then, you get into a realm of elected officials.

Believe me, I've been in enough of these situations to know that if you do anything that might constrain somebody, then you're not going to get that organic natural response that they might otherwise give. We're trying to create a committee, keep the committee intact, add it slow without it becoming 50 people. With 50 people, 50 stakeholders, I think it's going to make it very difficult to get to consensus. We're happy to give you the information so you know where we're at.

Barke: I'm not saying 50. I'm just suggesting maybe adding five. Even on the listening, just so we can listen and know what's happening.

Gomez: If we get more than three of us, then we're going to have a Brown Act violation. I would appreciate getting some report or something, maybe some broad strokes. I think that would really help us.

Mijares: In essence, you'll have the talking points you need to address any public or any stakeholder that asks you questions on at least where we're at. Again, this is a countywide effort

that we're working on, but it will have smaller chunks based on the district itself. The district itself will do, really, the lifting at that level. I'm happy to keep you informed on what we're doing and what we're talking about.

Barke: Is that a Brown Act violation if the five of us are just listening in on the same meeting if we're not chatting amongst one another?

Gomez: I've been observing a lot of Zoom meetings or listening to webinars after the fact. I go out of my skin, because I can't respond to something that was said. I think it would be very difficult for us to watch something and not be able to respond.

Barke: I do it all the time.

Gomez: I don't.

Barke: Dr. Williams?

Williams: Dr. Mijares, I have problems with what you said about keeping this a closed group. None of those people are regular people. None of those people believe or [inaudible] that this is a country of form by the people, as Lincoln said in the Gettysburg Address. I don't think this committee is consistent with an open society either. There's no transparency, no one else is looking in, yet these people are making decisions for the people?

Mijares: No.

Williams: As you know, there's a tremendous amount of outcry by people who have a negative look [inaudible] impacted financially by this crisis. They want this thing to end. The coronavirus is not going away. It will be amongst us. Our youth are less susceptible, and they have less comorbidity and certainly minimal mortality. There was a study out of Washington with 100 kids in the children's hospital. Nobody had the virus. I don't know who's on this committee. I don't know their political persuasions or public policy governance positions. I'm very concerned that the precedent that's being established now is not consistent with American form of governance with checks and balances of government.

Mijares: With all due respect, Dr. Williams, to inject the Board will then create a political dimension. These are people who work in committees all the time. You've seen committees form. They're ad hoc committees, they're standing committees, there's committees ad infinitum. Their whole goal is to depoliticize the process. What we create is not going to be an absolute certain document. We are coming out with recommendations. You as a Board can object to a recommendation. The 27 boards we have out there, they can object to recommendations and ultimately customize them. If we start having board members in our committees, look at your own industry, you wouldn't want a committee that oversees your work.

I'm sure none of the universities Beckie's...**[DR. MIJARES ACCIDENTALLY KNOCKS HIS LAPEL MICROPHONE OFF. HE REPOSITIONS THE MICROPHONE AND CONTINUES]**...the work that Mrs. Gomez is doing as a dean, she probably runs committees and you very carefully, I would assume, organize the composition of that committee for an end

purpose. You don't want to open the committee to anybody if for no other reason, it just becomes unyielding, and it becomes another dimension that needs to be managed. We do run a lot of committees here. If we had board members showing up to all these committees that we do, I think it would have a chilling effect on the free open flow communication that staff members have. That's not a door that I'm willing to open.

Are we willing to show you what we do? Naturally, we will. Can we receive recommendations from you? Sure, we can receive recommendations for it. We wouldn't gladly like that, but I think the way the committee is working right now, it's moving through smoothly. I am happy with the progress that we're making. I think that our superintendents are happy with that progress. I see no need to try to do anything else to affect that balance that we currently experience.

Williams: Unfortunately, when you make the mention and an allegation as a private person wouldn't want anybody involved in my private business that's true, because how I run my private businesses is my private affairs. When you're running, dictating and creating policy for the government, we have to be consistent with our founding fathers, and how they envisioned this government, Dr. Mijares. You don't have the authority to create this committee. Who was selected on the committee? We don't know. This committee's recommendations at the very end will have probably great significance, I would imagine. This is a political process. All about governance is politics. To have an elected member on this board who may have a differing opinion than the remainder, I think is a good and healthy thing for our country, our community, and especially for Orange County. This is what communists do.

Mijares: No.

Williams: This is what totalitarian governments do.

Mijares: No.

Williams: They don't let the people get involved. I'm for getting people involved to make it more open.

Mijares: I don't agree with that at all. We're far from a communistic socialistic state. You may think we are -

Williams: When you close a board to the public, which is exactly what socialist communists do.

Mijares: When we have committees here and we're dealing with professionals that are involved in those committees who submit to a professional code of ethics, we don't open the door and allow anybody to walk off the street and enter these committee meetings. It helps us to be at a more optimum level of service to those that we are serving if we can stay focused and have people of like mind who are working on tasks together to create another level of engagement outside of the normal way that we do business. To me, I think that would just congest what we're doing, and it won't allow the free flow of communication among people. I think that the way it's working now, to me, it's not broken. You mention policy.

They're not creating policy. These are people that are coming up with recommendations. As I told you many times, we have 27 boards out there that will ultimately have to create their own

policy. We're trying to be responsive by giving them recommendations. In fact, that's the only thing we'll be doing is providing some recommendations. What they do with those recommendations is entirely up to them. They may hire consultants outside of the recommendations that we bring to determine the merit of the recommendations that have emanated from that committee. I believe you've been on the board a long, long time and know that we have multiple committees that function here.

I think that's the case in every school district, but they're committees that are run by professionals or by employees. They're running effectively for the most part and efficiently. They're doing a good job with coming up with strong recommendations that can guide our practice. Now are they creating policy? No, they're not creating policy.

Williams: Recommendations, though, do oftentimes become policies. Do you have the authority to create this committee to limit it?

Mijares: Do I have the authority? Of course I do.

Williams: What Education Code grants you that authority?

Mijares: There's no Education Code that grants it in the -

Williams: You don't have the authority to and you're coming before our board -

Mijares: No. There's a lot of policies -

Williams: - and we want to participate in it.

Mijares: - there's a lot of things. Not every element of what I do is governed by a particular Ed. Code. There may be some larger overarching Ed. Codes that govern the practice of my office. To establish a committee is the right thing for me to do. It would be derelict of duty if we didn't have a committee that would make recommendations. Recommendations are not mandates. It's still left to the scythe of the organization that these recommendations are given to ultimately decide. You shouldn't be making policy for the 27 districts in this county. You should allow that to be done by those locally elected boards. I'm sure you don't want to go and serve on their committees.

What we're doing here is, again, is to come up with some recommendations given the perplexity of our times, that might be useful to a school district. They're not compelled to accept these recommendations. It's up to the policy maker, then, and if they're accepting the recommendation, then they now own it. I'm going to make the assumption is if they accept the recommendation and own it, that they think it's good.

Williams: You falsely accused me of wanting to impact and tell districts what to do. I think you said that. The transcripts will show it as such. I certainly don't believe that. I think recommendations are good, but it needs to be emphasized. Who is the individuals making up that recommendation? I don't trust my medical professionals, because I know how they think. They want to go and trace down every single coronavirus and not open up society until every single corona particle is nonexistent. That's just not good.

Oftentimes, these recommendations are based losing the understanding of the civil liberties, the liberties and freedoms that we have as Americans. Again, I don't know this group, but I think the simple suggestion of allowing something of a different perspective that can impact, that can impact these policy recommendations I think are a good one, Al. The fact that you're saying no, again, it's tyrannical in nature.

Mijares: I don't agree with that word.

Barke: Can I just step into this conversation? I just want to listen in. This echo is driving me crazy. I don't see why we, as elected officials, as part of the Orange County Board of Education shouldn't have the ability to at least listen in. I'm not saying that we have to chime in. You can mute us, but I am getting more concerned as I listen. It seems like we don't have the ability to listen in.

Mijares: I am sorry, Trustee Barke. These are committees of professional people that are working to solve problems, and to come up with recommendations. I'm happy to keep you posted on the development of the committee, show you drafts of what we have done, but the committee is an ad hoc committee. It won't go on forever. It will probably see a sun setting very soon, because we're closer to coming up with what we think will be good recommendations. I need to keep the committee as it stands now the way it is. That's what I intend to do.

Williams: You wouldn't have any problems if this Board had a public meeting like this in July? We get community input on whatever these recommendations would be.

Mijares: I'm sorry, doctor, can you repeat that? I got some of that echoing going on.

Williams: Obviously, we're at a standstill. We, at least myself, I disagree very strongly about your philosophy of governance here. Going forward, if we as a Board wanted to get input from the community and have a public hearing on these recommendations. I think that's the only way we're going to be able to hear from the voices of the people who elected us. We're all elected. You're elected by people. We're elected by people, but the problem is you have unelected bureaucrats. They're not responsible to the electorate. I fear what they're going to recommend. Those recommendations, sometimes people look at them as they become policy. That's the greatest fear, Al. To dismiss that notion concerns me about this process.

Mijares: I'm not trying to tell the Board how you should function. If you want to have a meeting, you're welcome to do that. We'll do everything we can to facilitate that. I'm merely trying to tell you that I'm trying to create an efficient system that allows for free flow of information among people. We created the composition of the committee with the hope that it would coalesce as a group, and people would represent their areas. We have chief business officials, we have instructional people, and we have some medical people there. You would not argue, I would not think, with the Health Care Agency director or our medical officer in this county participating, giving us their ideas.

What happens following the work of the committee is up to those who receive these recommendations. It's now up to them. It's up to those elected officials. If the superintendent likes what came out of the committee, he or she can take that information to their board, and their board can either agree or disagree with it. They might want to add to it. They might want to delete, store or subtract from it. That's fine.

We're divested of it. Once we have done what we think is good thinking, we're divested. If they want to take that, throw it in the trash can and start over, that's totally up to them, but they'll take it to their boards and do it. Frankly, I'm very thankful and grateful to them for the sacrifice of time on top of everything else they're doing. Now they're caucusing to meet with their colleagues here in our county. I would think that that's the model that's being used up and down the state, that same model.

Barke: For me it's just a philosophical thing that something would be orchestrated here at our Department of Education and that the trustees wouldn't have access, like I say, to at least just listen. Not that we have to input but if it's Zoomed. Is the meeting happening by Zoom?

Mijares: Yes, it is. Not that you wouldn't have to get inputs so why would you listen? Listening will become concrete when we show you the recommendations of the committee. You won't hear a random five by one person or another potentially, but you'll hear something or there's a sense of unanimity on the part of the committee that this is a good recommendation. This particular recommendation. It doesn't mean that it's immutable. People can still take that and do what they want to do with it. We have enough of a time trying to do, and this is the bifurcated authority that we rest on. That's one of the reasons why we're in litigation over that, because we do have different duties and responsibilities. I respect the work you're doing.

I want to have unanimity among us for most of the time, but we're going to agree to disagree. We're disagreeing on some important items right now that I think will ultimately be litigated sometime soon. With this COVID thing, it threw us off track, but ultimately, it's going to get into a court of law. We'll leave it in the hands of the legal system and a judge who will rule on these things.

Williams: I want to know why do you care more about unelected people having input in public policy than those who are elected directly by the people?

Mijares: I do not. That is an assumption you're making.

Williams: Yes, you do. By the nature of your decision to do this, you put unelected people on this committee. You say that there's going to be a sense of unanimity. Why not have diverging thoughts, diverging criticism, and diverging input? I think that is more balanced, and I think that gives a more broad and comprehensive outcome here. By having people of the same mindset, well, that's what the Chinese communist party does. They get committees and they all get together, and whatever is determined by the top dog, that's what happens. That's not America. America is about diverging opinions and differences of opinions and coming up with a

consensus. What you've created is something that is by unelected people. It's not all formed by the people of this world. I mean, of this great nation.

Gomez: We haven't even seen committee recommendations. We don't even know. You're making an assumption that these people all think the same. We don't know that until we see the recommendations. I think we're so off topic here with trying to do the budget study session. I think we've all given some of our philosophical comments, and I think that Dr. Mijares will share those with the committee. I think Renee understands where we're coming from on the budget. I think that we need to finish that item, and let's move on.

Barke: I guess my biggest concern here is transparency. Our philosophy is different than somebody on the committee. It's just transparency. When there's not transparency, then there's a lack of trust. That's my concern here, not philosophy, but transparency. When I say philosophy, I mean the idea of no transparency.

Mijares: I don't believe the committee we're running is not transparent. I believe it's very transparent. Otherwise, we wouldn't be coming up with recommendations to share with you. It's like any other work that you see out in human life. There are times when the circle is created and is limited to a group of people who can work to come up with creative solutions. Now, if they were creating law, coming out of there was some legal mandate, that would be different. We don't purport to be the congress or anything of that nature. We are here as working professionals. It's very divergent and very divergent of thought as well. To me, it's working. You will have a draft. You can look at the draft, you can give input, and you can use it to be informed.

Ultimately, it will be the responsibility of each district to own their own product. I'm not going to be going around making speeches to them. If they want me to come and speak on an item, I'm happy to do that. Our goal is not to go around and seize their authority as elected officials. I'll respect that. They can decide whatever they want to decide. If you have a district that wants to handle it a little bit differently. Perhaps their teachers, their collective bargaining agreements and such wanted to do something a little different; then they're welcome to do that. This isn't like some mandates, some authoritative edict that they must follow. That's not what this is.

Williams: For the record, I mean to put into words that I don't think this is a good concept, an idea as you created, Dr. Mijares. I think diversity of opinion and thought is good. Transparency is utmost. I fear that whatever recommendations will come from this, many will interpret as policy. I think what you've done here is inconsistent with the spirit and theme of our nation's checks and balances in government. I'm sorry it's being done. Obviously, you dismiss what we said you did not validate. You are going to completely do what you're going to do, and there's nothing we can do about it. Is this committee meeting in this building, by the way?

Mijares: It's on Zoom.

Williams: It's on Zoom. So, it's being coordinated through the county here?

Mijares: It's our department. We were setting up a Zoom for it, yes.

Williams: Staff is working on it then?

Mijares: A staff member is, two staff members who are part of the organizational part of the committee.

Williams: This is not publicly known where we can Zoom in and listen to what's being said?

Mijares: No.

Williams: Why? Again, can you give me a reason?

Mijares: Dr. Williams, you're going to have to agree to disagree. I totally disagree with you on the matter of transparency. The Brown Act, sun shining items, I'm 110 percent behind that. I think our democracy that we know today is ordained by God himself, and it is the best on this planet. It's a preeminent nation that we live in. Thank God. I believe in representative government. People have elected each one of you, as they have elected me. They've given their voice to you to use for them. You got elected. We both got elected. They want you, now, to represent them. It's consistent to the congressional world. We don't go barging into their meetings.

If they're open meetings, that'd be great. Ultimately, they come out with recommendations. If the Congress now approves those recommendations, if the general assembly, like our governor, if our governor issues an executive order, I'm going to follow it. If our general assembly comes out with laws, I'm going to follow them. Even though those laws may not be something that I agree with, I will still follow them. That's my responsibility to government.

Bedell: Can I say something here, Madam President?

Barke: Yes, Mr. Bedell. Please.

Bedell: When I first went onto the Fullerton board decades ago, I attended a staff meeting. I was told, as charming as I am, that I had a chilling effect on that meeting. I was elected. I was a politician, it changed the context and it changed the outcome of the conversation. We're going to see this document. I have no need to be in that meeting. I don't want to have a chilling effect on any discussion. Do we remove the Agenda?

Barke: Have we lost all connection or just Jack?

Bedell: I'm here.

Barke: Oh, there you are. Okay. Were you finished?

Bedell: Yes.

Barke: All right. This just seems like a bigger subject for another day. Do we want to move on and table our thoughts on this?

Gomez: I think everybody has heard what we think right now. I would suggest that we move on with the Agenda, because we have people waiting.

Barke: Anybody else have any other comments before we move on?

Williams: Are we still on the budget study session?

Barke: We are.

Williams: Okay. I do have questions.

Barke: Okay, please.

Williams: Real quick. The state giving us a delay in deadlines for the adoption of the budget. Could you go over that with us here?

Hendrick: They delayed the LCAP. That will be delayed until December. In the past, you'd have to have a public hearing for the LCAP and the budget to make sure they match. They've delayed the LCAP until December. You will have a simplified report that will go with the budget for the LCAP, but because of the terminology and the delay, you no longer have to have two separate meetings for the budget. Normally, you would have the public hearing and you couldn't adopt it until a subsequent meeting. That has been waived this year. You could have the budget presentation, the public hearing and the adoption all within the same meeting this year.

Williams: Yes, there were 72 hours before the public posting of the budget.

Hendrick: We still have that. You still are required to post them 72 hours prior to the budget. You just don't have to -

Williams: We don't have to have the public hearing that we typically do in the first meeting in June.

Hendrick: You still have to have a public hearing, but you don't have to wait until a subsequent meeting to adopt. That's the real language.

Williams: We can do it at the same time?

Hendrick: Yes.

Williams: Again, you did a very fine job. Thank you. You're so elegant and classy, Renee. In these documents that we were given today, there's a date of March 4 on them. That is the date of the second interim. Is that correct?

Hendrick: The day you saw these documents? Yes.

Williams: Okay. None of these have been updated for today's presentation?

Hendrick: No, they haven't been. Let me talk about the budget process. You take the current year expenditures. They get rolled over to next year. Then, we start doing all the tweaking, kind of what Dr. Sparks was saying. We'll add [inaudible] starts for next year. That being said, this was done prior to the pandemic. I expect a lot more changes than we normally would have. Normally, it is easy to say new revenue expenditures, but I expect a lot more changes. Staff has been working on it, but we've yet to be able to meet with Dr. Mijares on our piece of it.

Williams: You're working hard to get the oil ready.

Hendrick: We have been working very hard.

Williams: The question is in the First and Second Interim Budget adoption with the variances over \$25,000, there was a motion by Trustee Sparks here to reduce those three object codes that the Board had previously impacted in last year's budget. Are those numbers reflected in these documents here?

Hendrick: They wouldn't have been, because these are from March. That wasn't done until April.

Williams: Okay. Then let me ask you, it sounds like no. Will what you present to us in the first week in June at that meeting, will it have those reductions in there?

Hendrick: It's hard to say. I'm assuming there's going to be more reductions than that depending on what it is. Specifically, it was travel. We anticipate that will be one of the areas we scale back. Yes, we'll probably have those reductions. Originally, in your June budget, you only had two areas where you reduced the travel. I'm assuming that when we look at the budget for this next year, we are going to look at more than just two areas for reducing. Does that make sense? That's what I'm trying to explain.

Williams: Right? The other areas -

Hendrick: It will also be those two items.

William: Right. The other area was lobbying that we reduced. The other question is not that we don't have the revise that will be coming in the next few days. How much are we going to be able to cut from this budget? I asked you that question last year, and you said nothing. Where are we going to take the cuts this year? Do we know that?

Hendrick: I guess that's a very broad statement. I'm not really sure how to answer that.

Williams: We're going to be having the May revise with reduction in all of what we're going to get for ADA and reimbursement, et cetera, et cetera. I think you mentioned, what, \$54.3 billion?

Hendrick: That's statewide. Yes.

Williams: Yes. That's going to get down to our level here, and that's going to result in how much impact upon this budget? Did you say about \$13 million?

Hendrick: If they took the full 22 percent, yes.

Williams: Okay.

Hendrick: We're going to reduce expenditures in line to our revenue if possible. That's what our plan is. If that is possible. If it is more than the amount that we have available, then it would be difficult. It's too late for us to reduce our teaching staff, because we would have had to notice them by March 15. We have some constraints where we'll be able to do this. We will be looking at all items depending on what the reduction is from the state.

Williams: Give me an example of a reduction in those items that you may be looking at.

Hendrick: It's really hard to say. It could be that we had a contract this year that we're not going to have next year. We're going to take all the expenditures out for that contract. We may have had one-time expenditures in this budget that we're not going to carry over. We've done some I.T. work that won't continue to next year. We're going to cut that out of the budget. We look at all those things.

Sparks: You mentioned in 2008 around that time, you had several years of salaries just being sort of stopped or remained in place. That might be another area.

Hendrick: Right. Contractually, we still have to negotiate. That would be based on the collective bargaining.

Sparks: Right.

Hendrick: Yes.

Sparks: Stopping non-essential hires and things like that.

Hendrick: Right.

Sparks: Or other ways that they could do that.

Hendrick: We're doing that.

Sparks: It's complicated.

Hendrick: Right. If we have staff tied to a service that we're no longer going to be performing, maybe we may reduce that staff.

Williams: One of the areas that I would like to see reduced is the membership in the various organizations. I think the budget is about what, \$450,000 - a little less than half a million. I know this Board is a member of many organizations, which sometimes I don't see the need to be in. Would you consider those as non-essential items? Superintendent, you can answer the question, too.

Mijares: Let us spend some time evaluating those. There's a number of associations that we participate in. If we can trim that down, I think that's a good recommendation. Let us look at them, and we can come back to you. The Board is involved in a number of organizations, too. I don't want to presume upon what you would rather keep intact versus eliminate.

Sparks: Certainly, the travel is going to be restricted in November. If, for example, we're cutting our travel by 50 percent, no travel between now and the new year. Those are things that I'm sure are under consideration given that we can't really travel, and we can't gather.

Hendrick: Right.

Mijares: Because of the cuts that have been made over the years, I think we're going to be in a pretty strong position to weather what happens. I'm not saying that we will be painless, but at the same time there's the need to symbolically do the right thing. Your point, Dr. Sparks, is that even though we might be able to manage, depending on the May revise. We think it's going to be really bad, but there will be the final in August. That is when we will really know our numbers. We have done a great job. Renee and the team have done a great job, as she mentioned, to not fill a position and whatever. We have been able to maintain a strong reserve, beyond what we're required to by law. I think we can handle it a little better, and that's good because our kids will be the beneficiaries of that. I also think that there's a need to symbolically cut back, and I totally agree with you on that point.

Williams: In our resolutions later today, we're going to be voting on two of them. One of them includes a resolution to have a fund balance for about \$350,000. It is for the appropriation by the Board for the purpose of paying for special and other legal services as well as special and other professional services that are rendered to the Board as determined by majority vote of the members of this Board. The reason I mention that is because we'd like to see that in the budget there.

Hendrick: Can I ask for clarification on that?

Williams: Sure.

Hendrick: Ken, you see that 9780 is a fund reserve, but that doesn't budget that expense. The Board and the Superintendent already have significant legal fees budgeted. Are you asking me to increase the budget by that \$350,000, or are you asking me just to have a reserve?

Williams: No, it's not a reserve. What we're trying to do is not to take money from the reserves, but put it into a specific object code for these funds so that we know what we're dealing with. I think from a general principle perspective, I hate to keep on drawing down on reserves for litigation. Certainly, we shouldn't be where we're at. We spent millions of dollars. Then, we have future liabilities for the ongoing OCERS litigation, between OCERS and the Superintendent. I think these things need to be put into our budget under specific object codes. Again, one of those is that we have \$350,000. We do have -

Hendrick: This is different. You're asking me to increase the budget for legal fees? Is that what you're asking for?

Williams: Just balance it. Take it from wherever you were taking it. I think it's the reserves is where you're taking this money. Correct?

Hendrick: When you look at Object Code 9780, that's where you see dollars set aside for a fund balance. Those funds don't get budgeted until we know what that expenditure is and know it's going to be something that will happen, because we could only really budget for expenditures that will happen within this current year. Right? That's where I'm just trying to understand. It's very different to say, set something in 9780 as it is to say, I want you to increase our legal fees or whatever it is by \$350,000. I'm just trying to clarify what you want to see.

Williams: What object code is that? Did you say 9780?

Hendrick: That's where some of your questions were from. If you go to -

Williams: Where is that?

Hendrick: If you go to Attachment B on page 11.

Williams: B11? Okay.

Hendrick: That's just reserve balances. That's saying we're going to take a certain section of our fund balance and reserve it for these items. That doesn't show in expenditures up above.

Williams: Right now in 9780, that object code, you don't have any funds there for litigation. Is that correct?

Hendrick: Litigation is budgeted up in legal expenses.

Williams: What code is that?

Hendrick: 5875.

Williams: Do you know what page that is on?

Hendrick: You probably do not see the detail in this.

Barke: It's in the detail. B9.

Williams: B9, or B10?

Sparks: B10, line number nine.

Williams: Services and Other Operating Expenses?

Hendrick: It's all under that object code.

Williams: It falls in there. Can we break that out and make it more specific so that it looks pretty obvious and transparent for the people looking at our budget?

Hendrick: This is a state form.

Williams: Okay.

Hendrick: I don't get to manipulate this form. Where you can see it is when I give you the budget summary, we can detail things out there. It wouldn't be in the detail of the budget. The forms from the state aren't that detailed. It would show on page B33. It would roll up into that Professional Consulting Services and Other Expenditures 5800. In our general ledger, yes, I can detail it and show you that in that detail. They roll up from these funds. They roll up into a number.

Williams: I just got to B33. What object code?

Hendrick: It's next to the bottom line, 5,800. The code is 5875 that we use currently for legal fees. We could show the general ledger, but it would roll up into that number.

Williams: Okay. The specific object code for litigation expenses is 5875. I see. I think what we're asking is that we'd like to see that more detailed, that information. You're telling me that this is a state form, and you can't do it. Is that right?

Hendrick: I can't do it in this format. I can do it in your budget summary, though.

Williams: Okay.

Hendrick: Which is where, when you're requesting more detail, this is where I can put it for you.

Williams: To understand you, you're limited in what you can do, because the superintendent of public instruction gives you this form. You have to fill it out, all the numbers, put in the object codes and the numbers, and you can't change it. Okay.

Mijares: I'd like to ask a question, if I may, Madam President? Renee, why the \$350? Why so specific as \$350, and is that money intended for anyone of either Mr. Brenner or Mr. Rolen?

Williams: I'll answer that. Part of the obligation that we have for the special interim attorney is to pay for his services. It's very important that we do pay him for services. Obviously, that is in litigation now. It's probably going to go to the state appeals court, but we'd like to have it in there. We do have that right, per the state Education Codes to have a separate fund.

Mijares: It would be for Mr. Rolen?

Williams: I'm not specifying who it's for.

Mijares: It won't be for Mr. Rolen?

Williams: It may be, it may not be. It may be other people, maybe other services.

Mijares: I just was curious why \$350.

Williams: I just want to make so that I understand. Renee, you're going to put it in a separate format, and that's not supplied by the superintendent of public instruction - all the detail on the litigation. Is that correct?

Hendrick: I will put it so that you can see it in the budget summary. It will go into our general ledger. It'll just roll up for the state purposes into this report.

Williams: I'd like to see all the numbers for all of the three pieces of litigation that are ongoing. The general counsel litigation, the budget litigation and the OCERS litigation. I'd like to know that information, because there are still ongoing legal fees for the OCERS.

Hendrick: That one I could show you. The other ones I can't show you. I can tell you how much for each firm we paid, but I don't see the invoices. It's hard for me to tell what litigation they are

for. Does that make sense?

Williams: Sure. If you want to list out the individual law firms, I think that would be fine.

Gomez: Are we ready to move on?

Barke: All right, we're ready to move on. I don't believe we've approved the Minutes. Can I have a motion to approve the Minutes?

Williams: I make the motion.

Sparks: Second.

Barke: Any discussion? Hearing none, I'll call for the vote.

Boyd: It's a roll call vote. President Barke?

Barke: Aye.

Boyd: Trustee Bedell?

Gomez: You're on mute, Jack.

Boyd: Trustee Bedell? Trustee Gomez?

Gomez: Yes.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: Vice President Williams?

Williams: Yes.

Bedell: Am I unmuted?

Boyd: Trustee Bedell?

Bedell: Yes.

Barke: Moving on to public comment. Nina, do we have any cards?

Boyd: You did not receive any cards via your website. We do have one. I will call Linda Cone, who is present, to the podium.

Cone: I'm getting an echo here.

Boyd: You're going to get an echo.

Cone: As long as I know that I can deal with it. First, I'd like to thank you for this opportunity to be here in person. I greatly appreciate that. I also appreciate the transcripts and the audios that we have of these meetings. They are extremely helpful and very important at this point in time. Few of you in the room can verify I've been attending these meetings fairly regularly since 2013, and over the last couple of years, I think I've only missed one meeting when I was in Sacramento. I've even been taken to attending them all the way through. My consistent presence here over a lot of years allows me to at least comment on the fact that I am here, and I hear what's going on.

That has become increasingly important over these last few years. I want to tell you that parents and community members all over the county as well as the state, if not the nation, are paying much more attention. They are paying attention not only to Orange County, but to what's going on in Sacramento. That's extremely good. I think you all know that Orange County has become ground zero in ed. reform in California, and you know what happens in California doesn't stay here. I used that term ground zero about a year ago, and I used it frequently every chance I got. Now, I am hearing that term come back at me most recently on a nationwide call of concerned and active professional people dealing with the issue of comprehensive sexual education.

People understand that Orange County is ground zero on ed. reform. What they do not understand is the authority this Board has. People just assume as an elected Board that you are part of a check and balance system in this process. When I tell them that apparently is not true, they ask me why. I really don't have a good explanation. I don't understand it myself. What I can tell you is this. When Common Core was implemented in California, we heard early on that the role that school boards were going to play was going to change dramatically. They were basically going to be eliminated from the process.

We heard that early on. I want to remind the few of you were here on October the 20, 2014. Hugh Hewitt warned you of this. He told you what you needed to do, and I would encourage you to go back to the transcripts of that meeting to get a sense of the history of this situation. I also want to tell you that in 2020, the mere mention of Common Core gets me a couple of different reactions. Parents will just roll their eyes and make sounds of disgust, because they've got kids in the system. What's curious to me is the reaction I get from community members who do not have kids in the system. The most common reaction is this, "Common Core? We still have that? I thought we got rid of that." I remind them, not only did we not get rid of Common Core, but it is alive and well. It is now being cemented in by MTSS. At least this opens the door to further discussion on this issue.

Boyd: Your three minutes are up.

Cone: I just wanted to tell you that people are concerned, they don't like the direction education is taking in California, and most importantly, they're paying attention. My time is up. I'd like to say a lot more about Common Core, but I'm out of here.

Boyd: That concludes the public comment.

Barke: On to the Consent Calendar.

Williams: I make a motion for the Consent Calendar, but I'd like to see item number four, the resolution to recognize May 25 as Memorial Day as a separate action item. We can put that under or after number 10.

Barke: I'm okay with that.

Gomez: I thought we already adopted the Agenda.

Williams: We did, but I'm now making a motion with a subsidiary motion. Our parliamentary rules allow us to do that.

Barke: I don't have a problem with you pulling out number four. Does anyone have an issue with us pulling that out?

Williams: I made a motion. I need a second.

Barke: You made a motion. I'll second it. Any discussion?

Gomez: We already adopted the Agenda.

Barke: All those in favor of pulling it out? I think we need a roll call vote.

Williams: No. Let me restate the motion. The motion was to make motion to approve the Consent Calendar, take number four out and put it in our Agenda after item number 10.

Barke: Okay.

Williams: The motion was for the Consent Calendar, but we're moving number four to another place on our Agenda.

Barke: Okay.

Williams: That needs to be seconded.

Barke: I think I gave that a second. I'll second that.

Williams: You did give it a Second? Okay.

Boyd: If I am understanding, you would take that as, we'll call it item number 11 or 10A. That would be voted on separately? Is that what you're saying?

Williams: Correct. I think it's significant. Memorial Day, as we remember those who gave their lives for this country and the veterans in this country. I think that needs to be drawn up separately. A few words if we may. The Consent Calendar really didn't have anything that said more than its routine business. I think it's just too important to do such.

Gomez: You usually remove as consent items when you want to validate the Agenda. That was my point.

Williams: I validate your point, and that's one way of doing it. Our parliamentary policies are how to handle and allows us to pull out. We can even put it and lay it on the table. Those are part of the motions that we can make.

Barke: We have a first and second.

Williams: All those in favor. We need a roll call.

Boyd: President Barke?

Barke: Yes.

Boyd: Trustee Bedell?

Bedell: Yes.

Boyd: Trustee Gomez?

Gomez: No.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: Vice President Williams?

Williams: Yes.

Barke: Okay. The motion carries 4 to 1. Okay. Charter submissions? Do we have any charter submissions?

Boyd: We received one charter submission today from Vista Meridian Global Academy.

Barke: Okay. I'd like to call Aracely. Is Aracely here?

Boyd: Aracely is Zooming in, so she'll be pulled up on the screen.

Barke: Okay.

Chastain: Okay, I'm here. Can you hear me?

Boyd: We can.

Chastain: Perfect. Today the Board will hold a hearing to consider public input regarding the renewal of College and Career Preparatory Academy Charter and the material revision that was requested. College and Career Preparatory Academy is a county charter school, which was approved for a five-year term from July 15 through June 2020. On April 15, CCPA submitted a renewal charter petition that includes a material revision to the charter school regarding facility changes. CCPA is requesting the charter be renewed for five years from July 2020 through June of 2025.

The material revision request includes the following changes: CCPA has added one location in Los Alamitos, which opened in February of 2020; a new location in San Juan Capistrano is set to open in June of 2020; two locations have closed - an Anaheim location closed June of 2019 and a location in San Juan Capistrano closed June of 2020. In addition, the school requests that the Board approve future CCPA locations to be opened as need arises. The school sites would be added to current access locations as follows: one in Anaheim, one in Costa Mesa, two in Garden Grove, five in Santa Ana, three in Orange and two in Tustin. Those exact addresses are part of your Board documentation, page 23.

Prior to public comments, representatives from College and Career Preparatory Academy are allotted 15 minutes to address the Board. The Board can now recognize Mr. Dave Connor, principal of College and Career Preparatory Academy. Mr. Connor, you have the floor.

Connor: Good morning. I would like to take this time to thank Superintendent Dr. Mijares and Chief Academic Officer Dr. Hittenberger for the continued support of the College Preparatory Academy and for your guidance, especially through this extraordinary time. I would also like to thank the Board for your continued support as well, and for taking time to review our petition. Is there a PowerPoint going, folks? I was just curious, because I should have a PowerPoint up at this time. If you go to the next slide, that'd be great. Thank you. At the College and Career Preparatory Academy, the purpose of our program is to increase the graduation rate and decrease the dropout rate in Orange County as reflected in the vision and mission statements of CCPA.

The College and Career Preparatory Academy inspires students to fulfill their academic, career, and personal goals. CCPA students prepare to earn their high school diploma or equivalency leading to the achievement of the ultimate goals of developing and empowering student success through completion of post-secondary certificates or degrees, and career and community connectedness. Ultimately, our goal is to continue the department's vision that "Orange County students will lead the nation in college and career readiness and success." Next slide please. The College and Career Preparatory Academy has affected the lives of nearly 600 students and families who have graduated since opening in 2015.

We see this as an invaluable asset to the community. Having a veteran staff that understands students learn in different ways and are at all different ability levels is a strength of the program. It can be seen here as quoted by a graduate of our program and a message to her teacher. "Hello, Mr. Charlton. I finally got my diploma. It feels great to know that I'm finally a high school graduate, but I wouldn't have achieved my goal if it wasn't for your support. Thank you for believing in me and not giving up on me. A great teacher can make a huge impact in student's life. Thank you for everything. Stay safe. I hope everything goes well for you. I will go visit you one of these days."

This reflects a true testament to the impact of our teachers and staff have on the lives of our students. As we navigate through this national pandemic and find a new normal for all students and staff, we feel that our program will benefit many students who have been affected in numerous ways. As students who may not have had the opportunity or support to graduate, for

financial reasons of not finishing school, or having the extra time to attend school now, CCPA is needed more than ever. As economic downturn continues to unfold, we can see this affecting potential CCPA students. Data shows that the majority of our students are considered socio-economically disadvantaged. Next slide please.

This chart represents the demographics of our students as compiled over the last five years. Data indicates that each year the majority of our College and Career Preparatory Academy students are Hispanic and is representative of the communities we serve. Next slide please. The majority of our students we serve are between 19 and 22 years of age, and they have gaps in their school enrollment and are usually a little over a year away from earning their high school diploma. Next slide please. In addition to the academic and educational support that our students receive from our dedicated teachers and support staff, students also work hand in hand with our workforce partners to receive support in the form of job readiness training, skill building, and job placement to name a few of the services they offer.

These partners are also an integral part of the success of our students and without their support, many of our students would not be where they are today; working toward and earning their diploma while being gainfully employed. We are very grateful for their passion, hard work, and dedication that they bring to servicing needs of the College and Career Preparatory Academy students. Next slide please. These are some of the responses to surveys from our workforce partners in regard to our program in meeting the needs of our students. Comments reflect that we are a flexible program and are exposing students to different career and educational options. Next slide please.

The Dashboard data from the 2018-2019 school year indicates that the College and Career Preparatory Academy is accomplishing its vision and mission by increasing its graduation rate by over 30 percent. The College and Career Preparatory Academy is not only changing the lives of our students, but also the lives of their children. Data indicates that the major factor of a child's education level is determined turned by the level of the mother's education. Next slide. Thank you. The total number of College Preparatory Academy graduates continues to increase each year, and we are on pace to meet or increase these numbers this year. CCPA is meeting its vision and mission to increase the graduation rate and decrease the dropout rate in Orange County with nearly 600 graduates to date. Next slide please.

The data compiled from the 2016 through 2019 graduation exit survey indicates that 59 percent of our students plan to transition to college and other postsecondary options. This is evidenced by a quote of a student who graduated in the fall of 2019 on the next slide. "I want to thank you for everything. I'm still at Saddleback College with a 4.0 GPA, and I will be applying to transfer this July for next spring semester. Thank you for all that you do, helping students reach their goals. It means so much to my parents as well as myself." Next slide. Now, we want to take a few minutes to watch a video of the first student ever to enroll with the College and Career Preparatory Academy and who graduated from our program in 2019.

We'll skip from that, I guess. I apologize that didn't come through. Technology at its best. I want to thank you for your consideration in approving the charter petition of the College Preparatory Academy. With your continued support of the program, together we will change lives. At this time, do we have any questions?

Chastain: Thank you, Mr. Connor.

Connor: You're welcome.

Chastain: The hearing is now open for public comments from individuals who have submitted a comment card. Associate Superintendent Boyd, please read the public comments.

Boyd: There were two public comments received. The first one is from OCAPICA.

Connor: OCAPICA.

Boyd: OCAPICA. Thank you, Dave. "Since its inception. Orange County Department of Ed.'s College and Career Preparatory Academy has been a close partner with OCAPICA Youth Employment Program. It's the largest WIOA youth employment provider in Orange County. We quickly learned that CCPA was our most valuable educational resource. Our program population is 16 to 24 years old out of school youth, which reside anywhere from Buena Park down to Mission Viejo. CCPA's multiple school locations, combined with the ability to provide remote instruction. It has enabled over 50 of our young adult participants to resume the process of completing their high school education, allowing them the best chance to succeed.

The accessibility of CCPA instruction, along with the exceptional academic support that CCPA teachers and staff provide, means that a high school diploma is within reach for all of our participants. Additionally, many more students have been referred to OCAPICA by CCPA for employment schools training, career exploration and guaranteed work placement. Direct service staff from OCAPICA and CCPA work hand in hand sharing academic and employment progress reports and leveraging each other's resources and supportive services to ensure that students are given the best opportunities for success.

In the near future, OCAPICA will have staff present at CCPA school sites multiple days per week to expedite the enrollment process, provide ease of access to service for students, bring program staff closer together to improve data sharing, and further strengthen our partnership for the benefit of our students. OCAPICA looks forward to a continued partnership with CCPA knowing that the education and support which CCPA provides to our participants, leads to the ultimate success of their career and educational goals." Signed John Gutierrez, program manager.

Boyd: We have an additional public comment from Katherine O. Muniz, chief executive officer of the Orange County Conservation Corps. "It is with great pleasure that I share our gratitude for the Orange County Conservation Corps partnership with the College and Career Preparatory Academy and Orange County Department of Education. Providing a positive pathway for our young adults to complete their high school diploma is a critical mandate to our program and one we undertake with great consideration. The educational collaborative with CCPA has been a

perfect solution for our corps members who come from various life circumstances and great equivalency.

Witnessing our corps members gain confidence while they progress and build upon their skills is truly inspiring. They achieve what was formerly elusive and unreachable. It just doesn't get much better than that. A special thanks to the dedicated teachers at our Fullerton site led by Principal Dave Connor, whose enthusiasm, compassion and humility make him the gifted educator and administrator that he is." Sincerely, Katherine O. Muniz. That concludes the public comments.

Chastain: This concludes the public hearing. The Board will receive a staff report and take action at the June 3 board meeting. President Barke, I now turn the meeting back over to you to facilitate any questions that the Board may have.

Sparks: I just had a couple of questions. This graduation rate being at 72 percent, and I commend the spirit behind the program. What I want to understand, I see in the paperwork here that a lot of the students come to the program with two grade levels below in reading and math. Then, I'm looking at the preparation, because it looks like more than 50 percent say they want to go onto college. They're making different choices, and this is providing various opportunities for those choices. What I want to know is what are your intentions or plans to increase these numbers in the academic performance in the English language arts and math, which right now I see more than 200 points below standard? I just want to understand kind of what's going on there.

Connor: That's a great question. We utilize an assessment program called iReady, which is an intervention program in reading and math. Our students take that upon enrollment, and then they do 90-day post assessments as well. Then we assign remediation programs as an elective for the students throughout their educational time with us. We also utilize Max Scholars, a reading remediation program. I feel it is a little stronger than the iReady component, because it has resources that relate to core concept of classes. The reading material is more core content driven. Those are the means that we're utilizing at this time.

Sparks: I guess kind of what I'm getting at is; I know you're sort of doing what you can to get them sort of ready for whatever path they are choosing and are hoping for. With more than 70 percent graduation rate, are they getting some of those core competencies that they're going to need to succeed; whether it's going into a job where they have to calculate basic math and do basic reading, and/or going to community college?

Connor: Yes. We try to get them on campus to promote the community college component, but we are utilizing state standardized curriculum and course contracts to support that curriculum as they go through. All our students are utilizing state adopted curriculums and the remediation programs to prepare them for the next steps.

Sparks: Okay. Thank you.

Connor: You're welcome.

Barke: More questions?

Williams: Yes. Great job. [inaudible]

Connor: I can't hear you, Dr. Williams.

Barke: He asked how many students? I think 241?

Connor: Our average enrollment? We've been around the 250 range. That is kind of our average enrollment. We've had over the time period enrolled over 1,500 students. Now those kids can have reapplied and dropped out. We do have a turnover rate where students come into a life situation, and then, they reapply and come back in. That happens quite frequently. Our normal enrollment is around 250. The highest is 275 that we've been at.

Williams: Okay.

Connor: I can see that coming up with the new situation we're in. The fact that we do distance learning, that is our model, we could see a spike in that area. One of the areas that is really unique, is we have partnered with the California National Guard. They are working on a program with Long Beach City College where the students go through a five-month program and end up with a certificate in certain trades and so forth. We're supporting students who haven't finished their high school diploma program at the same time. That's very exciting for us. It's called the California Job Challenge.

Boyd: The Board will take action at the next meeting. That concludes College and Career Preparatory.

Connor: Thank you.

Barke: Thank you for the great presentation. We really appreciate it.

Connor: Thank you.

Boyd: Aracely, can you read the next one?

Barke: Yes, please.

Chastain: The Board will now hold a hearing to consider public input regarding the International School for Science and Culture material revision request that was submitted at the April 15 Board meeting. They requested changes to the school's operating board bylaws. Prior to public comments, representatives from International School for Science and Culture and Newport-Mesa Unified School District, where the charter school is located, are allotted 10 minutes each to address the Board. The Board will now recognize Dr. Padmini Srinivasan, executive director of International School for Science and Culture. Dr. Srinivasan, you have the floor.

Srinivasan: Good afternoon to everyone. Give me one second. I'm sorry. I'm a little bit lost here. All right. I'm sorry about that. I had to switch screens and so on. Superintendent Mijares, President Barke, members of the Orange County Board of Education. Thank you for this opportunity to speak on the material revision request that was submitted by the International School for Science and Culture (ISSAC) last month. The request was prompted by a change to

ISSAC's articles of incorporation and bylaws in order to satisfy the requirements of the IRS to grant ISSAC tax-exempt status as a 501 C3 corporation. As part of the material revision process, ISSAC has also submitted an updated petition reflecting any changes to applicable laws in the interim.

We thank you for your time and energy, support of ISSAC and for the sake of the education of students throughout Orange County. The support is always amply evident in the actions of the OCDE staff as well as of the Superintendent and of this Board. It's especially appreciated in our current unusual circumstances. Thank you.

Chastain: Thank you, Dr. Srinivasan. The Board now recognizes Mr. Russell Lee-Sung, deputy superintendent and chief academic officer for Newport-Mesa Unified School District. Mr. Lee-Sung, you have the floor.

Lee-Sung: Good afternoon, everybody. Great to see all of you, to know that you're staying safe and healthy, and thank you for this opportunity to speak on behalf of Newport-Mesa Unified School District at this hearing. The district is here again to raise some serious issues and concerns with ISSAC's latest request for material revision, and beyond that, with ISSAC's overall operations and violations of law. I would like to bring the following eight concerns to your attention. Number one: the district does not object to the specific revisions requested. However, you cannot look at only the language that ISSAC redlined. The very purpose of redlining is to clearly illustrate all of the changes that ISSAC is requesting, but ISSAC has not redlined all of the changes.

In December, ISSAC submitted a material revisions request, but ISSAC withdrew that request without it being approved by this Board. However, ISSAC has apparently implemented the revisions it withdrew as if this Board had approved them. Those revisions are in the bylaws submitted in this request, but ISSAC has not indicated that they are revisions and not seeking approval for those changes. Obviously, ISSAC cannot simply avoid the material revision process by withdrawing a revision request from your consideration, but implementing the revisions anyways. Number two: ISSAC's requests for material revision is incomplete and not legally compliant. The standards for material revisions are the same as those for new charters, so the updated charter must include all charter components, address changes to the law and updates to the ISSAC's operations. ISSAC's request does not do this.

There are no budget documents, and the charter is not current. I will give you the most glaring omission as an example. The required description of ISSAC's facilities. ISSAC's charter still uses ISSAC's 2018 language saying that ISSAC had a lead on private lease of a facility in Costa Mesa. That facility option is long gone. Furthermore, ISSAC's current facility agreement expires on June 30. ISSAC does not qualify for district facilities for 2020-21. Thus, ISSAC should be planning for a new location. It must describe it in the material revision charter, but the charter includes no such information. There were many other concerns brought to light by this request

for material revision including clear violations of conflict of interest laws, the Brown Act and the California Public Records Act.

The district raised similar and ongoing concerns in January with ISSAC's prior material revision requests, but things have only gotten worse. ISSAC is required to comply. I'm sorry. Number three: ISSAC is required to comply with the conflict of interest and self-dealing prohibitions of the Political Reform Act, Government Code section 1090 and its own bylaws. According to the minutes for ISSAC's November 13, 2019 board meeting, the ISSAC board, "Ratified by a vote of 3 to 0 a resolution and promissory note for a loan to ISSAC from ISSAC's Executive Director Padmini Srinivasan", which appears to violate all three of those requirements.

For months, the district has made public records requests for copies of the loan documents, but ISSAC has failed to provide those records or even to attempt to give a reason for denying that request. On one occasion, falsely claiming that the loan documents were being provided, though they were not. The agenda for this meeting is not publicly available through ISSAC's website despite the Brown Act requirement that it be public. On May 11, 2020, the district listened to the recording of ISSAC's November 13 board meeting posted on ISSAC's website and confirmed that, even more shocking than the loan being made, is the fact that ISSAC's board did not actually consider, act on, or approve an agenda item for such a loan.

In fact, the recording indicates that ratification of Dr. Srinivasa's loan and promissory note was not an item on the November 13th agenda, yet the minutes posted on ISSAC's website from that meeting explicitly specifies that there was a motion, a second and a vote of 3 to 0 to approve this loan. Despite the fact that, this action was not taken or even considered by the board. This is inexcusable. Number four: if that were not bad enough, on April 8, 2020, Dr. Srinivasan recommended the ISSAC board ratify a contract with a company called PSAGE Incorporated. The minutes for that April 8 meeting were included with ISSAC's material revision request, so you have them before you. Dr. Srinivasan and ISSAC have again ignored the district's request for any records about this contract that presumably Dr. Srinivasan entered into on ISSAC's behalf and that the ISSAC board ratified.

We looked into Pia Sage Incorporated and found that, according to the secretary of state's publicly available records, Dr. Srinivasan herself is the chief executive officer, chief financial officer, secretary and agent for service of process for this for-profit corporation. We also found out that the corporation has been suspended by the Franchise Tax Board; meaning that, it failed to meet tax requirements, it has no powers, rights or privileges in California including the right to use the corporation's name. In other words, Dr. Srinivasan has apparently used her position as ISSAC's executive director to enter into and influence the ISSAC board to ratify a contract with a for-profit corporation that she owns, controls and/or operates; and that is not permitted to operate within the state.

We have provided Orange County Department of Ed. staff copies of the Secretary of State's records clearly establishing Dr. Srinivasan's connection to this corporation. As public officers

and employees, we all know that the law prohibits public officials from entering into contracts in which we are personally financially interested, from making, participating in making or using our official positions to influence agency decisions in which we have a personal financial interest. The available evidence indicates that Dr. Srinivasan and ISAAC have repeatedly violated those important public protections.

Number five: ISSAC continues to violate the Brown Act in a variety of ways. The same Pia Sage Incorporated item on ISSAC's April 8 agenda is a clear example. The purpose of the Brown Act's agenda requirement is informing the public about the subject matter under consideration by the ISSAC Board so that the public can determine whether to monitor or participate in the meeting. ISSAC's agenda did not include such information for the public. The only information on ISSAC's agenda on this matter reads, "It is recommended that the board of directors approve the ratification of contract with Pia Sage Incorporated." There was no information on the type of contract, what services are covered, the cost, time period or any information about the contractor for PIA Sage Incorporated.

It is impossible to know from this agenda item the subject matter under consideration, whether a member of the public wants to monitor or participate in this meeting. Certainly, if more complete information were available, including the fact that Pia Sage Incorporated owned and controlled by ISSAC's executive director, members of the public including the district would indeed have been interested in monitoring this item. This is typical of the limited information regularly included on ISSAC's agenda. Number six: ISSAC's other Brown Act violations include, for example, limiting access to many of its board agendas, as well as minutes and audio recordings of the board meetings by requiring that ISSAC grant individual permission to a specific Google account to access agendas; despite the fact that, agendas are required to be publicly posted and accessible.

A review of all the agendas, minutes and recordings listed on ISSAC's website makes clear that since October 2019, ISSAC has been picking and choosing which of these items is publicly accessible and for which ISSAC has explicitly restricted access. This restriction on access to its agendas violates the requirements and purposes of the Brown Act; and it cannot be tolerated.

Boyd: You have two minutes.

Lee-Sung: Number seven, Thank you. Number seven: as I've already referenced, ISSAC has been violating the Public Records Act and Brown Act's records access requirement for almost 10 months. Since July 26, 2019, the district has been attempting to obtain copies of public records from ISSAC; but, ISSAC has failed to provide the required public records and has essentially ignored the district's requests. The district has provided detailed information, and tried to obtain access to these public records including such simple requests as agendas and executed contracts; but, the district has had virtually no success. In January, ISSAC provided very few records in response to our many months old requests with a promise to provide the remaining records by February 29, 2020.

However, February 29 has long since come and gone, and ISSAC provided no records nor explanation for its failure. This was even before the coronavirus could have potentially impacted ISSAC's operation or ability to provide public records. In April, we again asked about our records request, and we received nothing in response. We also requested the agenda item back materials that the Brown Act mandates be made available to the public at any time they are shared with the ISSAC Board; but, this request was also ignored and ISSAC's Brown Act and Public Records Act's obligations disregarded.

As we have stated to ISSAC directly, at this point, the district can interpret ISSAC's ongoing failure to comply as a purposeful and knowing decision to violate its legal obligations and improperly withhold pertinent public records. I'm going to jump to my last paragraph. Number eight: I believe you have on record there, but I do want to get to the last part. In conclusion, ISSAC's noncompliance with the requirements for its material revision requests and its ongoing violations of transparency laws are very serious concerns that cannot be allowed to continue. For all these reasons, the district requests that the Board not approve the material revision requests in its current flawed form; and that this Board hold ISSAC accountable, take the necessary steps to ensure that ISSAC complies with all applicable legal requirements and remedies its operational problems. Thank you.

Chastain: Thank you, Mr. Lee-Sung. The hearing is now open for public comments from individuals who have submitted a comment card to address the Board. Associate Superintendent Boyd, please read the public comments.

Boyd: There are no public comments submitted on this public hearing.

Chastain: Thank you. This concludes the public hearing. The Board will take action at the June 3 Board meeting. President Barke, I now turn the meeting back over to you to facilitate any questions that the Board may have.

Barke: Beckie, would you like to start?

Gomez: Sure. I'd like to get some information on the items that were outlined by Newport-Mesa. In regards to the Brown Act, the availability of minutes, and the conflict of interest information, I would like to see that as part of the Staff Report so that we can make some informed decisions. I am kind of concerned about the allegations of the Brown Act. If we could get that information in the Staff Report, that would be most helpful. Thank you.

Williams: I concur with Beckie. These allegations that are raised by Mr. Sung from Newport-Mesa Unified School District are allegations. I'd like to have an opportunity that Ms. Padmini have these questions that he's raised. That she come before us at the next meeting to answer questions and concerns that he raised. These are potentially very serious, and they need to be addressed. Being that we are under COVID quarantine, there are a lot of school districts that aren't doing what they would normally do. I'm not sure why she didn't answer some of these requests for documentation; but I presume her to be innocent until she comes and gives us reason for such. I am concerned about ISSAC.

It was one of the more difficult decisions we made. I think a lot of things have happened in between when we approved them and what's happening now. I'm very, very concerned with the direction they're going, their strength, their numbers and their ability to financially make it. The issue of the lease expiring this year, I think that's pretty significant. I'm not sure if what Mr. Sung said is true; that they are not eligible for any of the state funds. We'll have to get to the bottom of that and understand that. Those are my thoughts for now. It's an incomplete picture and more information is needed.

Sparks: I echo the same concerns that Beckie and Ken are saying. I look forward to Dr. Padmini addressing those at the next meeting. Currently, I would like to hear from her if she's still on to verbally give us your take on some of the allegations, which are relatively significant. While I know that you'll give us in written form at our next meeting, but I'd like to hear from you now if we could.

Srinivasan: Yes, thank you. I definitely feel like we are on a little bit of a learning curve on managing the website and access. We've had a change of our office management personnel. I will thank you to Newport-Mesa for pointing out a couple of these issues with access to information. We will definitely get on that and make sure that there's full access for the agenda, minutes, and I believe the audio is posted as well. I want to make sure that somehow by being behind Google Suites for Education, that we're not posting them incorrectly for access. That's a procedural issue that I definitely will take a look at and make sure it's corrected. On other items, we have been kind of swamped by the Public Records Act requests. I have been trying to make sure that whatever needs to be in the public in terms of access is made available.

It's been a little bit daunting, but we are definitely interested in completely fulfilling any requirements, being completely transparent and having all of that information available to all who are interested. We are a very lean organization for all the right reasons of budget and so on. It's literally, we don't have the strength in numbers to go through while we're preparing all of the things that need to be prepared to run a school. Even in the regular situation, to create the correct environment for learning and success, trying to get that 100 percent of engagement and really maximize learning; that tends to have become a much higher priority. Again, thank you to Newport-Mesa. We definitely will take that as a good moment to really focus on making sure that the operations and procedural aspects are solid.

I think that as we began into this year, there were lots of items that we didn't know how they needed to be done procedurally. We did not have a budget, really, of any kind. As things needed to be done, for example, preparing our outreach, preparing our initial purchases for the school, there was a need to do some actions. I think we took those actions without fully understanding, again, procedure and process. We ended up having to go sort of back in time and ratify things. I am doing my best to track that and to do it correctly. We, as a board and myself as the person in charge, I'm really taking responsibility. Some of it is backtracking and it has been challenging. I think we were happy with being able to pivot quickly and have no gap in offering the online teaching, for example.

At this point, I'm happy to report 100 percent engagement and good progress. The educational piece is working well. Our recruitments are on for next year and going well. Similarly, our location decisions are finalizing, and we will be able to share those. This piece is a challenge, I have to say. I wish I had a person who could really take care of all of the compliance and management of these processes. We will definitely improve our level of attention and personnel commitment to these as we go forward.

Sparks: Thank you.

Williams: Dr. Padmini, just real quick. Is it true that you'll be losing your lease to the Newport-Mesa facilities there that you're currently using?

Srinivasan: I'm sorry, I didn't hear the beginning of that question.

Williams: Ken Williams, here. Is it true that you're going to be losing your lease, that it expires soon?

Srinivasan: Actually, the facility use agreements is an annual action with Newport-Mesa. We actually went through a process in December. We had a very hopeful situation. Given the way that the real estate works in Orange County, we came very close to being able to actually acquire a facility through the good offices of a donor investor. The investor was interested in acquiring a facility and leasing it to us. The way real estate works in Orange County, that did not complete. That was our plan in any case for this coming year. Since that did not happen, we've identified two options, and one of them is going to be a really good fit for us. The facility that Newport-Mesa provided was absolutely wonderful.

It did have a couple of issues with safety, which caused us to lose quite a few students. Both in terms of people who were interested, but then they did not enroll; people who were there and then disenrolled. That being said, we tried to come up with procedures and processes in terms of having more supervision and having kinds of things to reduce any risk and perception of risk. We were only moderately successful in altering perceptions. That being said, I think the benefits and beauty of that facility, vastly, to me, it was really a huge positive. The second piece of it is, to be very honest, that facility was geared for a much higher number of students than we were able to enroll for all possible reasons.

I think realistically for us, we are taking a much more realistic view of our ability to enroll and the way our growth trajectory is going to be. We are of course trying to grow as quickly as we can with a sense of confidence about being able to handle the educational requirements. However, it is going as it is going. I think that we are taking a strategy that will keep us fiscally sound and educationally solid.

Gomez: I have one more question if you're done.

Williams: I'm done.

Gomez: Could you just tell me what your current enrollment is?

Srinivasan: For this year, it has been at approximately 72. Three of those people joined right at the COVID point. They may not be reflected in the February 29th counts, which was at about 69 and the attendance has been about 96 percent.

Gomez: Okay. Thank you very much.

Srinivasan: I should add for next year, I think we are at 100 people including our current, continuing and new fully registered people.

Gomez: Thank you. I'm finished.

Boyd: Many of the issues that they brought up have been part of our oversight. We've been trying to get answers to some of the things that Mr. Russell Lee-Sung brought up. The PIA Sage issue that he talked about was a potential conflict of interest. That we did an inquiry on March 12 with no response. We did a second request on April 22. We're still waiting on information from Padmini related to that specific concern. Some of the other ones that are dating back over the course of the last several months. We haven't mentioned the deep level of detail with this Board, but we've mentioned to the Board that we thought that we certainly needed to bring ISAAC back before the Board. We wanted to do that in a thoughtful manner in terms of having responses to the inquiries. We have not received all of the responses to the inquiries as of yet.

Williams: Thank you. We want the staff to be on top of these things. Dr. Padmini, please respond to the requests by our department. That would be very important.

Srinivasan: Yes, I will do that. Similarly, as I mentioned, some of the work that was done early in the existence of the school was done before we had any budget. We kind of made expenditures using whatever organization funds that were available to me to run payroll and stuff like that.

Boyd: If I'm understanding the Board's request for the next meeting, going back to Trustee Gomez's remarks, we are going to do a staff report related to the material revision. In addition to that, you're wanting the staff report in response to the inquiries that came from Mr. Russell Lee-Sung, along with what he provided verbally? We will give you that in written format as well. We will invite Ms. Padmini to participate in the meeting again, either in person or via Zoom for reasons of her own.

Gomez: Yes, that would be fine. Thank you.

Boyd: I just wanted to clarify.

Barke: Thank you. Any other questions?

Boyd: If we could take a short recess, we can reset the room for the expulsion that all parties are here. Ten minutes? Would that work for you all? Okay, thank you. We're in recess for 10 minutes.

[THE BOARD MEETING RECESSES FOR 10 MINUTES AND UPON CONCLUSION OF THAT TIME, PRESIDENT BARKE STRIKES THE GAVEL ONCE TO SIGNAL THE CONTINUATION OF THE MEETING]

Barke: Calling the meeting back to order, and I want to announce that Becky Gomez and Jack Bedell have left the meeting. We will move to Board recommendations.

Williams: Okay. I will make the motion to approve item number nine. It's Resolution 05-20.

Barke: I will second the motion. Any discussion?

Williams: Sure. Basically, as I brought up at the last meeting, there are Education Codes that we really need to follow here when entering into contracts or grants. This is something that I've, for at least 20 years, been talking about. The Board needs to know all of these grants, contracts and

see these things. We're going to be talking about the United Way funds in a little bit here. These things are very, very important for transparency and for the integrity of the process of law. It says here, where we are telling the superintendent that anything that is done in advance entering into a contract or consuming them. That we have that presented to the Board. Then the second part of this deals with how we take care of the budget.

That is in reference to Education Code 17340, in which the superintendent in the capacity of the ex-official secretariat of the Board, that he fulfills his duties and obligation to the Board once the budget has passed. That he will promptly and timely, sign and submit it to the superintendent of public instruction. Item number three of the therefores - in the event of a failure or refusal by the superintendent to properly and timely submit to the superintendent of public instruction the annual budget adopted or approved by the Board, the Board clerk shall be authorized to and shall sign and submit such annual budget to the superintendent of public instruction.

Barke: Any further discussion? Ready to call for a vote?

Williams: Yes.

Barke: Okay.

Boyd: President Barke?

Barke: Aye.

Boyd: Trustee Sparks?

Sparks: Aye.

Boyd: Vice President Williams?

Williams: Yes.

Barke: Passes 3 to 0. Okay. Moving down to item 10.

Williams: Yes. I so move to make a motion to adopt Resolution 0620. That is number 10 on our Agenda items. The preamble and the whereas are well-documented. Essentially this document indicates to the Superintendent the Board's desire to have a separate budget code as indicated for the amount. This may be for the purpose of receiving or paying for special and/or legal services as well as special and/or other professional services rendered to the Board as determined by majority vote of the members of the Board pursuant to Education Code 1621, paragraph C. We've already talked about this earlier under the budget study.

Therefore, number two is that we have objective codes for spending categories for litigation fees and costs and in such expenditures. I think we articulated that earlier. Then, item number three is that the county superintendent of schools has instructed that the above items be included in the proposed Annual Budgets for the two 2020-21 fiscal year; and that it be submitted to the Board in connection with the Board's June 3, 2020 meeting.

Barke: There was already a second. All right, I'll call for the vote.

Boyd: President Barke?

Barke: Aye.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: Vice President Williams?

Williams: Yes.

Barke: Okay, passes 3 to 0.

Williams: Announcements.

Barke: Okay. What about number four?

Williams: Number four, yes. Since I took it off of the Consent Calendar earlier this morning, I make the motion that we adopt Resolutions 0420 to recognize May 25, 2020, as Memorial Day.

Sparks: Second.

Williams: Just for background here, normally we have at this time a student essay on the meaning of Memorial Day to acknowledge the former great Costa Mesa mayor who served and promoted patriotism amongst high schoolers and probably even junior high schoolers. That organization still lives today. Because of the COVID epidemic and distancing ourselves socially, we decided to make the essay in June. I think the resolution is important. It solidifies in our nation's founding. We had sons and daughters who had given their lives to this country. That the instruction and inculcation of American history and the knowledge of military veterans fighting for American's liberties and freedoms are a quintessential element of who we are as Americans.

Barke: Okay. It was seconded. We'll vote.

Boyd: President Barke?

Barke: Aye.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: Vice President Williams.

Williams: Yes.

Barke: Okay. It passes 3 to 0. I think we have finally made it to announcements. Dr. Mijares?

Mijares: Members of the Board, I'm honored to be with you today. I want you to know that in our updates concerning COVID-19, we've been able to also make sure that we're sending information to charter schools, too. That has been very helpful. The dialogue that we've had with them has been, I think, awesome. I want to thank Nina Boyd and her staff for facilitating much of that. That's all I have under my reports.

Boyd: As a reminder to the Board, the next meeting is Wednesday, June 3, 4 p.m. It will be your closed session. It will begin the evening meetings on June 3. Submission deadline is Wednesday, May 20. The general Board activities will begin at 5p.m. unless the Board notifies us otherwise. I believe next Wednesday is the twentieth. Yes, it is. Real short timeline in terms of submissions for the Agenda.

Barke: [inaudible]...charter school live meetings. I've been very impressed with how quickly they got on board, the love and dedication they're showing to their students. I also have been aware of Los Alamitos and they seem to be very on top of what is going on in that district as well. Their Monday morning memo really goes through the lessons for the week. From what I hear, a lot of the districts are living up to the challenge, some better than others. I hope going forward that we all stay healthy and continue to learn. Anyone else?

Williams: At the last meeting, we brought up the issue of this United Way contract. It was an interesting conversation. We never did get to complete it. I have a few questions on it, and then I'll pass it off to my other Board members. In finding out a little bit more about this United Way, an email was received by Nina, there was no formal documentation, grant application, any sort of agreement or documentation as to why these funds were spent. I must be honest with you. I was not aware of these funds until last month's meeting, and I was surprised to learn a little bit more about it. I'm going to go on with my questions, and the questions may be directed towards Renee or Dr. Mijares. We're looking at the invoice dated August 27, 2018. It came from the United Way. They sent an invoice for \$50,000. Where's the grant for that?

Hittenberger: [inaudible] Thank you, Trustee Williams. I appreciate the opportunity to talk a little bit about the Youth Career Connections Program, which is a product of the partnership between Orange County Department of Education and the Orange County United Way. Through the OC Pathways Initiative that we've discussed with the Board on a number of occasions, and several of you have attended OC Pathway showcase annual events. As you could see from the documentation that we sent you, Youth Career Connections provides internships and work-based learning opportunities for students, primarily students whose families are struggling to make ends meet.

As part of the OC Pathways consortium, OC United Way launched this program in collaboration with our OC Pathways team. The planning was done from the very beginning, jointly and collaboratively between the OC United Way and OC Pathways teams. Our team was involved in supporting the work of the United Way team throughout the development and implementation of this program. Then, there is an annual report on the outcomes of this program, one of which you received from us, that shows the impressive outcomes of this program including over 1,500 students receiving work-based learning opportunities and internships over the last two years.

Williams: May 8, 2020?

Hittenberger: Correct.

Williams: What looks unusual about this is that you presented this to me or to the Board several weeks after we asked about it, and we found out there was no grants. It looks like this is a what we call a CYA document. Also, in the document it talks about the fact that this is primarily for Anaheim and Garden Grove students. Correct? Are there any OCDE students in this program?

Hittenberger: Under the larger umbrella of OC Pathways, there are many ACCESS students involved. In fact, all 27 school districts are involved. The particular focus of YCC was on students from these two districts.

Williams: Right.

Hittenberger: That's part of this larger effort. With regard to the date on the document, Trustee Williams, as I mentioned, there are annual reports from YCC. They are not only to stakeholders, but to the entire community in the OC United Way Scorecard event, which is an annual event. At that event every year, YCC presents these kinds of outcomes. The reason it has May 8 on it is, because I emailed in response to your questions. I emailed United Way and said, "Would you send us the latest copy of that so that I can share with the Board?" That was on May 8, and that's

why that date is on this cover sheet. The report itself is an annual report that we receive from them every year.

Williams: This is the first time I've seen this report. You understand how it can look as though this is a covering your exposure here. This is a grant that the Board never knew about, never articulated, publicly debated and never voted on. It was a grant that was entered into, again, supposedly a grant. I haven't seen the grant. According to a previous email by staff, there's no such document. The only document that I received from the staff was the purchase for requisition for \$50,000 with your name, and that's dated 9-13-2018. Of course, we have the Superintendent's signature. The only justification of this is that the Superintendent and Chief Academic Officer support organizations who actively engage in the education of county students.

You have a contract, or you have money that's being spent. Certainly, it's not subject to the checks and balances of government and transparency. You get a little concerned about that. The other question I have is there is on the 8-27-18, invoice, there is a notation by Darou and it says, "Please use Jeff's budget." Darou is not here. What does that mean? Do you have a budget for these things?

Hittenberger: Renee, would you speak to that?

Hendrick: [inaudible] Jeff was the person who was responsible for the Career Pathways money. That falls under him. When she says, Jeff's budget, she means the ones that he's responsible for. Even if I get that note, I'm still trying to figure out where that goes to. He does have a budget like all of us do, but that wouldn't cause me to put it there. When we talked about it [inaudible] and said those are the pathways.

Hittenberger: If I can provide some additional context to that, Trustee Williams. As I mentioned earlier, OC Pathways is an initiative that's been taking place over the last six years. It is a consortium that includes all 27 of our school districts, all 10 of our community colleges, as well as scores of business and community partners. OC United Way is one of those partners. This consortium, if you will, has been funded through grants, the California Career Pathway Trust Grant, the Kate Transform Workforce Grant, that funding supports initiatives among all of the districts, community colleges, partners like OC United Way, Orange County Business Council and so on.

As part of that, we are intimately involved in the development and implementation of these initiatives and receive reports on progress such as the one that you received here. I can understand how the date on this might've led you to believe that there was no prior reporting. That's not the case. We can provide you with information from previous years as well if that would be helpful. The reality is this program is making a profound difference in the lives of students. We have the opportunity to see it in action on a daily basis. We would be very happy to have you participate in programs and see the students whose lives are being changed by it. We

went through our normal approval process, which culminates in our Superintendent's approval of the dissemination of these funds to support the program.

Those of you who have had the chance to participate in OC Pathway showcase have seen these students. I've seen our partners to the United Way participate in that. If you haven't had a chance to do that yet, again, I'd invite you. We will have another showcase this year where you will see the fruit of this work. It's real work. It's transformative work. We're very proud of it.

Williams: I think this is probably a very good program, and I think you would have had the support of the entire Board if it had been brought through the proper channels. As it is, State Education Code 1703 requires that the Superintendent, with the approval of the County Board of Education, that it's approved. We're talking about these American values of transparency and the rule of law. Us elected officials, again, are being dismissed and marginalized by the Superintendent. You're partly to blame for this, because you didn't say, "Hey, Al, maybe we should take this to the Board to get them on board with us." But, what happened was we were marginalized and dismissed. There is no public transparency.

The only reason we found out about it is that it came about with the variances that we're talking about in the budget. We've got to change the way we're doing things here. We just can't exclude people who are elected. There is a mandate. There is meaning and consequences for elections. When we're up here, and we're being told that money is being spent and it's not going through the proper avenues, proper vetting, like this grant money here. Where did that money go? Did it go to support United Way staff? What was the purpose of it?

Being that there was no background information here, I have no idea where that money went. That's our responsibility to the taxpayer as the Board, to know these things. I'm very troubled by this. The fact that we keep on neglecting State Education Codes and events like this happen where monies are being spent. If you would have taken off your hat and thought about this, why wasn't the Board told? Why wasn't the Board asked?

Mijares: Dr. Williams, may I answer?

Williams: I know what the answer is going to be.

Mijares: Well, my answer is we're going to have to agree to disagree. We're both in litigation. You have your attorneys; I have mine.

Williams: Al, you have Education Code 1703.

Mijares: Education Code section 1240 enables the county elected superintendent to superintend, which is what I am doing. We get a grant for \$15 million. The money is designed to be used with not only nine community colleges, all for college districts, nine community colleges, almost all of our 27 school districts, and in the grant we have a number of community based organizations that are part of the grant. For me, this particular activity, Dr. Hittenberger's involved in it. That's all Darou's note meant. You tried to make that more than was there. She just simply said, "Jeff's

budget,” meaning he's doing Career Pathways. Consequently, it goes to him for the final budget numbers that Renee then squares up to make sure it's coming out of the right account.

To issue a \$50,000 check for services rendered that we, as a staff, know about is not inappropriate. You may think it is. I don't think it is. We have to agree to disagree. It will be litigated in court. Whatever a judge says, that will be the final rule. Up until now, again, you've been on the Board 24 years. You've functioned under...I'm your third superintendent. I come along. You never challenged, or at least maybe you did, I'm not sure, never challenged John Dean or Bill Habermehl. They were doing the very same thing, and it's consistent with the authority we have under law.

Williams: To correct the misstatements and misinformation you just said, we're not litigating a Board policy regarding approval under the Education Code 1703, in subsequent. Let me ask you a question.

Mijares: That's why you brought it up under the budget. I don't want to turn this into a [inaudible].

Williams: No, Al. You're violating the law. You said about two hours ago that you would not violate the law.

Mijares: I'm not violating the law.

Williams: You are violating the law.

Mijares: That is your opinion, sir.

Williams: Well, let me ask you this. The county superintendent of schools may, with the approval of the County Board of Education. What does that mean, with the approval of the County Board of Education to enter into these types of contracts?

Mijares: You're taking codes out of context. That's what you're doing.

Williams: No, I'm reading it directly, Al.

Mijares: No.

Williams: Al.

Mijares: We have to -

Williams: You're a tyrant. You're an autocrat. You're doing a bad job with malfeasance and maladministration. Let me ask you a question. If this was \$100,000, do you think that you could have had the authority to grant \$100,000?

Mijares: It depends.

Williams: Could it be 250?

Mijares: Again -

Williams: Could it be 500, a million? When does it stop? When you start making unilateral decisions without the people, the sovereignty of the people who elected us to participate in the decision-making process and co-governance that we have.

Mijares: There's a lot of things that I do that you do not do.

William: Do you have any problems with -

Mijares: Just to use your train of thought, the county superintendent is the employer who employs people who earn a salary, a significant salary. That never comes to the Board for any

kind of transaction or input. There are things that I do that you do not do. We can argue this until as long as the Board president permits, but I can tell you that we're just going to have to take this to court and get it done.

Williams: I don't want to start a third piece of litigation against an obvious violation of the Education Codes. Would you have any problems if we, as a Board, took this to the District Attorney's Office and asked to get his opinion on it?

Mijares: No. You've tried doing that before, because he's called me.

Williams: That's a lie. I have not gone to the District Attorney.

Mijares: Not on this particular item, but go ahead. You're welcome to do that.

Williams: You don't have any problems with us going to the District Attorney. Saying that, a public official in violation of State Education Codes approved \$100,000, for, again, a worthwhile project.

Mijares: It's not \$100,000, it's 50. Dr. Williams -

Williams: No, it's two times. Isn't it?

Mijares: You're asking a rhetorical question, because the reality is you could do that any time you wish. You don't need my permission.

Williams: I would never ask your permission.

Mijares: It sounds like you are.

Williams: It's \$100,000. We have two dates here. One in 2018, and one in 2019 for a total of \$100,000.

Mijares: Services rendered at different times.

Williams: Is there any more money that's going to be going into this United Way fund?

Mijares: You'll have to ask Dr. Hittenberger.

Williams: Is Dr. Hittenberger on the board of directors for the United Way?

Mijares: Jeff?

Hittenberger: Yes, I do serve on the board of directors of Orange County United Way. We have had OCDE representation on the board of directors of United Way for probably the last 30 years. It is a board of directors wherein the members receive no financial remuneration of any kind. Any financial decisions that are made by that board, I recuse myself since OCDE is a recipient of funding through OC United Way. There is no conflict of interest.

Williams: Do you benefit non-monetarily?

Hittenberger: No, I don't.

Williams: Okay. I'm done with my questions.

Sparks: [inaudible]...relative to the situation. This is a contract and grant or a gift, these two \$50,000 checks.

Hittenberger: This is support for an initiative that is part of the larger OC Pathways Consortium.

Sparks: Would it be considered a grant or a gift?

Hittenberger: I would consider it support for an initiative whose outcomes we monitor and reports we receive.

Mijares: It's payment for services rendered. These are services that United Way and others did, for these two school districts as an outreach to at-risk students. That's what this is about.

Sparks: I understand. I just wanted clarification. Is it a grant and contract? Is it in the budget listed under grants and contracts, like when we asked for lists of people? Is this a go through or is it a gift?

Mijares: It's not a gift. There's no such thing. A gift of public funds is not appropriate.

Sparks: Is this a pass-through grant?

Mijares: Services were rendered. They were an agency that is included in the grant. They agreed to provide these services. Otherwise, we probably would have had to do it some way or another. They're much more able than we are. There's a host of things they do including paid internships for kids.

Sparks: What is the OCDE deliverable for the money then?

Hittenberger: I think what you'll see on the list of outcomes. It captures what we were looking for in terms of deliverables. Bottom line is internships and you'll see in the final list on the bottom of the third page of text in that report. During the 2018-19 school year, more than 1,700 students, teachers, employees benefited from YCC's work-based learning experiences. First bullet point: 1,510 students participated in a total of 90 YCC work-based learning opportunities through corporate classroom speakers, industry site visits, and/or student internships. That's the core of what they were to deliver through this, and they've done it above and beyond what our initial numbers are.

Sparks: It sounds like an awesome program, but just some clarification around where it comes from, what it passes through and those sorts of things. Thank you.

Williams: What services did we get from this, then? There's nothing that tells the Board about what was promised, what was stated as an intention or goal? One hundred thousand went out without Board approval, public debate or public knowledge. That's not good practice, and I just don't understand, Al. Why don't you just come to the Board? I would have voted for this. I'm talking about the process of how we got here, how things have happened? How many other instances like this do we not know about that it is in our budget? We have how many other situations and grants? That's our responsibility here. It is to find out what's in the budget and get to the details. You may disagree with the Education Code and not follow it, but I think it's very important to follow the Education Codes.

Mijares: I think it's important.

Hendrick: We believe it's important to follow the Education Code.

Williams: Then, why aren't you?

Hendrick: This is not under 1703 - 1703 is for hiring qualified personnel for [inaudible] services. That is for necessary for small schools.

Williams: As a course of study. It would be under that.

Hendrick: No, this is for hiring people to perform those duties for other agencies.

Williams: It wouldn't go to 1720,1721. Each one of these -

Hendrick: [inaudible]are the same. We disagree with your interpretation. We do believe in following Ed. Codes. We have auditors [inaudible] these items also.

Williams: Does the Orange County Treasurer know that we have money coming and going in and out of our budget that the Board is not aware of? Does Shari know that? Not only was the Board not aware of it, nor was the public and without approval.

Mijares: Dean's in the room. Dean West is here. He serves on the oversight committee along with myself. We're members of the oversight committee, which emanated after the bankruptcy. You called their office to find out some things recently. Did you ask them?

Williams: Yes, I did.

Mijares: What'd they tell you?

Williams: They said they had no idea.

Mijares: Okay. That's probably because they leave this at this level with the transaction made here. What they monitor are the funds that have been placed in their care, which is part of the law demanding that for our resources. That's where they become involved. I'd like to have Dean West talk a little bit more about that role if you like.

Williams: Sure. Let's talk about that.

Mijares: Dean?

Boyd: You can go to the podium, and put the earphones on.

Mijares: Don't forget to put that on, Dean, for the COVID. They're clean. Put them in your ears.

Boyd: You have to put them in your ears.

West: To make the microphone work?

Mijares: Introduce yourself, Dean.

West: Dean West, associate superintendent of Business Services.

Mijares: Thank you.

West: Yes, I do sit [inaudible] Dr. Mijares on the Treasurer's Oversight Committee. Our role with the treasurer is multifaceted. Right? That's one role that we have. We oversee the treasurer's functions and operations. The other interface that we have is more like a bank. The treasurer has a government code to hold government funds. With those government funds, they have a certain responsibility and due diligence to invest. The investment report that you went over tonight that you have availability related to security of assets, liquidity and yield. That's really their function. They are an interaction between the county, as far as our controller. About half their pool is the county auditor controller, and the other half of their pool is schools, money, schools pool.

That fund that we have with schools pool. We manage that here internally, for all school districts in the county, all community colleges in the county, and we do that fund management and we process through all the payroll, we process through all the accounts payable. We interface with them on the files like you would with a bank. The bank doesn't necessarily tell you what to spend in your account, but they transact for you. There are transactional roles there. Their role is to secure, to invest and make sure that we have enough liquidity in order that our agencies can operate. We do have interactions with the treasurer related to liquidity and functioning of doing different transactions. That's really the role that we play with the treasurer and the communication side of it.

West: No, the committee, Oh, you mean the board oversight?

Williams: The board oversight.

West: The board oversight is...that's what the treasurer's committee, that's not our committee. That's a Treasurer's Committee that we have a seat on under code.

Sparks: You all mentioned that there are hundreds of organizations, maybe dozens of hundreds and do you have certain a committee that's put together to decide how much of these funds are issued each year? United Way got 50,000 in fall of 2018. United Way got 50,000 in fall of 2019. Those other entities that you're supporting through these pass-through grant contract funds, however you define, support funds. How are those decided? The amount, in what sort of rank order, do you have a panel? Is it just AI deciding? What's happening?

West: Every organization is its own entity. Right? Local Educational Agency - whether it's a school district, whether it's a charter school, whether it's a county office of education, ROP, SELPA, community college district, they're all making their own individual policy and their own individual decision making. The county office functions also to serve its own organization, and as a county office as well as all those ones. We process through our business systems for them. We do have a restricted fiscal oversight role related to solvency of school districts. Charter schools is more on those agencies that authorized the charter. Charters tend to pass-through their money and have it outside the treasurer.

The treasurer has been concerned about charter schools. When we wire a lot of money out, because it goes directly to the charter school, there's a little bit of unfamiliarity with code related to that. We've had a lot of discussions related to why they were supposed to bank here with us as the treasurer. Things pass through the treasurer for apportionment, are passed through them for expenditure, but there are exemption codes related to charters that says, "Okay, if you're not specifically directed, then it's not applicable to give a lot of flexibility in that area." There are dollars that are not necessarily held there or related to charters, but for most agencies, it's community college districts, school districts, county office, all of our dollars are held there.

Our function is to account, provide them solid systems, and internal controls. As far as auditing pieces, they all have independent audits. Just as every charter school, every school district, every community college district, and our county office itself, they all have an independent auditor and they determine that scope. They do the analysis of internal controls. As a county office, the only time we tend to get into an issue if something alerts us. Then, we will usually go through a process. Then, we'll maybe do an investigation. A lot of times we'll use the Fiscal Crisis Management Team for that purpose.

Sparks: Thank you for that explanation. Additionally, what I'm trying to get at is, is there some sort of request for proposals that the OCDE puts out for these grants and contracts? Where people submit, "Hey, these are my deliverables. This is what I'm applying for. This is what the \$50,000 is going to be used for these particular deliverables." How are those rank ordered? For example, when I'm serving on the board of directors for Susan G. Komen Foundation, we

distribute funds. We have a call for proposals, requests for proposals. Entities throughout the county submit those proposals. We put our research team together and committee to rank order based on the merits of each of those proposals. They have specific deliverables that they have to report on once those are rank ordered and awarded. Let's say the top 10 or whatever it is - those are the kinds of things I'm trying to get at. I appreciate your additional explanation.

Hendrick: We normally don't do requests for proposals. We're normally not distributing funds. We are not saying, "Hey, we have \$100,000, we'll give it to whoever wants to propose for it." This one was specific under the Career Pathways and the Strong Workforce. Because of their work that they're doing and the career preparation, it was that consortium that said, "Do you have any funds to support this?" We do have funds there were in that from the Career Pathways and the K-12 Strong Workforce. It's not a normal thing that we would do. We don't just say, "Well, here's \$50,000. Does anybody want it?" It is more specifically tied to a specific item that we're looking at. The program would have to justify that. It has to go through a process with Dr. Mijares being the person who would say yes or no. We're not going to support that. That's not a normal process that we would do.

Williams: Where do these funds come from?

Hendrick: Off the top of my head, and you saw it in your budget.

Williams: It's not a grant from the state that flows through, and we give it away. It's not that from what I know.

Hendrick: Career Pathways and the K-12 is funds that we have received. Right? You've seen that. That's where the revenue came from. This is an expenditure for us, because we're expending the money to them.

Williams: What are you buying with this when you say it's an expenditure?

Hendrick: It goes back to what Dr. Hittenberger had spoke about.

Williams: Right, but if this is more internships, are we paying for United Way staff? Are we paying for the place where the internship is occurring? Are we doing anything like that? The money has gone to someplace, and we're not sure where it is. That's what I'm trying to ascertain.

Hittenberger: If I could speak to that? We are supporting the Youth Career Connections program, which does the work with businesses to identify internships as trainings for students to prepare them for those internships. Then, it provides a guidance to them and mentoring for them through the course of their internships. That whole process requires some people time. Those people who are providing that support are part of the Youth Career Connections Program. We're supporting that work, if you will.

Williams: Is that going towards the staff?

Hittenberger: To support the work that staff are doing with students, businesses and so on to put them together.

Williams: Is it buying paper, supplies or is it going to supply employees' salaries and benefits?

Hittenberger: It is going to support. It's part of a larger pool of money. There are many businesses that also are funders of this initiative. Our part is a small part of a larger pool of

money that they're receiving from business partners that cover all of those things that make this kind of a program possible.

Williams: As far as I can recall, the budget is about \$550,000.

Hittenberger: That's correct.

Williams: We paid \$100,000 of it.

Hittenberger: That's an annual budget.

Williams: That's an annual budget?

Hittenberger: Fifty thousand, yes.

Williams: We pay roughly one-tenth of it?

Hittenberger: Less than that.

Williams: That money comes out of our general revenues fund?

Hendrick: No. It comes from money we have for either the Career Pathways or the K-12 Strong Workforce.

Williams: That's a state grant?

Hendrick: Yes.

Williams: Okay.

Hendrick: K-12 comes through us from community college. The flow through from the state to them to us.

Williams: I just got to asked the question. Did the Board ever see that or vote upon it?

Hendrick: I will answer the same way I always do, Dr. Williams. This Board has never approved grants.

Williams: We've never approved grants?

Hendrick: Not since you've been on the Board, and not since I've been here.

Williams: Really? I don't know if that's true. I don't think it's true, but I can move on to a different subject.

Barke: Okay.

Williams: The next subject I'm going to move on to is the MTSS Grant. Let me correct for the record. Last meeting, I made the statement that MTSS was a continuation of Common Core. The Superintendent said, no, it's not a part of Common Core. If you look at the actual application on page 37, it talks about MTSS is integrated comprehensive framework that focuses on Common Core state standards. So yes, MTSS is a part of Common Core, which is a part of Coleman's Organization, which I think you worked for prior to coming here for a few years. What came across to me was an email that was given to me by a constituent of mine. This has to do with the California Healthy Youth Act, which is a part of the MTSS.

There was a lot of effort to educate me about what was going on. I have an email here, and I have given it to all of my colleagues that are here. I just have some questions regarding that. Is Dareen Khatib here?

Mijares: No. Dr. Olmstead.

Williams: The MTSS Grant, we held it up at the second interim until we can discover more what's in it. When this came around, I was a little concerned, Christine, about the content of this email. Have you looked at any of the URL links that is associated with this email?

Olmstead: Yes, I have.

Williams: Do you approve of all of them?

Olmstead: They're put out by the California Department of Education as resources.

Williams: So, anything the state does, we have to do?

Olmstead: We provide resources to our local districts so they can make decisions.

Williams: One of the resources was the SIECUS, the Sexuality Information and Education Council of the United States. Are you familiar with that organization?

Olmstead: I am not.

Williams: Okay. I would encourage you to look at its history and its origins. It's a very, very controversial organization that has a certain political agenda. Are you familiar with the five tips for sexual health during the COVID-19?

Olmstead: I looked at that website, yes.

Williams: What do you think about it?

Olmstead: It wasn't one that we've promoted.

Williams: It's in the email as part of materials that you're promoting. I bring all of this up, because when we went through this in greater detail in past meetings. We had always talked about the California Healthy Youth Act that in order to follow the letter of the law, we didn't actually have to implement everything that the state department of education was recommending to our school districts. As you recall, the California Healthy Youth Act public meetings that we had. There was a great outcry by parents about the inappropriateness of the sexual information and messaging that, like Teen Talk, was promoting. We're not promoting Teen Talk. I think in my previous conversations with Jeff here, we're not promoting that. We are promoting something a little bit more age appropriate and less controversial. When you start promoting in emails all the references that the state is promoting, I get a little concerned about that.

Olmstead: Can you show me in that email where that five tips is? I don't see it.

Williams: Right. What you have to do is on page two, there's those URL links here. Everything that I've printed came from that.

Olmstead: I don't agree.

Williams: You don't agree with what?

Olmstead: That the website you're referring to as part of this email.

Williams: Yes. On the parent notification template, did you look at that parental template?

Olmstead: I've seen it. It's a sample notification template that districts may use.

Williams: That's part of the URL. Looking at the second page again, when you start looking at like Health Connected Distance Learning. Did you check out that link?

Olmstead: My staff checks out that link.

Williams: But you don't?

Olmstead: Not necessarily. I oversee a lot of programs.

Williams: Right. Does the California Healthy Youth Act raise any concerns for you or controversies?

Olmstead: It's a law. I followed the law.

Williams: What does the law say?

Olmstead: That it's supposed to be implemented in grades seven and eight one time and in grades nine through 12th one time.

Williams: The content doesn't have to be exactly what one organization promotes, such as what the state is promoting. When you look on that link there, there's a lot of really age and content appropriate questions. This is called Distance Learning and COVID-19 frequently asked questions. A lot of this is promoting promiscuity and information that we had talked about in the California Healthy Youth Act that was very offensive to many parents. Let's move on. On the Sex Ed. for Social Change, again, it was put out by SIECUS. Did you look at any of those videos that were linked to that?

Olmstead: I don't have time to do all of that. That's a local decision as to what curriculum they choose to use.

Williams: Does Daren do that?

Olmstead: It's not our role.

Williams: You don't have any problems promoting informational items that -

Olmstead: This email that you're referring to, Dr. Williams, was sent to county offices of education.

Williams: Hold on. When I'm talking, it's not very kind to talk over me. There's a lot of information in this email that is being promoted. This is not just within a small group of people. This is within the state of California, what's being promoted here. When I look at these videos by AMAZE, we're talking about children who are in kindergarten being exposed to information about sexuality. For many parents that's not the time period for their children to be acquiring that information or being exposed to it. Yet, we here at the department are promoting it. Moving on to -

Mijares: Can I ask you a question, Dr. Williams? My wife and I raised five boys. We always say what we promote in our home was abstinence, frankly, until marriage. That was my experience as a man growing up. My wife and I got married out of high school and never looked back. If we are sending out a document that has a URL or some form of perversion, I'd like to know about that. I don't agree with that. I totally excoriate that. It's wrong. What we feel obliged to do is to, as agents of the state, is to honor the law. Honor the Healthy Youth Act. That is that we want to make sure children are aware of these communicable diseases that can kill them, and we want them to avoid that. We try not to usurp the role of parent. It's never our quest.

We try not to impinge on them. We want them to be informed. If you are saying that we, as the Orange County Department of Education, are promoting something that is pornographic. That is totally inappropriate and offensive. I'd like to know if we're doing that. I know that there are times when there's an organization that has been sanctioned by the state that has been approved by the state. If you follow the lives of some of the members that may orbit around that organization, you might get yourself into some pretty smutty areas.

I don't have an example of that right now, but we're not doing that. If our organization is held up by the state as doing something that's laudable, and there's members within that organization who

are living lives inconsistent with what I believe to be a moral imperative. I can't be responsible for those people. If you're saying, suggesting, that we are actually promoting pornography, or we're promoting some type of perverted activity. I'd like to know about that.

Williams: You put words in my mouth. I said nothing about pornography. I said age and content inappropriate information.

Mijares: I'm sorry if I put that in your mouth. That's what I was hearing. That's all.

Williams: What I say and what's interpreted, sometimes. We're only human.

Mijares: I apologize.

Williams: We do interpret things differently. What I'll do, because I went through this. I spent probably about an hour or two going through all these links here. I'll send you those links to this, and I'd like you to have you look at them. I love you dearly. I really do. We disagree on public policy and governance. I think some of the things you do is wrong, but I do know that you are a man of great integrity, and that you really believe what you do. I believe you're a man of faith. I believe you want to hold the purity and these families that want to protect the innocence of their children. I really believe that. What's happening, for instance, when I went on these links, I'd love you to look at it. I'll send you a link, and I'd love to talk with you afterwards about it.

It's just inappropriate. If we're going to take the lead with this grant, because, which I think, by the way, is illegal. It's not consistent with the State Education Codes, because it's a contract that was not approved with the California Department of Education. It wasn't approved by our Board. Aside from that, I think if the state has selected this department and Butte County is the other MTSS. That's what we're talking about.

Mijares: There's the Healthy Framework.

Williams: Right.

Mijares: Then, there's the Multi-Tiered System of Support (MTSS). I thought you were on the MTSS thing. That's why when you said Butte County, I agreed, but if you're back to the Health Framework, that's different. We are the only people that are rolling out the Health Framework.

Williams: Right. The Health Framework comes under the MTSS.

Olmstead: No, it does not.

Mijares: No. Maybe you can explain that, Christine.

Olmstead: No. It's two separate bodies of work. There's a Multi-Tiered System of Support framework that talks about how to organize your systems within a district and a school to best serve the needs of students. Then, there's a Health Framework, which is a guide for educators to be able to implement the health standards.

Williams: That's a part of MTSS, these health standards.

Olmstead: They are two separate things. Health Education is curriculum and frameworks. MTSS is an organizing way to go about making sure your systems are appropriately designed to support the whole child.

Williams: These frameworks, what is that being supported by? What grant?

Hendrick: You saw that in the last budget. It's a state budget entitlement where the state

awarded the money to our office.

Williams: Was that the \$5 million grant?

Hendrick: Yes.

Olmstead: Yes.

Hendrick: It's an entitlement.

Williams: Define entitlement.

Hendrick: An entitlement is it's written into the state budget specifically for us. We're not competitively applying for it.

Williams: That Health Frameworks Grant is different than the MTSS Grant?

Hendrick: Completely different.

Olmstead: Yes.

Williams: Okay. If you can get me more information on that Health Framework Grant, I would like to look at it.

Hendrick: I believe we have provided that in the past, but we could do that.

Williams: You can do it again. That would be appreciated. What I'll do, Al, is I'll get back with you with these links that were referenced here in this email by Daren Khatib here. We'll take up the conversation later.

Mijares: Thank you.

Williams: I'm done.

Barke: You're done. Trustee Sparks?

Sparks: I don't have any questions.

Barke: Alright. Anybody? Do I have a motion to adjourn?

Sparks: Motion to adjourn. Do I need a second? No, I don't. Right?

Williams: No. You just do it.

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