

8-5-2020 BOARD MEETING TRANSCRIPTION

Williams: For the benefit of the record, this regular meeting of the Orange County Board of Education is called to order. Roll call, Nina.

Boyd: President Williams?

Williams: I am present.

Boyd: Vice President Barke?

Barke: Present.

Boyd: Trustee Shaw? You must be on mute.

Williams: He is.

Shaw: Can you hear me okay, now?

Boyd: We can.

Shaw: Here.

Boyd: Trustee Sparks?

Sparks: Here.

Boyd: Trustee Gomez will be delayed. I'll announce when she arrives.

Williams: Very good. Next on the list is the adoption of the Agenda, and I'll make the motion to adopt the Agenda with the following changes. On page four of the Agenda, closed session three. The reason for this is secondary to Freedom from Religion Foundation letter that has been received by this Board. I will need a second on that motion to adopt the Agenda.

Barke: I will second it.

Williams: We have a motion and a second. Any discussion? I have to unmute?

Boyd: No, Mari. Can you mute? Thank you. Trying to eliminate some of the background noise.

Williams: Very good. We have a motion and a second. Any discussion? Barring none, all those in favor of adopting the Agenda say, "aye."

Boyd: We need to do a roll call.

Williams: Roll call. That is correct.

Boyd: President Williams?

Williams: Yes.

Boyd: Vice President Barke?

Barke: Yes.

Boyd: Trustee Shaw?

Shaw: Yes.

Boyd: Trustee Sparks?

Sparks: Yes.

Williams: Very good. It will be the Board president's privilege, then. We will go directly to our inter-district appeal hearings. The invocation and pledge and introductions will be when we complete all of the inter-district appeals. The Board will be in recess until we start our regular session.

[PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF RECESS. UPON CONCLUSION, PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE AGAIN TO SIGNAL THE CONTINUATION OF THE REGULAR BOARD MEETING]

Williams: I really didn't memorize what I said. I'll say it again. The Board is currently in session. Previously, we started at 3:30 with the call to order roll call and the adoption of the Agenda. At

this point in our Agenda, this serves as the official welcome. Welcome to the Board of Education here in Orange County. We appreciate you being present and your interest in the community and the students that we serve. As is in our tradition and a part of our Board policy, we have an invocation. The vocation is a voluntary moment in our meeting. As we talk about those things that are important for the spirit of our Board, for the self-interest that we give to our students that we serve. It is not necessarily a prayer to any particular or specific god.

At this time, Phillip, Pastor de Courcy. If you can come up? I'm going to give a little introduction. Pastor de Courcy is senior pastor of Kindred Community Church in Anaheim Hills here in California. He's a well-known author and teacher of the media program, Know The Truth. Pastor de Courcy was born in Belfast, Ireland. At a very young age, he understood the love of God. At 16 years of age, he dedicated his life to Christ. Going on with the curriculum and introduction, Pastor de Courcy grew up in a very difficult time period where terrorism was rampant in Northern Ireland. We'll remember that period in time where it was very, very difficult. You served as a reserve police officer in the Royal Ulster Constabulary.

You also experienced the loss of many of your fellow police officers who were injured or killed during that period of time. He currently is here in Orange County. He relocated in 1994, if that is correct, you served previously in different, various churches of Southern California and central Ohio. With that, Pastor de Courcy, this is your moment to give us wisdom, to bring a spirit of charity, love, grace and forgiveness.

De Courcy: Sure. Before I pray, I want to thank you, Dr. Williams, on behalf of the board of educators. Thank you for the invitation. I'm not a natural born American, but I'm a proud American citizen who has lived in California since 12 years ago. My three daughters graduated from Villa Park High School and had a great education experience there. Thanks for all you do to enrich and enhance the living experience of families across this great country and for your predecessors that have also done work and been a blessing to many. We are recipients of that. I'd love just to pray God's blessing upon you and all that you seek to do on behalf of our communities. These are difficult times.

I trust that, as best as you can, you'll work unitedly so that our community unites are on prudent measures and things that are good for our children, and not just their physical safety, but their mental wellbeing, their socializing and [inaudible]. I pray for wisdom for you guys to be able to take part [inaudible]. Heavenly Father, we acknowledge you as the invisible and only wise God. We recognize your prophet, Isaiah, your thoughts are higher than our thoughts and your ways are higher than our ways. We acknowledge that if there's knowledge to be known and proofs to be discovered, we realize that begins with you as the God who was in the beginning and created the heavens and the earth and formed all living life.

We come and acknowledge in the wisdom of the Old Testament that we need to trust the Lord with all of our hearts and lean not on our own understanding, but in all our ways acknowledge you. We recognize the danger of our limitations as creatures. We pray that we would not simply be wise in our own eyes. That knowledge would not stop with human beings in our learning, but we would turn to you. We thank you. You have not left us in the dark. You've revealed yourself especially in the words of the word of God. We thank you for Jesus Christ, your son, who is

described by Paul as one who's treasured up all the wisdom and knowledge of God. We just come before you humbly as our forefathers have done and our founders have done.

We acknowledge our need as Americans for your wisdom, your love, your guidance and your protection. We thank you for this Board as they meet tonight. We pray that you would enable them to do their civic duty. We pray you'd give them wisdom. We pray you'd give them prudence. We pray that they would look to you, and that they would serve our community well. We pray for our children tonight, young people and children. We pray for them. What was described of the Lord Jesus. That he grew in stature, in wisdom and favor with God and with man. We pray for that for our young people and children that they would develop physically. That they would indeed develop in wisdom, mature thought and good reasoning that they would find you to be their guide in life.

They would love their neighbor as themselves. We pray for our teachers. We thank you for the teaching profession, for those who have dedicated themselves to learn that others might learn. We pray that indeed, that you would be with them. We recognize that these are difficult days. We pray that as they think through the balance of safety along with the need to get our children back to school. That what wisdom would prevail, and unity would come. That we would serve the public good. We would have our children back in school as soon as that's prudently possible. That indeed they might be schooled and socialized. That they might be addressed on different levels of their being. Lord, we pray these things that you would prosper this prayer, answer our desire.

We pray for this Board that they would recognize themselves as servants of the community. That we as parents would recognize we are the first educators and the most important educators in the life of our children. Pray for families that are under pressure tonight - financially. We pray for children that might even be in harm's way with the days we have gone through. We just pray. We pray for mercy. We pray that indeed neighbor would reach out to neighbor. That this school board would think through what's best for the community. That we would set politics aside. That prudence would prevail. That children would be first in our thoughts, because we are here to serve them and raise up a generation that can perpetuate, a strong nation and a healthy nation. Father, we come before you. We pray these things in the name of your son. We ask for your wisdom to prevail in Christ's name. Amen.

Williams: At this time, we'll ask Linda Cone to come up. Linda doesn't need an introduction. She has been faithfully attending these board meetings for four to six years on a monthly basis. Linda is a resident of Yorba Linda, a great American and former school teacher. We love our teachers. You are not required to stand. But if you would like to stand and join us in the Pledge of Allegiance, please do such.

Cone: This is the microphone? I just want to say that's my pastor. No, he doesn't talk funny. [LAUGHTER] If you want to visit us, Kindred Community out the Santa Ana Canyon Road, East Anaheim. Anyway, I just want to say tonight with regards to the task that I've been given, words that form a pledge of special significance. We've been saying those words for how many years now? For me, it's been probably 75 years. When we say them in rote, we lose the meaning

of those words. I'm asking you tonight as you say the Pledge along with me, think about the words that you are saying.

Cone, 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.

Williams: Thank you, Linda. With liberty, justice and all - those words are very meaningful. I look to our good Superintendent Nina Boyd. Do we have any introductions?

Boyd: There are no introductions at this meeting.

Williams: Very good. Being there are no introductions, moving on with our meeting we're at the public comments section. We have 30 minutes allotted. I believe we have four in-person comments. We'll take them first. Then we have 11 comments that were given to us online. Dr. Boyd will go ahead and read those.

Barke: Our first speaker is Steven.

Steven: Dear Board of Trustees, everyone, good evening. My name is Steven Xwong. I literally just moved from the Bay Area on Monday. Tonight, I'm speaking on behalf of parents who set out to enroll their child to attend Irvine International Academy. We submitted a submission to start a charter school in Irvine Unified School District last year. On August 7, we just submitted again, because last year we didn't get enough vote. A little bit background about me. In the past four years, I was the principal in San Mateo-Foster City School District. The school is called College Park Elementary School with Mandarin immersion program and K program. In the past four years, we have accomplished a lot.

Originally, the school was an underperforming school. After we took it over, we were able to turn it around. In 2018, we were identified as one of the California Distinguished Schools in 2018. I'm speaking on the successful experience, not on the theory regarding the many immersion programs we run. After Dr. Scott, he will be speaking after me. I fully support the petition to start a Mandarin immersion program in Irvine. Because lots of parents, in order to send their child to the Mandarin immersion program, they have to drive more than 25 minutes every day to send their child to another school district, which is a pity. I'm speaking on behalf of these parents and the children who really want to learn Mandarin. We know how important to know another foreign language so that you can open another window to communicate with people outside of the United States or people here.

Boyd: Your time is up.

Xwong: Okay. Thank you. We ask you to favorably consider our petition. Thank you.

Barke: Our next speaker is Michael. Lynne is on deck.

Michael: Can you hear me? I really am glad that you were able to meet Principal Xwong. Four years in San Mateo in a Mandarin immersion school. The second here, California Distinguished School. We were fortunate to meet, and he wanted to move. It turned out we needed a principal. He's originally from Taiwan, been in America 20 years. Fifteen years on the East Coast, teaching all different levels. Then he went to get his administration credential and traveled from Philadelphia to San Mateo to begin that experience at the school. Also, though, because of his

reputation, our petition is going to include 10 teacher signatures, credentialed teachers. Nine of those teachers are Mandarin-speaking teachers. We expect to have 14 teachers to begin.

We have way more Mandarin-speaking teachers than any other category. We're very excited about that for the children. By the way, I didn't say hello, and administration. I'm just so excited to be here, actually. There are legs that a table is made with. We have several legs now. The most important one, I think, was missing before was a principal with the experience in Mandarin immersion and more teachers. We've taken care of that. Another leg has been our legal work. Young Minney and Corr is the most famous of the law firms that began with charter schools. Their top charter or lawyer is Janelle, and she was assigned to rewrite the petition and to work with us through, and what will become.

Our business plan is written by people that are familiar with the staff here at Orange County. We do not have any extra income, no loan, revolving loan, no grant. We are in budget perfectly. We have a building contract that we're including in our petition from Prop 39 - a dollar a square foot. There are two schools available in Irvine. We have special education services, but there's a lot more. It's coming. We're hoping Irvine will see this time, a really great petition and great people to implement it. We haven't heard back from them yet, though, since we've submitted. I just wanted you to meet Principal Xwong. Thank you.

Barke: Next, we have Lynne, with David on deck. That ends the live speakers.

Lynne: Good evening members of the Board. I am Lynne Riddle. On December the 19, excuse me, on December of 2019, I mailed a public records request to this Board. It sought record for more information disclosing all the amounts paid, or that are owed by the Board, for Mr. Rolen's legal services between September of 2018 and December of 2019. On January 22 of 2020, I received an acknowledgement from Mr. Rolen. In that he said, among other things, and I quote, "the Board president acknowledges that Mr. Rolen has performed services unrelated on pending lawsuits. To that extent, Mr. Rolen will engage in reasonable search and diligent inquiry to determine the cost and the fees in matters unrelated to litigation.

Pursuant to your request," he continued, "the Board president shall produce amounts periodically billed for the entire term of Mr. Rolen's engagement, absent exemptions." Now, seven months have passed, and I've sent reminders, yet I've received nothing. It's my belief that the taxpayers of County of Orange have a right to know how much of our tax dollars are being spent for these services so that we can knowledgeably weigh and then speak to you about our assessment of the value our schools and our students receive on a count of these large legal expenditures. Today, again, I ask this Board to comply with a very simple records request and do so within the next 10 days.

This is not a small matter, because this Board has a very competent general counsel available to it every day and without any additional funds coming out of our taxpayer school money dollars. Yet, this Board has chosen otherwise. As near as I can tell, because I'm left to search through hundreds of pages of Board meeting transcripts to put the pieces together. But I've come up with these facts. I believe first, Mr. Rolen was hired on September the 12 of 2018. Second, pursuant to a state court order on January, excuse me, July 25 of 2019. Mr. Rolen's firm received payments

of \$119,000. Again, of our taxpayer school dollars for services between September of 2018 and July of 2019 that some nine to 10 months. As I calculate, that would indicate that at that point, the Board was spending an average of roughly \$12,000 a month on Mr. Rolen's services. I've no way to estimate how much has been billed since that time –

Hendrick: I'm sorry, but your time is up.

Williams: Go ahead and finish your thought.

Lynne: I appreciate that very much. Thank you. With his consent, I will continue. Thank you. I'm sorry. I timed this over and over again. In any case, I have no way to estimate how much has been billed by Mr. Rolen since July of 2019. We can, I think, assume that the amount continues at \$12,000 a month. I can only assume. We, the public, don't know this information because, well, we have been promised, I have been promised, that information has been withheld.

Lastly, one more point. I point out that as a taxpayer, the issue has become even more concerning, because recently, when approving the Department's 20-21 budget, you created a special board legal counsel/and other professionals account to which you designated \$350,000 to be available during that one year for the Board to spend with Mr. Rolen and perhaps other professionals. The public has the right to know how these large expenditures help our schools. May we please have our data and our answers within the next 10 days? Thank you.

Williams: Next on deck is David.

David: Thank you very much. My name's David Jackson. I'm really primarily here as a father and a grandfather. One, I would like to specifically thank this Board for your actions and being kind of upfront on trying to help our kids get back into school. I have five children and 13 grandchildren. Ten of which live here in Orange County, and all 10 of them go to a private school here. I've been very involved. I know what's going on. I've done a lot of research myself, partially because of my age. I want to make sure I'm taking care of myself and my wife. I've seen and learned a lot. I really do recognize that this COVID-19 pandemic is, it's really serious.

It's not something to ignore it. We really have to be careful with it. My point is, I wanted to publicly go on record as saying our kids really need to go back to school. Where it's safe and they can do it, it needs to needs to happen. I know that you are in favor of it, and I hope others are hearing some of this. When you have schools, and I know that public schools and private, and I want to speak on behalf of all. I've talked to hundreds of parents over these last few months, and some of them are too scared. They don't want to put their kids back in. Some of them have family at home that are really susceptible. They have underlying issues. In those cases, I would support them completely not having their kids go out unless they don't need to be near those family members.

I think the thing that is really wrong is that we have our options and our rights. Many of the schools are able to go ahead and open with online and remote learning, but in person, too. That way you have your choice. You can look and see if it fits and right for my kids, they should be allowed. Frankly, to have the governor and others take that away from us, I think it's an injustice. I think it's really wrong for the freedom that we have in this country. I completely support - I

wear a mask. I do other things. Not just to protect me, but to go along and say, I'm concerned about everybody else here. I don't want anyone to get COVID, to get sick or whatever. I really look forward to the fact that we're making a lot of changes.

I see that what my kids, my grandkids' schools have put a lot of money into putting these changes in effect. Getting new toilets and other things so they're hands-free washing their hands. All of those different things, wearing the masks. Yet, they've done all this, spent a lot of money. We're ready to go back in, and then it was not allowed. Thank you for your time and I hope that you can continue to help us do what's right for our kids. Thank you.

Williams: Thank you, Mr. Jackson. Nina, will you be able to read to us the comments that were submitted earlier?

Boyd: We received 11 comments electronically. "Greetings Board members." This one is from Suchitra. "I'm the parent of two children in the Irvine Unified School District and wish to express my strong disapproval of the proposal to sue Governor Newsom over opening schools for in-person instruction. This is a huge waste of time and resources, and this harms the reputation of the county. We can win this fight only if we are united and have a cohesive plan. We have seen what happens when individual counties think they know what's best. That's what brought us here. Thank you."

Boyd: The next is from Ed. "Board of Education members, I am a scientist with a master's degree in engineering, hazardous materials management certificate. I have served as a director of safety and regulatory compliance with California corporations. I am OSHA first responder trained, and have written and conducted corporate safety and respirator training as well as air quality management district compliance programs. There's a very clear science that wearing masks reduces the spread of the COVID-19 virus. Properly doffed, clean surgical masks reduce droplet disseminations that carry viruses from infected hosts or peers. These droplets occur when people talk, breeze, sneeze, cough, et cetera.

Clean surgical or cloth masks that are properly disinfected or replaced regularly along with the rigorous hand washing and distancing have proven to dramatically reduce the spread of droplet-borne pathogens and lipids. In fact, this is the current recommendation by the CDC and best available control guidance by the governor of California. These practices as part of an overall training and policy program are effective in reducing RO. If we allow students to visit in person, they must be trained and have equipment to properly wear a mask and maintain social distancing. Further, if any cases of known infection occur at the school, a 14-day shutdown of perimeter effected organization need to be initiated.

This will require additional specialized training of staff and students. Social distancing will require well thought out distancing logistics and possibly modifications to facilities. Barriers may need to be placed in schools. This is not a cavalier endeavor. It will be expensive, but the alternative to advance, not on a science-based plan, but on whims and wishes of special interest groups with motivations to undisciplined approaches is to guarantee the spread of a devastating disease unnecessarily among our most vulnerable citizens. Having run corporate safety programs where there's every available monitoring and control available, and no expenses spared in the

availability of the safety protocols and PPE. I can tell you that the environment and the current state of public and charter schools is nowhere near what will be required to assure containment of the hazard presented in the COVID-19 virus.

More training and availability of PPE and equipment, and a top down adoption of hygienic procedure and practice will be needed. Further, good examples led by the countries like Taiwan show that opening of schools is only possible when community spread is very low and mask use is ubiquitous. It is not possible in conditions as in the United States with over 4 million active cases and mass spreaders everywhere. Please adopt distance learning as a baseline for Orange County until community instances are under control. Please require appropriate, safe, clean masks and social distancing of students and staff for our public activities, participation and functions. Please increase sanitation and janitorial capability and supplies. Please mandate closures on any instance as a confirmed case.

Hendrick: I'm sorry. Your time is up.

Boyd: Thank you. The next is from Ditty. “Board members, I am speaking as an educator and a community member in Orange County. When so much of the public comment during the July 28 special meeting was against pursuing litigation, it's concerning that the Board has decided to nevertheless pursue suing over state orders and restrictions against reopening schools. It is irresponsible and harmful to our students, school staff, and by extension, the rest of the community to waste taxpayers' funds on this lawsuit. Reopening schools for in-person teaching before it is safe to do so will directly lead to deaths in our community. We can see from examples across the country where schools and summer camps have already tried to open. Its students and school staff will be put at risk if school buildings reopen before it's safe.

For example, there's an overnight camp in Georgia that had 260 campers and staffers test positive, or have possibly exposure to COVID-19. There's Corinth High School in Mississippi where multiple students have tested positive. In addition, there's a study published on July 30, 2020 in JAMA Pediatrics by doctors Taylor Heald-Sargent, William J. Muller, and Xiaotian Zheng, et. al., that indicates that young children potentially have a significant effect on the spread of COVID-19. The funds being spent on this lawsuit could instead be spent on something that would actually benefit our students such as investing on providing internet hotspots or more technology for our students so that they would all be able to access distant learning. I hope the Board will make decisions that support our students and school staff instead of decisions that will harm us.”

Boyd: The next is from Kelli. “Dear Board trustees and Superintendent Dr. Mijares, as a public school teacher and a resident in Orange County, the Board's current and pending lawsuits are concerning. It is concerning that the Board majority would waste millions of taxpayer dollars in legal fees over the Board majority's fight for a prayer in OCBE meetings, yet will stymie the 20-21 budget over just 175,000 of professional training that is seen as useless spending. Not to mention the taxpayer supported legal fees that are being used to sue Dr. Mijares over said budget dispute. It just doesn't make fiscal sense. Taxpayers should be aware of this. I think taxpayers would also want to know who is funding Tyler & Bursch as your legal representation for the proposed lawsuit against Governor Newsom regarding school closures amiss the pandemic.

Is it taxpayers? Is it dark money source? Is it interesting that OCBE would have an interest in this lawsuit, yet has no power to mandate a reopening of Orange County public schools. Please stop these frivolous lawsuits, which appear to be personally and politically motivated. Educators like myself stand firmly with you, Dr. Mijares and Ms. Gomez. We see that you clearly care about students, teachers and families and not shameless political gain as evidenced by the Board majority.”

Boyd: The next is from Tom. “As a father whose daughter will be subjected to the dangerous conditions that accompany the reopening of school, I ask that you examine the attached article. ‘A Georgia sleep away camp’ coronavirus outbreak is a warning for what could happen when schools reopen. CDC says the camp had followed some, but not all of the CDC mitigation steps against the spread of the new coronavirus, but was not enough to keep campers and staff free of illness. Read CNN, and there's a website attached we'll make available.

Boyd: The next is from Scott. “Dear Board, I read with dismay that the Board voted to sue Governor Newsom to set aside his emergency order regarding school openings. This lawsuit is absolutely destined for failure under the board deference courts give the government to respond to public emergencies like this. Of the numerous challenges to the state's response to the coronavirus, not one has come close to success. This will be no different. You're squandering funds that could be used to bolster learning in these tough times. The lawsuit you should worry about is the one where you force children and teachers into unsafe and unhealthy environments. Please make your political statements in a way that doesn't waste scarce educational resources.”

Boyd: The next is from William. “Dear Orange County Board of Education members, please keep the counterproductive woke philosophy out of schools. Thank you.”

Boyd: The next is from Neng. “Dear Board members, as a resident of Ladera Ranch, the Board's decision and actions over school re-openings have been nothing short of irresponsible and abhorrent. You have made decisions based on perceived short-term economic and political gains rather than public health. Your further decision to sue the governor is a waste of taxpayer dollars. Parents and teachers of Orange County will do their very best to make sure that you no longer hold seats on the Board once reelection time comes.”

Boyd: The next is from Tiffany. “Members of the Board, as a 20-plus resident of Orange County, a believer in science and someone who has read the laws granting the governor broad emergency powers. I'm disappointed that the Board would vote 4-0 to sue the state over the guidelines put in place to protect students, teachers, administrators, custodians, and everyone else working in schools. Please reconsider this decision. Adults struggle to remember to maintain a social distance and wear a mask. We can't expect children to be able to do it better. I understand that online school presents a challenge. Every business I know, including the one I co-own, is struggling to reorganize itself to operate in these challenging times.

I have nieces who have struggled with online learning, but I would rather have them struggle and fall a little behind this year than to have them become sick with COVID-19, or unknowingly pass it along to others. At a time when your budget must have a gap due to decreased tax revenues. To spend money and resources on this lawsuit, which you will lose, and makes Orange County a

national joke is wasteful and reckless. Instead, the Board should be using that lawsuit money to ensure that all students in the county have computers and internet access to online learning. To train teachers how to better teach online. To provide virtual aids to help those who are struggling with online, and on other expenses that aim not exasperate the challenges of online learning.

The longer people deny the realities of COVID-19 and the measures needed to return to pre-COVID living, the longer we will be living partially or completely shut down. The empirical data demonstrates that social distancing, wearing masks and washing hands works. All of the countries that are now opening back up employ these tactics. The lawsuit against the governor is frivolous. Please reconsider and rescind this decision.”

Boyd: The next one is from Erika. “Dear members of the Orange County Board of Ed. I am a resident of San Diego County, but I am writing to say thank you for your courage in filing a lawsuit against the school closure order. You're the only group in the state who appears to be willing to put students’ needs first. People who say keeping schools closed is based on science are actually ignoring a great deal of scientific evidence. These are decisions based on politics and fear mongering. I'm a professor of teacher education and the majority of teachers with whom I work want to get back to in-person learning. There should be two options in every school: full distance and full in-person.

If families do not want to send their children to school, they can choose full distance. They should not, however, be allowed to dictate what all families do. Additionally, many of the families in support of distance learning are also hiring teachers and tutors to teach small groups of children. How is this right if it is so dangerous for children to be together? I am disappointed that affluent families will be widening the achievement gap, because they can afford to create micro schools for their children. As long as families who are willing and able to pay for private tutoring can mitigate the damage that distance learning does, there will be little reason for politicians to push for schools to reopen. Thank you again for your willingness to stand up our children. I just wish the politicians in my county were willing to do the same.

Boyd: And the last is from Rachel. “I must say you do not represent me in this lawsuit. I'm a high-risk constituent, and your actions to try to reopen schools endangers my life. To reopen schools with no solid way to prevent the spread of the pandemic is a terrible way to treat children, the educators and the people, the community who support them. I may be dead before a vaccine comes out. I urge you to do more than sue a governor trying to curtail the pandemic and lower the numbers of sick and dying residents of Orange County. Thank you.” Those are the electronic submissions for public comments.

Williams: Very good. Thank you, Nina. Moving on with our Agenda, I will need a motion to adopt the Minutes from our June 24, July 1, and July 13 meetings.

Barke: So moved.

Williams: We have a motion by Trustee Barke, and a second by...

Sparks: Second.

Williams: Trustee Sparks. Any comments? Changes? Not that there is any at this time, Nina, will you take roll call?

Gomez: Hold on one second. I was not at the one Board meeting, so I don't want to [inaudible].

Williams: That was the July 13?

Gomez: I'm trying to get my hands on the right one.

Williams: Probably, we should do it individually.

Gomez: Yes, do it individually.

Williams: Why don't we do that to make it easier?

Boyd: Actually, I think it was the last week's meeting that you weren't at.

Gomez: Right.

Boyd: Not these.

Gomez: Okay.

Williams: Okay. You were at these? Okay. Is it okay, with the consensus of the Board, to adopt these Minutes all together? Being that there's no disapproval, all those in favor of adoption -

Boyd: Roll call.

Williams: Okay.

Boyd: Trustee Shaw?

Shaw: Yes.

Boyd: Trustee Barke?

Barke: Yes.

Boyd: Trustee Gomez?

Gomez: Yes.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: And, President Williams?

Williams: Yes. Okay. Motion passes 5-0. Moving on with consent calendar, can I have a motion for consent?

Barke: So moved.

Williams: Motion by Barke. Second, I will second that. Any discussion? Barring none, roll call vote.

Boyd: Trustee Shaw?

Shaw: Yes.

Boyd: Trustee Gomez?

Gomez: Yes.

Boyd: Vice President Barke?

Barke: Yes.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: And, President Williams?

Williams: Yes. Very good. Moving on to item number eight, charter submissions. Nina, are there any charter submissions for us to consider and hear about?

Boyd: Just the announcement that we received two charter renewals. Citrus Springs and OCASA. There are binders and flash drives in board chambers for you all. You will hear a public hearing at the September meeting along with a presentation.

Williams: Very good. If I can just put it into the record that we appreciate Dr. Xwong and Dr. Scott for being here. I don't see him in the audience, but thank you for coming and sharing with us about your new charter petition that you submitted to Irvine. That was not submitted to us. That will go to Irvine, and Irvine will make that decision on whether they will approve that

charter or not. Moving on to number nine, just as a matter of record, the law requires that the public hearing on textbooks and instructional material occur after 4 p.m.. We didn't know what time we'd finish on the inter-district appeal. We're trying to follow the law. This is occurring after that hour, so I will turn it over to Renee to facilitate this hearing.

Hendrick: Great. Thank you. Good evening, President Williams and members of the Board. I would like to open the public hearing into the sufficiency of text and instruction materials in accordance to Education Code 60605 and 33126. Ms. Boyd, do we have any comments on this item?

Boyd: There are no public comments on this item.

Hendrick: I would like to close the public hearing at this time. Thank you.

Williams: Thank you, Renee. Moving on to item No. 10, which is the adoption of resolution 14-20. That each pupil of the county office has available textbook and instructional materials in each subject that are consistent with the content and cycles of the curriculum framework developed by the state. May I have a motion for this resolution?

Barke: So moved.

Williams: So moved by Barke, and a second by...

Sparks: Second.

Williams: Sparks. Okay. Any discussion Tim, I don't want to forget about you out there in virtual land. Please speak up. Okay. Good to always see your handsome face and great smile. Barring that there's no tentative discussion, Nina, will you take the roll call?

Boyd: Yes. Trustee Shaw?

Shaw: Yes.

Boyd: Trustee Gomez?

Gomez: Yes.

Boyd: Vice President Barke?

Barke: Yes.

Boyd: Trustee Sparks?

Sparks: Yes.

Boyd: President Williams?

Williams: Yes. Very good. Moving on to item No. 11, public hearing on the CSEA's initial proposal to the Superintendent. Renee, will you conduct this hearing?

Hendrick: Good evening, President Williams and members of the Board. Thank you for allowing the Superintendent to conduct this hearing for public input into the CSEA proposal to the Superintendent for the 2020-21 school year. You actually have copies in your red folder of the proposal. At this time, I'd like to open the public hearing and ask Ms. Boyd if there are any public comments for this item?

Boyd: There are no public comments for this item.

Hendrick: Hearing no comments, I'd like to close this public hearing.

Williams: Very good. Thank you, Renee. Moving on to item number 12.

Hendrick: Right. Good evening, again, members of the Board. President Williams, thank you for allowing the Superintendent to conduct this hearing for the public input to the Superintendent's proposal to CSE's 2020-21 school year. At this time, I'd like to ask Ms. Boyd for any public comments on this item?

Boyd: There are no public comments on this item.

Hendrick: Thank you. Hearing no comments, this hearing is now closed.

Williams: Very good. Thank you, Renee. Moving on to item number 13 on our Agenda. The good Jeff Hittenberger and Analee Kredel to facilitate this part of our meeting.

Hittenberger: Good evening, President Williams, members of the Board, Dr. Mijares. Would it be acceptable if we do the presentation from here for ease of logistics? Thank you so much. Our colleagues are assisting us with a PowerPoint that we will be working through. I will be presenting this evening Orange County Department of Education's Learning Continuity and Attendance Plan along with my colleague, Analee Kredel who is our chief of special education. Let me begin with a word of appreciation for our whole team. As you can imagine, the last several months have placed incredible demands on our educators, on our students, on our families. We're deeply appreciative of the way in which they have risen to that challenge and provided learning continuity in the face of really unprecedented kinds of circumstances.

The documents you've received this evening is the product of the work of a writing team that is drawn on the incredible work of our teams that describes that work and then looks forward to 2020-21. Following our presentation of this document, you'll hear from Principal Dave Connor on the CCPA Learning Continuity and Attendance Plan. That will be the sequence. If I could ask our colleagues to advance the slide? I especially want to thank our lead staff member and lead writer on this document. Her name is Lisa Lanier. She's given tremendous guidance on the writing of this Learning Continuity and Attendance Plan. The entire team of people who made great contributions to this document. We appreciate all of them very much.

As always, our emphasis is on our students. We have here a photo of two of our students. Ryan, who is one of our graduates in special education. Yuri, who is one of our graduates in alternative education. These young men embody our mission in a very powerful way. It's always good to kind of have them before us, our students before us, as we consider our plans for ACCESS and special education. You will see in the document that you have there are a number of sections, and we will walk through these sections briefly with you. We don't have time to do an exhaustive presentation on the content of that document, but we'll give you an overview so you have a sense of what all is there. Let me start with the purpose of the plan.

You are familiar with what we call the LCAP, Local Control and Accountability Plan that, on an annual basis, we present to you. This is not that. That LCAP, as you know, is a very comprehensive plan for the entire year. But given the current circumstances, the California Department of Education has asked every district and county office to present this Learning Continuity and Attendance Plan, which is really meant to describe what our practices will be during these unusual circumstances of COVID-19. That's the plan we're bringing to you. If you wouldn't mind, I would like just going back one slide? I would love to get the picture of the students up there. There they are. Can you see them?

That is Ryan and Yuri. We're so proud of these guys. I wish we had more time to talk about them, but it gets at the heart. Seeing the students, it gets to the heart of what this is all about. Thanks so much for doing that guys. If you'd advance two slides, I'm going to just read a brief passage from the California Department of Education website that gives you a sense of what the

Learning Continuity and Attendance Plan is for. It's a key part of the overall budget package for K-12 that seeks to address funding stability for schools while providing the information at the local education agency level for how student learning continuity will be addressed during the COVID-19 crisis in the 2020-21 school year.

We presented to you earlier the COVID-19 operations plan, which sort of described what we are doing in the spring. This is looking forward to 2021. That's the difference between the document you saw earlier and this document. Revisions for this plan were approved by the governor and legislature in June in SB 98 and can be found in that Ed. Code section. In the document, you'll see that on the very first page, there's a section called General Information. We'll go to that slide. That section describes our core student programs at OCDE. As you know, we have a community school program. We have a juvenile court school program. We have a community home education program and Pacific Coast High School.

Then, we have our division of special education services. That section describes how our various programs responded proactively to the onset of this crisis. They did incredible work during that time period. The next section is called Stakeholder Engagement. This section describes how we have engaged with our various stakeholders during the creation of this plan, through staff communication, through parent survey, through student survey, through community partner conversations, through parent advisory committee, through English learner parent advisory committee. All of our stakeholders have had input into this plan that you're receiving this evening. Just to give you a sampling of the kind of feedback that we received, here is some of the responses from the parent survey.

We had telephone interviews with 457 family members asking them a series of questions. For example, this one - "Do you feel like the school is helping your child succeed?" To that question, 80% of the respondents answered yes, 9% not sure, 11% no. Now, keep in mind that these interviews taking place in the middle of this crisis, and you have heard from various quarters how difficult it has been for families. In some cases, and I think this would probably explain some of the no answers here, families are struggling to make ends meet. They're losing housing situations. There's tremendous upheaval in their lives. Even with all of that and the transition to distance learning. Because of the kind of commitment and work that our teams have done, 80% of the families were able to answer yes, the school has been helping my child succeed.

The next one is very telling. "Which of the following areas is your number one concern at the moment?" As you know, many of the families we serve are families that were struggling to make ends meet even before this crisis. You can imagine the impact on those families of the recent developments, the hit on the economy, and so on. Given all of that, it's not surprising that the No. 1 area of concern in these interviews was health. Faced with very real health challenges, that more than doubled the second answer, which is also very significant and that is jobs. Our families are experiencing job loss. Food assistance - many families are struggling day-to-day to get the proper nutrition for their families.

It's something that we've been working on with community partners. We'll mention that a little bit later. Fourth, is housing. Tremendous housing challenges given the current circumstances. Just two more examples of kind of responses we got from the parent surveys. The next slide. Are

you aware of the mental health services available at the school that can help your child if he or she is experiencing challenges?” We’ve had conversation about the student mental health challenges that have been occurring over the last several months and continue even now. This is a very significant challenge. We have increased the clinician and counselor support to our students and their families.

Fifty-nine percent of the families are aware of those additional mental health services available. Thirty-seven percent are not aware. We obviously have more work to do at getting the word out. You'll see in the plan there are items specifically related to expanding those student mental health services. That's the kind of thing that's built into this plan. Fourth and final parent survey question I'd like to highlight for you - “Are you aware of the additional academic supports like tutoring and academic counseling that can help your child at school?” We are adding academic supports because of the challenges that students face. Sixty-six percent of families are aware of those in this survey. Twenty-eight percent were not aware of those additional academic supports.

Again, part of our plan is to expand awareness of, and resources for, families and students to supplement their academics success. We use this stakeholder input. Here are some examples on the next slide of changes based on stakeholder input. Expanded tech support - one of the things we realized is that as students became more dependent on digital tools, we needed more tech support for them as they navigate that. More focused online resources for teachers. Our teachers are becoming more proficient every day in using these digital tools. We provide lots. You'll find in the plan examples of professional learning opportunities for teachers that increase that proficiency every day.

Drop down to the fourth bullet - bilingual resources for families clarifying their role in supporting student learning. Special challenges for bilingual families, and we need special resources for those families. Of course, again, additional supports for student mental health and wellness. Let me briefly speak to strategies that the template we received from the California Department of Education. This template is not something we devised. It was what we received to complete from the California Department of Ed. It has a section on in-person instruction, a section on distance learning and our strategies in each of those areas. We want to reinforce that we believe in in-person instruction.

There is nothing we want more than to be able to provide our students with in-person instruction. As soon as health conditions permit, and we have the go ahead from our state and the guidance makes it possible. We are ready to go. We've been preparing for this for months. We have already put in place safety protocols, personal protective equipment for our staff. Staff training to make it possible to make that transition to in-person when health conditions allow. We are committed to our students’ academic success, to mental health support, to communication, to re-engaging in school routines, to families and communities, and to educator professional learning. All of this is described in that section of the plan.

Again, when Orange County health conditions improve and in-person instruction is once again approved, we will likely begin with smaller cohorts of students and staggered schedules to permit physical distancing as to maximize safety for both our students and their families as well as the safety of our team members. Face coverings and physical distancing are part of that plan.

We will continue to offer online supports even after we reengage in-person instruction. A lot of us have learned to use digital tools in new ways and empowering ways, and that will certainly be true for our students and teachers as well. We'll continue to provide supplemental in-person supports and services. Again, emphasizing and expanded mental health support.

The section on learning continuity and distance learning. We are building on a strong foundation of distance learning access. We have been doing this for years. This is not a new thing for us. As you know, many of our programs have been doing distance learning all along. We have a fully distance learning high school - Pacific Coast High School, for example. We had lots to build on. Now we have transitioned all of our core content into what we call Canvas Courses. Some of you are familiar with the LMS - the Learning Management System called Canvas. Others of you have used Blackboard and others, but we use Canvas. All of our core courses now are loaded in Canvas so they can be taught in this online environment.

It's a great resource for our teachers, and we provide online professional development and resources to those teachers. We have subject matter experts or teachers on special assignment to support teachers in that process. We provide online tutoring and counseling to students. We have distributed hundreds of devices and technology supports to our families. We'll talk more about that. Of course, parent supports just to give you one slide. "What does a campus course look like when a student does an online course? What does that look like?" Here's an example of a US History course an 11th grade course. This is what it looks like on the screen of the student - US History 11. Down the column, you'll see the various resources within that course that are available for a student.

The teacher then provides guidance to that student with their assignments, with direct instruction via electronic tools. This has become the standard of community colleges as well as higher education. Our students, by using Canvas Courses, are actually better prepared for higher education than they would have been otherwise. Having said that, I'm going to turn it over now to Analee to talk about how about learning continuity for our students in special education services.

Kredel: Good evening, President Williams and members of the Board. The next few slides are going to illustrate some of the various areas that we're using in special education services that relate to both in-person...the next few slides is an overview of the Special Education Learning Continuity Plan for both in-person, as well as distance learning. As Jeff reported, when the health conditions improve and in-person instruction is improved, we will return to our special day classroom environments with small class sizes and support for classroom cohorts for our staff and our students. Some of the areas that we'll be concentrating on is the area of cohorting and providing our staff and our students the opportunity to work together as a classroom team.

We will be staggering both start and in times. We will be enhancing our already existing outdoor activities. We will be creating more of those opportunities for our students to work out in outdoors. Our staff and students wearing face masks and face coverings and working to maintain social distancing whenever possible. To maintain our cohorting models, support staff will be providing both virtual as well as in-person services depending on the level of the cohort and the numbers of individuals that are in those classrooms. We will continue to expand our mental

health support, for both our parents as well as our care providers. In the next slide, you see a representation of our distance learning plan for special education services including continuing to build on our enhanced program that has a really strong foundation that we've been working on over the last five months.

We'll continue to utilize both our Google classrooms and our video conferencing capabilities to enhance that live instructional opportunities for our students. We'll continue with tele-therapy services based on the student's IEP, which could include counseling services as well. Our school psychologists and transitional behavior assistance will continue to provide behavioral supports for our families working with their children at home. We'll continue to address the technology issues with all of our students, ensuring that they have devices as well as hotspots to support their learning in a distance platform. Our staff have been provided ongoing professional development during this time to support both the distance learning opportunities for our students, as well as instructional supports that support the type of learning needs that our students need.

We'll continue to address the mental health of both our students as well as providing some additional and some new ideas to support our parents as they're working to support our children in that distance learning format. The next slide is a visual that I thought I would share from one of our classrooms. The details and individual lives daily schedule for our children as they're working at home with their parents. As you'll see, it provides some opportunities for both the virtual. They're Zooming into that with their classmates, as well as their teachers, as well as opportunities for them to work on those skills that they can do at home. I thought this would be a nice sort of representation. Our students are very visual, as am I. I think it's a nice opportunity for you all to see the kinds of supports that will be put in place. This is just one example. I appreciate this opportunity to discuss our plan, and I'll turn it back to Jeff.

Hittenberger: Thank you so much, Analee. What we're going to just quickly go through these last couple of slides. The next section is addressing pupil learning loss. I'm not going to read that. Let's go to the next slide. It lays out what we're doing to make sure that students who might have lost some of the learning over the summer are able to accelerate and pick up that learning. Next slide. The slide that follows that, let's go to the final slide there. Student mental health and wellbeing is the next section. Pupil engagement, and then school nutrition. We don't have time to go into the details. They're all in your document. I do just want to mention that meals distributed to ACCESS family since the COVID-19 began is about 250,000 meals distributed to ACCESS families.

That's been done in partnerships with wonderful community partners. That's the kind of support we've been able to give to families. In the final section of your document, is increased or improved services for foster youth, English learners and low-income students. We already had a computer loan system in place. We had loaned out many computers even before this happened. But since the beginning of COVID-19, we've lent out an additional 978 Chromebook computers to students who did not have access to a computer at home. As well as 608 hotspots to students who did not have access to the internet from home. This, in a nutshell, is the kind of work that's been going on and the kind of work that we'll be doing in the months to come.

Our final slide here is Orange County Board of Education role in OCDE's Learning Continuity and Attendance Plan. Tonight, you hear the OCDE Learning Continuity and Attendance Plan presentation. Next meeting on September 2, the Board votes to adopt the OCDE Learning Continuity and Attendance Plan, and then it is due to the State on September 30. Thank you for giving us an opportunity to share this plan with you. We appreciate your support for these programs and the impact they're having on the lives of students and families. With that, I turn it back to you, President Williams.

Williams: Thank you, Jeff, for that. The next item on our Agenda is number 14. Analee, you'll be conducting the public hearing.

Boyd: You're muted.

Kredel: President Williams and members of the Board, at this time, I'd like to open the public hearing and invite any members of the public to comment on the Learning Continuity and Attendance Plan for the Orange County Department of Education.

Williams: Nina, are there any?

Boyd: There are none.

Williams: Very good. Being that there is none -

Kredel: Close. I would like to close the hearing.

Williams: I will echo that. You are closing the session. Thank you, Analee. Moving on to item number 15, the Learning Continuity and Attendance Plan. We will have David Connor, who is the principal, to do this part of our meeting tonight. You will be at the podium there. Absolutely. Go ahead, sir.

Connor: Good evening, everybody. I want to thank the Board for having me here. Before we get going, I want to make a statement about the effort that various personnel have done, that ACCESS has done.

Boyd: Dave, we just need to pause just for a minute. The mic's not picking up. We'll have you start over.

Connor: We're good? All right. Thank you. Good evening, members of the Board and Dr. Mijares. Thank you for having me tonight. Before we start, I'd like to say about how the cabinet of OCDE with the leadership, Dr. Mijares and Dr. Hittenberger have not only supported ACCESS, the division of ACCESS, but as a charter school principal I've been to many Zoom meetings. I'm a Zoomaholic right now. With Dr. Mijares, he has reached out to all our charter schools in Orange County and led great informational webinars for us and is really leading the way on bringing us back in a safe manner and protecting our students, which I appreciate that, sir. To move forward, it's an extraordinary time, but I want to bring some good news as well.

We, at the College Preparatory Academy have some great news. In early July, we did receive our six-year accreditation from the WASC Committee. I just wanted to share that with everybody. We're moving forward in that. We will start our new LCAP, which is our Learning Continuity and Attendance Plan. I'm going to kind of move forward. This is very similar points in our PowerPoint, but if we could get to the next slide, please. We will be discussing the purpose of the plan, the general information at the College and Career Preparatory Academy, stakeholder engagement, in-person instruction options, goals, and actions, distant learning options, goals, and actions, pupil learning loss, student mental health and wellbeing, pupil engagement, school nutrition, increase and improved services for foster youth, English learners, and low-income

students. Then, the Board adoption process. Lot to do in a short period of time. It wasn't done by myself. It was done by a great team and yes, I'm going to, support Jeff's praise on this. Lisa Lanier, she did an amazing job putting teams together to guide us through this process. Next slide please. I'm not going to read the purpose of this, but I do want to say that CCPA has had distant learning strategies for many years. From state standard online courses using the Canvas learning management system to grad point courses offered through the CCPA program, to paper-based independent study strategies facilitated by contract learning teachers in the curriculum areas.

Consequentially, CCPA has been relatively well positioned to transition to distant learning across the program. For CCPA, there was no break in learning continuity or enrollment opportunities for our students. My staff did an amazing job. We have enrolled over 90 students since the pandemic started. That is working along with collaboration with our workforce partners and getting them online and enrolling students in the workforce programs as well as into school. It's been a great endeavor and has been great teamwork. We are moving forward. Our stakeholder engagement process included our staff communications. I conduct daily meetings with my staff. A lot of times it's just mental health. We talk and work through problems.

We had parent surveys that we conducted. There are adult students. If our adult students give us permission at enrollment to speak with their parents, we've reached out to their parents to get their input as well. We conducted student surveys and community partner conversations. Our school advisory committee had an emergency meeting to discuss the plan. Then we utilized the English Learner Parent Advisory Committee results as well. Some of our results are as follows from our stakeholders. Next slide, please. According to student survey results, the majority of our students strongly agreed that during this national pandemic, they are being provided a quality education while being supported. The school provides a good education - 89% of our students felt that.

“My school should prepare me for future college and career pathways?” - 83% of our students agreed with that, strongly agreed. “My school staff provides a supportive environment?” - 79%. Today, I had a meeting with the Orange County Conservation Corps and a collaboration work with the students there. They are doing amazing work for us right now. They are at the testing centers working from 8 to 4 p.m. They get an advance at 6:30 in the morning and they expand, but it was amazing this year to hear one of our teachers discuss every one of her students on her roster. How they're doing and the support they needed from the Conservation Corps to keep them going. It was great stuff. Next slide.

This slide kind of shows that there is a need for emotional support with our students. As indicated through student surveys, currently students are not feeling emotionally connected to school. As Dr. Hittenberger stated, we are...the number one thing we want is to be back in front of our students. Teachers are very passionate about that, but we need to be safe as well. Thirty-six percent of the students that took the survey, which means they're the engaged ones, did not feel emotionally connected to school. We are working to make that better. One thing we are going to do is, and this came through a stakeholder engagement webinar that I attended. Ms. Francis, we're going to send postcards to our students.

We're creating a postcard and do a handwritten letter from the teachers just to see how you're doing. That's something we're going to move forward with. Next slide, please. Stakeholder engagement. Again, student survey results indicated that students' leading factor in why students do not feel connected to school are work, job responsibility, and stress. Imagine you're a 22-year-old young adult with a family already. You've been working two jobs to make it happen, and you lost both of those. That's a lot of stress. Or, the opportunity for more work because there are jobs out there, and they're working more. That's caused some issues with their school as well. Next slide, please.

As students and staff return on site, it is important to everyone to know the workspaces have been cleaned and that everyone is following health and safety protocols. It was the number one result from stakeholders and students about returning back. You can see there the bar graph of how the results and what the people responded. Knowing that health and safety protocols are in place is the biggest one. Next slide. As changes based on stakeholder input, we are conducting weekly meetings with our support staff, teachers and community partners to support student engagement. We Zoom quite a bit, which is great. We have found that Zoom is really helping our students with enrollment processes, because they don't have to get on the bus and bring everything down to the school to enroll.

That's been a positive out of this pandemic, which we're going to find. I've learned a new term: pivoting. Everybody's pivoting these days, right? We're going to provide Chromebooks connectivity to all students as needed. I applaud our I.T. department folks. They did an amazing job down here on getting everything. Not only for staff to get on their VM's and be able to work remotely, but to provide all this stuff they had done for students. I just applaud their efforts. We're going to be more focused on online resources for teachers. We've conducted Canvas training as Dr. Hittenberger alluded to. We're going to provide resources, strategies, and interventions for students and families.

We're going to be looking into, and this was in our WASC action plan as well, but a community resource specialist. A lot of our students have aged out of traditional resources from K through 12 fundings because of their age. We really rely on our WIOA partners to support that. We're going to try to find more resources with that. We have a great lead from a community partner that wants to expand what they've been doing, which is great. We're going to look into that as well. Next slide, please. This is our in-person point appointed...when we return back, this is what we are committed to doing. We're going to have safety protocols, PPE and staff training so that everybody understands how to work in this new situation that we're in.

We're looking for academic success, mental health support communication, re-engaging in school routines, family and community engagements, and educator professional learning. We have already started with our, and then in the document, you'll see our PD plan for the year. Next slide, please. When we go back, our plan with the College and Career Preparatory Academy is to start back on a staggered approach as well. We will be back two days a week where we're onsite and we're going to bring in those students that are struggling the most. Then, after a few weeks of getting that going, we'll go to three and then a couple of weeks after that, we'll go to five days. We'll be back full time. All students don't have to come back.

We realize that one of the questions was, “There’s nothing can make me feel safe before the vaccine.” Then, we can utilize that as well. We’re going to have our distant learning plan and model and utilize Zoom for our appointments and so forth. Next slide, please. CCPA is an independent study program and distance learning is what we do. Again, the Canvas courses and trainings, I led the Social Science Committee that adopted the curriculum. It is an amazing component. There's a flip video. Every lesson starts with a flip video, so it's very interactive. It's great stuff for our students. Our students are really doing well with the new curriculum that has been put in place on the Canvas platform.

We'll do professional development resources as well. We have online tutoring and counseling. We've utilized DocuCam. Going back a little bit with technology, but a DocuCam allows you to write on the table and go through a math problem with the student. They can see it on the screen. That has been successful with our tutors and academic support assistance. We’ll continue to distribute devices and technology supports. Next slide, please. We’ll kind of skip this on the student loss. The big point about this slide is we’re open 242 days a year at the College and Career Preparatory Academy. We can make up lost time in the classroom based upon our calendar. Next slide.

We're addressing the pupil learning loss. We are looking at doing three standardized assessment windows during the academic year. Utilizing iReady will increase the teacher and administrative accessibility, the students' results, the IQIO assessments, which is a program that allows you to pull real great data and pull out some great reports. We’re going to set some time aside to do that. We have matrixes that we're utilizing, and the MTSS model to support interventions for our students in the areas of reading and math as well. Next slide, please. We did see some learning loss during the pandemic. Our graduation rate has increased over the years that we've been in business, but this year we dropped down. We were down to 156. We’ve lost a little bit, slightly.

I did a little data digging, and I saw that we've lost 20% of credits earned over the spring semester last year to this year. We did lose some academic progress there. Next slide. Our mental health and wellbeing - again, we're looking at supporting our students by working with our community partners, with our community resource specialists and building those bonds. We do daily check-ins. One thing we are doing is we're going to be sending out follow up surveys with our students and checking on their emotional wellbeing, how they're doing. If they need anything, then we're going to put that out to the people we know. Next slide. Our people engagement and outreach -

we’ll follow our attendance procedures and protocols that we have in place. We are all attending a student engagement seminar over the month of August. We're going to popcorn it and come out and try to get some ideas out of that. That’s a whole step. We'll be working with that. We have increased collaboration with our workforce partners to provide support as well. Next slide. In the school nutrition components, since our students are 18 to 25, we're really relying heavily on our community partners for that. We had two food drives at the Fullerton CCPA site, which was amazing - the resources that we provided the kids. Of the community partner we were working with, they fed over 2 million meals to families in Orange County since this started, which is just an amazing feat by them. Next slide, please.

We're going to increase and improve services for foster youth, English learners and low-income students. We're going to increase our Chromebook distribution to students and connectivity to students. Virtual enrollments for all students has been very helpful. Those are some things that we're moving forward with. The fact that we're really working to support them with their community resources as well and guide them in the right direction. Next slide. This is the same. You can just roll that up. You'll see the same thing. Today, we're presenting you our LCAP plan. On the fifth, you will be able to approve it, or vote to adopt it on the second. Then we would submit it to the CDE on the 30th of September. Any questions before I turn it over? Yes, Mr. Williams.

Williams: Let me thank the staff, once again, for the hard work that went into the creation of these two documents here that we'll be voting on. We have, it looks like a September 30 deadline that this needs to be done and get received by the California Department of Education. The question to the staff on both of these documents. Did the Board have any input in the creation of any of the language?

Hittenberger: We present to you tonight to field your questions. You have a chance to dig into and provide us your thoughts on the document.

Williams: Right. Again, I agree with 99% of this here. There is, I think, a little bit of wordsmithing that needs to be done. We should, you and I, and perhaps another Board member should get together. I'd like to do that before we officially adopt it. This is brand new Education Code this year because of the COVID emergency. Is that correct?

Hittenberger: Yes, that's correct.

Williams: Okay. We are required to, because I'm just looking up the Education Code, now we are required to pass this by September 30. Is that the drop-dead date?

Hittenberger: By September 30. That's correct.

Williams: Okay. It can't be adopted tonight, because the law says it has to be a different meeting. Okay. That's pretty good. Again, I think this is well done. I agree with most of it. I'd like to have some Board input since we are the one that has to actually adopt it. I'd like to get down and get together. Dr. Sparks, would you like to meet with me on this?

Sparks: I'd be happy to, and can I just add a comment?

Williams: Sure.

Sparks: I want to say I'm very impressed with all the hard work and effort you all put into this. I know how much time these kinds of things take. I really appreciate you putting all the effort in for our kids. I'd be happy to go through and just do an edit here and there.

Williams: Very good. Any other questions from the Board? Okay. Thank you again, David. Very well done.

Boyd: Dr. Williams? If I could just make a comment? Since you and Trustee Sparks are going to give input if any of the other Board members have some input that they want to put in, then they can send that to me, and I'll get it to the two of you.

Williams: Okay.

Boyd: We can make sure that we're meeting timelines to have everything addressed prior to the next Board meeting.

Williams: Very good. That would be very good.

Gomez: As far as feedback goes, when do you want that from us? Within two weeks?

Williams: How about two weeks?

Gomez: Okay. That way we're not rushing -

Williams: Fourteen days.

Gomez: - and you have time to...right. . You still need time to get it published if there are any changes. That's why we're suggesting 10 days. Ten days from today, but two weeks is fine with me.

Sparks: Ten days would be great if that's workable.

Gomez: I don't know that I have major things or just clarifications. Will that give you enough time?

Williams: Yes, I think it will. I'm looking at Nina. You want to make a point?

Boyd: I just want to remind the Board, and we were going to get to that later in terms of your timeline. Cut off for the next Agenda is the 19th, which is two weeks from tonight. If you do 10 days and then you're going to meet after that -

Sparks: Maybe one week.

Boyd: If I can give the Board one week so that gives President Williams and Trustee Sparks time to meet.

Gomez: Let's try again. We'll say that any Board member that has feedback, we'll get it to you by next Wednesday. You have time to review and share with the staff so that we can meet our Agenda deadline. Is that good?

Sparks: Yes, you're good. You're good with that, Mari?

Gomez: Want to check with Tim?

Sparks: Tim?

Shaw: Sounds good.

Williams: Tim?

Shaw: Sounds good.

Williams: Okay. Moving on. If we're done with that item, let's move on to the Agenda item number 16 public hearing. Jeff?

Hittenberger: President Williams, members of the Board. At this time, I'd like to open the public hearing and invite any members of the public to comment on the Learning Continuity and Attendance Plan for the College and Career Preparatory Academy.

Boyd: There are no public comments on this item.

Hittenberger: That being the case, I'd like to close the public hearing.

Williams: Thank you, Dr. Hittenberger. Moving on with the Agenda, number 17. This is the item where we fill the Board positions and assignments. I would like to make a motion to open that discussion and a second.

Barke: I'll make a second.

Williams: Okay. Very good. I have some ideas. I'll do this real quick, and hopefully we can get through this. The Executive Committee, although it says monthly, we actually meet daily. Multiple times a day, sometimes, for the CCBE Board of Directors. I would like to nominate Mari Barke for the CSBA delegate. I would like to nominate Beckie if she will take that position. For the political action group. I'm on it. I'll continue with it now. The OCSB, Beckie is on that now. If she would like to continue on that, I'd like to nominate her for that. For the last, but not the least - the PTA lies on Dr. Spark's [inaudible]. Would you be willing to take that spot for us?

Williams: Tim? Unless you would like to take one of these?

Shaw: I got off pretty easy on all that, Ken. That was interesting. No, that's fine.

Williams: No, he can participate in any of these. I'm just trying to make this so everyone agrees that at least it's pretty straightforward. We've done this many times in the past. The big ones are, of course, Beckie and Mari. This will be CSBA delegate. This is a very important position. I think Beckie is well suited, prepared and ready to do that. Our good Dr. Jack Bedell used to do it for many, many years. The CCBE Board of Directors. I think Mari, you would be good to fill the shoes of Dr. Bedell if you'd be willing to take that.

Barke: I will.

Sparks: Can I propose that Tim share the PTA liaison with me so that we can socialize him?

Williams: Oh, I like that idea. Tim, how do you feel?

Shaw: That's fine.

Williams: Our past practice, this is really an open dialogue with the Board here. I don't want to be the one monopolizing the time. I want everybody to give their input onto those committee assignments. Are you okay with that?

Gomez: I'm okay with that. We should just note that we're finishing tax terms on some of these items. Tim, in another year, might be able to take one of these spots if he so chooses. I'm just saying we open up because we're finishing a tax term.

Williams: Correct.

Gomez: Yes.

Williams: Let me restate that motion, then. To fill the terms on the assignments for the CCBE Board of Directors, I nominate Mari Barke. For the CSBA delegate - I nominate Trustee Gomez. For the page - I will continue with that. For the OCSBA dinner - let's continue with Beckie in that position. For the PTA liaison, let's have the good Trustee Tim Shaw and Lisa Sparks share that position. That is a motion to fill these committees. I need a second for that.

Barke: I will second.

Williams: Okay. We have a second. Any further discussion? Okay. Everybody's clear with what we're doing? Okay. Very good. All those in favor of those actions, may we have a roll call? Nina?

Boyd: Trustee Shaw?

Shaw: Yes.

Boyd: Trustee Gomez?

Gomez: Yes.

Boyd: Vice President Barke?

Barke: Yes.

Boyd: Trustee Sparks?

Boyd: Yes.

Boyd: And President Williams?

Williams: Yes. Very good. Moving on with our Agenda item 18. That's approving the travel and, of course, we just appointed Trustee Barke as the new representative. I'll make the motion for number 18 here. I'll need a second.

Sparks: Second.

Williams: Second by Dr. Sparks. Any discussion? Barring none - Nina, roll call.

Boyd: Trustee Shaw?

Shaw: Yes.

Boyd: Trustee Gomez?

Gomez: Yes.

Boyd: Vice President Barke?

Barke: Yes.

Boyd: Trustee Sparks?

Boyd: Yes.

Boyd: And President Williams?

Williams: Yes. Moving on with Agenda item 19. We had an unprecedented submission of, I believe, over 2,500 emails or letters. That is the first time we've ever had that in my 25 years here. That brought us the conundrum of what to do with all that. As a review, we asked our good Trustee Beckie Gomez to come up with the staff on a type of process that we should consider. I'll I will turn it over to you, Beckie.

Gomez: Okay. Thank you. I want to correct that we had over 3,500 comments on July 13. It was way more than we thought. What we did was is we...I worked with the staff. The staff did a wonderful job in trying to categorize these. Out of the 3,500 comments, and this is in your red folder, it's a little pie chart. There were 2,434 comments in opposition of the White Paper, 443 comments supporting the White Paper, then there were 623 on general items, which included schools reopening, school sports, school finance, and some other items. In looking at that, what we talked about was for those written comments, and we'd gotten, I think there was one that was about 12 pages long, and that's very unwieldy. We wouldn't allow that in public comment.

What we talked about was having a form of some sort that would be easily fillable. That would be limited to about 400 words, because that would be about the equivalent of three minutes. We kind of did a little bit of work on that. Obviously, any written comments that had any profanity or anything like that would be redacted. Public comments submitted electronically by the end of the scheduled Board meeting would be included in the Minutes as an attachment. One of the things that we discussed was, because there are people that are here and then people online, and especially the people are not coming because they might not want to be in a public place. One of the options that we talked about was to alternate.

If somebody was here, they would give a comment and then we would go to a written comment. Somebody that was here, we'd go to that one, and alternate. There are people that either can't come, because they work. If we start a Board meeting early, or some other reason that they cannot be here. I didn't want a squash those voices that had taken some time to share their thoughts with us. I think that this is a way to kind of mitigate some of the in-person people, as well as the written comments and allow us to hear those voices. I think that was one of the concerns that we got. I got plenty of emails. I don't know about all of you, but I got certainly plenty of emails asking why their written comment wasn't shared.

We would still, if we choose to like tonight, we had a number of comments that we were able to get through. If we have another situation where we've got thousands of comments, there's no way we can do that reasonably. Those comments we could attach to the Minutes or provide a link or

something else. I think it's important that this Board hears all comments, whether we like them or not. That's part of our job as elected officials is to hear all those voices. I'll entertain any thoughts at this point.

Barke: I don't know. I have to digest that a little bit. I would like to say that I do appreciate everybody expressing their first amendment rights, because I have gotten hundreds of emails. I've read every one of them that I've received. Some have been very kind and supportive. Others have been far from supportive, far from kind, and have used words that you would definitely redact. I'm not so sure. Like I say, I have to think about giving mailed in comments equal to people who come. Some of these people come an hour or two early. They stand out in the heat. I feel like they've gone to the extra trouble to come in and make a comment. Judge Riddle, Linda Cone.

There's several, and just random people who, on a particular subject, will come here early enough to be the first 25 in. I hope over time, we'll go back to just about everybody who attends can come in. I feel like they should be given a little more weight than somebody that's simply sent them something in. I do realize that not everybody is comfortable with coming in. They're not well, or maybe they can't get here. I don't want to disregard them. I think we should hear them. Maybe would just prioritize those that stand in line to come in as first. I don't know. I'd love to discuss it. I feel like we need to give that a little bit of thought, because they're going to some extra trouble to get here.

Sparks: I echo your thoughts with that. I do think that, perhaps temporarily, we're in unprecedented times. It is harder for people to come, because they may have health issues. I don't know if that's a possibility if we could do a temporary different way of hearing people's comments. Or, do we list their names if they're kind of for the issue or not for the issue, and we list their names? I'm not sure, but I do know that we're in a time right now. I wouldn't want to make a policy decision that's long term, because we're in a unique situation. I do agree that the in-person comments should carry more weight than someone sending an email that could be organized on one side or the other. People taking the time to come in and give their public comments in person, I think, is really, makes an effort.

Williams: Tim, what's your thoughts on this, sir?

Shaw: I think everyone has made very valid points. I want to associate my feelings with what Trustee Gomez said about hearing comments, whether they're agreeing with you or not. I do read every, I think I've read every email, every text, and friends on Twitter I didn't know about and friends on Facebook I didn't know about. [LAUGHTER] They told me what a great guy I am and what a scoundrel I am. We have these jobs. We read them all. I appreciate that. I think every point has been very valid. What Beckie said about people who want to send in their comments and have their voice heard. They aren't comfortable coming in person, that makes sense to me. I want to have those voices heard.

I appreciate you taking on this policy, but it is true that those who have taken time to drive, maybe they live in La Habra or San Clemente or somewhere kind of far flung in the county, and they've come to the Board. We should try to hear their voice since they've made such an effort as

well. I think you guys are all making very valid points. I agree with Lisa. It shouldn't be long term. We're kind of in a in a crazy situation at the moment. I think you guys have all made such great points. I do want to hear all those voices. I'm just not sure the logistical way to make that fair and make it equitable. I think we're at least moving on the right path.

Williams: Thank you, Tim. I have a couple of thoughts. Again, thank you, Beckie, and staff for creating this document. Number one, I'd like to see this more as a formal Board policy with more details in here. I do echo some of the statements that we have to be careful about how we do this. The people who come here first and wait out there, God bless them for the time that that they do this - Judge Riddle, Linda, thank you, Susie. Thank you for being good citizens and stalwarts and holding us accountable. I think that should be a priority. I'd like to also limit the staff's time. Nina and I have had conversations about this. Let it be in the record that you had 12 staff members added to this effort to document all 3,500 of these emails and letters?

Boyd: That's correct.

Williams: That is an extraordinary amount of staff effort to do that. I'm sure you don't want to do that again. I like the idea of something online limiting it to 400 words. I think that's good. I assume that taking 12 staff members to read every single one of those 3,500 letters. Then categorize it was a very challenging task for the staff.

Boyd: It was. I can tell you that we are working with I.T. to do the very thing that is being recommended. In terms of the public comment card being changed, there's a draft of that comment card in your red folder along with the 400 word template. That would be a separate public comment that would go into the link. We'd just be able to retrieve those very easily. That way we aren't sifting through the regular mail, and directing things and so forth. As well as things that are not public comments, but they're just the public's interest in sending something. It's all commingled. We know that we definitely need to separate it.

Williams: Right. It's a public Board policy. I think that would be very important, because I'm concerned that this needs to be reviewed by legal. Even though it may be inappropriate language, first amendment rights are still important. They can call us whatever names they want to. I think we cannot stop free expression or speech. They may not like us, but that's their right as American citizens. There's a lot of thought that has to be done for this to go forward. A couple of questions, Beckie. How does the County Supervisors, I'll direct this to staff also, they have probably a very similar circumstance. How do they handle a massive amount of emails and things like that? Do we know?

Boyd: I can't give you all of the details. We have reached out to them to get information. I can share that maybe through a memo or something to the Board. It is a different process. I would say that the redaction is already occurring, because we don't post curse words on your website currently. Some people come in, and they make comments and so forth. The audio definitely has that, but in terms of the translation, those are redacted. I don't see any problem with that. You currently have a Board policy. It's a matter of going in and amending, because the Board policy that speaks to how the public communicates would just need to be expanded. It talks about how they fill out the card, the three minutes and so forth. You're going down the right avenue. I think

when we worked with Trustee Gomez, we were looking at the interim request that you have. We felt that the Board policy was going to come later as a result.

Williams: Just to be specific, that would be an amendment to Board Policy 100-5.

Boyd: Correct.

Williams: The topic is participation by public at Board meetings. We'd have to amend that at some point.

Boyd: Correct.

Williams: Beckie, are you thinking in your recommendations here that everybody that writes a letter or a comment is put into the Minutes? Is that what you're suggesting or recommending?

Gomez: We had talked about the things that would be put in the Minutes are the people that are here as well as the comments. That's what we talked about alternating them. We could probably get those in just in our regular time, perhaps. Anything in addition to would be in that link. That was one of the things that we discussed. Our intent here was to have the dialogue as far as what would work, before we amended the Board policy. I wanted to get your feedback as to how this might work logistically. Maybe it is only for six months, and then we can revert back. We can discuss that, because we've had so many comments.

We just needed to find a way to address that on an interim basis, perhaps. We were getting requests, and the staff can verify from the media as to how to get all these comments. Folks weren't able to give their comments here, because we have a limited seating capacity as well as those folks. We had thousands of people online. I don't know if you were checking the chat during that meeting, but there were a ton of comments in the chat. Again, formal comments is what we're after, not the chat.

Williams: Currently, in the Minutes when the public under public comments speaks, we just put their name. Are we putting the topic that they're talking about, Nina, or is it just the name?

Boyd: In the past, we have done both. As of late, and in the Minutes that you all adopted tonight, it's just the name.

Williams: Okay. The question is do we want to change how the current practice is to expand it to include the entire 400 word document? Is that what you're suggesting?

Gomez: I'm sorry. Could you repeat that?

Williams: Currently, we've done both. We've put the name and the topic they talked about. That's our current practices. In your recommendations here, are you suggesting to put the entire 400 word document as part of the Minutes?

Boyd: No.

Gomez: No. We would do it the same way we've always done it, but there would be a link to those public comments that we did not get to.

Williams: I see.

Gomez: For instance, if there were 20 people in the room, let's say, and all those people spoke. Then we had another 10 people who we read their comments, but then we ran out of time. How would we handle the remaining written comments? That was why we suggested a link so that those could be linked to the Minutes electronically on the Board website. We wouldn't print them, but they would be printed in the Minutes.

Williams: We'd be taking up a lot of electronic media space, then?

Gomez: That was something we discussed.

Williams: How many gigabytes would we be consuming?

Boyd: I'd have to ask our I.T. department that. They felt by having a separate link that people could choose to look at the comments if they wanted to or not. We could also use the Cloud. From that standpoint, it's not physical space.

Williams: All of those comments would be edited and redacted?

Barke: It seems like the manpower -

Williams: For naughty words, in other words. Threats, things like that.

Boyd: The system would be able to -

Williams: Populate.

Boyd: Right.

Williams: And recognize. Okay. All of the recognizable statements, words will just be amended electronically. I'm concerned about staff time doing this. I know that's a concern for you, Beckie, as well as all of us on this Board. Beckie, a question. This is a great discussion. I want to thank you. I just don't think I'm ready to make a decision on this. Would it be okay if we come back at the next meeting to discuss this further? Let me process some of these things?

Gomez: Absolutely. Tonight, we got through all the comments. I feel like there's a little bit less pressure. If we would have had another thousand comments tonight, I probably would push back on you a little bit. But because we were able to get through all the comments tonight, I feel like we can have some time for all of us to think about it. I'm just going to take a wild guess that our mailboxes are going to be full tomorrow with people commenting on this policy. Those people that are watching, we might get some additional feedback, let's say.

Williams: We want that.

Sparks: One other thing I'd like to add is I like this discussion. I like the ideas, and I think we're really being very thoughtful about this. I'd also like to see what best practices are out there. I won't be comfortable making a decision until I have time to sort through. What are some best practices that are out there with other governing bodies, not only here in Orange County, but beyond?

Barke: Great idea.

Sparks: Boards across the nation are dealing with these kinds of issues and crises. We're not a one off. I'd like to see what the patterns are, what the best practices are and how those can inform our decision when we make our decision.

Gomez: I would just like to comment on that. Then I'd like to have Tim comment on this. With my service on the city council, we sat through every single public comment. Sometimes we were there - we listened to a couple of comments sometimes for a couple of hours. You still had a three-minute limit. We never changed our limit at any point in time, but we listened to every single public comment. I will also say that I don't think we ever had more than 1,000 of those. Tim, with your experience on the city council, what's your thought on that part?

Shaw: We've always had at the beginning of public comments, the 30-minute time limit, and frankly ignored that if there wasn't an exceeding of that. You're right. I've never in La Habra, have never seen thousands. Maybe we did end up going 45 minutes. In reality, our practice is let everyone speak. When I served on the Orange County Transportation Authority, we had a fund issue come up on the 405 freeway widening project which generated thousands of people. That was many years ago. I'm trying to remember exactly how the staff handled it there. I think they were all taken in and just put as part of the record. I don't remember. I can double-check how we handled that because that's come up with that agency.

Williams: Tim, I want to thank you for volunteering to be a part of the new subcommittee that I'm going to be appointing [LAUGHTER]. That's going to be for you and Beckie to come back with us at the next meeting. If I can make a friendly subsidiary motion to this to make the recommendation that you and Beckie be involved in a committee. Get together, look at best practices as Dr. Sparks is iterating. Then, let's look at this again. I think this is a great topic. I want to thank you again, Beckie, and Nina and staff for doing this.

Gomez: The staff did a great job in kind of pulling this together so that I could get my arms around most of it. I couldn't get it around everything. I can get with Tim, and we can talk a little bit more about this. Again, if you all have any comments about the process then let's share them, and let's see what we can do. I was hesitant to change a Board policy until we had this discussion. That's why you didn't get a Board policy.

Williams: Very good. With that, I sense a consensus here. If there's no consensus, I will take that as a unanimous vote to this to a subcommittee with Tim and Beckie.

Barke: I will second that if it needs a second.

Boyd: The Board has the authority to carry this over to the next meeting.

Williams: Okay. Our parliamentary procedures allow us to do such. Thank you for reminding me. With that, thank you again, Beckie. Thank you, Tim, for volunteering [LAUGHTER], maybe involuntary -

Gomez: Tim, you were volun-told.

Shaw: That's right.

Williams: I'm moving on with our Board Agenda items. We do have four closed sessions. We do have public comments. Are there any public comments, Nina? Oh, silly me.

Boyd: I'm sorry. I was muted. I was just reminding you about item 20.

Williams: Yes. We do have item number 20. That was an oversight on my part. These are updated on Board policies. We've been talking about this for quite some time. Mr. Rolen, myself and Mari, we worked on these over the last few months. We came up with the new Board policies. I'll make the motion to ask for approval of these new Board policies. I need a second.

Sparks: Second.

Williams: Second. Discussion?

Gomez: Are we going to vote on these individually?

Williams: I didn't plan on it that way. If you'd like to do that, I don't have any objection to that. If you'd like to make any particular comment about any policy, I would support that.

Gomez: I'm looking at the Board Policy 100-15 on page 57. I'm looking at item number two. In-house has failed to render timely advice, in particular, matters determined by the Executive

Committee or a majority vote of the Board. I think that should always be the majority vote of the Board. I don't think that it should be only two members of the Board just making a decision for the entire Board.

Williams: I agree with the spirit of what you've said here. The only reason that we changed the language is sometimes there's situations in which we need urgent decisions to be made. That's been something we've seen quite a bit. I don't foresee that as an issue. I think that the spirit would be that we go to the Board. That is what we have always done. This just gives more flexibility to the Executive Committee in seeking timely advice on issues. We've already seen that with the way we have four closed sessions.

We've already experienced that we need to have some times urgent need to talk with legal counsel, obtaining legal counsel, different opinions when it's necessary. We always come back to the Board, though, to get approval. Maybe, as I'm talking out loud here, we can insert some language that iterates the spirit that the Board gets final approval.

Gomez: Yes.

Rolen: Mr. President, we can say "when possible." We can add the words "when possible" or "practicable."

Williams: Okay.

Gomez: I don't agree with that language. Again, I don't think that two members of the Board should be acting on behalf of the full Board. No matter which of us are those two. I don't think that's appropriate.

Williams: Mr. Rolen. As you were part of the creation of these new Board policies, could you give us some insight here? I don't want to invalidate or dismiss anyone's thoughts on this. Your legal opinion is requested.

Rolen: First of all, if the wording changes of the will of the Board, we're happy to implement them. What we really were trying to do with this Board policy was to address some of the vagaries in the prior policy that lead to disputes and disagreements. We needed to know who, what, where and how we could make these decisions and under what circumstances. First of all, with number two, it should read, "in-house counsel" and not "in-house has failed to render timely advice." However, what is timely to one person may not be timely to another. We were just really trying to add a lot of specificity so we could avoid future disputes over the implementation of this policy.

Williams: How does Solomon in the old biblical fashion deal with the issue of splitting the baby? How do we make this so everyone's happy, basically, with this item number two here, Greg?

Rolen: We can, to address Trustee Gomez's concerns, as well as yours, when the spirit is to bring the decision before the entire Board when possible, but if there's an urgent circumstance that requires it, we could add the words, "a majority vote of the Board or Executive Committee under urgent circumstances." We can say, "A majority vote of the Board when possible." We can add some specificity to the intent to bring these type of decisions to the entire Board. At the same time, address the emerging situations.

Barke: I like the first way you read it. “To the majority of the Board except when urgent,” or something. I liked that wording.

Williams: Just for the staff, because this is so important for documentation. Are we then going to be changing the language with the wording, “timely advice will be on the majority of the Board except in urgent circumstances?”

Rolen: Yes. Correct. Or, “time sensitive circumstances.”

Gomez: Then you kind of go back to what's urgent. Both on item number one and number two, we say the executive committee or the majority of the Board. We, unfortunately, or fortunately, however you want to look at it, we've had enough emergency meetings to address the timeliness of something. Again, that's why I'm struggling a little bit with the Executive Committee making that determination without the full Board.

Williams: To kind of help you understand the spirit of this. We've been doing that for the past couple of years - making decisions that are urgent decisions for the Board. We usually do that, and we always bring it to the Board. The current practices are exactly what we're doing, and it would be consistent with number two. We can wordsmith number two here. We have an all practicality in making these issues over the last two years. We were fortunate to have Special Interim Counsel Greg Rolen help us out. In some of the particular circumstances.

We've had to get other legal counsel to help us out in these special circumstances. I don't know how to wordsmith this. I sense that maybe we can take this out of today's approval and bring it back to the Board. I'd like to have Beckie if you can specifically give to me the language that you're thinking of that would make you happy and make you satisfied. I think Greg and I can come back and bring this back.

Gomez: For me, it's pretty simple. We just take out, “as determined by the Executive Committee.” You just take out Executive Committee. It should just read, “As determined by the majority vote of the Board.” If you're saying that this is the proposed policy what we've been doing for the last two years, and you look at the current policy, we've been out of policy for two years, then. If that's what you're saying. I think what you're trying to say is that we're trying to revise our policy to reflect our current progress.

Williams: The policy currently is not specific on this issue. That's why we're trying to bring the language to bring more clarity to what's happened here. With that, I'd like to have a consensus to the Board. I'm going to withdraw my primary motion if you withdraw your second, Mari. I'll make a new motion to accept the Board policies except for 100-15, which will be brought back to us at the next Board meeting for final resolution and vote.

Sparks: Second.

Williams: That's seconded. Any further discussion? Tim, Beckie or Mari? Okay. Barring that there's no future discussion, roll call?

Gomez: Okay, wait. Can we vote on all these policies just individually? I've got some concerns about some of the other policies for clarity.

Williams: We're at discussion phase. We have a motion and a second. Please share with me your concerns.

Gomez: You've already heard what I had to say about 100-15. 100-12 - if we're looking at the second paragraph about "shall not exceed three minutes," we have not followed that at all in this process. On a couple of occasions, I've actually timed them. The speakers have gone way over the three minutes. We would need to kind of adhere to that just for consistency. We don't want to give the impression that we're favoring one speaker over another. There are some typographical and punctuation errors throughout this process. I would just like to go through this and provide some editing on this just for clarity.

Williams: Did you see any typos? Can you show me the typos you're referring to?

Gomez: I'll just point out a couple. If you're looking at the second paragraph, one, two, three, four, the fourth line down. When it says, "they" are we talking about they, the prayers, or they the speaker? That needs to be clear. If you go down to the next paragraph, the very last line. The "i e" is punctuated incorrectly. Then, the very last paragraph about each December. "Department staff shall solicit presenters for the calendar year," but we don't say how. In some of these lawsuits involving invocations, a lot of the lawsuits termed on how we solicited folks for the invocation. That needs to be cleared up. The second line of that same paragraph it says, "It presenters." I don't know what that supposed to mean, but that's incorrect language. Those are just a couple.

Williams: On that last one. What paragraph?

Gomez: The very last paragraph, second line. It starts with "each December." Towards the end of the second line, it says, "It presenters." I don't know what that means.

Williams: That's a typo. I apologize. The presenters are the one who's doing the invocation.

Gomez: I had asked for a redline copy as well as a clean copy. All we've got is a red line. Maybe it's a little bit more clear when we have a clean copy. It's sometimes hard to read red lines.

Williams: Your three concerns here is in the second paragraph where it says, "They shall not promote," and you aren't clear on what that means? Who they are?

Gomez: Yes.

Williams: That's the person that's giving the invocation.

Gomez: If I can get a clean copy, then maybe it'd be a little bit easier to read and see the consistency of what we're trying to do?

Williams: Right. The other one is in the one, two, three, the third paragraph, the last sentence. That should be a small "i.e."

Gomez: Correct.

Williams: Then on bottom of page 59, that last paragraph, the second word, it should be, "presenters." It should be the first thing. Those are the three technical errors that you're concerned with?

Gomez: Again, I'd like to get a clean copy so that I can read this. Like I said, it's a little difficult to read the red line. I'm also concerned about the solicitation of the presenters and how we do that. I think that needs to be fleshed out a little bit. I don't know who drafted this. I don't know if you were the primary on that.

Williams: The Executive Committee and Mr. Rolen. Mr. Rolen, can we get your comments on those issues that Trustee Gomez brings up?

Rolen: I think there was a miscommunication in which copy was provided in the Board packet. I recall sending both a clean copy and a red line version from my office. If there are typos, they would be my responsibility. If there's any lack of clarity, that would be my responsibility as well. I think we understand what the words mean. I would be happy to communicate with Trustee Gomez about the language, the typographical disagreements, whatever there may be. I really think there was a technological error, because I did forward a red line copy and a clean copy. It looks like you only received the red line copy. That's all I can say to that.

Williams: I'd like to maintain my motion and second. I don't think these three little small little issues are of any great significance. I'm very comfortable with everything. Mari? Lisa? Can I have your thoughts? Tim, may I have your thoughts?

Sparks: I'd be fine approving it with these minor edits. I would be happy to go through. I see a couple of periods, some double periods, and little editing things. I'd be happy to take a look at this.

Williams: Those are just two items. It's just the two.

Gomez: There's more.

Sparks: There's one more after experience and one at the end of "awards performances." One of them does not need to be there before the parentheses.

Barke: I think as Mr. Rolen suggested, maybe if we saw the clean copy, that would be -

Sparks: That would be there.

Barke: Yes. Exactly. That's my guess. I think if we saw clean copies it would be super helpful.

Sparks: These are very minor things.

Barke: Yes.

Gomez: I don't think the solicitation of presenters is a minor thing. I think the clean copy would help us. Some of those things when you do track changes, it sometimes gets really sloppy and it looks like it's present or it's not present. But when you do the track changes, everything shows.

Williams: Let's do this. Sensing what everybody is... Tim, you didn't get a chance to comment. If you feel that you want to say something, please.

Shaw: The few grammatical errors, I don't think are substantive changes. To Beckie's point in specifying the manner in which we would solicit an invocation. I'm curious if Mr. Rolen has that spelled out in the policy?

Williams: Okay. Thank you, Tim. Tell me if I'm missing the consensus here. I sense I should withdraw my motion. Withdraw this, bring it back to September with some of these changes in it. Hopefully, that'll be satisfactory. If you have any concerns with what we just said here, we'll correct some of these things and bring them back in a more cleaner version.

Gomez: I think that would be helpful. Then we can all see what's there.

Williams: I'll take responsibility for how it is. It looked to me to be pretty simple, straightforward. I'll do my best to make it better the next time. The consensus of the Board is that we're going to bring this back. Lay it on the table, and bring it back for the September meeting. Moving on with our meeting here. Any public comments, by the way?

Boyd: Can I just get a point of clarification? You're going to bring back all of the policies? If there are edits or corrections, they're going to get that to you?

Williams: Or, actually, to not break the Brown Act, let's get them to Mr. Rolen.

Boyd: Perfect. There are no additional public comments.

Williams: Very good. Let's go to announcements, and then we'll go to closed session. Dr. Mijares.

Mijares: Thank you, members of the Board. It's good to see you, and you all look nice and healthy. That's a good thing. Let me just comment very briefly. First of all, I do want to thank Dr. Hittenberger and Ms. Kredel - Analee as well as Dave Connor for the presentation they made regarding the Learning Continuity of Plan. As you know, and it has been stated enough, this is sort of a summary, in a way, of what we intended for the LCAP to do. Just so that you know, all of the districts are also doing this in the county. Upon the Board's approval, they send all of their plans to me. Then we send them up to the state superintendent of public instruction.

Everybody is doing it. I do want to commend the staff, because they've done an amazing job. A lot of time went into this. I also want to thank our staff for the webinar that we did and more than one. We'll continue to do them. It's on protocols for school safety concerning the opening of our schools. It's a very hands-on. A very practical guide to all of our districts, all of our schools including the charters and the privates. They have an understanding of what they need to look at. Again, it's not something that's foisted upon them. They come at their own volition. It has all aspects of human resources - HR. We have information there for how the buildings are addressed in terms of the hygiene, how they can work to provide professional development for their staff. It's a great effort on the part of the staff here. Dr. Hittenberger, thank you for the leadership that you gave us in doing that. That's basically all I have under my reports, Mr. President.

Boyd: Just a reminder to the Board. The next Board meeting is Wednesday, September 2. Submission deadline is August 19, which is two weeks from today. In your red folder is a charter school's update. If you didn't see it, I wanted to call attention to it. Ken, we will be sending that to you. All of the documents that were in the red folder. You'll get it Friday in your Friday update. I would like to call attention to the summary information. I mentioned earlier there are nine charter school renewals this year. I just want to remind the Board that beginning next month, you will start to have public hearings for renewals. Those will move all the way through February.

Each month there will be one or two charter schools that are up for renewal that will be holding their public hearing. Then, the Orange County Board of Ed. action is also listed. If for some reason there is mitigating circumstances that we have worked with the charter schools on this schedule. This is a schedule that they have agreed that works for them as well as staff. We want it to not overburden the Board at one meeting. That's why we asked the charters to work with us to spread that out over the course of the year. I just wanted to call your attention to that. If you all have questions, if you let me know what those are, I can have appropriate answers by next Board meeting on any information that is listed in this report.

Also, we'll be providing an update to the Board in the next few days on reopening schedules that the charter schools have. It's been a moving target in terms of what they're planning for. Distance learning, initially, and then migrating to hybrids or in-person, or combination thereof. We were soliciting as of the last couple of dates, to see if they have finalized in terms of when they were anticipating their start dates would be for the students. I also want to remind the Board that there are virtual conferences that are available to you all. We'll be sending out reminders. CCBE, which you all discussed last month - September 11 and 12, they will be holding their virtual annual conference.

NSBA/CUBE is holding a virtual conference also at the end of September. Then CSBA's annual conference and new trustee orientation will be held in December. They are doing a combination in-person and virtual. That is also available to the Board. Darou will take information related to your reservations. I just wanted to make sure that you're looking at your calendar so that if we need to get you registered for any of these, we can do it in an appropriate timeframe. That's all I have for you today.

Williams: Thank you. At this time, the Board is going to be in closed session. We'll be coming out before subsequent progression.

Barke: What about Board comments? Just a quick one. I just wanted to thank you, especially for the charter summary. It's very, very helpful for us to see it all laid out. I love when you do that. I had actually misplaced my last one. I was very happy to see a new one. Thank you. Appreciate it. I know there's a lot of time that goes into laying it all out. It's nice to see it all in one place. Thank you.

Boyd: You're very welcome.

Barke: That's all. Sorry.

Williams: Any other Board comments?

Gomez: I just would like to make a quick comment. I just want to thank everyone who did take the time to send us public comments. To someone else's point that talked about all their new friends on Facebook. All the new comments and information that I received - to be honest, I haven't gotten through every single one of them just yet. Rest assured that I will be reading them. I just want to thank you for taking the time to share your thoughts with me. Thank you.

Shaw: Dr. Williams?

Sparks: I was wondering would it be possible to get electronic copies of these so I can provide some minor edits, Jeff? Or, Dr. Hittenberger? Would it be possible to get electronic copies of these so that I can provide some minor edits? Do you have electronic copies of these? I could just do it in hard copy. It would be easier and faster.

Hittenberger: I think hard copy would be better. They're in sort of a sensitive template.

Sparks: Okay.

Hittenberger: They could easily lose their margins.

Sparks: Hopefully, you can read my chicken scratch. I'll do my best.

Hittenberger: Thank you.

Sparks: Okay. That's all I had.

Williams: Mr. Shaw? Would you like to speak?

Shaw: I'll just share right before I joined the Board, Dr. Williams said to me, "I hope no one told you that this is just a job that entails one meeting a month. It's going to be a lot more than that." Having been on the Board just over a month, I learned he was very accurate in saying that it's been quite a lot. Kind of going along with the comments we had about so many comments. Getting used to this model we have, that's very interesting and very different for me. At the city council where I served, the city council has employees of the city are employees of the city council or serving on the Orange County Transportation Authority Board. The employees at the agency there are employees of the board.

Here at the Orange County Board of Education, it's different. The employees of the department of education are not employed by our Board as it is at other agencies. As we've been just so overwhelmed with public comments and this need to communicate I feel with the public. Each of the five trustees, we all have jobs somewhere else. Right? I've got a full-time job somewhere else. We all do. I just wanted to kind of ask you guys your thoughts. If we have some ability to have like a PIO. I don't know what that would look like. I'm not generally interested in growing staff and growing bureaucracy, growing government. It feels to me having been around here now for a month that we probably need some assistance in responding to the comments that we're getting, the emails, the communication.

I don't know if it's just we've happened to have had a real heavy month. That's probably true, and it's not normally like this. Have we had that in the past here at the Board where we've kind of had a specific person, who's a sort of like a PIO and assisting us with our communications? I obviously don't know the history like you all would. I've just been here this short time. I do kind of sense that gap or that need where I would have found it at the Orange County Transportation Authority or the Orange County Sanitation District where I've served on the board. We have a person, a staffer who's helping the board with our communications. I just very specifically, I just wonder if we have ever thought about doing something like that.

Williams: Tim, again, thank you for volunteering for the new committee. I'll be on you about this. [LAUGHTER] Why don't we meet and talk about this? It's a very good subject. I have talked with the staff about updating our website, because I'd like to make it a little bit more modern, more fashionable. I'd like to expand it to include that topic, too. You and I will be on the committee. This is the second committee you've been volunteered to. [LAUGHTER] Thank you so much for doing this. You and I will bring this back to the Board next meeting in September. Is that okay?

Shaw: That'd be great. Thank you.

Williams: You speak up here, you get on a new committee. Any other comments by the Board? Barring none, we will be in closed session and we will come back out after that.

[PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF THE CLOSED SESSION]

Boyd: Just give us a few minutes, we need to close off the sound.

Shaw: Nina? I log into that other link you texted me?

Boyd: No. Ken will call you.

Shaw: Okay.

[UPON CONCLUSION, HE STRIKES THE GAVEL THREE MORE TIMES TO SIGNAL THE CONTINUATION OF THE REGULAR BOARD MEETING]

Williams: Is Jonathan ready to go as a report out? Okay. The board of education is back in open session. At this time, we're going to be reporting out from closed session one, two, three, and four.

Brenner: Members of the Board, good evening. This is the report out for closed sessions one, two, three, and four. For closed sessions one and two, the Board received an update and had a discussion with council on the two matters at issue for those closed sessions. The only action taken was the Board approved EBG's invoices dated July 30, 2020, in the GC and budget litigation matters. The vote was three votes in favor, one opposed, one abstain. Trustees Williams, Barke, Sparks voting in favor, Trustee Gomez voting against, and Trustee Shaw abstaining. That is the report out for closed sessions one and two.

The report out for closed session three is that the Board received an update and had a discussion with council. The only action taken was that the Board approved Tyler and Bursch's invoice dated August 4, 2020. The vote was four in favor with one abstention. Trustees Williams, Barke, Sparks, and Gomez voting in favor and Trustee Shaw abstaining. That's the report out for closed session number three.

The report after closed session number four is that the Board received an update and had a discussion with council. The only action taken was that the Board approved the issuance and reading of a Board statement of today's date. The vote there was four votes in favor and one abstention. Trustees Williams, Barke, Sparks and Shaw voting in favor, Trustee Gomez abstaining. For the Board's resolution and action, I will read that statement now. The statement will also be posted to the Board's website.

“August 5, 2020, statement of the Board of Education. On July 28, 2020, the Board voted four to zero to bring a legal challenge to the recent actions of the governor and the California Public Health Officer to keep schools closed to in-person learning this coming school year. The importance of this issue and the severe harm that our children and community face from continued school closures could not be any clearer. Broad-based, distance only learning is far inferior to in-person instruction for children to say nothing of the negative social development, nutritional, and potential child abuse impacts of keeping students isolated at home and away from school.

Keeping classrooms closed will hurt all students, and critically, it will disproportionately hurt less affluent disadvantaged, special needs, and minority students more than their privileged peers. Although the Board's July 28 statement and July 29 press release clearly explained the Board's reasons and basis for seeking to set aside the governors and PHO's unconstitutional actions, the Board is making this further statement to respond to some of the public comments and misstatements made by the Superintendent and others following the Board's decision. The Superintendent says that he is, “disappointed” with the Board's decision to mount this legal challenge. He asserts the Board has, “no qualms” about diverting time and energy to it. To be sure, some time and energy will be devoted by the Board to the legal action.

No time will be required from staff, but make no mistake. The potential harm to our children's constitutional right to an equal and adequate education is exactly the type of public policy issue the Board has qualms about. Protecting our communities, defending historically disadvantaged families and educational rights, and standing against unconstitutional government orders that keep our school classrooms closed and do irreparable harm to our children is central to the Board's role and well worth the time and energy required. It is also something in our view that

the residents of Orange County expect their elective representatives to do on their behalf. The Superintendent also accuses the Board majority, whatever that may mean, of taking this action to, “satisfy their own ideological interests.”

The Superintendent does not describe what these ideological interests supposedly are. For the Board, protecting our students and our community from the severe and irreversible harms of keeping classrooms closed to in-person learning, harms that do not appear to be justified by the risks presented by the coronavirus is the only ideology, or perhaps more accurately stated, the only proper leadership and good governance at work here. The Superintendent also suggests that the Board is unconcerned about student and public safety by releasing a White Paper with guidelines on reopening schools that advances CDC recommendations, public health practices and the position of the American Academy of Pediatrics.

The Superintendent conveniently fails to mention that the White Paper and guidelines rely on the opinions of medical experts and relevant medical and scientific evidence in recommending that schools reopen for in-person learning with appropriate and warranted safety measures to manage the risk of the virus, which based on current evidence, poses less risk than being struck by lightning for most children and very low risk for adults as a result of being around children. The Board's perspective and the White Paper's as well, lines up with a substantial number of studies and growing body of evidence from other countries that have successfully reopened schools. In some instances, never closed them to in-person learning.

Indeed, they also line up with the recommendations of the federal Center for Disease Control and the California Department of Education, both of which recognize the importance of reopening schools for in-person learning and the substantial and inequitable harms that will befall our children if they do not. Contrary to the Superintendent's suggestion, it is important to note that the Board has never taken the position that families should be mandated to send their kids to the classroom during the pandemic. The action being taken by the Board is to challenge the governor's and the PHO's orders that limit choice by denying classroom instruction to parents who want it, and that unconstitutionally deny thousands of California's children their right to an equal education.

The Board supports providing parents a choice to utilize a distance learning option that is best for them and their child in their specific circumstances. The Board also supports appropriate safety measures in schools as part of the reopening. So long as those measures are medically and scientifically sound, and that the risks of such measures are weighed against the risk they are intended to mitigate and the amount of mitigation that they will in fact achieve. It is this thoughtful balancing of all the risks and harms that is notably absent from policymaking and leadership on the school reopening issue and the governor's and PHOP's actions, unfortunately, are no exception.

Finally, the Superintendent accuses the Board of, “diverting financial resources” to pursue this constitutional challenge. This is misleading at best. As the Board made clear in its statement on July 28, the Board is being represented in this effort by its counsel, Tyler and Bursch, pro bono. Thus, the Board will not incur legal fees in pursuing this legal challenge, which involves a matter of utmost importance and concern to Orange County students and their families. This accusation

of financial resource diversion is highly ironic, to put it charitably, coming from the Superintendent who resisted the Board's efforts last year to reduce unnecessary spending in the 2019-2020 Annual Budget on Sacramento lobbyists and out of town travel to conferences.

It is even more ironic in light of the Superintendent's unilateral decision over the last four years to litigate against the Orange County Employees Retirement System (OCERS) over his obligation to fund retirement benefits for persons who were employed in his office. Mijares refused to pay. Forcing OCERS to file suit. And then he actively litigated a losing cause all the way to the court of appeal. Mijares is now engaged in litigation over the litigation. He lost his misguided legal case against OCERS spending over \$1.2 million of taxpayer funds in the process. And now he is refusing to pay or reach a reasonable compromise of the legal fees he forced OCERS to incur, which has resulted in a further lawsuit that Mijares is currently spending additional monies to litigate, all without Board approval or endorsement."

That is the Board statement that was approved in closed session. As I noted, that statement will be posted to the Board's website. That is the report out for closed sessions one through four. Thank you.

Williams: May I have a motion for adjournment?

Sparks: Second.

Williams: Meeting adjourned.

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