

BOARD MEETING 12-2-2020 TRANSCRIPTION

[PRESIDENT WILLIAMS STRIKES THE GAVEL TWICE TO SIGNAL THE BEGINNING OF THE MEETING]

Williams: The Orange County Board of Education is called to order. I appreciate your indulgence and patience as we waited for the good Rabbi Dove, who is only available - he's a remarkable human being, just an incredible person. He's only available in this month because he teaches law.. It's real special when he gave it previously. He's not here. We're going to do a call to order and then we're going to do a roll call right now. Give me about 60 seconds. Roll call.

Boyd: Trustee Gomez?

Gomez: Present.

Boyd: Trustee Shaw?

Shaw: Here.

Boyd: Vice President Barke?

Barke: Present.

Boyd: President Williams?

Williams: Present.

Boyd: Trustee Sparks?

Sparks: Here.

Williams: Very good. May I have a motion for the adoption or today's Agenda?

Barke: So moved.

Williams: So moved. I need a second.

Sparks: Second.

Williams: Motion and a second. Any discussion? Barring none, all those in favor say, "Aye."

Board: Aye.

Williams: Very good. Now, we're to the invocation. If you can please introduce yourself and tell us who you are? We'll give you about 60 seconds.

Husen: That's plenty. Doug Husen, pastor of Crossroads Christian Church, Corona, California. All deference to the rabbi. Of course, our tradition owes everything to his. With that, may I lead a word of prayer? God in heaven and in our hearts as well, we thank you for the gathering. It's of utmost importance as we consider children and their education. Would you give us the wisdom we need, this esteemed Board, and everyone who presents? Lead us and guide us forward. We thank you. We thank you in the name of the God of Abraham, Isaac and Jacob. Amen.

Board: Amen.

Williams: Beautiful, sir. At this time, we have the Pledge of Allegiance that will be led by the good Trustee Tim Shaw, and you are welcome to stand in doing such.

Shaw: This time of Thanksgiving and holidays, let us give thanks and our hearts, as we pledge allegiance to the greatest flag in the world. Ready? Begin.

Shaw, 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: Very good. Moving on with the meeting. Introductions?

Boyd: There are no introductions.

Williams: No introductions. Very good. Public comments, Nina?

Boyd: I believe Vice President Barke has one.

Williams: Very good.

Barke: I do. Doug. I think you're back. Is that you? Doug Husen? Yes, public comment. You could have stayed up there.

Husen: Again, Doug Husen. Doug Husen, Corona, California. This time with a different hat. I'm board chair for Irvine international Academy. Superintendent Mijares, when he watches this on video, and esteemed Board members, and trustees. I come with just a brief report, provided it in writing as well, a summary of our capacity meeting with your staff recently. Then, the written answers to some questions that came up in the hearing last month. The capacity meeting really went great. I felt like the dialogue between our teams was robust. We were able to give, with specificity and clarity, answers that they needed. And now I see why, at the last Board meeting, nearly every charter praised the staff of OCDE, because they really are professional, polite and they are expert in their area.

Here's what I'm leaving with the Board secretary, a copy for each Board member. A summary from Dr. Scott and Principal Chuang on our team. They gave answers to these questions posted in the November meeting, questions about the grade level breakdown and projected attendance, and enrollment and some supporting evidence. That'll be in the packet. Then we included the updated letter from Charter Asset Management. They'll be providing us with our initial funding, should we need it. There's an MOU and also a letter of understanding included.

Then, we went ahead and clarified the budgeted salaries for our teachers and made the comparison to Irvine USD. Then, lastly, Principal Chuang provided a daily schedule, our proposed daily schedule, which highlights our afterschool enrichment programs. Those were the questions we wanted to address. I want to thank you again for your diligent consideration. It's been a wonderful journey this year. Our team's looking forward to January. With that, I'll simply say, Merry Christmas.

Barke: Thank you.

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

Boyd: No.

Williams: Okay. Barring none, moving on with our Agenda. I will need a motion for approval of our special meeting of October 27th, 2020.

Barke: So moved

Williams: So moved. I need a second.

Sparks: Second.

Williams: Second by Sparks. Any discussion, amendment, edits? Barring none, all those in favor say, "aye."

Board: Aye.

Williams: Moving on with the Minutes of the November 4th meeting, I'll need a motion.

Shaw: Move approval.

Sparks: Move approval. Moved by Trustee Shaw and seconded by Trustee Sparks. Any discussion, amendments, edits? Barring none, all those in favor say, "aye".

Board: Aye.

Williams: Motion passes 5-0. Moving on to the consent calendar. May I have a motion for the consent calendar?

Barke: So moved.

Sparks: Second.

Williams: Okay. Motion by Barke. Second by Trustee Sparks.

Boyd: Lisa? Can you move your microphone? We're not picking up. Thank you.

Williams: A motion by Barke and a second by Trustee Sparks. Any comments, edits? Okay. All those in favor say, "aye."

Board: Aye.

Williams: Motion passes 5-0. Okay. Moving on to charter portion of our meeting here. Are there any submissions, Nina?

Boyd: There are some submissions that were expected today, but I have not received verification that that they came in. I'll alert the Board later on in the Agenda.

Williams: Very good. Okay. Moving on to item number four, and this is a charter school public hearing for Oxford Prep Academy. This is a renewal and I will ask Aracely Chastain to facilitate this meeting.

Chastain: Good evening, President Williams and trustees. Today, the Board will hold a hearing to grant or deny the Oxford Preparatory Academy Saddleback Valley renewal charter petition. OPA is a TK through eighth grade charter school located within the boundaries of the Saddleback Valley Unified School District. The school's current charter term will end on June 2021. The Orange County Department of Education Staff Report was published on November 17th and notification was provided to the charter school, the school district and this Board. Per standards outlined in Education Code in accordance with a three-tiered system, based on the charter school's performance, OPA placed in the high-performance category and is eligible for a five, six, or seven-year charter term.

In addition to their academic performance, the school is fiscally strong with stable leadership and data indicates that the school is serving all pupils who wish to attend. The charter school presented a complete petition for renewal that included reasonably comprehensive descriptions of any new requirements of charter schools enacted into law. Therefore, Orange County Department of Education staff recommend that the Board approve OPA charter renewal petition for a seven-year charter term from July 1, 2021 to June 30th, 2028. Prior to public comments, representatives from OPA shall have equal time and opportunity or 10 minutes, whichever is longer, to present evidence and testimony responsive to the Orange County Department of Education staff recommendations and findings published on November 17th. I now call Jill Marks, executive director of Oxford Preparatory Academy, to the podium.

Marks: This one? Okay. That's better. Thank you. Good evening, President Williams and trustees. My name is Jill Marks. I'm the executive director of Oxford Preparatory Academy. Our aspiration for charter renewal, and hopefully a seven-year term, is accompanied by a deep sense of pride and awareness of our responsibilities as an exemplary charter school in Orange County. On behalf of our school community, I want to express our appreciation for your meticulous study of our charter petition. Thank you.

Barke: Thank you.

Marks: If there's questions, I can be seated.

Williams: Yes. Go ahead.

Boyd: Aracely.

Chastain: You can be seated, Jill.

Marks: Okay. Thank you.

Chastain: The hearing is now open for public comment. Associate Superintendent Boyd, are there any public comments?

Boyd: There is one public comment, and that is Jill. You'll have to come back to the mic. Sorry.

Marks: I think we're all getting used to this AB 1505 format. Ditto. Thank you.

Boyd: That concludes public comments.

Williams: Okay.

Chastain: This concludes the public hearing. The Board has three options for action regarding a charter petition renewal and material revision. Option one: approve the charter petition for a five, six, or seven-year term. Option two: approve the charter petition with conditions. This action would result in approval of the charter and require the school to address concerns raised by the Board by established timelines. Option three: deny the charter petition. Representatives from OPA are available to answer questions. President Williams, I now close the public hearing and turn the meeting back over to you.

Williams: Very good. Thank you, Aracely. Moving forward, are there any questions by the Board for Jill? Yes?

Gomez: Could you come up? Thank you. A couple of things that I wanted to ask. There seems to be a lot of evidence that you want to provide field trips and perhaps longer trips for students. Looking at your budget, you have only \$15,000 for field trips. Based on your enrollment, it's about \$21 per student. That doesn't seem to line up with what your curriculum is saying about field trips. Can you explain that a little bit for me?

Marks: I think out of the classroom experiences are really important. Part of what we've done, even before the pandemic, is look at local experiences that are less costly and bringing resources into the school. We have a very generous community. Oftentimes, our parents will donate funds so other students can go, or their students can go on some extracurricular trips as well. The funds are limited and we're looking at creative ways in terms of having field trip. We'll be doing field trips that are virtual this year and looking at low-cost kinds of field trips. Also, we're looking at, usually field trips are limited, one a year per grade, so they're not extravagant. We are very careful in terms of what we can bring into the community, and what we can afford. Our parents have been very generous and have donated funds for that purpose.

Gomez: Then, transportation for the field trips? Is that included? Again, that's just not a whole lot of dollars per student.

Marks: Agreed. Yes, that would include the cost of transportation. Again, we have a generous community that provides for that as well. And we do have field trips budgeted. Amy has worked really hard on the line item pieces too, so I'm just going to stand away.

Kernan: My name is Amy Kernan. I'm our chief academic officer at OPA. I also handle a lot of overseeing some of the budget items. Like Ms. Marks said, we have been looking at some different alternatives for field trips, trying to have different people come into our sites because transportation is such a large cost. It's kind of an unnecessary extra cost that we have to pay for field trips. Looking at ways that we can bring those field trips to our students without having to waste the money on busing. Then, like Ms. Marks said, also making it so that it's more like one field trip that is off campus for our students, looking at ways where we can fundraise, or different grants. We had the Traveling Scientists through OCDE come in and do field trips for our students.

Trying to get really creative so that we're not spending a large budget or asking parents to pay, or anything. We do try to get those kinds of donations. We use jog-a-thon and things like that to try to raise money for different things. This year has actually allowed us to get more creative. If there's one positive with COVID, it has allowed us to get really creative and try to bring those things into our students without having such exorbitant costs.

Gomez: I think there's a lot more access to virtual field trips with museums and things like that.

Kernan: Some of them are places that they would never get to go. Going to the Smithsonian, or going to the Louvre, or going all over the world without having those costs.

Gomez: Yes. Okay. I'm glad you're there because my next question is probably going to be towards you, too.

Kernan: No problem.

Gomez: Again, I have a concern about the professional development and staff development. I did not see...there's a great description on page 47 of your professional development, but I didn't see a lot of support for that in your budget. Can you tell me about that?

Kernan: We've really actually been working a lot with the Orange County Department of Education to bring their resources in. They're a lot more cost-effective than some of the outside companies. We worked with the EL department and they did a five-day training for our teachers. It was just a couple thousand dollars, but provided great resources for our teachers. Working with them to try to reduce the cost, plus I've worked with a lot of their people through my years in the public school district. They do a better job for much less cost. I'm trying to do things like that as well as sending one or two teachers out to get information and bring that information back. I think a lot of times sending a lot of teachers, the whole giant group of teachers, to conferences spends a lot of money on travel, on hotels, things like that.

Gomez: Not to mention substitutes.

Kernan: Yes. They don't get that really deep understanding. They just get little snippets. We're really trying to focus on a few goal areas and then either work with Orange County Department of Education or really empower our staff, just a few of them, to get trained and then bring that back. It makes it a lot more cost-effective for the professional development and allows us to build our own capacity within our organization and build those leadership skills in our own employees and build those content level experts.

Again, one of the biggest areas was really working with OCDE. We've brought in their math coaches, brought in their ELD group to do different things. Then, we're also working with their PBIS team. We have a team at each one of our sites that is going through, this year, the tier two PBIS.

Gomez: Okay. You mentioned your English learners. How many English learners do you have in your school right now?

Kernan: I believe this year we have 51. We increased pretty significantly from last year. We've really actually been focusing quite a bit on our English learners over the last few years. I mentioned that we brought in OCDE for a five-day training. We did notice, I think, as you brought up before, that there was a little bit of a dip in our EL scores in between our first year and our second year. One of the reasons is actually because the first-year students did so well that I think 20-some of them reclassified. Then, we were kind of left with a much smaller population. Then, the new incoming newcomers that came in.

It really sort of made our scores go way up here to kind of looking like they tanked. At the same time, we wanted to make sure that we were meeting their needs. We really spent a lot of time over the last couple of years focusing on our English learners and it's definitely paid off. We reclassified 63% of our English learners in 2019.

Gomez: That's huge.

Kernan: Huge. We had a huge celebration at our board meeting. It was really exciting. We want to make sure that, since our English learner population has been increasing so much year after year, that we're providing those resources. We've hired an English language TOSA who, through COVID, it's been great because she can actually do small groups all throughout the day with those English learners and then provide ELD support, ELD classes to the students.

Gomez: How was your ELAC?

Kernan: Our ELAC is getting much better, actually. We found that we may start Zooming in our ELAC's all the time. Just because families have such a hard time getting...it's usually at dinner time or in the mornings. I think at our last ELAC meeting that we had over 30 parents attend, which is huge for us. We don't have that big of a population. Everyone was participating and excited. We had people cooking dinner while they were doing it, but at least it got them there and got them engaged.

Gomez: Okay, good. Thank you. That was all the questions I had.

Williams: Very good. Any other questions from the Board? Otherwise, I will need a motion and I'm going to make the motion. I'm going to make motion that we adopt option number one, which is to approve your petition for seven years.

Barke: I will second that motion.

Williams: Okay. We have a motion and a second. Any discussion regarding that motion?

Gomez: Yes.

Williams: Yes?

Gomez: I appreciate the seven years. My only concern is, as I was looking at the seven years. Seven years from this point forward, this entire Board could change in that seven years. We might leave another Board with no knowledge of what has happened. I just want to bring that for your thought process. That's where I struggle with that seven-year period. I would rather see a five-year, just for purposes of allowing the Board, maybe we're all here, I don't know. We may not be. We'll give that other Board an opportunity to go through this whole process again with the school to allow them to reassess.

Sparks: I'd like to make an additional comment. I think any incoming members of the Board would have access to the Minutes and could get up to speed on any issues and also could reach out for any historical information that is needed. I would like to stay with the seven year.

Barke: I also think that the staff here has been here for forever. I don't think they'll change, and they've got great historical knowledge. I think that this staff would probably be in place and actually in five years, all of us could be gone as well as seven.

Gomez: Absolutely.

Barke: I'd like to go with the seven as well.

Williams: Tim, any thoughts? You don't have to say anything.

Shaw: No.

Williams: My only comment is that this Board changes every two years. While I appreciate the good Trustee Gomez's thoughts and ideas, and I do agree with some of the tenets of what she says, I think this charter, you folks that work diligently and hard and don't deserve just five years, you get two free years. That's how I kind of look at it because a lot of preparations get where you got to today. Correct? You worked really, really hard to get everything, all your ducks in order, to be able to present this to get it approved. You worked hard and I think you should be awarded that prize. I think seven years is good.

Barke: I agree. I think that AB 1505 had so many challenges that we need to take advantage of the benefits. That's one of the few benefits that we got as a charter community. I think we should stick with the seven.

Williams: Any other thoughts or comments?

Sparks: Just kudos to all the hard work you all put in and we're just so impressed with your proposal.

Kernan: Thank you so much.

Williams: Very good. We have a motion by myself a second by Trustee Barke. Any further questions? Barring none, all those in favor say, "aye".

Board (except Gomez): Aye.

Williams: Those opposed?

Gomez: Opposed.

Williams: One opposed? Okay. Motion passes 4-1. Congratulations.

Kernan: Thank you very much.

Williams: Moving on with our Board agenda item, we will now move on to number six. This is

the Scholarship Prep Charter School renewal. I see Aracely is available. I ask you to facilitate this Aracely.

Chastain: Thank you. The Board will now hold a hearing to grant or deny the Scholarship Prep Charter renewal. Scholarship Prep is a TK through 12th grade countywide charter school with one location within the boundaries of the Santa Ana Unified School District. The school's current charter term will end in June 2021. The Orange County Department of Education Staff Report was published on November 17th and notification was provided to the charter school, school district, and this Board. Per standards outlined in Education Code, Scholarship Prep placed in the high-performance category and is eligible for a five, six or seven-year charter term. The charter school presented a complete petition for renewal that included all reasonably comprehensive descriptions of any new requirements of charter schools enacted into law.

The charter school data shows that the school is serving all people who wish to attend and the past performance of the school, including their academic performance, fiscal health and successful operations indicates the likelihood of future success. The Orange County Department of Education staff recommended the Board approve the Scholarship Prep Charter School renewal petition for a seven-year charter term from July 1, 2021 to June 30th, 2028. Prior to public comments, representatives from Scholarship Prep shall have equal time and opportunity or 10 minutes, whichever is longer, to present evidence and testimony responsive to the Orange County Department of Education staff recommendations and findings published on November 17th. I now call Jason Watts, chief operations officer, for Scholarship Prep to the podium.

Watts: Good evening, President Williams, trustees, Superintendent Mijares. My name is Jason Watts. I'm the co-founder and COO of Scholarship Prep schools. I'm proud and humbled to be here before you this evening, close to nearly five years since our initial approval to operate our first charter school, serving students and families throughout Orange County, including some of our most underserved foster and homeless youth. I want to quickly run through a summary of our many accomplishments to best reflect on what our team has been able to achieve in just five short years. Our many support services for foster and homeless youth now include transportation to and from school, clothing, and meals 365 days a year.

We have partnered with at least 18 different organizations to support our homeless and foster youth. We have increased our overall enrollment from 307 students in year one to over 500 students in that capacity now. In 2017-18, we had the number one math and ELA growth of any public school in Orange County. In fact, our math growth that year was actually number one in the entire state of California. We've received a California Distinguished School Award, WASC accreditation, a federal grant to support the replication and expansion of our successful program, which has also enabled us to grow a strong, diverse, and highly skilled leadership team to buoy our growth efforts. Speaking of growth, we are now preparing, finally, to welcome our first class of ninth graders next fall.

We've had clean audits each and every year and are fiscally solvent. Then, in just the last six months, we've now attained 113 homeless and foster students, which we're very proud of. That comprises more than 20% of our total student population. We've partnered with UC Irvine's Ocean Project to seek housing solutions for foster youth, and we've successfully navigated

distance learning and a hybrid instructional program during COVID while maintaining an attendance rate of over 97%. We have an incredible team leading our Santa Ana campus headed by our amazing principal, Ms. Dennise Allotey, who's here tonight. Without questions, she, along with her entire staff, have earned this opportunity for a seven-year renewal.

It's exciting to know that we can start with a passionate first-grade teacher, and in just a few short years, she is successfully leading an entire school community. We have positively and longitudinally altered the pathway for our students who now not only know about college, they believe they will one day be there. The foundational goal of Scholarship Prep was to mitigate the gap between the students' innate abilities and talents, and higher educational opportunities, so that one day they can pursue a college degree. Now, with the ability to add high school to our TK program, thank you very much for the approval, the pathway becomes much more direct and clear, and we are proud to be able to walk that journey with our scholars. Thank you for your time, support and belief in Scholarship Prep.

Barke: Thank you.

Chastain: The hearing is now open for public comment. Associate Superintendent Boyd, are there any public comments for this Agenda item?

Boyd: There are. Dennise Allotey?

Allotey: Good evening, Board members, OCDE staff, and Superintendent Mijares. My name is Dennise Allotey, and I'm the proud principal of Scholarship Prep, Santa Ana. Thank you, Mr. Watts, for those kind words. On behalf of all of our Scholarship Prep family, we want to thank you for the opportunity to serve Orange County as the only...oops, excuse me. I'm getting texts from my community, letting me know that they're watching us right now. Shout out to them. Okay. I'll continue. On behalf of our Scholarship Prep family, we want to thank you for the opportunity to serve Orange County as the only TK-8 charter school dedicated to serving students who are historically underserved, especially the youth experiencing homelessness and those currently under foster care.

In the past five years, we have devoted our hearts and minds as administrators, teacher, and staff to provide a world-class education that places our students on a scholarship pathway. We believe in transformative change, not only for our students, but for their families as well. We know that we are building lifelong connections with our students and families through trust, and by creating opportunities and resources that will impact and empower our parents and guardians. In doing so, we are supporting an overall better quality of life for our community. We are also so grateful, and our parents are just as much, for the opportunity and the ability to have continuity of our program by creating a TK-12 system for college.

We are grateful to be able to strengthen our current community partnerships while building more. For example, we are so proud to share that this Saturday, we are hosting a holiday cheer drive-through celebration and our families, who are most in need to receive groceries, toiletries, and gifts for the holiday season. Thank you for your constant support these past five years, and we're very hopeful for seven more. Thank you.

Boyd: Next, we have Jason Watts. Aracely, that concludes the public comments.

Chastain: This concludes the public hearing. The Board has three options for action regarding a charter petition renewal. Option one: approve the charter petition for five, six or seven-year charter term. Option two: approve the charter petition with conditions. This action would result in approval of the charter and require the school to address concerns raised by the Board by established timelines. Option three: deny the charter petition. Representatives from Scholarship Prep are available to answer questions. President Williams, I now close the public hearing and turn the meeting back over to you.

Williams: Thank you, Aracely. Okay. Going to this portion where we make the decision, may I have a motion on Scholarship Prep item number six here?

Barke: Yes. I would like to make a motion to give them the longest possible renewal of seven years, because I think that they have proved that they deserve it.

Sparks: And I will second that. I do want to make one comment, though. There's an edit that needs to happen; discrepancy on page 23 in our packet. On page 1 of 9, the draft agreement. It says five-year period beginning July 1, 2021 through June 30th, 2028. The dates are correct, but the number needs to be seven.

Barke: Correct. Very good.

Williams: Only a college professor can catch those type of things. Good job.

Sparks: Thank you.

Williams: Okay. We have a motion to approve Scholarship Prep for a seven-year duration here. And we have a second. Any questions, thoughts before we take the vote?

Gomez: Yes.

Williams: Yes?

Gomez: If I can have Scholarship Prep come to the podium? Thank you so much for being here. My questions, again, are similar to the previous application. There's a lot of discussion in your application about professional development, yet the budget for travel and conferences is only about 22,000 a year for this upcoming year. By the time you get to 25-26, it's nearly doubled. My concern is that your description, I'm not sure quite matches the budget, so maybe you could explain that a little bit for me?

Watts: Sure. I think there's a couple components of this. Number one, we would be adding ninth grade students next fall. Taking on additional students, taking on additional staff, and certainly new grade levels. There is one component of the increase in need for professional development. We also have, obviously, this COVID transition that we're all going through. We're kind of anticipating what will be able to happen. We certainly put a lot of effort and time, and certainly, also, financial support in professional development. I believe the amount that you quoted is about a thousand dollars per teacher is how it works out per year, which covers what I believe is three courses per teacher through OCDE.

We also partnered with SDCOE, San Diego County Office of Education. They've been very gracious to allow our Santa Ana campus staff to also participate in things like induction. We're able to take advantage of both opportunities. Again, it's about one thousand dollars per teacher initially. Then, as we progress forward and add the high school grades, that should dramatically increase just based on the need.

Gomez: Okay. I thought I saw somewhere where there's about two to three hours...yes. Page 111 and 112. Talking about professional development per staff, you also indicate there's about two to three hours per week. Is that out of a different budget or what's happening there? Because, again, that didn't seem to line up.

Watts: Our weekly professional development on our minimum days, if you will, are our internal support systems. Whether it's the site administration, whether it's our home office team that will provide professional development. There are opportunities for us to bring in folks, external, for those meeting times. Again, that's just dedicated time every single week that could be internal, could be external. Also, it allows the teachers to have a common time for planning and data analysis, et cetera. Again, most of that is internal. Only occasionally we bring in folks externally on those two or three-hour periods per week.

Gomez: Okay. That's good. That budget is coming out of somewhere else for those two to three hours a week?

Watts: It's just like, again, our internal staffing.

Gomez: You also talked about your physical education. You mention things like swimming, soccer, and softball, yet I did not find in the budget where you either had rental fees or something else. Do you have enough space on your campus to have things like softball and soccer? I don't think you have a pool. Do you?

Watts: We have no pool, and I'm trying to recollect the actual electives and physical education opportunities that are in the petition as you're quoting them. As we stand now, we do offer soccer at our existing campus. We do not have a pool and we don't have a space for a pool yet, but we are in the process of acquiring an additional facility to allow us to further expand through grades nine through 12. Now, with that expansion, would we have space for a pool? Most likely not. I think those electives that were mentioned were more options and not necessarily dependent that we would offer specifically these ones set in stone.

Gomez: Well, when they're in your petition, it gives the impression that you would be offering these. If I'm looking at something like swimming as an option, I would expect to see that there would be, perhaps, rental fees or something to go use a local...share a high school pool or something like that, or a community pool. Then, later on in your petition, you also mention as an elective, baseball. Wasn't on page 73, but it's later on page 80. Again, I'm just trying to reconcile. I know you're trying to go into the ninth and into high school.

Those are the kinds of things that would incur more fees or rentals and things like that. If you start having competitions, you're going to have transportation and all those things. I didn't quite see that when I looked at the budget. My concern is that if you're out recruiting families to come to your school and you're offering certain programs, that you don't necessarily have the budget for those things yet. That's where my concern is.

Watts: Those are good points. I think my response to that would be a couple of things. Number one, we've been very fortunate to maintain a very solid fiscal budget year after year. We have the financial wherewithal to be able to support these programs that you're talking about, whether it's rental fees for, say, a swimming facility, et cetera. Not necessarily would we have every one of

these individual sports per se. Absolutely, our desire is to have a competitive sports program. I know that myself, I have four kids. Two of the four have been competitive in sports. That's a big deal for me. My degree is in sports medicine. That's a big deal for me. Our academic team knows that. I remind them about this all the time.

We kind of have an ongoing discussion about that. That's certainly important to us, but we do have the budget to be able to support that. Whether it's a specifically listed line item in the budget, I don't have that in front of me to be able to tell you that. I trust, obviously, what you're saying but I know that we would support that regardless.

Gomez: I just want us to be able to do that if we promise that and families go to a school with that expectation that we're able to do that. I'd also like to ask about your English learner population. How many students do you have?

Watts: Total English learner students?

Gomez: Yes.

Watts: As of, I believe, last year's reporting period, we had 107.

Gomez: How is your ELAC doing?

Watts: That question is probably better served for our principal.

Gomez: Okay.

Allotey: No. We are just over the moon about our families and how they've transitioned. Many of our families didn't use a Chromebook, hadn't used a laptop before. We're just so proud that Zoom has allowed the opportunity, again, to get our parents, wherever they are, by the Chromebooks that we provide for our students. With our ELAC, we were successful, of course, when it was on the physical campus. We used to provide childcare as well, along with our pep squad. We're heavily involved with our parents. Right now, ELAC, of course, is what we are focusing on in the month of January.

Because of everything that we've been through, our focus was distance learning. We tried hybrid. Absolutely, our parents are ready to be involved with parent workshops and continue our work that we did with ELAC as we involve them in everything that has to do with English language learners.

Gomez: I would hope that would continue. There are some advantages, obviously, to having your families connected. They can participate from afar if they can't get to campus for whatever reason.

Allotey: Just like the lady who shared before, parents are actually in...they like the IEP, even, through Zoom, that we're able to accommodate them wherever they are, whatever situation they may be. It's a barrier that we have removed and having that available to them at any time.

Gomez: Yes. Do you find that in this situation, that your families are able to connect to the internet? Are you able to issue hotspots?

Allotey: Yes.

Gomez: Okay.

Allotey: Yes. Absolutely, Superintendent Gomez. We have done all that we can through our home office to provide that to our students, and just being able to support them in whatever best

that we can, which is hotspots. We have our lists priority, of course, to the McKinney Vento and foster youth students, and those that are most in need. We're continuing. We anticipate as we go back to distance learning as well that we are going to acquire much more, many more.

Gomez: Okay, good. Okay. Thank you. That's all the questions I have.

Williams: Very good. Any other Board questions, concerns, comments?

Shaw: I just want to make a comment. Denise, I don't know if it's humanly possible to hear you present and not have a smile on my face. You are just a joy. I think all the young people are just so fortunate to have you as a principal. Your enthusiasm is contagious.

Allotey: Thank you. They fill our hearts with so much love. This amazing community is so deserving. We do everything for them. We think of them all the time and everything we do is for our community and their parents as well, who've just been able to benefit from what we've been able to provide. Thank you.

Barke: You also did a great job when Tim and I came in to visit, to really let us know what was going on. The presentation was amazing.

Allotey: Thank you.

Barke: We appreciate that. I don't think you mentioned, Jason, the Carson Reader's Room that you have, either. I was actually the person, I read the first book in that room. That's quite an accomplishment and very few schools earn a Carson Readers Room.

Watts: I was thinking I only had three minutes, so I kept that short for your benefit, but there's many more. I'm sure Denise can rattle off 10 times more than that.

Allotey: Yes. Actually, on that note, we're getting ready to nominate our new Carson Scholar. We wish them luck so they can get their Carson Scholarship.

Barke: Excellent. Love to hear that. Great.

Williams: That's wonderful. Okay. For Board action item number seven, we have motion by Trustee Barke, second by Trustee Sparks. It is for seven-year extension of this renewal and, barring that there are no further questions by the Board, I will call for the vote. All those in favor say, "aye"

Board (except Gomez) Aye.

Williams: Oppose?

Gomez: Oppose.

Williams: Motion passes 4-1. Congratulations. Very good. Okay. Moving on to -

Boyd: Dr. Williams? If I could just take you back. You had asked about submissions for charter schools, and I have been able to confirm that there are two submissions. Suncoast Prep and Unity will have renewals and you will hear those next month. We'll be sending the Board binders and their flash drives in their Friday updates.

Williams: Very good. Very good. Okay. Thank you all very much. Okay. Moving on with our Board Agenda, moving on to number eight. That is the First Interim Report for the 20-21 year. May I have a motion to begin discussion on the Interim Report? Okay. I'll make the motion to begin discussion on item number eight. I need a second.

Barke: I'll second.

Williams: Okay. We have motion and a second. Okay. Let's get into it. Trustee Gomez, would you like to start us off?

Gomez: No. Since I started on both the other things, I'll defer to someone else.

Williams: Not only did you start, but you're the only one. I'll start to the left, then. Trustee...

Sparks: My mouth is full.

Williams: Your mouth is full? Okay. Then how about this? I will start. Just for the record, Renee, this is the 20-21 Interim Budget. It is different than the ones that we have had in the past. Could you give us an overview why it's a little bit different?

Hendrick: It is different this time because it is including, for this year, the Budget /Parent Overview for the OC program and the College and Career Prep Academy. If you remember the adopted budgets, they said that the LCAP would be by December 10th. The state changed that. You had adopted the Learning Continuity Plan in September, I believe, earlier this year. This is the budget plan that goes with that. Instead of a separate action, the state is saying you can just put it with your First Interim for our group. That's why it's a little bit different this time.

Williams: Are we adopting just one interim for both? Is that what we're doing?

Hendrick: The Interim is our regular Interim that we would normally do in December, which is an update to the adopted budget.

Williams: Sure.

Hendrick: Then you're doing two separate Budget/Parent Overviews, but they don't have to be separate actions if that makes sense.

Williams: We're not taking action on those, then?

Hendrick: The state says that you can take them as a whole, unless you're not going to approve the Interim. Then you would have to take separate actions, if that makes sense. They said they can be included as part of your First Interim Budget is basically what they've said.

Williams: This Parent Overview, this is new because of the new LCAP?

Hendrick: Because of COVID, they didn't do the LCAP. You did the Learning Continuity Plan, which you guys were a part of.

Williams: LCAP, version two.

Hendrick: Actually, it's called the LCP, I guess, instead of LCAP. This is just the financial information that goes with that. It's in a very condensed format for parents.

Williams: This is for parents. Do parents actually receive it, or do we give it to them? How's that work?

Hendrick: It's posted on our website. It's also shared with the parents during our parent advisory meetings.

Williams: Okay. We made a motion and a second. Does it include approving that then, too?

Hendrick: Yes.

Williams: Okay. That's what I was unclear of. Very good. Going through this, just a couple of commentaries and we'll probably get into this. For the record, I only got the DAT file two days ago. We really haven't gotten a chance to look at the DAT file. We're probably going to move this to January for official approval because I don't have those DAT file overviews.

Hendrick: In that case, a couple options for you. We would need to do the Parent Overview separate portions if you're not going to adopt the budget as a whole.

Williams: Okay.

Hendrick: Also remember -

Williams: Is that statutory?

Hendrick: I'm sorry?

Williams: Is that statutory that we have to adopt the Parent Overview?

Hendrick: They had a date. I believe. They had to be adopted by December 15th.

Williams: For the Parent Overview?

Hendrick: For the Parent Overview. Right. The Interim Budget, the Board doesn't technically need to approve. You have to approve expenditures over 25,000, which I did include in your booklet.

Williams: Right. Thank you. We have to approve it because of the expenditures over 25,000?

Hendrick: That would be the preferred method.

Williams: Right.

Hendrick: That's what we followed last year, so I included those just in case you wanted to separate those functions.

Williams: Right. On page number three, and this is more higher-level thought, and goals and reflection of the Department. I would like to see in the future, on page number three, the first paragraph, it says, "A budget summary is an overview that reflects the goals and priority of the County Superintendent." I think the County Board of Education needs to be put in there. I don't think these are just the budget priorities of the Superintendent. I think it's for the Board also. I'd like to see that in there. When we say it's aligned with the local control, is that with the LCP or the LCAP?

Hendrick: In those years, it will be the LCAP.

Williams: Right.

Hendrick: In this year, I noted that wasn't done. It's with the LCP.

Williams: Okay.

Hendrick: Just to clarify. We do still follow the plans that we have laid out in that very large LCAP. Those don't just get thrown away. We still review those [inaudible].

Williams: Okay. I don't want to take up a whole lot of time. I will ask more questions, but are we ready to pass the torch? Tim, do you have any questions?

Shaw: No.

Williams: No? Okay. Lisa?

Sparks: I like your suggestion on page three, adding the Board of Education as part of it. I wonder if on page two, the first paragraph, as well.

Williams: First paragraph on page two?

Sparks: Yes. Maybe there should be an about in terms of our role.

Williams: Yes. I do agree with that. What are you thinking? What are you suggesting? What type of language would you like to see?

Sparks: We can pull language from the website. What the role of the Board of Education is and add it there.

Williams: Okay. Something akin to, and I'll just throw it out there. The County Office of Education has two legal entities: The County Board of Education and the County Superintendent of Education. Something along that line?

Sparks: Yes.

Williams: Okay. Thoughts on that?

Barke: I'd be agreeable to that.

Williams: Okay.

Shaw: That's a good idea.

Williams: Tim?

Shaw: That's a good idea.

Williams: Okay. Beckie?

Gomez: I'd just like to see what the language is first. We can certainly consider it.

Williams: I don't think there's anything specific in mind, but I do like just a little bit more inclusive language that includes the Board as playing a role in the budget here. Let's go to the variances. That is on -

Barke: 104.

Williams: - page 104. Okay. Let's start at the very top. In our last budget, Renee, we had found that there was \$4 million that was put into the Object Code. Help me out here, Mari, it was \$4 million that was put into an Object Code for textbook. Where did that money go in this budget?

Hendrick: I actually gave you, under Holding Account, I actually have shown you all the programs.

Williams: What page is that on?

Hendrick: It's on page 108. It lists every program, and you can see what was the Adopted Budget and First Interim Budget. You had something move in and out.

Williams: That money on the textbook that was there in the budget that we adopted in June. Does that get put into another Object Code? How does that work?

Hendrick: The textbooks are still there, 4100. You can see that increased by \$18,460.

Williams: I'm sorry. Where are you?

Hendrick: I'm on page 104. The \$4 million dollars that you guys were discussing was the holding account that we use before we distribute it to textbooks, services, salary, whatever that is. The question you had is, what are those programs? That's why I included it in the budget for you to see all the different programs.

Williams: Okay. Help me out. The Adopted Budget, the 20-21 Adopted Budget, it has here on page 104: 261,718.

Hendrick: That's for textbooks, under 4100. Textbooks.

Williams: That's 4100. Okay. What was that in the budget that we adopted? How much was in that?

Hendrick: That shows you the Adopted Budget was 261,718. The First Interim is 280,178, which is an increase of 18,460. I show you two columns, what it was at adopted and what it is at first interim.

Williams: Okay. When we go down, we look at the increases. The general supplies, you're anticipating that the variance will be \$1.4 million?

Hendrick: Correct.

Williams: Is that because of the Cares Act and money and funds that are coming in there?

Hendrick: 1.5 million of that is.

Williams: Okay. That's just a one-time check. Do we know it's for sure that it's coming or is that just anticipating?

Hendrick: We already have it.

Williams: Oh, you already have it?

Hendrick: We have to spend it by December 30th.

Williams: When did we receive that money?

Hendrick: We received it over different time periods. I think the last allotment, I'm not exactly sure the date, but it's a total of almost \$7 million.

Williams: Okay. The safety and health supplies, it went up 202,000. Is because of the PPE that's required because of COVID?

Hendrick: Yes. Even though we received a lot of PPE from the state, we've received a lot of

face shields, sanitizer, masks, those types of things that have gone out to schools that the state has supplied. There's still a lot of additional things that staff need and the burn rates pretty high on some of those.

Williams: Oh, yes. They're difficult to get. I can't get any for my office.

Hendrick: We've done pretty well with being able to get most supplies. We've got some contracts in place. We had a problem at the beginning, but now we've got it pretty good. We make sure we have adequate stock for at least two months.

Williams: Yes. It's interesting that the private doctor doesn't have any supplies, but the hospitals and the schools get them.

Hendrick: We don't use an N95. It's called volume buying.

Barke: I was going to say they probably have a little more buying power than you do. I'm guessing.

Williams: Yes, it's like getting the COVID vaccine. I'm on the second tier. Even though I treat COVID patients, I give them immunizations. I'm still the low guy on the totem pole, but every CVS and Walgreens is going to get it before I will ever be able to give them to my patients. As we look down here, there is a big increase in 4300. That takes care of all that above it. Is that it?

Hendrick: Right.

Williams: Okay. It goes from 12 million to 14 million with a \$1.8 million increase. Is that correct?

Barke: Can I just ask you particularly about the subscriptions, what that is, in the 4300's? I panned over it. I think it's 4355 or 4356. The subscriptions. What does that include?

Hendrick: The subscriptions would be we have a lot of nurses to get subscriptions to certain periodicals. A lot of it could be teaching things. Whoever is the organization is buying subscriptions. That's what it would go under.

Barke: Is that a COVID response? Is that why we've seen an increase in that? Is that unusual?

Hendrick: More than likely, or maybe because we're not going to some of the conferences. Maybe we're doing periodicals. We've also seen an increased cost in some subscriptions also.

Barke: Okay.

Hendrick: Which is interesting since it's a lot more online now. You would think there would be cost savings.

Barke: Yes. Okay.

Williams: Moving on to page 105: Supplies and Equipment. Agreements didn't go very much. Travel, obviously, that we cut back a couple years ago is down as well as conferences and workshops. That's way down, probably because there's no conferences being held, I assume.

Hendrick: There's no travel for conferences. You will see in the registrations we've actually gone up a little bit in that because since there are so many that are virtual, whereas before we would have sent maybe two or three teachers or staff. Now we may be sending eight or 10 or more because they can attend virtually. That is where you see a small increase.

Williams: Is the registration fee for these conferences the same as though it's in-person?

Hendrick: Off the top of my head, I don't know. They don't seem to be as much reduced as I would assume.

Barke: Right. From what I've seen, it doesn't seem like there's a great discount.

Hendrick: I do think from some of the programs, what they're saying, it still costs them quite a bit of money to provide a program. I think technology is very expensive for a lot of these forums, also. In the narrative, I did show you that we had reduced the travel and conferences by 47% and 51%, in addition to the cuts that were done in July.

Williams: The Object Code, and you're going to have to help me out for this Object Code. The one where we had all those social tables that we were buying, that we cut back 25%. What Object Code is that? Do you recall that?

Hendrick: I believe it's 5230.

Williams: 5230? Are we still paying for these tables?

Hendrick: I don't see that we've had those events.

Williams: I was going to say, probably due to the circumstances and times, we probably haven't been going to any of those. What happens to those funds when we don't spend them? I assume we're not spending them and we're not just giving the money away.

Barke: That category is up a little bit, but that's because of registrations for other stuff.

Hendrick: Right.

Williams: Could you tell me what's going on with those events -

Hendrick: I don't know.

Williams: - that we budgeted?

Hendrick: I haven't seen any, but I don't see every purchase that comes through, either. I could take a look at that. Most of the conferences that I saw were larger conferences, mostly teacher related.

Sparks: If I may? What's the difference between 5100 sub-agreements and 5810 consultant instructional?

Hendrick: Sub-agreements is when you're passing money through to another agency to do the full service. Let's say transportation is our biggest one. That's actually the county guideline because we can't take in direct on those dollars in the 5100. Object Code 5810 is going to be your instructional consultants. That's a consultant who's going to do direct instruction-related items. That would be more for teachers at the instructional site. We also have consultants that are non-instructional. That's under 5800 -

Sparks: What are they consulting on if they're non-instructional?

Hendrick: It could be more on management techniques, on a whole myriad of things. They're not doing instruction to an instructional person. The coding for accounting breaks it up between what is direct instruction in classroom versus anything other than that.

Williams: On page 105 on 5810, the K-12 Strong Workforce - is that a one-time funds that are coming in? Is that Cares Act money or is that state money?

Hendrick: Strong Workforce used to be Pathways. Now, it's the K-12 Strong Works. That is the Career Tech program.

Williams: It wasn't in our Adopted Budget before? Is that because it changed names from Pathway?

Hendrick: We weren't sure what the allotment would be. What they did differently is it was going to Rancho Community College District, and they were passing the funds through to us. Since we weren't exactly sure what that funding would be, if we would receive it, we didn't include it in the budget. We since have gotten notification that it's coming through Rancho, still, but directly to us. That's why I've included information on both of them. Most of that money flows back out to our partnering agencies.

Williams: In the past, it just is the way of how you put it in the budget, that it was different. We didn't have it in our budget that we adopted in June, but we do now.

Hendrick: Right, which is what the interim does. Any updates we've had since June.

Williams: It's updating the checkbook, I think, you have said before. Beckie made a couple of comments on field trips, our service contract for field trips. It looks like it's gone down. Why is that?

Hendrick: We're not doing -

Williams: Not doing field trips.

Hendrick: We are trying to do virtual. We are doing a lot with field naturalists and things like that. We didn't have students in classrooms. Now we do. We are utilizing that. We have decreased that.

Williams: Our kids are in the classroom?

Hendrick: In most cases, yes.

Williams: In most cases. Has there been anybody who's contracted COVID in that age group? Out of curiosity.

Hendrick: Yes.

Williams: We do?

Hendrick: Yes.

Williams: How many?

Hendrick: At least nine that I know of.

Williams: Nine. Is that in a cohort in a particular school, or is that nine separate events? It's in a cohort? That would be important to know. When did that occur?

Hendrick: It's been over the last few months. It is for the Sunburst program.

Williams: The what?

Hendrick: Sunburst program.

Williams: The Sunburst program?

Barke: I've heard of that. I think we've heard of that.

Williams: Okay. That has only been in the Sunburst program. Not any of the other programs?

Hendrick: I think there have been one or two other ones at different sites.

Williams: Okay.

Barke: I think, from what I've read, Sunburst is back up and running and they're fine. Is that not true?

Hendrick: That's not true. No.

Williams: What happened?

Hendrick: Another outbreak.

Williams: Another outbreak? A second one?

Sparks: In the services contract advocacy, 5852. What does that entail? Is that the lobbyist?

Hendrick: Yes.

Williams: What was that?

Sparks: 5852 -They changed it to advocacy instead of lobbyists.

Hendrick: You'd asked to have that broken out into a separate Object Code.

Williams: Right. That's down. Why is that decreased?

Hendrick: We re-evaluated some of the contracts that we had. We made some changes.

Williams: What contracts were those?

Hendrick: One of those was for Bob Canavan. It was reduced.

Williams: Okay.

Hendrick: Then School Services. We have their full contract under advocacy, and that's only a very small portion of what they do. Most of what they do is financial reports and financial management. We separated out their advocacy part from the financial management tools that they have.

Williams: Okay.

Barke: I'm sorry. Can I go back to 5810? I'm still not sure that I totally understood the increase there and why that was. I understood that the difference from whatever we're...but I didn't understand what all those dollars are going for.

Hendrick: You have the K-12 Strong Workforce, which is career technical. A lot of times in those classes, we were paying consultants who were specific teachers, or it could be money going out to other districts. Then you have the impact for early learning was an increase of 77,000.

Barke: Okay.

Hendrick: Then the IELP, it's an Inclusive Early Learning Program. That's where we are doing special education and doing inclusive learning with general ed. That's the first of its kind type of program. We're excited for that. That is in cooperation with Centralia School District. We don't have general education students in our special schools. That's new there. Then we also reduced a whole bunch of different programs also, besides adding those. That's \$3,000 in reductions.

Barke: Okay. It's mainly coming out of the K-12 Strong Workforce.

Hendrick: Right.

Barke: Okay.

Williams: Moving on to page 106 on Hearings and Legal Costs. Is that a new title that we're giving this? Hearing's and Legal Costs?

Hendrick: That's what it's always been called.

Williams: It's always been called that? Okay. You have attorney fees for Board and Superintendent. Nothing's filled in there. Is that correct?

Hendrick: Yes. That is probably because the increase actually wasn't over 25,000. It is only 8,900.

Williams: Okay. Do we have that broken down, the legal things going on?

Hendrick: It actually is in the narrative.

Williams: Where is that?

Hendrick: On page 24.

Barke: I feel like I've asked this before, but can you tell me again what the UUAL is?

Hendrick: I'm going to make sure I say this correctly. It's supposed to be Unaudited Actuarial Liabilities. I'm missing a letter in there somewhere.

Williams: That's the OCERS lawsuit. Is that right?

Hendrick: That's correct.

Williams: Okay. Can we have an update on that?

Hendrick: The update is that it's settled.

Williams: When did that happen?

Hendrick: Probably about two weeks ago.

Williams: Why wasn't the Board told of them? We haven't gotten an update since Mr. Riel gave us an update on the chronology of the event. Tim, this is going to be new for you because you weren't here. When all this began back in 2015, when the OCERS, Orange County Employee Retirement System, they came after us and UCI. We owed them about \$3.3 million and UC Irvine owed about 13.5. These are all based upon actuarial studies that gets rather complicated. At the time we came from the supervisors and we became our own entity, our employees had the opportunity to go to STRS and PERS, but they also had the opportunity to stay in OCERS. Some of them did stay in OCERS. They didn't go to STRS and PERS. I just heard the other day, one of the beneficiaries from the civil war personnel –

Shaw: I heard that.

Williams: Died. He lasted a long time.

Shaw: The last civil war pensioner finally died.

Williams: Finally died.

Shaw: Unbelievable.

Williams: Yes. These things last a long time. Way back in 2016, you can help me out here, Dr. Mijares, if I get the dates wrong. It started by OCERS coming to us in March saying that we need to give them money because they did this actuarial study. We ended up being the plaintiff in the case, suing OCERS. Later, we lost that case. We appealed it to the State Appeals Court. Tell me if I'm wrong, Dr. Mijares. We lost that in the appeals court. In the meantime, we owed them some money now for the fees. I believe our fees were \$1.2 million to the law firm at the time. Then, we didn't pay the fees that were tagged on by OCERS. Then, we got sued again, or the Superintendent got sued. That's what you're referring to the settlement? Okay. Did you agree to pay them?

Mijares: You've summarized it nicely, Dr. Williams. What they did was to call it like an administrative fee, as opposed to -

Williams: Legal fees.

Mijares: We paid that. The genesis of this was that out of the blue we get a bill for an excessive amount. I don't remember exactly how much the bill was. At the time, Lydia [inaudible], who held the position that Dean West now holds, had been the substitute superintendent. She wanted to know what is this. I said we owe this money and she had gone over the projections. We don't have a lot of people that are the beneficiaries of this. Our research told us that we were being treated unfairly. We thought we had the resources. We pointed it out in court that other organizations that weren't taxed. That's not the right word for it - levied, or requested to pay money. That's what we were fighting.

The bigger picture for me, in the lawsuit, was that they would not establish a threshold so that they could go up astronomically. I just inherently thought it wasn't fair. Taken in the light of the inherent payment, the pensions, benefits, public employees, other recent activity, we thought that we should challenge them to quantify this large amount and the court did not accept that. We lost in the first round. We appealed it. In the second round, it required attorney fees and what would be the accepted amount of fees we would pay. We lost there, too.

Shaw: If I may? Is it a matter of the people are simply living longer so they need to have -

Mijares: I think that may be part it.

Shaw: - more money to fund they're longer retirement years?

Mijares: The lesson I learned, that's part of it, Tim. The lesson I learned from this is that in those systems, they're looking at protecting the entire pool. There is a formula. I've never figured it out, frankly, of how they do this. There was almost a subjective outlook where they can just pass these fees on to the organization. We just thought that wasn't fair for us to bear this burden. That's what we were fighting. We're all caught up to date. I don't know when the next bill's going to come in, but I can tell you it's not going to be [inaudible].

Williams: We're paying about \$27,000 a month to OCERS for this bill? For this negotiated settlement. Is that correct?

Hendrick: We've been paying the monthly amount. For the last few years, we were paying that. The only amount that -

Williams: Where is that in the Object Code?

Hendrick: It's under 3900's. It's actually considered a retiree benefits amount.

Williams: Okay.

Hendrick: It's in the 3900's. For 2019-20, it was \$292,000 for a year. It's now recorded that we're paying 100. The only amount of the settlement was actually the things that were legal fees that now they've called it administrative fees that we paid to them.

Williams: That was the reason for the lawsuit that's initiated against the superintendent last summer. Is that right? That was settled when? November 6?

Hendrick: I'm not even sure if we made the payment yet. The exact date [inaudible].

Williams: You don't know how much you owe them?

Hendrick: It's close to \$300,000. That has been included in this budget.

Williams: If I told you, you paid \$461,801.72, would that be something you would recollect and be aware of?

Hendrick: That could be, Ken. I deal with a lot of numbers. Sorry.

Williams: Who actually writes the check, then? Because it would be Dr. Mijares who would be signing the warrant, right? For such a large sum.

Hendrick: Right. It's our administrator.

Williams: Who would that be?

Hendrick: Patty Banuelos.

Williams: Okay. Are they going to go after...because there's other litigation because the money you paid was for the previous litigation. Then, they have more attorney fees. Are they going to go after you for that? You sure?

Hendrick: Yes. It's all wrapped into there, including interest, by the way, which was way above normal interest.

Mijares: Please allow me to interject so the numbers are correct. Twenty one individuals that are receiving this money.

Shaw: Twenty one OCERS members, you said?

Mijares: That were former employees of the Orange County Department of Education.

Sparks: Renee. Where's the 3900's in this packet? I can't find it.

Hendrick: Normally, we've only been giving you the 4000's through 6000's because the salaries and benefits. It's under benefits. You can see it on page 37, and also on page 33. It's

\$464,113,000, Ken.

Williams: I'm sorry. Page 33?

Hendrick: Yes.

Williams: Okay. Where is that under here?

Hendrick: It's under Employee Benefits. It's \$464,115.

Gomez: It's fourth bullet point from the bottom.

Williams: Okay. That's how much you paid them, then?

Hendrick: Yes.

Williams: That's a one-time cost?

Hendrick: Correct.

Williams: Then we had, on that same page on the same topic, we had increase in medical benefits of what, 2.3 million? Is that right?

Hendrick: Correct.

Williams: Okay. That's for active and retired employees?

Hendrick: We don't pay retiree benefits.

Williams: Okay.

Hendrick: Or medical benefits for anybody who retires.

Williams: They have to get their own insurance.

Hendrick: They can purchase from us at the full cost.

Williams: Okay.

Sparks: Wow.

Williams: Then there was an increase in STRS of \$1.2 million?

Hendrick: That's just the STRS on behalf. It's kind of convoluted. The state pays a portion of the STRS pension for schools. They make us recognize that as both a revenue and expense so that it shows as a liability on the financial statement.

Williams: We talked about this for several years now. This is going to be an ongoing and growing problem.

Hendrick: Yes.

Williams: It's not going to get any better.

Hendrick: No. I would assume next year, because investments may have not done as well, you'll see some increases. Unlike PERS, who has actively changed their plan, STRS has the employee now pays a higher cost than they have been. I think when we talk about the OCERS litigation, that was the frustration for us. Members of PERS and STRS have paid employee portions for many, many years. Those have increased substantially. OCERS just recently, in the last five or six years, started charging employees a larger share. Most of them are safety officers and so they retire much earlier. They had actually an increased benefit from what our employees who were in the OCERS plan did. That was part of our frustration with OCERS is they have this enhanced plan and they're trying to say that we owe them for it because their plan costs more money. We don't receive the same benefit.

Williams: The Ending Reserves. That's on page 35, is that correct? Under item 15?

Hendrick: Correct.

Williams: Okay. Our ending reserves, and this is for unrestricted. Is that correct? It's \$120 million plus. Is that correct? Then above that we have Designated Reserves. Correct?

Hendrick: Correct.

Williams: That's for how much? It's the same, isn't it?

Hendrick: The ending balance is 249 million. Of that, you have 120 million for Economic Uncertainties. Then you have 83.6 million for specific programs and grants, 44.9 million for Legally Restricted Programs. Then, there's \$70,000 for a Revolving Fund.

Williams: What's a revolving fund, again?

Hendrick: We have two separate revolving funds, like for payroll and one for vendors. It takes us two or three days to process a check through our system. If we have to write an emergency check, it's 30,000 for the vendors and we have 40,000 for payroll. If we miss paying an employee by accident, we write them a check that same day. That's what the Revolving Fund is for.

Williams: Mr. Superintendent. Did you ever pay Mr. Rob Tyler and Mr. Rolan for the Invocation Protection litigation. Was that ever paid?

Mijares: No. We haven't issued a warrant for that.

Williams: Why is that?

Mijares: We're studying it.

Williams: What do you mean by studying it? We were being sued, potential litigation. We hired outside counsel to improve upon the policy.

Mijares: We're reviewing -

Williams: What happened was we hired Mr. Rolan and Mr. Tyler, we approved it and we got a good policy to prevent a litigation. You're telling me you didn't pay for it and you're studying it. Why?

Mijares: The way we interpreted the law, you were supposed to still come to our general counsel to see if the general counsel could handle that lawsuit, could get the opinion of the general counsel. That didn't happen. Tyler & Bursch was brought into the organization. I get a bill for \$7,000, I think it was.

Williams: Right.

Mijares: I've conferred with our attorney, because in some respects, this mirrors the same situation that we're in right now with Mr. Rolan.

Williams: Completely different, completely different. This isn't general counsel. This was a potential litigation. You're telling me that now you're going to, for a mere \$7,000, you're not going to pay them?

Mijares: I'm not telling you I'm not going to pay them. In the midst of these wheels that are turning with respect to the dispute over the general counsel, we're, as I say, we're looking at it right now. We got the bill maybe, what, three weeks ago? I can't remember.

Williams: We approved it three months ago.

Mijares: No, but we didn't actually get the warrant.

Williams: I gave the warrant to Nina.

Mijares: I don't remember when that was. Nina, do you know? Was it three months ago?

Boyd: It's been a couple of months.

Mijares: Okay.

Boyd: I don't know the exact date.

Mijares: It could be, and I stand corrected if that's the case. I will give you an answer. I'll make sure that I write the answer down to you so that you will be able to understand it from a technical point of view, in terms of how I feel about that expenditure and when he will be paid.

Williams: You're telling the Board that we can't hire an outside counsel for potential litigation, and you're going to think about it?

Mijares: That's not what I'm telling you. I'm telling you that there's a process that has to be

followed under law. It's that process that we're examining right now.

Williams: We follow the Brown Act. We agendize it. We agendize closed session items. We follow the law. We follow the Education Code. We did everything perfectly and you're second-guessing us that we didn't do it right?

Mijares: I'm second-guessing the process. I'm not ascribing a motivational factor in terms of what people's thought process is. I'm looking at the process that we have to follow.

Williams: If I didn't ask this question -

Mijares: This is not agendized to discuss.

Williams: We're talking about legal costs in the budget. It is so agendized.

Mijares: It isn't agendized per se to discuss this as the subject.

Williams: It has nothing to do with the legal bills under this particular item? I think it does.

Mijares: Perhaps you can make a case for that. Looking at it specifically, if you want a more robust discussion on newly examining the law, then I'm not prepared to give that to you right now.

Williams: No. I'm just very disappointed. Just like the OCERS lawsuit, your whole rationale for the OCERS lawsuit was very poor. You lost the Department over \$2 million. How much did you owe OCERS - \$3.3 million and you spent \$2 million defending it. UC Irvine owed 13.5. They didn't even argue about it. They said, yeah, we owe it. You spent \$2 million of taxpayer's money when you only owed them 3.3. This is an exact same type of poor decision-making process by not paying a small little bill for a legitimate service you're going to end up by getting into another litigation.

Mijares: Seven thousand dollars? We'll see. If you want to talk about legal fees, we can discuss that too, in terms of its entirety of the multi-million-dollar fees we're paying right now.

Williams: We could have had all this settled two years ago and not even had it. There's Education Codes that we disagree with.

Mijares: Yes. There was an option and that was to stop all litigation. You chose not to.

Williams: We worked hard to stop that in good faith.

Mijares: I'm not going to talk anymore because we're in litigation about this subject.

Williams: What we're doing is we're going down the same path because your autocratic, despotic perspective of controlling this Board when we make good decisions for the public to decrease the liability of a potential lawsuit. We did everything we could to reduce that. We did it properly and lawfully, according to the Brown Act. Now, for you to just kind of sit there and tell this Board that you're thinking about it, that is pretty much doing some things I'm not going to say in public. It's very disappointing, as a leader. You're doing a very poor job.

Mijares: I'm being circumspect, Dr. Williams. Your opinion of me is your opinion. I'm going to continue to run the Department in accordance with my office. As you're elected, I'm elected. I have a bifurcated set of duties and responsibilities with different authority structures. Right now, you've retained counsel. I have counsel. We're just going to have to work through the court process.

Williams: It could be settled, but you're not being reasonable about it. This whole thing about not paying -

Mijares: I respect you and I respect your opinion.

Williams: - our attorney is incredible.

Mijares: And I respect the entire Board.

Williams: I don't think you would respect us. You want to say something?

Barke: No, I don't.

Williams: Have I said enough?

Barke: Yes.

Williams: You want me to stop?

Barke: Yes, I do.

Williams: That's pretty incredible. Very disappointing. I don't have any more questions. Beckie, do you have any questions? You declined at first. This is your opportunity.

Gomez: I just wanted to just reiterate a couple of points back on page 23. My usual thing on professional development, and Ms. Hendrick has already addressed it a little bit, but to show that we have decreased the travel and conferences and mileage by 51%, then travel and conferences another 47%, yet still maintaining a pretty good balance. We're a little bit over on the registrations, but I think that it is appropriate that we have decreased those in order to increase the opportunities for our staff. I think, probably you can answer this, but probably it's more to get the staff sort of up to speed on distance learning and things like that. It is sort of the sign of the times that we have to prepare our teachers a little bit better than they were, because they didn't have to do this previously.

Hendrick: Yes. Also, there's been a lot of new restrictions under the LCP and how you engage students. It's been a big focus. It's one thing to try and teach virtually, but to make sure you're engaging the students. That's been a big focus for our programs. That's kind of where our focus has been for the last few months.

Gomez: On page 24, the County Board Contingency, in the little chart there, that shows 350,000. Could you talk a little bit about that because there's a budgeted amount and then is there a reserve amount as well?

Hendrick: Yes. In the Adopted Budget, Dr. Williams had requested to have an expenditure budgeted for 350,000. They asked for a reserve to be set aside for the same amount. You'll see that when you look at the reserves, the listing of reserves. It's also listed there.

Williams: Okay. We have 700,000 put aside for legal fees?

Hendrick: You budgeted additional, in addition to the two ongoing litigation. There's another 350 that's here as a contingency. Then you have a reserve set up of \$350,000, also.

Gomez: Okay.

Sparks: Where's that reserve? I see the contingency.

Gomez: Yes. I saw that too.

Hendrick: Page 48. It says, "County Board Discretionary."

Sparks: Thank you.

Hendrick: Let me think. If I went back and looked at my notes, that was the language that Trustee Barke had asked for.

Sparks: Okay. I see. Okay. Thank you.

Gomez: Our reserves...the reserves for Economic Uncertainties on that same page, at the very bottom. Also on page 39, that's \$120 million. Refresh my memory, what is our mandated reserve to have?

Hendrick: For this site, we're considered a Class 2 County. The state requirement is 2%.

Gomez: Okay. What does that 120 million represent - percentage wise?

Hendrick: Above 40%.

Gomez: Forty percent? Okay.

Hendrick: That's above that.

Gomez: Okay. Thank you. That was all I had.

Williams: Any other questions? Okay. I made the original motion to bring up the discussion of the budget here. I'm going to withdraw it and I think Trustee Barke, you seconded. Will you withdraw your second?

Barke: Sure.

Williams: Yes. I'm going to make a new motion. I'm going to make the motion to approve the LCFF Budget Overview for parents. That's what you require. Is that right, by December 15th? Okay. Then, in addition to that, I'm going to ask that...we're going to lay on the table until we have a little bit more thorough review of the DAT file, the remainder of the Interim Budget, pending the changes in the priorities that we talked about and Trustee Sparks talked about on page two. I'd like to see those changes in there. That's my motion. I will need a second on that.

Shaw: Second.

Williams: A second. Okay. Any discussion?

Hendrick: Can I ask you to do two separate votes to include the College and Career Prep, also? They're two separate plans.

Williams: Okay. Let me do this. Let me add an addendum, too. In addition to the...let me withdraw. Strike that. I'm going to withdraw everything, and we're going to start over. The motion will be to adopt the College Career, as well as the LCFF for parents, and lay on the table the Interim Budget for January for further discussion. Then, we'll be in contact. There may be a few other things that we will want in detail.

Hendrick: What about the increases over 25,000?

Williams: That decision...that's what I'm saying. Laying on the table for January any of those increases.

Sparks: Okay.

Williams: Second by Mr. Shaw, again?

Shaw: Yes.

Williams: Okay. Any other questions?

Gomez: Yes. Just to clarify something. Ms. Hendricks, do we have any other things that are required for us to do before the next Board meeting? Any other portions of this budget? Those are the only two things that we needed?

Hendrick: Technically, the First Interim, in the Code, is supposed to be approved by December 15th.

Gomez: Okay.

Shaw: We're not approving that other part you said about?

Barke: We need more time.

Williams: We need more time. We just got the DAT file two days ago. We've been in trial over in GC.

Hendrick: Dr. Williams? Out of fairness, you asked for that DAT file Wednesday afternoon. It's not like we didn't respond to your question. The booklets were mailed out. This is a lot of work on my staff to try and do all this, to give you the information you need. If there was specific information you were looking for, we could have tried to provide that ahead of time. That was not requested. You did not request the DAT file until pretty late Wednesday afternoon. My budget manager's been working 16 hours a day. I let her go home a little bit early on that Wednesday, so I couldn't get it to you before Monday.

Williams: Oh, I appreciate that. I mean, I shouldn't even really have to ask for it because you should know we want that file. We've asked it for the last two years. Just automatically what I would do, Renee, is just automatically give it to me. I'm not upset. We got it two days ago. We just haven't had time.

Hendrick: If you're not going to use...we've given you a lot of information here. I guess my frustration is that we've spent hours and hours putting this information together for you. What I'm hearing you say is that's not enough for you. Maybe we're doing too much then and spending the amount of time we are if that's not going to meet your needs. The purpose of this was to meet your needs and to see what information we could give you to help you.

Williams: If we weren't in trial, we probably could have been paying attention to this. We can blame that on Mijares for putting us through all this because that's all we're dealing here with.

Gomez: We need to stay on task here. I'm a little bit concerned that we have a budget that we have to approve by a certain day. I think over the past couple years, we keep asking for more and more information, which I think you have provided to us. Things like over the 25,000, a list, I think, of the grants and things like that. I actually found this to be very, very helpful. Maybe we could have a conversation with all of us?

Williams: I'm sorry. What did you say?

Gomez: That's kind of my point here. We're having side conversations. I'm a little bit concerned. What does the DAT file have to do with us getting this? We had this in hard copy. We got it last week. I think Thanksgiving was last week, right?

Williams: I got it. I made the request on Wednesday. I didn't see it come before. It should be automatic. We've done this for two years, asking for the DAT file. We didn't get it. It came when the staff came in Monday.

Gomez: No. I'm just saying is that we have been asking for more and more information on each of these budgets, each of these interims. The staff has continued to respond to our requests for information. I'm asking why is the DAT file so important as opposed to this hard copy that we have? I don't know about you, but I've got all kinds of markings and highlights and things that I have found helpful, that I had questions about. I found additional information later in the budget. I asked my questions. You've asked questions that help answer some of my questions. I get concerned that we keep missing deadlines here. I'm not sure why we're stuck on that.

Williams: We're missing a lot of things.

Gomez: Such as?

Williams: Such as leadership, such as fairness, such as being honest with one another. We have a superintendent who is an autocrat and despot and believes that he has control over this Board. He represents a state County Education Association that wants...this is within the county boards. There is a lot of politics that are going on here.

Gomez: I agree. I think there's too much politics.

Williams: It's too much politics.

Gomez: Absolutely, I do.

Williams: And it's really hurting us here. We have the right to do things as a Board, and we're being ignored, marginalized. What I heard tonight about this OCERS. First of all, the whole OCERS thing was poor decision and leadership, which lost this Department \$2 million. We're not on the same level and trust here. There's so much loss of trust here, and it's because of leadership.

Gomez: I think we're part of that leadership, too.

Williams: I'm willing to compromise. Mari and I have been involved in significant compromise attempts in good faith, only to walk away and be extremely disappointed.

Gomez: I think that when you talk about you and Mari, that's the Executive Committee and not all of us are in those conversations. I honestly can't respond to that because I don't know what you're referring to. I just want to go back and stay on task here. I am concerned that we're not passing this budget and we apparently have a deadline of December 15th.

Williams: Where is this deadline in the state Education Codes?

Hendrick: It says you need to pass the first interim by December 15th. I don't know the code off the top of my head. But as you remember, as a county Board, you do not have to pass an Interim Report. It is required that you approve of expenditures above 25,000, though.

Williams: Right. That's why we have to pass the Interim because the variances.

Hendrick: You don't have to pass the Interim. What you did last year is you only passed the increases over 25,000, but you didn't approve the budget. That's why I was asking you, would you do that? That would meet the guidelines.

Williams: What happens if we pass this January 4th, once we get the more information?

Hendrick: I think you're going to do what you want to do.

Williams: What are the repercussions? What are the consequences?

Mijares: Those repercussions are they will just report it to the state. We'll just say that the Board chose not to. You don't have to pass the Interim. That's strictly advisory, but these \$25,000 expenditures, you do have to pass. If you need more time, you want to meet sooner than January 1, perhaps we can do it that way.

Williams: You can take it upon yourself not to pay small little legal bills or actions that were legitimate. You want us to pass something. There has to be some sort of trust here.

Mijares: You can't hold me hostage, Dr. Williams.

Williams: You're holding us hostage. You're not giving us information on a timely basis at all.

Mijares: We're adults. If you don't want to pass it, don't pass it. There are repercussions as outlined by the state. These are state schools governed by state law.

Williams: Dr. Sparks? Your thoughts?

Sparks: I'm thinking.

Williams: You're thinking? Processing?

Sparks: I appreciate the additional materials that you all have been giving us. I just need a little more time to go through everything.

Williams: We've been busy.

Barke: Do we want to do what we did last year and just approve the variances over 25,000 without approving the Interim Budget? Do what we need to do for the state? Is that an option?

Williams: The whole purpose of this is for approval of the variances because the Interim is nothing that would pass. It's just an update of the checking account in simplistic terms, but we haven't been able to have those real serious discussions like we did earlier on the budgets. Then, to hear all of these terrible decisions about not paying small bills, things that were legitimate. That's just very upsetting. That's all because we don't have the checkbook. You have the checkbook. You're really pushing us to an extreme here where we're not functioning when we can't hire legal counsel to protect this Board in fear that you're not going to pay it. Al, don't you see that's just terrible leadership and that's building distrust between us? You sat there today telling me about how angelic you were, about how you care about the kids.

Mijares: I do.

Williams: I think that was all very superficial. I just don't think it's sincere.

Mijares: I'm not attacking you. You're attacking me.

Williams: Well, you're attacking the Board. You're restricting the Board from doing their publicly elected duty.

Mijares: The point is we have to agree to disagree on this matter, that we act like adults. Let it go through the process of litigation. You sued me. I didn't sue you. We just have to let it go through the process.

Williams: If we're adults -

Mijares: You don't have to get personal. We continue to move ahead, and we do it for the sake of our students. We want to set an example for them in terms of resiliency and grit that they're expected to demonstrate. We're acting worse than them, frankly.

Williams: Look in the mirror, because to act like adults -

Mijares: And I have to repent every day, to be honest.

Williams: To act like adults, we agree to disagree on certain issues. But when it comes time, now tying the Board's ability to operate and to function, that's not good governance. That's not acting like a reasonable adult. To say to us that you're not going to pay legal bills, that means we cannot do anything in the future because we're going to risk the credibility of this Board by hiring outside counsel. By doing other things that are important, like a forensic audit that's necessary. There's a lot of mistrust here and if we're going to talk as adults. We need maybe to sit down and talk about some negotiations so there is equal trust here.

Mijares: Yes, I'm willing to do that. The problem we have right now is that we're in the middle of a lawsuit and there's rules of engagement that we have to honor. I welcome the opportunity.

Gomez: Ms. Hendrick, there is a Second Interim Budget, correct? Before we do the budget again, the full budget?

Hendrick: A Second Interim could be adopted by March 15th.

Gomez: Okay. Could we agree on these costs that are over the 25,000? Then, whatever questions that we have about certain items, let's make sure we get that information for the Second Interim so that we can meet our deadline and then have plenty of time to make sure we have the analysis. Again, if we're able to get that information in plenty of time before March 15th? We're not

meeting our own obligation by meeting these deadlines. I appreciate Trustee Barke trying to offer the suggestion of trying to approve those over 25,000.

If we could do that, along with the other items that we have to approve, then we can come back with all of our questions? We can perhaps get the file that Trustee Williams wants so that we can do this in March or by March? Maybe give us a little bit more time? This is fine for me. I'm not sure why we need the DAT file, but if that's what Trustee Williams needs in order to give his approval, then maybe we can do that a little bit earlier.

Hendrick: Just to be clear on the DAT file for this budget, it's not just what you see here. There's a ton of accounting specific for us to even export that. That's why it takes us quite a bit of time to create that file, because if we have an error in accounting structure, it actually will fail. You can't export it. It's very difficult for me to get that file ready before all of this is ready. What I was asking you is if this isn't helpful, this isn't meeting your needs, then maybe we should pare it back some if that's not what you're looking for. This was put together based on things that you've requested in budget committees. It feels like it's not meeting your needs. That's what my question was.

Gomez: As I mentioned earlier, I think when Trustee Sparks and I gave feedback on the budget, maybe a year and a half ago, that kind of gave birth to some of the changes that you made. I think this is a wealth of information, and I'm not a budget wonk. If it's good for me and I can figure stuff out, I think it's good. I think the changes that we've made are very helpful. We're meeting our fiduciary responsibility in poring through this and making sure that we have what we need. I didn't quite enjoy having my Thanksgiving interrupted by doing all this, but that's what I was elected to do. If we had to give up part of our weekend to get this done, then we should have done that. I'd like us to get this done so we can meet our deadline and then come back with the second and get some of your questions answered so that we can see them in the Second Interim.

Williams: Is Mr. Rolan out there? Can he hear us?

Rolan: Yes, sir. I can hear you. I'm just having technical difficulties.

Williams: Greg, even though you're not being paid, could you give us your counsel on this issue? What are we facing?

Rolan: You'll get your money's worth, then.

Williams: We'll get you on board.

Rolan: The only obligation the Board has is to approve the variances over \$25,000. The Board need not take any action on the First Interim Report. I think Ms. Hendricks was accurate in saying that that's what we did last year. We had this same discussion last year. The reporting to the state is also accurate, but that doesn't have any severe repercussions in and of itself. I would recommend that you just approve the variances over \$25,000 and get the information necessary on the First Interim Report and leave it at that.

Williams: Okay. I appreciate your free advice, Greg.

Rolan: You get what you pay for.

Barke: I was going to say I hope it's not you get what you pay for.

Williams: Okay. I think...Greg, if you're still on the line. It's your recommendation for this Board to approve the variances? Is that correct?

Rolen: That's correct, Mr. President.

Williams: Okay.

Barke: I will make a motion.

Williams: You can't.

Barke: Oh, sorry.

Williams: Because there's already a motion on the floor. I have to remove my motion.

Barke: Sorry. Just trying to make a new one.

Williams: Then, you can make a new one. Okay. This is parliamentary. I'm going to withdraw my motion. You're going to withdraw your second. Now, you can go ahead and make -

Barke: It's actually Tim.

Gomez: It's Tim's second.

Shaw: I withdraw.

Barke: I will make a new motion to approve the variances over 25,000 and approve the CCPA and the Overview for the parents. Does that make sense?

Sparks: Second.

Barke: Maybe I might say that more diplomatically, but you know what I mean.

Williams: Nina, did you get that?

Boyd: Approve the variance and the parent guide for CCPA, and parents for our OCDE programs.

Williams: Okay. We have a motion by Trustee Barke, and a second by Trustee Sparks on that. Any discussion on that?

Barke: I think we've had enough.

Williams: Think we've had enough?

Barke: Yes. I think we've had enough.

Williams: Okay. Being that I don't see any more discussion, all those in favor say, "aye."

Board except Williams: Aye.

Williams: All those oppose? Oppose. Were you an "aye"?

Gomez: Yes, I was an "aye".

Williams: Okay. The motion passes 4-1. Okay. Moving on with our Agenda, if I can take the prerogative to move up and go to informational items so we can get Al's announcements and Nina's? Then, we'll go into closed session. That way it's the fairest for the public who are still here. Al, if you could make your announcements a little more substantive?

Mijares: Yes. There's just two. Huntington Beach City School District has a new superintendent. As you remember, Gregg Haulk was the superintendent there. Then for a short time, Greg Magnuson served as an interim. Now it's Dr. Leisa Winston, whose career spans more than 20 years as an elementary special education teacher program specialist, director, assistant superintendent, deputy superintendent. She's coming to us from Laguna Beach. She's the new superintendent in Huntington Beach.

We've had the Sunburst with the virus. Spectrum News recently sent a crew to Sunburst Academy to highlight the many ways the military style academic programs [inaudible]. There's an 87% success rate. Sunburst changes the lives of over 200 students every year. We just want to

salute our students, our families and staff at Sunburst with Principal Dinah Ishmail. I want to salute her work, too, as well as Dr. Hittenberger. That is all we have under my reports.

Barke: I think I read that somewhere, and that's why I thought that Sunburst was doing fine because I read the great news thought. Oh, terrific. Everything is swell.

Mijares: They're doing great.

Williams: Nina? Do you have anything to report?

Boyd: Just a reminder that the next Board meeting is Wednesday, January 6th, at 4:00 PM. Submission deadline is Friday, December 18th. We'll be delivering the Board packets on Wednesday, December 30th due to office closures for the holidays. This office is closed Christmas Eve and Christmas Day, New Year's Eve and New Year's Day. We'll be dialoguing with Board members in case there are travel plans.

Sparks: I'm actually teaching until four o'clock on that day. Is it possible to bump our meeting by 30 minutes or an hour?

Barke: That works for me. I thought that we had decided five and four if we had a closed session before, so I'm always fine coming in until five. Is everyone else okay with that?

Williams: Yes. Let's establish a consensus. Is five o'clock okay? I think the way it was before, four o'clock was if we had a closed session and we wanted to get that over with and get on with our meeting. It was always some kind of flexibility built into that.

Gomez: Five o'clock would be the public portion.

Williams: Five o'clock would be. Are you fine with that, Beckie?

Gomez: Yes, that's fine.

Williams: I want to make sure that there's just no consensus out in the parking lot, that we do it here.

Gomez: No. I think five o'clock and four o'clock we have a closed session, but if we have five o'clock for the public, I think that's always good to do that.

Boyd: We had this conversation with the Board last month with regards to also the fact that your website shows that you have four o'clock as your closed session. Again, I just ask you to think about whether or not we should make a change to the website so that the public knows that you're not starting at four and then going into closed session. You're starting at five. Then, you're having your closed sessions at the end of the meeting unless there's a need to move it earlier. Please let staff know if that is a change that you want us to make, because we just have a concern, because questions come in. When are you going to start your meeting? We continue to say, because we don't know until we're doing Board prep, whether or not you're going to do it at four or five.

Williams: Yes. I think the consensus here, tell me if I'm wrong, my dear colleagues, that we're going to start at five and occasionally, if we have a really busy Agenda where there's a lot going on, we'll start at four with closed session.

Boyd: Okay.

Williams: We might as well make that going forward.

Boyd: You're okay with us making the change?

Williams: Absolutely, yes.

Boyd: Okay. I just want to -

Barke: Do we vote on that?

Boyd: - we can do it because we still had the conversation. We would do it each month.

Williams: Yes. I think as long as you're fine with that, my colleagues are fine with that. I think consensus is fine. The other thing too, from the Executive Committee, we felt uncomfortable with improperly trained or lower trained security in our meetings. We, the Executive Committee, made an issue out of this, and this could be something I'd like to get your feedback from because we can put it on as a formal vote action item. The question comes down to, "do we need armed security at our meetings?" There's times where I don't think we do, especially if you look at private security. They only require what we call an 8-32 course, which is only 40 hours of classroom and firearm instruction.

Yet, they're carrying lethal force into a meeting, which is not at risk, I think, for anything serious. I don't feel comfortable with a non-sheriff being here as security. If they're here just to monitor, make sure everything's fine, but not carry a firearm, I'm fine with that. The Sheriff, again, I'm fine with the Sheriff. The problem with the Sheriff was that they kind of changed their business negotiation and they required two deputies here. One would be what we call an SSO, Special Security Officer, as well as a Sergeant. I'm working with the number four guy at the Sheriff's Department, and we're seeing what we can do to bring back our SSL at the less prices, or the lower rate. I just wanted to make the Board aware of that sort of thing. I'd sure like to hear your input about -

Barke: I think that -

Gomez: Hold on. This is not agendized, so -

Williams: It's just Executive Committee comments. That's all. We're not taking a vote or anything on it. I'm just saying that -

Gomez: I would suggest that we agendize this and get the information so that we can have an intelligent discussion because this is the first time I'm hearing of this. I'd rather have information as to the qualifications that you apparently are concerned about. I don't know that it's in our scope of responsibility. I think it's more of the Superintendent's, but we can certainly have feedback on this. Again, I think we should agendize this.

Williams: Yes. Help me out. Historically, Nina, we asked for armed security, a sheriff, was that two years ago?

Boyd: Approximately. I think it was three, maybe three years ago.

Williams: Three years ago?

Boyd: The Board was different. We had different Board members and we had a couple of incidents. One, where someone got very...outwardly making comments, doing some things that were inappropriate in the Board Room and then had to be escorted out. That same individual had also encountered one of our Board members at another outside meeting and there was some concern that he came back to the meeting. Mr. Wenkart, at that time, sent him a letter because we knew who the individual was - they had pulled a public comment card. He told him that he was no longer able to come to the Board meeting. I can't recall the extent of the conversation, but as a

result of that, the Board had asked to upgrade security because prior to that, we didn't have armed security.

I believe it was Ms. Lindholm who mentioned, because the Board had some discussion with regards to armed or on unarmed. They asked the Superintendent to provide security at the Board meetings. The Superintendent did, and we met with Costa Mesa PD. We met with the Orange County Sheriff's Department to try to solicit, because that was one of the other questions. Could we use law enforcement as opposed to private because we had been using a private company that's right next door to us. They have both armed and unarmed security available. At the time, Orange County Sheriff was the only one who was willing to support and provided a proposal.

We moved forward with that. We've had that in addition to special meetings and so forth where we were able to get the Sheriff. We've had private security and where we've had additional incidences. We've had to call the Costa Mesa PD because the Sheriff has indicated that they could be in the room, but there are certain things that they were not willing or able to do. That the Board had to, basically, take position on certain things. Then they would call for Costa Mesa PD. In terms of arresting individuals or any of that, that was what the deputies who were here had indicated. Since that time, we've had conversation and I believe Ms. Hendrick received a proposal that substantially increased what we had been paying in fees and reached out, had conversations with regards to why they were making the change.

Some of that was based on the social justice issues that were occurring last spring. People were showing up and very outwardly making comments and doing some things that were of concern for both staff and the Board, and the public at large. We, again, tried to engage Costa Mesa PD because we were concerned that the cost was prohibitive in terms of it didn't make sense for us to pay that amount of money for the individuals of the Sheriff's Department and Costa Mesa PD get the fine. They said they would patrol, but they would not have the dedicated person here. Then, we had a brief conversation with the Board a couple of months ago to say that there were some changes that were occurring as result of this.

Ms. Hendrick and myself also had a conversation with the Executive Committee, went into a little bit more detail. We vetted the fact that we were looking at the company that we have since hired, and also talked about their credentials. They do the security for Chapman University and are contracted there. They have former law enforcement officers that are there, and they have some that are also still current law enforcement officers. They have a combination of...they have EMT and some others that have gone through training and worked for their company. Dr. Williams did send a communication the other day that he and Ms. Barke had some concerns with the individuals being armed and the level of training that he perceived them to have.

Since that time, he asked Ms. Hendrick to dialogue with the company to find out...I don't know the level of that, and I had another conversation with Dr. Williams this morning, not saying what he indicated was inaccurate. That was not information that I had knowledge on. That kind of brings you up to date in terms of where we are in terms of how we got here. Part of the conversation that we also had was just, as he mentioned, do we still need security in the same manner that, several years ago, it was vetted, and the Board had indicated that they wanted security in the meetings and so forth. We did poll, previously, other boards, local school districts

don't have them. Some of them use their school police services. Some of them use in-house staff as their security.

Other county offices, different things. Most right now, during this pandemic, most are still operating virtually with the exception of a few. From that standpoint, even the city of Costa Mesa, when we reached out and dialogued about them providing officers, they said they're not even providing them for the city because they're meeting virtually. Their council is not meeting in person.

Williams: How about this? As a Board, we'll take your suggestion, Beckie, that we formally agendize this, maybe under a staff report on our Agenda? We can have how much it's costing. The differences in the various agencies. I'll try, again, I'm working with my contact at the Sheriff's Department to see what we can do there, and we can present it formally to the Board with more information.

Barke: Can I ask you a question? Maybe you need to find this out. When you see those different levels with a private security firm, can we request a certain level?

Boyd: I'll find that out.

Barke: Okay. I'd like to know that, too.

Gomez: Maybe we can get that in the staff report. Somebody that's former law enforcement or somebody who's a security level -

Barke: You may have a million questions later. That way, I'm trying to think of what you might have.

Boyd: And I wasn't finished with my Associate Superintendent's report before you mentioned that. I just wanted to let the Board know you have six public hearings scheduled for the January meeting because they're all charter school related.

Williams: Oh my God.

Boyd: They're either renewals, as we mentioned. You have two submissions that came in today. They will do a public hearing, plus you have the ones from last month that will present next month. I just want to remind the Board that you are heavy after the holidays at that first meeting. In terms of when you start, but also, just the length of your meeting, potentially.

Barke: Eat your Wheaties over the holidays.

Williams: Very good. Okay. You are done then, Nina?

Boyd: I am finished.

Williams: You're done. We're done with Al. Any other Board member comments? Tim?

Shaw: No.

Williams: No. Lisa? Mari? Okay.

Gomez: I just have one comment.

Williams: Yes?

Gomez: Last month, I recognized Francine Scinto for her 24 years of service in Tustin Unified. At that time, the election was not certified and Tammie Bullard will not be returning. She also had 24 years of service to Tustin Unified. Thank you for coming through on that certificate at the last minute. I did present the certificates on behalf of the Board to both Francine Scinto and Tammie Bullard for their, their years of service in Tustin. Thank you, Dr. Williams, for working with us at the last minute to try to get that certificate signed for them. They very much

appreciated it. Dr. Mijares and I were both there to present that, and they were very pleased that we recognized them. I just wanted to share that with all of you.

Williams: Very good. Thank you, Beckie, for that. The Board will be in closed session number one and two.

[PRESIDENT WILLIAMS STRIKES THE GAVEL ONCE TO SIGNAL THE BEGINNING OF RECESS SO THE BOARD CAN ATTEND TO THE CLOSED SESSIONS. UPON CONCLUSION, DR. WILLIAMS STRIKES THE GAVEL THREE TIMES TO SIGNAL THE CONTINUATION OF THE REGULAR BOARD MEETING]

Williams: Okay. The Board of education is back into session to report out from our closed session one and two.

Brenner: Good evening, members of the Board. The report out from closed sessions one and two is as follows: The Board had a discussion with legal counsel regarding closed session items number one and two. No action was taken other than approval of Epstein, Becker and Green's invoices in the general counsel and the budget litigation matters. Those invoices are dated November 30, 2020. With respect to the invoice in the general counsel litigation, the vote of the Board was 4-1 approving, with Trustee Shaw, Barke, Williams, and Sparks voting for, and Trustee Gomez voting against. With respect to the invoice regarding the budget litigation, the vote was 4-1 to approve. Again, the vote was Shaw, Barke, Williams and Sparks approving, and Trustee Gomez voting against. That is the report out for the closed sessions. Thank you.

Barke: Thank you.

Williams: Very good. Okay. Barring no public comments, I assume, Nina?

Gomez: No. We shooed them all away.

Williams: Shooed them all away.

Boyd: There are no comments.

Williams: Motion for adjournment?

Barke: I make a motion to adjourn.

Williams: Second. Adjourned.

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