

**TRANSCRIPT OF JUNE 16, 2021
ORANGE COUNTY BOARD OF EDUCATION REGULAR MEETING**

<https://soundcloud.com/user-872730075/11621a?in=user-872730075/sets/2021-oc-board-meetings>

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

WILLIAMS: Welcome to the June 16th regular meeting of the Orange County Department of Education. The time now is about 2:34. For the benefit of the record, this regular meeting is called to order. The first information that needs to be recorded is roll call, Nina?

BOYD: Trustee Gomez?

GOMEZ: Present.

BOYD: Trustee Shaw?

SHAW: Here.

BOYD: Vice President Barke?

BARKE: Here.

BOYD: Trustee Sparks?

BOYD: President Williams?

WILLIAMS: I am present. Trustee Sparks will be here.

BARKE: About four.

WILLIAMS: About 4 o'clock - a little bit later on. Moving on with the Agenda. I will make the motion to adopt the Agenda.

BARKE: I will second it.

WILLIAMS: I am not done. You get to second it in a little bit - with the moving up of item number eight right after public comments.

BARKE: I'll second that, too.

WILLIAMS: Okay. Very good. Discussion? Being that there is no discussion, all those in favor say aye.

GOMEZ, SHAW, BARKE, WILLIAMS: Aye.

GOMEZ: Can I just get one second? I need to look at the Agenda.

BARKE: He just wants to move up ISSAC so we don't keep them waiting all night.

GOMEZ: Okay, that is fine.

BARKE: Does that make sense?

GOMEZ: Yeah, that's fine.

WILLIAMS: Okay. So that is an "aye" vote, Beckie?

GOMEZ: Yes. Yes.

WILLIAMS: Okay. Very good. The motion passes to adopt the Agenda with moving up of item number eight after public comments on 4-0 with one board member not being present. Okay. Any public comments related to the closed session items if at all?

BOYD: We have none.

WILLIAMS: Very good. Okay. Moving on with the time certain which are inter-district transfers. These inter-district transfers - the first one is an open transfer. That is a student from the Orange Unified that would like to transfer to Tustin Unified, so this is an open meeting. We would like to thank the families and the individuals who are here. Mr. Terrance Dunn, who is our moderator and coordinator for Student Services here at the Orange County Department of Education. You will take it from here, sir.

DUNN: Thank you. Good afternoon, President Dr. Ken Williams, members of the Board, Associate Superintendents Nina Boyd and Renee Hendrick. My name is Terrance Dunn Coordinator in the Learning Support Services. This is an inter-district district appeal hearing for Riley Feliciano, who will be in the ninth grade in the 2021-22 school year. The date is Wednesday, June 16th, 2021, and the time is 2:37 PM. This is an open hearing. The circumstances of the appeal are as follows. On May 17th, 2021, the Tustin Unified School District upheld the denial of the inter-district transfer request for Riley to attend Foothill High School - a school in the Tustin Unified School District.

The homeschool for Riley is Orange High in the Orange Unified School District. The reasons for the inter-district request are in your materials. Also, the procedures have been provided to all parties. Therefore, we will waive the reading of those procedures since all parties have had a chance to review them. At this time, I'd like to introduce the parties of this hearing. Representing the family - Jack Feliciano, parent; Laura Feliciano, parent; Shelby Feliciano Sabala, sibling of

the student and Riley Feliciano, student. They are all virtual. Representing denying school district is Dr. Grant Litfin, assistant superintendent, Tustin Unified School District - he is in person. Also, in attendance is Jeff Riel, general counsel, Orange County Department of Education; Gregory Rolen, legal counsel for the Board; Laura Rodriguez, administrative assistant, and the Media Team who will be facilitating the platform- the virtual platform and recording today's hearing.

The county board has thoroughly reviewed the packet of documentation that the parent and the district submitted. Each party has the procedures in front of them and the allotted timeframes for each party to speak. The time will not be monitored by light timer for today's hearing; but instead, you will receive a verbal cue hand signal at one-minute remaining in the opening statement, and a verbal cue hand signal at 30 seconds remaining in the closing statement. When you are informed that your time has expired, please finish your last sentence then stop. Representing the student - the Feliciano family, you may address the Board for up to three minutes. Mr. Feliciano, Mrs. Feliciano, you may begin.

FELICIANO: Yeah.

DUNN: You are muted.

SABALA: I got it. Hi, good afternoon. My name is Shelby Feliciano Sabala. Sorry, we are in the same room. I am Riley's sister. I am a social worker, and I've worked in education for 10 years. Recently, as we've prepared for this hearing, we found out that under Ed Code 48204 B, section 1- Riley's mom, Laura [inaudible]. As you can see in your materials, Riley has been a Tustin student since first grade. Her previous transfer was accepted when she was attending Pioneer Middle. That's when there was a change of residence due to divorce. However, Riley was recently put on an IEP this school year. We are wondering if that has any reason for her denial. We have seen Riley flourish this past year in her academics, socially, and with improved confidence. What we do know is that the transition from middle school to high school is a huge milestone and a great predictor for continued success for students.

We want to Riley to have this adjustment, and we want it to be successful. We believe that not uprooting Riley will make that transition successful. Her entire life and educational history has been through Tustin Unified. Especially after a year of unprecedented times that COVID-19 brought about, we hope to have Riley start this new year, fresh, full of competence, and optimism with what she knows in Tustin Unified. In the package we received, we see the Tustin special needs education template. There are 13 vacancies at Foothill high school, which is her school of choice. Given that our family is and has been an active member of the Tustin community and that we work in the Tustin Unified boundaries, the commute we previously did for Riley to middle school was 20 miles round trip. Given that her mom works within two miles of Foothill, we are confident and excited that taking Riley to school will actually be less of a burden. What you are about to hear from is Riley who has just graduated from eighth grade. She's looking forward to continuing her education in a district whose motto is "a tradition of excellence that offers inspiring and personalized instruction to their students." We hope that Riley is able to continue this tradition of excellent education in Tustin Unified.

RILEY: First, I wanted to say thank you for letting me say a few words and putting the time in for this hearing. I have been in the Tustin Unified School District ever since I started school. I've made so many friends and learned so many neat things. In the eighth-grade school year, I also had a directive steady teacher - Ms. Houston who has made me feel more confident and helped me understand my classes better. I also made friends in that class who have been helpful school wise. It would be an honor if I can get into Foothill High School or Beckman High School.

DUNN: Thank you. Tustin Unified School District - you may address the Board for up to three minutes.

LITFIN: Thank you. Good afternoon, President Williams, members of the Board. My name is Dr. Grant Litfin. I'm the assistant superintendent overseeing transfers from Tustin Unified. I've overseen our process for approximately 10 years in Tustin. I'm very proud of the school choice program that we offer. Each year in TUSD, we support nearly 3,000 students in attending schools that are not their school of residence. This flexibility helps students attend the school that is the best fit for them. We also get very few appeals that reach this level as you are aware. We do our best to do three things. First, to run a righteous and transparent process that serves the residents of TUSD first; then, provides the space available in our schools and programs to those from outside on inter-district transfers like the one that we're discussing here today. Secondly, where we can, we provide students second, third, fourth, and even fifth choices of schools when their school that they are most interested in reaches capacity. Third, whenever we can, we hold students harmless and allow students to finish their school years and even multiple years at a school once we commit to accepting a student on transfer. This holds true even if a student does gain an IEP while they are with us on transfer. That is why you are seeing appeals at the matriculation point between eighth grade and ninth grade for our district.

This is tremendous flexibility and even bears additional cost to our residents in some cases. But we continue to do it, because it's the right thing to do for students. We have provided well beyond the required continuity of education for all TUSD students involved with our transfer process. We feel that if we need to deny a transfer, we should do it at the time that all other students in TUSD are transitioning schools as well. In this case, TUSD has denied a transfer for next school year for an out of district student who is participating in a heavily impacted program. Riley is transitioning to high school from middle school. We like Riley. She's a well-behaved, quality kid, and a strong athlete.

This is the unfortunate business side of schools that many don't see or understand. We simply do not have the room to serve our resident students in the programs required, which is our first obligation. We cannot continue to serve students from out of district requiring enrollment in impacted programs. We have to deny this transfer. By Ed Code, TUSD must stand ready to serve resident students who come to us with an IEP throughout the school year. As a district, TUSD's population of resident students with IEPs has continued to climb every year even as our total student count continues to plummet. For perspective, we have gained 17 resident students with IEPs in the last week. We have an obligation to serve each of these students. We know we are doing a great job with special ed. We are in a place where students and parents want to attend and where parents want to send their children. We wish we could serve everyone. We simply cannot.

DUNN: Thank you. Feliciano family, you have up to two minutes to make your closing statement. You are muted.

FELICIANO: Yes. Okay. Sorry for the feedback. Hello.

DUNN: We can hear you.

FELICIANO: Okay. For a decision that is so critical in my child's development, this experience has been stressful, exhausting, and very impersonal. It has been almost six months since we began this online experience. Most of those months - rejections and appeals have not been shared with Riley so she can focus on her studies. While her friends are talking about their first year at Foothill or Beckman, Riley can only encourage her friends on the next chapter of their lives. She's always asking me - Dad, have we heard anything? No, no, honey, this process takes time. Excuse me. Riley has had a rough couple of years with the separation, and the divorce of her mother and I. She has lost a close cousin to a tragic accident and her favorite aunt died due to COVID. We planted our roots in Tustin when we opened her mother's business in 2001, just down the street from Foothill High School. We planned all along for our daughter to attend schools in Tustin District. High school, extra-curricular activities have begun and others are starting soon. Riley wants to be involved. We were asked a short time ago if we have a Plan B. No, we don't have a Plan B. I just keep telling Riley, don't give up. It will all be worth it in the end.

DUNN: Thank you. That concludes the presentation for the student. Tustin Unified School District - you have up to two minutes to make your closing statement.

LITFIN: Thank you, Mr. Dunn. If I could utilize my two minutes of closing comments to provide a couple of additional facts about the current scenario that's facing Tustin Unified?

FELICIANO: I'm sorry. I can't hear any audio.

LITFIN: Okay. Should I pause, Mr. Dunn?

DUNN: Go ahead. Continue.

LITFIN: Okay. I feel it could be helpful with the Board making this decision. Again, this literally has nothing to do with the quality of student before you in Riley. We simply must deny this transfer out of obligation to our resident students first. I had stated that we had 17 new students with IEPs enroll this week. It's normal for us in TUSD to have around 150 students with IEPs move into the district between June and November each year. We overstaffed for this purpose, and we're nearly always behind in needing to hire by mid-year. It's fiscally irresponsible. It hurts our ability to staff our programs if we continue to accept students from outside TUSD boundaries into impacted programs.

DUNN: Thank you.

FELICIANO: I'm sorry. We can't hear anything.

DUNN: Can you hear me? Mr. Feliciano, can you hear me? Try unmuting - I don't know if that would help? Can you hear me now?

SHAW: Can I offer a suggestion? Sorry, can I offer a suggestion? I think the other computer that Riley was on might have been working better - if you were together.

FELICIANO: Yeah. Yeah. I actually have audio now. Thank you. Sorry about that.

DUNN: Thank you. That concludes the presentation for both parties and completes this portion of the hearing. President, Dr. Ken Williams, you are now in charge of the hearing.

GOMEZ: Excuse me, Mr. Dunn - I don't know if Mr. Lipkin was finished and got interrupted.

DUNN: I am sorry. Did I cut you off?

LITFIN: I will actually wait.

GOMEZ: I just want to make sure everybody got heard.

WILLIAMS: Okay, so we're going to go to this part of the meeting where the Board asks questions. Sometimes we go into closed session to discuss the issue and sometimes we do not. I will start with a couple of questions for the district. Dr. Litfin, you say you have 17 new residents - IEP students that are residents in your district?

LITFIN: Yes, that have enrolled in the past week.

WILLIAMS: Enrolled in the past week, that weren't there last year?

LITFIN: That are new students - they might have been. They might've been here with us last year, but they have moved into Tustin Unified and are now enrolling as a resident.

WILLIAMS: I see. How many students altogether in your district have IEPs? Just roughly you don't have to give me the exact details.

LITFIN: Have IEPs - it's a significant percentage.

WILLIAMS: Twenty?

LITFIN: No, it's lower than that. I would say - I actually am not prepared to say a number. I would have to look at that.

WILLIAMS: Okay. You say you have no room. Is that room for IEP students?

LITFIN: No, it is specifically- well it could be. We have defined programs within our district. Special Education is one of them. In this particular case, the IEP does require SAI, which is RSP Services and Speech. We do have- our process entails taking the transfer application and having Special Ed specifically look at what our caseloads are. We have a statutory limit of 28 students in SAI RSP. We are approaching that limit right now. We are at 27.7, and that was on one of the documents that was provided to the Board. We are approaching that capacity now. We never cross 93% capacity by taking a transfer, because we always go over 100% capacity by the time we get to school with just our residents who move in in those last couple of weeks. We are at 27.7 right now. We are going to continue to take kids in as we approach the school year. We will easily be at 100% of capacity by the time we get there. This is a student that is not from in our district. We would be adding to that 27.7 caseload and approaching, again closer to 28, our statutory limit. We'd be doing so to serve a student who is not from our school district.

WILLIAMS: When you say you have a statutory limit, does that mean you cannot go beyond 28 students?

LITFIN: Without incurring additional costs, hiring additional staff, correct.

WILLIAMS: I see. Now suppose there was no IEP in this particular circumstance, would the student be able to come to Foothill and be transferred there?

LITFIN: It is likely that what we would do is put that student in our transfer lottery. Yes, the answer to your question is this year, it is likely that that student would be able to attend Foothill. Yes. The Impacted program that causes a denial was SAI RSP and Speech Services.

WILLIAMS: Okay. What about Beckman?

LITFIN: Yes. Yep. It is the same set of circumstances at each of our high schools. We are at 27.7 for RSP.

WILLIAMS: At each of the high schools.

LITFIN: We are actually above in a couple of different schools. Foothill is the one with the greatest space availability in SAI RSP. However, when we get to the school year, as I said, we fill to 93% with transfers and we stop. Once we get above that, we know that by the start of the school year, we are going to be at our caseload capacity. We just know that based on our history.

WILLIAMS: What was your caseload capacity last year?

LITFIN: I did submit that within the packet. Well the capacity is going to be 28 from a case load perspective.

WILLIAMS: Have you ever gone beyond that 28?

LITFIN: Yes, and then you have to hire additional staff.

WILLIAMS: Right. Did you do that last year?

LITFIN: Yes.

WILLIAMS: Did you do that the year before?

LITFIN: Yes, but it would be mid-year as we gained resident students, or as students that were already accepted on an IEP, perhaps a general education student was identified and needed an IEP. We would continue to provide those services, as I stated, until the student reached the end of the year or reached a matriculation point. We have been very, very good about retaining our students, supporting our students even if they gain an IEP mid-year - about going to the end of the year. We have many, many sets of circumstances. I have provided that in our district documentation, too. An entire list of students where we continue to support them until they reach a matriculation point. Then we will reassess our scenario at that point in time just as we have here.

WILLIAMS: When you go beyond that 28, let's say you had 29-30. Tell me what's involved in that.

LITFIN: Yeah. You would need a whole another teacher. You would perhaps need an additional psychologist. You would- it's all based on ratios.

WILLIAMS: Do you hire them part-time or do you only hire them for the amount of time that is necessary for that single person?

LITFIN: Well, A it's a very competitive marketplace, so you can't go out and get 1/28th of a psychologist or a teacher. You'd have to do at least part-time in order to justify it. Right now, everyone is hiring. We have the need for 10 RSP SAI teachers right now in our district. Three psychologists, these are all open positions currently in special education. Three speech pathologists that we are hiring literally right now. One in our visual impairment program that we can't find enough people. By the time we get hired with these, we'll be going back out. It's a competitive marketplace. If you don't offer benefits, which means a full-time position, you're not going to employ that person for very long.

WILLIAMS: You've reached your 27.7, almost the 28, and yet you're still advertising for job opening and positions available. Is that because you don't have enough people to meet these 28 kids and you need more?

LITFIN: Yes.

WILLIAMS: You're saying that your district will not have enough individuals to meet the IEP requirements of these 28 people?

LITFIN: It's always a nervous time of year right now for our Special Ed Department. They are hiring as quickly as they can. We keep acquiring students on IEPs that move into our area. So

yes, we'll hire those 10. We will reassess the situation. It's very likely if our pattern holds for the past few years, that we will continue to hire all the way through the mid-year point of next here.

WILLIAMS: You won't have enough faculty, whether the SAI RSP or Speech to meet the existing need? Is that what you're sharing?

LITFIN: It is a threat. It is always a threat that we won't.

WILLIAMS: Is it an active threat - an issue that's active now, or is it a potential threat that you're concerned about?

LITFIN: It's a very real set of circumstances that we could face. We are not- we are actively seeking people right now. It's- I mean, we're always in that spot at this point that we're hiring people. It's a growing program. Even as our -

WILLIAMS: Let's say no one wants to work for you and they go someplace else. How does the school react? What do they in that particular circumstance?

LITFIN: Yeah, we'd have to communicate that we were in violation of IEPs. We'd have to continue to seek people. We'd have to provide evidence as to how we were job hunting.

WILLIAMS: Do you pay your existing faculty extra money - over time for working?

LITFIN: You could until you reach the statutory limit.

WILLIAMS: What's that statutory limit?

LITFIN: That's the 28 that I was reading.

WILLIAMS: The 28 and you're at 27.7

LITFIN: According to the documents that Special Ed provided and that I provided for you. Yeah.

WILLIAMS: That's my questions for now. I may come back. Mari, any questions?

BARKE: I have none at this point.

WILLIAMS: Tim?

SHAW: No. I wonder if it's okay with my colleagues. I wouldn't mind going to closed session on this one, I think.

WILLIAMS: Okay. Beckie, do you have any questions?

GOMEZ: Yes. If we could look at page 46. That talks about the case loads. Maybe you could explain? You've got the 27.7 listed there as a total FTE speech therapist, but then you also have the caseloads above for Beckman, Foothill, Legacy and Tustin. Maybe you could explain that a little bit to us - the room for growth?

LITFIN: For sure. Thank you. If you look up at the top, that is actually SAI RSP projections up at the top. Those are students- if we were to simply roll the group of kids that we had last year forward a year, you would get this. We know that we're growing rapidly, as I said before, but you- the projection has us showing that we're nearing that SAI caseload max of 28 – 27.7 right now. If you look up, you can see that Foothill is our low school right now. However, as I stated, we're going to continue to grow. As we hire staff, we may reallocate if we also continue to come in low at Foothill. If we have room to go at a different school, we may take a half a person and allocate them to a different site. We might share a teacher perhaps between Tustin and Foothill as a cost saving method, or to make sure that we can accommodate a caseload that approaches the 28 we were discussing before, temporarily while we go out and hunt for somebody else. This is a piece of evidence as of right now. A snapshot in time of where we sit caseload wide versus that statutory 28 ceiling. Does that answer your question, Ms. Gomez?

GOMEZ: Yes. Right now, and when was this done? Again, a snapshot, because you just said you enrolled 13 more students, right?

LITFIN: Yeah, I got this from Dr. Lambert the day that it was due to Mr. Dunn. It was as recent of a document as I could possibly provide.

GOMEZ: So about 10 days ago or so. Yeah. Okay. With that 13, we are maxed out.

LITFIN: Yes. We're very close to max right now. I know there was significant stress by Dr. Lambert when I asked for this number. So yes, we are hiring right now as I stated.

GOMEZ: Yeah. As you mentioned, it's very hard to find part-time faculty especially with specialties such as this. I understand that challenge, but I appreciate the fact that if you do hire a teacher, you could potentially share them at two different locations to help cover and meet the needs of the students.

LITFIN: Yes. It is an inefficient model. You have to transition time between the sites, but it is factual that you could do that.

GOMEZ: It's possible, but not ideal.

LITFIN: Correct.

GOMEZ: Okay. In looking at the transfer policy for the district, it indicates that all transfers are for one year, correct?

LITFIN: That's correct.

GOMEZ: The student and the family needs to reapply each year?

LITFIN: That is correct. On an inter, that is correct.

GOMEZ: Okay. Families are aware that each year something could change?

LITFIN: Correct.

GOMEZ: There could be capacity limits or something else could change?

LITFIN: That is correct.

GOMEZ: This is to the parent - were you aware of the one-year approval and that you had to renew?

FELICIANO: I thought I read somewhere that we got five years when we're accepted in the school.

SABALA: If it's at the same school - similar to what happened at Pioneer.

GOMEZ: Okay. But you are aware that it's a one-year renewal?

FELICIANO: Okay. I just heard that it's a one-year renewal. Well then, we will just have to do it every year. We might just plan on moving into the district just so that we can meet that. Okay.

GOMEZ: So that would be your Plan B? You mentioned you didn't have a Plan B, but that could be your Plan B, correct?

FELICIANO: Yes. Yes, ma'am. Absolutely.

GOMEZ: Okay. That's all the questions I have for now.

WILLIAMS: For the family - the need for the IEP. The SAI, RSP, and Speech - is all three needed?

FELICIANO: No.

SABALA: Well, I would say that's the assessment that was taken for Riley as of last year. That was the recommendation for her. Given that this last year was a pandemic of remote work for kids, I would want to give Riley as much support that she deserves - that she has been assessed and approved for.

FELICIANO: Yeah. I think there's another evaluation coming up in October.

WILLIAMS: Okay. What would you do if we did not approve this transfer today? What would be your plan?

SABALA: Well- [Inaudible].

GOMEZ: I think they might have frozen.

DUNN: Feliciano family - can you hear me?

BARKE: Like a bad movie.

SHAW: I think it's there.

BARKE: Yeah. I think it was unstable before.

DUNN: Should we ask them to log off and log in again?

GOMEZ: They might've just lost the connection.

DUNN: We will just wait until they log back on. Hello. Can you hear me?

SABALA: I apologize. My dad's computer lost the internet connection, but we logged back in with mine.

DUNN: Right. Okay. No problem. I think there was a question.

WILLIAMS: Right, I'll ask the question again for the record. We lost internet connection with the family. Now that you've logged on, my question was - should we not grant this inter-district transfer, what would be your plans for next year?

FELICIANO: Well, we don't have a plan. I don't react- to be honest with you, we have not come up with another plan. I just wasn't even thinking about if it didn't happen. I don't know. I don't have an immediate answer to that.

WILLIAMS: Okay.

SABALA: I think us hearing that it's because of an IEP is really disheartening to know that if there is kids that need help and need support, that there is a cap for the support that is able to be offered. Especially after this past year of COVID, I'm assuming that caseload is going to skyrocket. Our kids have been put through the ringer by not having any social interaction, trying to be remote. I can imagine what you're saying about having a higher caseload. I anticipate that going up even more.

WILLIAMS: In the Orange Unified School District, have you contacted them regarding the IEP services?

SABALA: No. She has never been a student there. We were told to wait for this process to start having conversations with Orange Unified. We don't have any ties to Orange Unified as of yet.

WILLIAMS: All of your communication has been with Tustin Unified School District - is that correct?

SABALA: Yes, sir.

WILLIAMS: Were you ever told along the way that the process of an inter-district transfer was year to year?

SABALA: No.

WILLIAMS: Dr. Litfin, is that a common practice not to tell inter-district transfers that it's not year to year? Is there some way that you can tell me you do, or you do not?

LITFIN: Yes. Right here on the application that every family needs to complete every single year. It says right here that it is for one school year. It says also right here - all out of school districts students need to retain releases and apply on an annual basis. It gives the date when they have to do that. Right down here - it says that it may be denied due to program impact and space availability.

WILLIAMS: You have three areas on that document.

LITFIN: Along with our policy – it says the exact same thing.

WILLIAMS: Very good. I have no questions. This is a little bit more complicated, so I agree - let's go into closed session. Let's talk about the significance of this. To the family and to the school district - this is not uncommon where the Board will go into closed session to discuss with our board attorney our decision. We will come out. It may be five minutes. It may be 15, and it may be 30 minutes. It's difficult to say. So, we will be in closed session for the next indefinite time period.

[The Board goes into closed session. President Williams strikes the gavel to signal the return to open session.]

WILLIAMS: The Board is back in open session. The Board did make a motion by myself and it was seconded. The motion was to grant the inter-district transfer. I will tell you the results in just a moment, but I did want to say a few words. We want to thank both parties - both the district and the family for being here. It is important to recognize that the district did their best to warn and let you know that this is for an annual basis. Whatever the decision that you will hear, it is for one year only. That means that if this same situation arrives next year, we heard that the family is willing to move. That is the ideal and preferred way to do this. The financial impact upon the district, we have all had a nice, good year with the COVID. We have all gained a little bit in our coffers. I think Tustin did, too. We believe this is the best decision for this child. The decision was 3-1 to grant the inter-district transfer with Williams, Barke and the good Trustee Tim Shaw voting in favor and the good Trustee Beckie Gomez voting against. So, congratulations family. Mr. Dunn, you may close this.

FELICIANO, SABALA, AND RILEY: Thank you so much. Thank you.

BARKE: I did I seconded. You're welcome.

DUNN: To repeat - the Feliciano family, the decision of the Board is to grant your appeal. Thank you - the District and the County Board of Trustees for their time. This concludes the hearing for the Feliciano family. Thank you.

SABALA AND RILEY: Thank you so much.

WILLIAMS: For the record, we will be having closed sessions for the next two inter-district transfers. So, for the record, the Board will remain in closed session, we will just be transferring to a different room. We will most likely start the meeting at about 5:30, Nina, I would venture to say.

[The Board goes into closed session. The Board returns, and President Williams strikes the gavel to signal the start of open session.]

WILLIAMS: The Orange County Board of Education is back into open session. We started our meeting earlier today at approximately 2:30. We've had a couple of changes to our Agenda where we moved up the issue of ISSAC to the front end of our meeting here. We have not had our invocation. We have not had the report out of closed session and the Pledge of Allegiance. At this time, we are going to welcome our guests who are entering the room. Thank you for coming, being here, and caring. We have closed sessions number one and two that Mr. Jonathan Brenner will report out.

BRENNER: Mr. Williams, members of the Board, Superintendent Mijares, good evening. This is the report out for closed sessions one and two. The Board met with council in closed sessions regarding the closed session regarding those items. A discussion was had with council. No action was taken by the Board. That is the report out for closed session items one and two.

WILLIAMS: We have closed session report out for number three by Board council, Mr. Greg Rolen.

ROLEN: Members of the Board, Mr. Superintendent, staff. The Board received- in closed session number three, the Board received information on a matter of anticipated litigation. No votes were taken, and no action was taken by the Board.

WILLIAMS: Okay. Very good. Thank you, Mr. Rolen. If you can come up and sit next to me here? We will continue on with our board meeting. At this time, it is the custom of the County Board of Education here to have an invocation. It is my pleasure and honor to introduce to the public the good pastor, Amanda Yates. Welcome, Pastor Yates. Let me give the public a little bit of information about you. Pastor Yates describes herself as a pastor, wife, mother, lover of rainy mornings and coffee, friends and laughter, beaches and sunsets, campfires and singing and the rainbow. She is pastor of the First Christian Church, which is there in Fullerton. It was founded

in 1905 by Charles Chapman. Who Chapman Avenue and the university would eventually be named after. As a city has grown from an early agricultural producer to a manufacturing industry as well as education arts. The church continues to grow and reflect the distinctive identity of its community - located in downtown Fullerton at the corner of Harbor and Wilshire. It is the epicenter of the city's vibrant downtown district and remains a foundation of the city's life. Thank you, Pastor Yates for leading us in our invocation today. You have the floor.

YATES: Thank you for the generous welcome. Let us pray. Dear God. There is beauty all around us - sunshine and beaches, mountains and rivers, children laughing, strangers trusting and helping each other, teachers and administrators leading. The rich diversity of our human family. All races, states, cultures, genders, and sexual identities must make your heart sing, oh God. And yet there is pain all around us too - homelessness, addiction, chronic pain, poverty, sickness, betrayal, racism, and homophobia. The fear and intolerance we have toward each other must break your heart, oh God. Help us oh God to not become so numbed by the pain that we fail to see the beauty. Help us to not become so numbed by the beauty, that we fail to see the pain. Keep our feet firmly planted in both what makes our hearts sing and what breaks our hearts. Keep us awake, aware, and alive to all that is happening within us, around us and far from us.

Guide these leaders of our county we pray. Help them to be awake, aware, and alive to all that is happening around them. Bless them with the courage and strength to be catalysts for change in our time and place. Remind each of us, oh God, of the beauty we can create and the pain we can alleviate because we long to be educated, responsible citizens of our global family. Don't give up on us, oh God. Continue to work with us, in us, all around us, and even in spite of us. We pray this in the name of all that is good and loving and true. May it be so, amen.

WILLIAMS: Okay. Very good. Thank you, Pastor Yates. At this time, we will have the Pledge of Allegiance – our good Trustee Barke. You may stand if you would like.

BARKE: Please join me. It's two days after Flag Day. Ready, begin - 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. Nina, do we have any introductions?

BOYD: There are no introductions.

WILLIAMS: Very good. May I have a motion for approval of the Minutes from the May 5th meeting?

BARKE: So moved.

GOMEZ: I will second

WILLIAMS: Second by trustee Gomez. Any questions, comments - otherwise there is none. All those in favor say aye.

WILLIAMS, BARKE, SPARKS, GOMEZ, SHAW: Aye.

WILLIAMS: Oh wait, because we have someone on Zoom, we have to do manual roll call?

BOYD: Yes.

WILLIAMS: Okay.

BOYD: Just for the record, we will announce that Trustee Sparks joined your closed session and is now joining the board meeting since she was not part of the earlier conversations. Roll call on the Minutes - Trustee Sparks?

SPARKS: Yes.

BOYD: Trustee Gomez?

GOMEZ: Yes.

BOYD: Trustee Shaw?

SHAW: Yes.

BOYD: Vice President Barke?

BARKE: Yes.

BOYD: President Williams?

WILLIAMS: Yes. Okay. Moving on to public comments. If I can make an announcement for the record. On this good day, June 16th, one day after June 15th, we have a change in status of face coverings. We are following the California Department of Public Health guidelines, which say if you are not fully vaccinated, you still must wear face coverings while inside the OCDE administrative building. By not wearing a face covering while inside you attest that you are fully vaccinated against COVID-19. Individuals are considered fully vaccinated two weeks or more after their second dose of the Pfizer, Moderna mRNA vaccines or two weeks after receiving the single dose of J and J vaccine. What this does not take into consideration is the natural antibodies that are created by the body if you have prior exposure and infection. I don't know how we are going to do that. I would think by science, if we follow the science, if you had the infection, you have antibodies. You should be covered under this. So, I make that just as my own personal comments. Again, if you're in here, and you're not masked it's because you've had the vaccination. It's okay with me. I'm kind of a rebellious against this whole entire process, but you can be here if you've had natural infection too, without a face covering. Moving on with our meeting. We have public comments.

BARKE: Yes. I'm sorry. We have one from Kelly. Sorry.

KELLY: Hello. I'm here again, because I really like our public schools. They are a great training ground for the real world of collaborative learning, gaining leadership skills and appreciating diversity in our communities. There are so many wonderful opportunities and experiences that children and the families have through their local schools. I personally love attending all their events, meeting teachers and having parties for my kids and meeting all their friends and parents. This makes our community really strong. As a community, we pass our love of learning on to all of our family and friends who appreciate our American culture and celebrate our differences while maintaining our identity and our heritage. All of us and our children have already personally experienced the overreach of Marxist ideology of Critical Race Theory. It doesn't belong in our schools. Do not be afraid or fooled of their innocent benign, fluffy words, such as improvement of society or inclusiveness. Our children and the next generations will be negatively affected by CRT, and it has absolutely no role in our society. This theory is pseudoscience, just as all past racist theories. This theory has been adopted by universities. They have embraced it, and they called it social scientific racism. They have repackaged it, and sold it to us for the cost of our freedom. So much of our lives are bombarded with fake science. I am asking you to look beyond the pseudoscience and be brave in the face of unpopular decisions and make the right decision. We need to end all discussion of this dangerous ideology before it's too late while we still have a choice. It will break us all apart and create a hostile divided society, and our children will be paying the price. In consideration of our children's future, do not allow Critical Race Theory in our curriculum. I look forward to the debates that are coming in July and August.

BARKE: Thank you.

WILLIAMS: Very good. So, for the record, the Critical Race Forums that we are having in July and August are not debates, but they are more of an academic effort to understand a little bit more about it. Okay. Moving on with our meeting. We will now move up to item number eight, which is an ISSAC update. If it is the Board's privilege, we can also take up number 15, which is the notice of violation as part of the dialogue. We are moving up number eight and 15, because this may be a lengthy discussion. Aracely, thank you for leading us and starting us in this discussion.

CHASTAIN: Of course. Good evening President Williams, Trustees and Superintendent Mijares. The Board requested representatives from the International School for Science and Culture or ISSAC return today to provide an update to the Board regarding concerns discussed at the June 2nd meeting. The remaining outstanding concerns include the collection of people fees and operating in person at a location not zoned for K through 12 educational use. After the June 2nd board meeting, our office sent ISSAC another notice of concern and received the school's partial response on June 10th. ISSAC did not submit all information requested, specifically the documents for the 2019-20 student fees collected by the school. On June 11th, Dr. Srinivasan sent us an email acknowledging that the documents were not submitted. YMC submitted a response opinion regarding pupil fees, which has been provided to the Board. ISSAC has stated that they will refund 2020-21 fees to parents. However, there is no mention that the 2019-20 fees. The Board would need to take action on that - the ISSAC school board would need to take action to return those fees. The last day of school for ISSAC was June 11th ending student programs for the fiscal year. Based on documents submitted, ISSAC's lease will end on June

30th. ISSAC should not operate at the Boys and Girls Club location for any reason past that date until this Board has taken action on the material revision to operate that second site. Representatives from ISSAC are here today via teleconference and in person.

WILLIAMS: Very good. Okay. Janelle, since you are here in the room, let's start with you. Who else will be on the Zoom call?

RULEY: Yes.

WILLIAMS: Could you give their names and recognize them?

RULEY: Yes. I would be glad to. Thank you for your attention this evening. Thanks for hearing us first as well. Good evening everyone. My name is Janelle Ruley. I'm with legal counsel for ISSAC. Here with us on the screen, you have Padmini Srinivasan who's the executive director of ISSAC; Michelle Anderson who is consulting for the group. We've got a board member. Then, I believe we have a representative from Charter Impact who will be talking about the budgetary issues. As Aracely laid out there are I think, three main issues that we're looking at or have been looking at for the past couple of weeks. One is around funding. ISSAC receiving more funding than it actually had in ADA during its first year of operation. This is something that does happen sometimes with charter schools in their first couple of years. The second issue was around the facility and the lawful use of the facility- the Boys and Girls Club facility during this year of 2020-21. Sorry. Yes, 2020-21. Then, the third issue is around fees for childcare. So, Padmini I believe you were going to kind of kick things off and address the Board. Is that right?

BOYD: She needs to unmute.

RULEY: You are muted.

SRINIVASAN: Good evening President Williams, Vice President Barke, honorable Trustees, Superintendent Mijares and the OCDE charter staff. I am Padmini Srinivasan the executive director of ISSAC. First, I want to thank the OCDE charter staff for their patience and meticulousness. Their oversight is only making us better. Second, I want to let this Board know how much we appreciate the opportunity to make things right at ISSAC and you giving us the opportunity to come back today and present what we're doing to remedy the concerns brought forward by staff. I am a very tired and hardworking and dedicated charter leader. Starting a new school, much like starting any new business, is not an easy feat. What I have learned is that this work is really too much for one or any one individual. This year and more with COVID has shown that that is only more so. I have truly been humbled.

Therefore, I have put together a team of people with various areas of expertise to help ISSAC resolve concerns. I will have these people here and others going forward when the expertise beyond my experience is needed. My concentration is really on implementing the vision for the school with the diversity of experience, with the academic focus, with the social emotional support. I will focus on implementing that vision through our methods, through our curriculum and through our tremendous support for each individual student - meeting them where they are. I will conclude our presentation later tonight with some good news about the progress we have

made. Now, I would like to introduce our team. I have made Janelle Ruley, our legal counsel, a much more active member of this team that has been formed to resolve the concerns of OCDE charter staff. Janelle brings not only her legal experience and education issues, but an understanding of what it takes to run and operate a charter school and how does see that it is done legally.

I have brought in our back-office provider - Marisol Felix from Charter Impact. If there are some financial questions that you may have, Marisol Felix will be available to answer them. I've also brought in someone you all know - Michelle Anderson, a charter school education advocate as a consultant on special projects. We are in the process of approving her to do work on behalf of ISSAC. Her experience working with and advocating for charter schools, particularly in new schools like ISSAC, is very helpful to us as we look to settle these issues and then grow and move into a second facility once approved. Finally, I want to inform you that we have put on ISSAC Board's June 24th agenda the creation of a principal position. We have found someone with charter school experience. With the board's approval, this person will take over many of the operations aspects of ISSAC starting in the new school year so that I can focus on implementing our vision and having our academic performance reflect what it is that we think is possible. Now, I will turn this over to Janelle Ruley. She will act as MC and direct others to present. She will facilitate also the answering of any questions you may have. I look forward to concluding our presentation by talking about our academic progress. Thank you very much.

RULEY: Thanks, Padmini. Were we going to have board member Nguyen read the statement next?

SRINIVASAN: Yes, please.

NGUYEN: I believe that is me. Good evening. My name is Thu Nguyen. I'm grateful to be back here again to support ISSAC. Today, I would like to read a statement from Dr. Sally Chou who is the chair of our school's board. Dear Orange County Department of Education Board of Trustees. Thank you for inviting me to attend the Board of Trustees meeting on June 16th, 2021. It is with regret that I am unable to join you either in person or via Zoom at your request due to a previously scheduled mandatory meeting. However, I have been informed by the Executive Director Dr. Padmini Srinivasan. The reason for this request is possibly to address two issues that have been raised by the OCDE staff. The first may be related to students receiving instruction at the Boys and Girls Club facility prior to having an updated conditional use permit in place. The second, may be the charges for childcare over a period of time when instruction by teachers were being offered to some of these students. In June 2020, due to the parent's concern over safety at the Prop 39 facility leased from NMUSD, ISSAC decided to seek a location elsewhere and was able to lease a facility that is shared with the Boys and Girls Club at its school site for the 2020-21 school year. When it was clear that public schools would not be able to fully open due to COVID related restrictions, our families asked ISSAC to provide a childcare option for parents needing to work physically. The childcare that was provided consisted of students participating in distance learning while ISSAC instructional aids monitored student progress with teachers instructing with their cohorts remotely. In other words, parents drop their children off in the morning and ISSAC aids met the students with set up on school issued Chromebooks and headphones so that students can log into their regular instructional schedule and follow along.

The aides were also available for individual assistance in much the same manner they would be as if in a classroom setting. BGC personnel provided general support and oversight related to the facility use based on the lease agreed upon between BGC and ISSAC. ISSAC's lease ran daily from 7:00 AM to 2:45 PM during the school year. Some families also received childcare through BGC from 2:45 to 6:00 PM separately from ISSAC. Therefore, for most of the year, the primary use of the facility was for childcare, which fit within the BGC's current CUP. When state and county guidance allowed for meeting the needs of the most vulnerable students, ISSAC did bring some students with the greatest needs to the site to work directly with teachers. ISSAC was informed by Orange County Department of Education staff in May, that they believed ISSAC could not bring students back for instruction within the current CUP. At the beginning of the 2021 school year, ISSAC applied for a new CUP in August of 2020 to the City of Costa Mesa so that it would be in place as soon as in person instruction could resume. ISSAC also learned at that time that the BGC facility is actually owned by the City of Costa Mesa and is used by the Boys and Girls Club through a long-term lease with the city. The procedure to revise such a CUP needs to begin with a signature from a city employee who would represent the city as the owner. However, operations in the city departments were paused during the pandemic and literally no one was available to provide the needed signature and assistance. The CUP process stalled for many months until the Community Services Department at the city resumed operational status, which was March 2021. During this waiting period in response to inquiries from ISSAC, City of Costa Mesa Planning Department personnel stated that ISSAC could operate under the existing CUP of the Sunshine Preschool, which used to operate at the BGC site. This is a limited CUP for only 24 students for a few hours a day. Following the advice of the city, ISSAC began instruction for its most struggling students from about October and being very careful to stay within the upper limit of 24 students. On or about May 11th, OCDE staff informed ISSAC that the option of utilizing the Sunshine Preschool CUP was not appropriate because of the wide age range of ISSAC students compared to a preschool. In taking any actions to provide in person instruction, ISSAC has been motivated by the needs of the students where distance learning was proving to be a genuine barrier to learning.

In addition, every attempt has been made in all instances to comply with applicable rules and utilizing the existing CUP to the extent appropriate. Further, we have responded to the concerns of the OCDE staff as those concerns evolved as completely and thoroughly as possible. Since the City of Costa Mesa has opened up for regular operations, all these approvals have been received as of May 13th, 2021, allowing the CUP to move forward at this stage. We have received assurances from the city that the process will be completed in about eight weeks. For school year 2021-22, ISSAC has received approval to be located at the Prop 39 facility, which ISSAC previously occupied in its first year of operation. The Harbor Campus on 18th Street and Tustin Avenue in Costa Mesa, California. ISSAC has also negotiated with the NMUSD a number of safety improvements for the facility to ease the concern for safety.

On the issue of charges for childcare, OCDE staff has expressed a separate, but related concern, that ISSAC was charging for childcare of the students for whom ISSAC was providing direct instruction at BGC. To the best of our knowledge and records, this did not occur. However, ISSAC was informed that a complaint had been filed with OCDE. At this time, ISSAC would like to receive a copy of the complaint so that we can conduct our own investigation to address the concern. As explained by the executive director, ISSAC offered childcare for a fee to all

families who wished to take advantage of the opportunity. Students who are on the National Lunch Program in the childcare situation were not charged a fee. Reduced lunch students were given the option to pay whatever they could. The fee was set, because ISSAC had to hire additional aides to be with the students during the day which had not been originally budgeted. Students eligible for free meals were not charged for childcare. Those students with the greatest need were asked to come to the site for instruction once the instruction could be offered to them in-person. No fees were charged for them. If students were already signed up for childcare and needed instruction, the childcare fee was reduced to reflect for only childcare.

ISSAC never knowingly and passionately charged a student for receiving instruction. We know this is clearly prohibited by the law. ISSAC has paused all childcare billing as of April 1st. The school year ended on June 11, while we have operated in line with our best understanding of the statutes. ISSAC is prepared to refund all childcare fees to the families. We have shared all details of childcare tuition and attendance with OCDE staff. We understand the board of directors have the duty to oversee the operations of all aspects of the school. Unfortunately, ISSAC Board of Directors was not aware of the childcare fees until early March. The monthly financial reports to the board listed local revenue, but the members of the board believed it might be local fundraising efforts, and donations.

Once the board became aware of the issue, the board requested explanation from the executive director. Dr. Srinivasan shared her understanding that these charges were permissible based on advice from our back-office provider, our legal team, as well as discussion with members of the Orange County Department of Education. The board recommended that the charges be stopped immediately, and there have been no charges in April or onwards. In any case, as indicated earlier, all of the fees collected will be refunded by the end of June. The ISSAC Board of Directors takes all issues seriously and wish to resolve any corrective action without delay and have instructed the executive director to do so. The members of the ISSAC Board would like to thank the OCDE Board of Trustees for your support and the OCDE staff support and guidance. We are still a new organization with much to be learned especially during this time of tremendous challenges. We appreciate your understanding of our challenges. I would like to thank my board colleague, Ms. Thu Nguyen for verbally sharing this letter with you. Sincerely, Ms. Sally Chou, chair board of directors for International School for Science and Culture. Thank you.

RULEY: Thank you very much. Just to underscore a couple of the points, the ISSAC Board will be voting next week in order to refund any childcare fees that were paid during this year of 2020-21. The executive director didn't have the authority to just make that decision on her own, so the board will be voting on that next week. The first issue was about funding. Basically, what's going to happen if the charter school has to owe a bunch of money back to the state. So, Ms. Felix, if you're able to address that?

FELIX: Absolutely.

RULEY: Thank you.

FELIX: What we ended up doing was we made adjustments to the current forecast. We decreased apportionments to the current fiscal year to address the changes in enrollment in ADA. The adjustments showed that the school will still be solvent at the end of the current fiscal year 2021. Any repayment of the overpayment of LCFF funds in the current fiscal year will be reduced from the next fiscal year 2022 LCFF apportionments. Also, it was mentioned that ISSAC would need to repay Newport School District for in-lieu payments. The positive note is that there has been no overpayment of the in-lieu dollars by Newport-Mesa, so the school does not owe any dollars back to the district.

RULEY: Great. Thank you. I think what was important to me to understand was that the school wouldn't actually have to like write a check back to the state. It's just that apportionment for next year would be reduced proportionally to cover what was overpaid previously- overpaid by the state. So that's what I heard on the funding piece. On the facility, Michelle I believe you were going to jump in on this one. You're muted. I'm sure you are saying wonderful things.

WILLIAMS: Michelle, you're muted. Turn off your mute.

ANDERSON: Here we go. Good evening board members. I'm Michelle Anderson. I used to come before you to advocate for opening new charter schools or renewing charters. I'm here today, like in 2019, because I believe in the mission of ISSAC. The difference is that there are two years of school operation behind ISSAC. This isn't a guessing game as to whether they're able to open and to successfully educate students. They have been doing that. So, have they been doing it frit ally - gosh, no. It's not been a pretty situation on how they've been able to accomplish what they've done with their students, but it is also why I adamantly pushed for a five-year charter term. Three years to get your act together. Two years to pound down, getting the academics going. Well for ISSAC it's the reverse. Their academics are doing great. It's the operation side. What I will say is what we learned from this leader. She's been humbled and is recognizing that she needs the help. It takes a village to make a charter school work, and that's why we all have been brought in. That's part of what we're here to do.

In regards to these facility issues, let's first start by giving a history so that we understand where we're at and how ISSAC is going to go forward. Ken Williams, you went with me. We went to the opening of ISSAC the first year at the Newport-Mesa school site. It looked like an absolutely great site - playground space, nice sized classrooms. The problem was there were safety issues. There were seven points of entry to that campus from outside locations especially those that were abutted to a joint use recreational park. That brought problems onto the campus - drunks and addicts. Drunks and addicts came on board to the campus. That could not continue to happen for ISSAC parents. Some had moved their children. Certainly, the school district capitalized on the unsafe conditions and used it to their advantage to try to gain kids back to their schools.

ISSAC had no choice but to find another facility, and they did. As you know, that facility is part of a City Costa Mesa site that was leased to the Boys and Girls Club - that was then subleased to ISSAC. With that came the issue that there was no CUP. Well, the school year is over, and yes, kids were brought on campus. But they were brought on not with any intention to do anything wrong, they were brought on campus to be helped based on the state board of education asking schools to work with the most vulnerable students during this remote learning process. They

brought in - they checked with the CUP said based on the Boys and Girls Club, and then their previous co-lessee who happened to be a preschool, and it was 24 students. They didn't try to force more students in. They brought in what they could, or under that amount, and wanted to work with those kids. After Orange County brought this up as an issue, they went ahead and all of this has stopped in schools now since- has ended for the school year. There will not be any more learning happening at the Boys and Girls Club facility that's owned by the City of Costa Mesa until a CUP is put in place. The good news is that we have the Prop 39 site from Newport-Mesa back for the start of the school year. School will go on for ISSAC, but it will happen at the Prop 39 site with safety controls put in place. I'm happy to report that the administrator and her board has worked very hard with Newport-Mesa School District. They got concessions to allow for a remote door opening situation, because the office front office is not visible to the front doors of the campus so they can use a camera. Then, allow the doors to be opened to allow somebody to come on into campus. They've also been allowed to lock off areas during the school day from the general public. So, this all makes for ISSAC being a safer campus for this next school year.

As you heard from the board president, the CUP process is ongoing. Now it should not be as long of a process as if we were starting from day one, because work was begun on that prior to COVID. However, it's still going to take time. We've been told about eight weeks out. The Executive Director Padmini is in contact with the City of Costa Mesa. There is somebody that is working to get that signature through to be a sign off. Then all the other processes will go in place. We will keep Orange County apprised of each event that occurs that gets us closer to getting the CUP. But we right now, are operating with the fact that we will only be opening the Prop 39 site at Newport-Mesa School district owns until a CUP is put in place. That covers that facilities issue.

We look forward to having the ability to grow the school to this next site once we have a CUP. There is a waiting list of 40, potentially up to 50 students right now, so that we can move into that facility. That will certainly help us in opening that up to open with a set number of students so that keeps us within our budget. That should solve this facility issue and should put it to bed once we have received the CUP in order to open up and get permission through the board on our material revision. Thank you, and back to Janelle for the next issue.

RULEY: Thanks Michelle. I would add - not just the CUP, but this Board would have to approve a material revision in order for ISSAC to operate at two facilities. Nothing would happen without further action from this Board. I do just want to underscore, ISSAC truly believed that it had permission from the city, which is essentially the code reviewing body that had had permission from the city to stand in the shoes of the CUP for the nursery school that previously had been there. Boys and Girls Club has been at the facility for so long that they predate any conditional use permit process. They never had one. They never needed one. ISSAC believed that it had permission from the city to use the CUP from, I think it was called Sunset Nursery or something like that. So, they believe they had that right. Then, the last issue was around childcare fees. Michelle, I believe you were going to jump in on this one again.

ANDERSON: First, let's make sure that everybody understands this is a very complicated issue - childcare versus public school instruction. In an afterschool program, a charter school like

ISSAC can offer aftercare, childcare services and charge for it. That is permitted. Utilizing the fact that school was closed down for the remote learning process this year, we had parents that were put at a disadvantage. Parents that were essential workers, or that didn't have the appropriate technology at home or good working space for their students. We were seeing students struggling. The opportunity was to offer our services of allowing kids to come in and still meet with their teacher online through the Zoom process, but to be onsite at ISSAC and have instructional aids. These were not teachers. These were actual aides brought in specifically for this purpose to work with these students. Again, all of this was thought to be done above board and allowed. In essence, there certainly is a very gray area in regards to this. ISSAC has now decided going forward, they will not be a childcare provider even in an after-school setting except through a third party. That could be either the Boys and Girls Club, and this would not have been an issue if Boys and Girls Club for this past school year had taken on the childcare all day long instead of only when they took over the building. If they had taken the childcare on from seven in the morning on, that would not have been an issue met by ISSAC.

So, lessons learned, helping out sometimes hurts. It's better to not be so willing to come forward and stick with what we're good at. What we're good at at ISSAC is instructing students in a school day so that's where ISSAC is going to stay - in their lane with that. Any childcare situations, whether it's while remote learning is happening or whether it's we're back on site and its afterschool care or before school care, will happen through a third party just so the Board is aware of that. Again, this was not meant to be, I certainly think that parents - potentially a complaint was misunderstood. Because in looking and going through the records, if a child came in for instruction on their instruction day, they were not charged a fee for working with the [inaudible] because they were actually with their instructor getting on site instruction with that teacher. Parents may not have understood. We've certainly looked at that. We would like to see that complaint so that could be worked out. However, in the interest of being fully transparent and not having a gray area and not pushing our boundaries with anything, we want to refund the money. The board will have to vote on that at their next board meeting, but refund all the childcare fees for this year back to the families. Also, so that everybody knows, families who could not afford it were not charged. Those who could - the fee was \$30 a day. To help out families who had to get to work or who had students that couldn't and they had the means to pay - \$30 a day was very reasonable. However, all of that will be returned. I'm hoping, and now going forward, knowing that ISSAC will not take on childcare even afterschool care. They will subcontract that out. I hope that that now puts this issue behind us. Thank you, Janelle.

RULEY: Yeah, of course. I think really what ISSAC will do is not actually subcontract, they will help connect families to childcare options is really all we're trying to say. I think, I know I already said finally, but Dr. Srinivasan did you have another statement about academics?

SRINIVASAN: I just wanted to appreciate the opportunity we've had to continue the work we've been doing. This year despite the challenges, we were able to do what we envisioned even on project-based learning and the stream academics as well as put a lot of effort into social emotional learning framework which we work on. This has led to really being used directly to identify students who have had true strong barriers for them to be able to learn. In terms of barriers like depression, barriers like dealing with so much difficulty in their home life that to even think about studying in that environment would be just impossible. We are proud and happy

for what progress we have been able to make in these very changing and challenging circumstances. To the extent that in doing our, you know, various assessments and tests that we do with our students, you know, we've been able to really push for- you know. We do these assessments where we look at whether there was growth that was accomplished or there was less growth. We also look at whether the achievement was high or low. We have a good mix of high and low achieving students. But in the beginning of this period, like through March, April, May of last year and starting this year, it was really dismal. The number of students that showed minimal growth whether low achieving or high achieving. After we started pushing with everything from home visits to bring in a few students for some time each day, we still have quite a large percentage of low achieving students between 40% even in some classes and 30 to 40% in some classes. It's pretty high. But what we were able to see is in moving into the spring testing, we found that between 60 and 80% of the students in every class showed growth. They showed very high growth, medium growth, which is amazing compared to how we were doing last March when we went into the whole COVID nightmare. I am just very proud of the effort. I'm very proud of all of the outreach at the individual student level. We have students who are excellent and outstanding and really quick, and they were able to move at their pace. The ones who are struggling, we fight hard to make sure they get to the grade level. That's where I am. I'm happy to say that the percentage improved of our students who are able to show above average growth has more than doubled. We're very, very grateful that we were able to do that. So, thank you.

RULEY: I know the team would be glad to answer questions. We would humbly ask the Board not to issue a notice of violation tonight? But of course, that's at your jurisdiction- your discretion.

WILLIAMS: Very good. Well, the Board, if we may?

RULEY: Sure. Should I go sit down?

WILLIAMS: No, no, no, don't go sit down. We have a lot of questions for you, Janelle.

RULEY: Okay.

WILLIAMS: I'll start at this end and we'll move to the other side. So, to begin with, let me ask a question to - is it Marisol Felix? You are responsible for the backend business office?

FELIX: That is correct.

WILLIAMS: Okay. Tell me about the budget and the fiscal future for the 2021-22 years.

FELIX: Those numbers are not necessarily clear to Charter Impact. I'll let the school respond on that. Once the budget is reviewed, if there are any funds let's assume that are needed due to their enrollment growth next year, there are standard practices in place or used by the industry to help the school offset any shortfalls they might have. That standard practice is normally known as the sale of receivables. But again, my understanding of the future budget is something that still needs to be reviewed.

WILLIAMS: When will we hear from that review Michelle, or Dr. Pad-, or Janelle?

SRINIVASAN: We have a budget that is close to complete. We are showing that looking at moving forward with the one facility and the number of students that can fit into that facility, we will be in good condition to cover the year without receivable sales. We will be in good condition. If we do additional growth, naturally means that there is additional need for cash in the beginning of the year before the additional growth gets funded, which is the normal process in the charter world that the growth - whatever growth happens next year will actually hit in terms of revenue only in that January-February period. There's a short period during which there will be a shortfall of potentially \$75,000. That will really be fairly easily handled according to what we've done in our analysis through a short-term funding.

WILLIAMS: Padmini, have you shared this with Ms. Felix? Her response was rather lack luster here. I'm not sure if she can validate what you just said.

SRINIVASAN: Yeah. We actually are changing back office providers for the coming year. Our new provider ICON School Management is working on the budget for next year.

WILLIAMS: Oh, okay. Mrs. Felix works for Charter Impact, is that correct?

SRINIVASAN: Correct.

WILLIAMS: Okay. I see. So, she may not know about this because you're changing your back-office provider. When does that become effective?

SRINIVASAN: I beg your pardon?

WILLIAMS: When does that become effective – your new back-office provider?

SRINIVASAN: It will be effective July 1st.

WILLIAMS: Okay. We were told you have a waiting list of 40 to 50 students. For that waiting list, will you be able to accommodate them in the Prop 39 facilities?

SRINIVASAN: We would not accept the additional 40 to 50 students unless and until we have the CUP for Boys and Girls Club and the material revision. When those two conditions are true, we can accept these additional students and distribute the students between the two facilities.

WILLIAMS: Okay. Your safety issues - are those all resolved? So, it'll be a safe campus for the kids? You're not going to have any transients or people with bad motives getting on campus there?

SRINIVASAN: There were three issues that were present. The front gate not being able to be monitored. The fencing around had seven openings into the outside world. The gateway between two halves of campus was open to the other side. All three are-.

RULEY: I think she was going to say all three have been addressed. That that's what I heard in terms of their negotiation.

WILLIAMS: Oh, okay. Okay. For the record, I don't know if we're even taping this. We were just told that there was a power outage. The recording of this meeting may be down. It may not be down it's hard to determine that, but there we are. Okay.

HENDRICK: We have a generator.

ANDERSON: Something else is going on in Orange County. There's some other background noise happening.

WILLIAMS: Okay. Michelle, we just had a power outage and our backup generator just put us back on. We're back in live session now I assume. Thumbs up. We are live?

SRINIVASAN: Okay. So, if I may continue? The openings in the fence are being fixed by the district. The door that was opening into ISSAC from the other side of the campus is still going to be there, but it will open from the ISSAC side into the other side so that we will be much more in control of that. The district has authorized ISSAC to install any video cameras and hardware needed to make that front entrance be secure.

WILLIAMS: Very good.

SRINIVASAN: We are satisfied.

WILLIAMS: My next question is for your board – Thu Nguyen. Thank you for being here. Thank you for being here. Thank you for your words. Part of a well-run functioning charter school is the leadership. The leadership comes from the top dog who is the chief executive officer as well as the board. If you were to say or make a comment about the leadership from your board, do you feel that being that you're in the situation, your backs are against the wall, do you think that the board can step up and take a more active role in their leadership there at ISSAC?

NGUYEN: Thank you. Thank you for the question. Yes, you know we are very involved. I have to admit, especially, you know, speaking for myself. We are inexperienced you know. This is my first time ever serving on any board. Our hearts are in the right place. We have a lot to learn. I think this last year has been very challenging both personally for me as well as for the school. I do take some of the blame. I see Dr. Padmini work really, really hard. I see all of our board colleagues trying to step up. I don't know what else to say. You know, we are going to try our best. We are committed. Many of us have our own children at the school. I, myself, I'm very involved with the parents, with the children. I volunteer in the classroom. That's where I truly want to be actually you know. But I know that our school is new. I've stepped up, and I have agreed to serve on the board. I will try my best. That's really all I can promise.

WILLIAMS: Okay. Very good. Lastly, just a few comments for Padmini. I know you've been humbled through this. I know the pandemic this last year - a little over now 15 months. It's been very difficult for educational leaders. I think your heart is right. The children and the population that you serve and educate is really high risk. Those are the kids who are really neglected. Don't have the same family unit perhaps. They don't have a mother and a father that's involved in their lives. What you do is quite commendable. The kids, your actions, and your mission is something that touches my heart. That's why I was so involved and a big believer in what you're doing. Now we had kind of this time period here where we kind of lost touch, communication with your school. We are not sure what we're going to do. We have a decision to make here as a Board, but whatever that decision is, I think life is about relationships and the relationships we have with people. It's so important to be up front and honest and transparent. Being here, talking with us, having your attorney, having this team here, I'm very impressed with what I see. I'm very impressed Janelle with the presentation today. You've answered a lot of my concerns. Michelle, I've known you for a long, long time. You are a leader in and of itself, you know, charter schools very well. The fact that you're a part of this organization now, gives me a lot of confidence in where the school is going to go. I'm confident that you're going to expand. We're hoping that you get the CUP for the Boys and Girls Club from Costa Mesa. With that, I'm confident that you are going to be successful. That's what we want to see. No one here, as you know, we have a great staff here. Dr. Mijares has assembled a great charter school staff. They want to see you succeed. Aracely, where are you? Thank you so much for working so hard. Your heart is just so golden and big. I know you care for these kids, too. I think we all do here. I want to thank you, Padmini for your leadership Michelle and Janelle.

I'm confident to even Thu - thank you for stepping up and being involved. Your board is very important to help support Padmini in what she does. Your next leadership- a good administrator just like you had. Remember Mrs. Williams, that administrator you had at the very beginning. You get somebody as sharp and quick-witted as her, I'm sure you're going to do well. I'm done with my questions, Mari?

BARKE: Can I go last after Tim and Beckie?

SHAW: Okay. I just wanted to make sure that, you know, Dr. Williams and Trustee Barke are on the Executive Committee. I think they've gotten a little more running start on this issue. I want to make sure that I heard everything right. So, the issues seem to be the issue of the conditional use permit and the fees for child care that may have been assessed inappropriately. Did I miss- those are generally the two issues?

RULEY: Yeah, I mean, not to like, make it worse for us. But there was a concern about ADA being overstated in the first year. Essentially ADA will be - average daily attendance will be reduced in the next year.

SHAW: Thank you for your candor. So, I mean, I'm just trying to get- make sure I get the issues and then the cure. I understand the issues with the city and getting the conditional use permit. But as far as the refunding of the fees and this ADA issue, I mean, can you just give me confidence that these issues are either resolved or about to be resolved. I'm just wanting to make sure I hear you right on all these.

RULEY: Yes. On the funding, I mean. It's a mechanism that the state of California works out with its various local education agencies. If the school claimed ADA, I don't know what the numbers are, so these are just made up. I want to be clear. These are just made up. But if they claimed 150 ADA and the actual was 120 or 130. Then, the school was essentially overpaid for 20 children, 30 children, whatever it was times approximately \$10,000. So that money will just not be given in the next few rounds of funding. So, what we've heard from the financial folks is that the school will be okay- fiscally okay not receiving that. That would be the cure on that piece. On the facility piece, I'll be candid again, we can't go back in time. We can't have undone that. But all of the steps are being taken. The facility is not used now. It will not be used unless and until there is both a conditional use permit and a material revision granted by this Board. Because the charter school in order to locate it at two facilities, this Board would have to approve that. So, there's nothing that's happening right now. We can't go back in time and undo it. The school did believe that it had permission from the city, but the process now is underway and has been for a couple of weeks now.

SHAW: Thank you for simplifying that for me. I am just trying to have a basic- make sure I got it all right.

RULEY: Sure. Yep. Thanks very much.

WILLIAMS: Are you done? Yes. I don't want to forget Dr. Sparks. You are out there in- way over on the other side of the world. It's your turn.

SPARKS: Thank you. Can you all hear me? Okay. I just want to say a few comments. Thank you for the explanations of, you know, what issues have arisen and your efforts to and plan to resolve those issues. I just want to say as educators, it is our job to instill a love of learning no matter where that occurs. We've all had to pivot during this past year - 15 months. All of us, educators at every level. It's been a very difficult year for all of us. I want to commend you, for you know, doing what you did and putting your faith and heart and soul into educating these students in whatever way possible. No matter what facility issue, I mean, we can educate people outside in the lawn. We can educate people- it doesn't matter how we- where and how we instill a love for learning. That is our job as educators. I just wanted to reinforce that. Now, having said that, I know there are rules that we need to follow - the CUP and so forth. But it sounds like you have a good plan with that forward. But I appreciate the innovation and the heart and soul that you all put forth to educate these students who needed help during the pandemic and did that in whatever way possible. But I think that's to be commended, not apologized for. I just really wanted to emphasize that.

Having said all of that, I would, and I want to hear from the other board members. But given everything that I've heard, I would definitely not want to issue any kind of violation. I would want to hear a commitment that you are going to fix these issues in a period of time and bring that back to the Board in let's say 60 days, maybe 90 days. I know you've mentioned eight weeks is the given timeline. That would be my recommendation. I'd like to hear what the other board members have to say. Thank you.

WILLIAMS: Lisa, we are not quite there. We'd like to hear from good Trustee Gomez then Barke. Then, we'll get to our decision-making process.

SPARKS: Understood.

WILLIAMS: Beckie.

GOMEZ: Okay. Thank you. I just want to be clear about something. Charter Impact is going to take over your back-office as of July 1st, is that correct?

RULEY: It's the opposite. ICON will be taking over. Yeah, I'm seeing nods. Charter Impact is current. A company called ICON will be taking over as of July 1.

GOMEZ: Okay. That's not what I heard earlier, but okay. Thank you for clarifying.

RULEY: That may have been my misunderstanding.

GOMEZ: Okay. I guess my concern is how did we not know that fees were being charged or that we were being overpaid on the ADA? Can somebody - the financial folks, can they answer that for me?

FELIX: Sure. I'd be happy to answer that. I think one of the most important things for us to note is that - you know, there was an open acknowledgement that instead of the 100-enrollment budget, a 150-enrollment budget was submitted. Now, considering that the application was new and foreign to everyone, the budget was submitted and the school considered it to be their final operating budget and their actual enrollment for the year. That was, you know, just an honest mistake that took place considering that, you know, this process was new to all of us.

GOMEZ: We had about 100 students, but we budgeted for 150. That's a pretty big range.

FELIX: It actually is the opposite. We had 150 students. But within the period that is allowed to submit for the application, the budget needed to be approved at a certain point in time. At the point in time that the budget was approved, it was presumed that it was 150, but it ended up being that the budget should have been approved for the 100 based on that point in time.

GOMEZ: I'm not sure I quite got that. Did we have a group of 150 students that we had planned on? Then, when the school finally started, there were only 100?

SRINIVASAN: If I may add a sentence to that? We actually had 150 students. We had budgeted 100 students at one point in time and 150 as we grew the enrollment. But the correct budget in terms of date - that was approved within a certain given date, was the 100 not the 150. We submitted the wrong piece of financial documentation and was corrected on discussion with OCDE.

GOMEZ: Okay. So, the wrong information was submitted? Is that what you are saying?

SRINIVASAN: Yeah. The actual number of students was 150.

GOMEZ: Okay. You were notified on- I lost my note here. You were notified that there were children being charged and the Charter Unit brought this to your attention in April. Why is it taking until the June board meeting for the refunds to be issued? Anyone?

RULEY: Okay, sure. I can give this a shot. My office has a different legal opinion on the definition of a pupil fee. What OCDE staff was saying is that the charter school was impermissibly charging people fees. It's a constitutional term. It's in statute. A pupil fee is something that is directly related to an educational activity. Both of these terms are defined. What our office has concluded is that ISSAC was not actually requiring an educational activity that it was charging a fee for. The fee was for childcare. I think what has happened, I'm not sure when I got brought into this, but it was after April. But I think what has happened in the interim is that the board has had the opportunity to understand and to look into this and then the board has- or will be making the decision to refund the childcare fees.

GOMEZ: Okay. I'll come back to something else in a moment. On the CUP, one of the letters indicates that ISSAC began the 2020-21 school year on August 24th, 2020. On September 1st, the OCDE staff spoke to Dr. Srinivasan during a check-in phone call. It was reiterated - the school may not physically reopen without the proper CUP in place. That was back in September. Now we've managed to get through an entire school year. I feel like all these letters that have taken place and conversations, we were just kind of running out the clock until we finished the school year. That concerns me a little bit, that we couldn't respond timely to our Charter School Unit who are trying to make sure that everything is in place. That we are doing our due diligence. I know you are trying to provide a great program, but yet on the same token, we need to make sure we are following the rules. The letter that the board member read, it indicated that they are trying to make their best effort to comply with everything. I don't see that happening here.

We fell short a little bit here. That concerns me that we are not making our best effort to comply. The CUP - that has gone on for months. I know there were some challenges with the City of Costa Mesa not being readily available, but there were plenty of emails going back and forth as to how we could get this corrected. Yet we still couldn't get it corrected, and it is still not corrected as of today. Is that accurate?

RULEY: That's right. Yeah.

GOMEZ: I think we've tried to do a lot of things here and we keep falling short. I'm a little bit shocked at the fact that our board members say that they're an inexperienced board. When you have a startup school, you really need experienced people. Bringing someone like Michelle on, is a good thing. But I'm concerned that if you still have an inexperienced board, you are still going to be in some difficulty in making decisions. I'm just really concerned that there's a lack of responsiveness to our Charter School Unit. I want to know what's going to happen next. I want to know what the plan is. I don't really see a good plan in place. That is where my concerns are. I will yield to Trustee Barke.

BARKE: Okay. All right.

WILLIAMS: Just real quick, Janelle. Michelle Anderson is the new consultant there on site. Michelle how often are you going to be there? Tell me about your input, your role, how active are you going to be?

ANDERSON: My role is still being defined. I have submitted some thoughts and ideas. It has to go to the board of ISSAC. This is from the goodness of my heart and a passion project, right now. Because, I did advocate for this school to be opened two years ago as you all remember. I still do believe in their mission. We do recognize that a team- it takes a village. Let's face it. It takes a village to make a charter school happen. I have proposed that I become part of that village, which we will see. It all depends on budget. It depends on the board's role. I need to see how well it meshes with the new position of a principal coming in. We don't want to duplicate. This is a school that's still new. We have to watch funding. I will be involved for special projects, not a constant going, not on a continuous role, but on special projects. First special project is to get us past this notice of violation - to have everything in place. One of the other special projects is fundraising, because you know, there may be a need to do some fundraising. That will be something else I will be working on. It will be ongoing, but it won't be in a continuous stable pattern. It will be in peaks and valleys is how I will be utilized.

WILLIAMS: Okay. Thu Nguyen – you are president of the board. Is that correct?

GOMEZ: No. She read the letter from the board president.

NGUYEN: No, I am not.

WILLIAMS: But you are on the board?

NGUYEN: I'm on the board. The president is Sally - Dr. Chau. I believe she's been at your meeting maybe two meetings ago.

WILLIAMS: Right. Right. My recommendation would be - call a special meeting, get a contract with Michelle Anderson, get it solidified and get moving. You don't have to wait to your regular on-call meetings. We have emergency and special meetings all the time. So, yeah. Get that going. Take her advice. She'll really help you.

NGUYEN: Thank you.

GOMEZ: Will Michelle's contract be on the June 24th agenda?

RULEY: Yes. Yes.

GOMEZ: Okay. So that's coming up.

WILLIAMS: Good. Mari?

BARKE: Thanks for letting me go last. I made some to make sure I covered everything. I must admit I was very concerned at the last meeting. Just prior to that hearing about what was going on there. I agree that I know Padmini and Michelle and Thu - I know that your hearts are in the right place and that you are working very, very hard. I know as Dr. Sparks said, it's just very important that we educate kids. You did everything possible to get that done. I do believe that the kids at ISSAC in Costa Mesa are better off because of you. I so appreciate everything that you've done. I think adding a principal - I think that role, I think that'll be important so that Padmini can focus on where she should be focusing. Michelle, I'm very grateful that out of the goodness of your heart, you are here. I think it gives all of us a lot of confidence, because we all know you very well. You spent a lot of time in this boardroom my first couple of years here. I appreciate that you are helping them and look forward to what you'll be doing with them in the future.

Janelle, we certainly respect you. We've worked with you. We are thrilled to see you here leading this process and organizing it. It gives us- or myself and I think at least some of my colleague's confidence having you here.

RULEY: Thank you.

BARKE: Let's see what else. I visited the school. I know your heart. I know what you've done with children. I've been to one of your special programs, and I do know that you play an important role in people's lives. I appreciate that. If I may have the indulgence of my Board, I would like and you can edit it, but possibly to lay the notice on the table until 9/1 - our 9/1 meeting. I think that would give us just past the eight weeks that we anticipate for the CUP. It would give us eight weeks plus two for fudge room if there is a delay. I think the August meeting is a little soon to get done what we need to do here. If my other board members would indulge me in the 9/1 date to lay it on the table. It's my thought and I'm open to-.

WILLIAMS: Just so I can understand - you're making a motion for number 15 to lay this notice lay it on the table until the September meeting?

BARKE: Yes.

WILLIAMS: I'll second it for sake of conversation. When is Costa Mesa going to give the CUP and when will the vote be by the board to approve the new condition?

RULEY: The material revision?

WILLIAMS: Yeah, when is that vote?

RULEY: I think the vote is scheduled for- great, I don't want to speculate.

BARKE: Oh. I forgot to mention. I also am happy to see ICON on board, because we also work with them with several of our charters. So that's encouraging.

CHASTAIN: Okay. ISSAC requested an expedited review process for this material revision, which you know, we can accommodate. However, we did tell them that that would mean that

Board has to take action that first week of August at your August board meeting, which was beyond- I mean, which was sooner than the eight-week timeframe that they're giving us - which is again, like we've said before, really optimistic. I'm not quite sure how this is going to work with that process unless they're pulling their material revision until they have that information settled. You guys are actually scheduled to take action in August.

BARKE: Can we put it off to 9/1? Does that work if we do that?

CHASTAIN: We wanted the school to do that, but they insisted on the expedited process. I guess that would be up to them if they want do that.

BARKE: Because we need the CUP to do that.

CHASTAIN: Yes. If the Board would prefer that the expedited process not happen and that Board action not happen until your September meeting. That's at the will of the Board.

SRINIVASAN: If I may add? The city has given us a six to eight-week timeframe when we submitted the last of what they asked for and got the signature from the Community Services group. I believe that will put us at beginning of August for eight weeks. It's cutting it close, but I think that there's a good shot at getting it done, particularly because they have a lot of the background information already and have had it for such a long time.

BARKE: Michelle, have you been involved I think in the CUP process. Are you- do you feel that it would be finished by the August meeting?

ANDERSON: I have yet to have a meeting with the city. Until I have that meeting, I can't give a feel one way or the other. Padmini has been doing most of that conversation, so I'm always of the person that you put a couple of weeks on for padding. To me, that would put us past the August meeting and would take us to September. My question would be to Aracely. When would we need to let OCDE know, because maybe we can get some information at the end of this month? That was our goal to have a meeting with the City of Costa Mesa. We can know if we have a hard deadline with them and have can have it done before that August board meeting.

CHASTAIN: Right? One of the requirements of Education Code is that we have to publish a staff report 15 days prior to the Board taking action. That staff report contains the recommendation that the staff gives to the Board. That would be two weeks prior to that August meeting is July-

BOYD: July 21st.

CHASTAIN: July 21. What we communicated to Dr. Srinivasan is that we would need to have whatever documentation she's- you know, her CUP or whatever prior to that. We have to have draft it, written and gotten an approved - a staff report. She doesn't have until that date to submit, you know, we sort of gave her as far as we could push it out was like July 16th to get us what she needed, which was definitely below the amount of time.

WILLIAMS: What I don't understand. It's maybe too obvious to me. Why are we pushing this so fast? Why are we expediting this? Why can't we wait until September? Is there something I'm missing?

CHASTAIN: Dr. Srinivasan that was her request.

SRINIVASAN: The school calendar is right now set to begin August 23rd.

CHASTAIN: Which concerns us as well. This is sort of how we got into this, kind of a little bit of a mess to begin with. School begins and she starts to feel pressure to get on campus. We don't want what happened this past time to happen again, which is you approve a facility without a conditional use permit. She runs out of time and kids are suddenly on campus. We don't want to see that happen again.

WILLIAMS: Yeah. I don't think anyone can approve these conditions without the CUP being in place. Padmini, we are kind of wheeling and dealing here. Mr. Rolan since you are our attorney, correct me if I'm doing the wrong thing, but can you delay opening your school a couple of weeks? I mean is that dates set in stone in August there? Can you wait until a couple of weeks after in September? Padmini that's a question to you. Take yourself off mute.

SRINIVASAN: Yeah. That's an interesting possibility. I hadn't really thought about it. We set these calendars and get them approved. We think of it as a thing that we have to abide by. Clearly, I think, this game, you know, the facility is the tail that wags the dog. So, we will you know, for us to enable what is best for the school and what is best for the students we wish to stir. I think that there- we will have to create that flexibility.

ROLEN: I don't have a tremendous amount to say about this. It seems to me that tabling this until September 1 serves everybody's needs, right? It's a staff recommendation, first of all. I don't have a great deal of faith in the conditional use permit getting granted in an expedited fashion - call me cynical. If we can move the calendar, we get some clarity on the use permit. The Board has some clarity on how they rule on the material revision. That protects my client. I think that would take a step towards satisfying the Department and getting some clarity for them. That would be my recommendation to the Board. I don't know if that's a logistical morass or not.

CHASTAIN: It would be our preference as well. There is a couple of obviously a couple of things - issues that have come up now in listening to this board meeting and as we've received more documentation. One, is that the budget that was submitted with that material revision appears to no longer be valid if what I'm hearing is accurate. They're creating a whole new budget. That also kind of prevents us from moving forward on analyzing that budget that is no longer accurate. There's outstanding things. The contract for this consultant is one. An initial review of the budget that we had before us. The last budget we had before us showed that, from what we could analyze and estimate, if the childcare fees are refunded and if the money's clogged back, you know, there's about a cushion of about \$10,000 that this school has. That is without hiring a principal. That is without hiring a consultant. We are very, very curious to know what this new budget shows and how they're going to make these numbers work. Is it that they're only hiring a principal if they get this second site? You know what I mean? So, there is a lot of

questions now. We are sort of now, from what it sounds like is we're at a standstill to being able to review a budget because the budget that we have on file is not correct.

WILLIAMS: Okay. Adding to the confusion of the moment. For those listening on live streaming or here, we're hearing it just the same time as you. So how do you be as wise as Solomon in making the decision here?

ROLEN: Solomon had a book to go by - we don't. I'm understanding from the body language of all the people involved that tabling this till September 1, would give everybody an opportunity to do their respective jobs and give staff the ability to make these inquiries in the budget. That seem to me to be pretty important.

WILLIAMS: Yeah. That's my thoughts to delay this and do not expedite it. That would be my recommendation. I would feel more comfortable with that. I would like to hear from my other board members. Lisa, you are out there in Italy. I know it's like 4:00 AM in the morning. Your thoughts?

SPARKS: I agree. That was sort of my initial thought as I heard all of the information. So, I really think I was aligned even from millions of miles away. Not millions but yeah, I think September 1st would really give us the time that we need to shore up all these additional questions and minor issues.

SHAW: Yeah, that sounds good. I mean, I guess the best option of those available. I would think that moving your start date of your school back would present a lot of challenges. I mean, I shuttered a little bit when I heard that idea. I can only imagine what that does to your whole academic calendar. But, I suppose of everything I've heard tonight that September 1st, I guess, is the best option of those available.

WILLIAMS: Beckie?

GOMEZ: Well, my concern would be - what happens on September 1st if these things aren't resolved? What happens to those kids? That's a huge concern of mine.

WILLIAMS: You are referring to the CUP?

GOMEZ: Right, right. If this doesn't all get resolved and we come back on September 1st and some of these things are still aren't resolved, we can't move forward. What's Plan B for those kids? Dr. Srinivasan, we may not get- the kids find out that they are not going to start school at a certain time, would you lose students? You're probably trying to mirror the calendar of Newport-Mesa, right, because of childcare and all sorts of other stuff.

SRINIVASAN: Yeah, I wouldn't say that it's ideal to postpone the start date. However, the Prop 39 facility will be there. Our current view of how many students we are accepting is just a number that we'll be able to fit in the Prop 39 facility. The additional students that we would like to enroll will only be enrolled if and when the CUP and material revision both occur. So, if they don't occur and we are at September 1st at that point. If it's not ready, we are not enrolling those

additional kids. They will be where they have decided to be, because they will not have an acceptance from us.

CHASTAIN: We did talk to Dr. Srinivasan about that, that she couldn't actually accept these students into the school without having the seat for them. She acknowledged that and understood that. One thing though I want to say is, I don't want to lose sight of the complexity that we're working with here, because it's beyond just a CUP. As far as refunding money, that was classified as childcare fees. What we don't have in place and I think you talked about this. What we don't have in place is a plan on how they're going to do this. From what we read through receipts and invoices- you know, the stuff that she submitted. Some of those students are no longer at the school. What is her plan for contacting these families and getting these funds back to them? We still have not heard about any accounting of the 2019-20 fees. We don't know why we haven't received those documents. There has been no mention of the refund of those fees. So, the fees are not just for 20-21. They also collected fees in 2019-20. We have seen no documentation on that. We are hesitant to move forward without a plan. For us, that is what a notice of violation does. It requires them to come up with a plan for how they're going to correct these issues.

Everything that you're sort of hearing here, it needs to be kind of more concrete for us to be comfortable. That's why we, you know, we prefer to do things in writing. We prefer to have plans written out because things change. A lot of the time it can get confusing and issues can get compounded if we don't have a clear plan from the school as to how this is going to happen. It's, beyond them voting to return fees. These families also, if you looked at the emails, they were asking for tax documentation. Some of these families claimed these fees as deductions on their taxes. They have something to- they have to be told about all of that. This is where we sort of are wanting a clearer- that she understands the implications and can give us a clear plan of the steps that they're going to take to correct some of these issues.

GOMEZ: Yeah. Dr. Srinivasan, what plan is going to the board on June 24th to refund these fees? Is there a plan?

SRINIVASAN: Yeah, so basically the point to which we have come is that-

GOMEZ: Is there a written plan that's going to the board?

SRINIVASAN: There is a plan that that is going to be part of the agenda for the meeting on the 24th. It will be part of what is posted and made available to OCDE staff on the posting date, which is the 21st this coming Monday.

CHASTAIN: What that takes away from the board though, is the ability for you to determine whether her plan works. Whether you're comfortable with the plan that she's presenting without some sort of a formal process in place for you guys to look at timelines, for you to look at the actions that she's going to be taking. We'd be leaving it up to the school to determine their plan and hope that it's viable.

WILLIAMS: Janelle, since we're wheeling and dealing here. When can we get a plan as Aracely was just articulating there? Do you know if there is a plan?

RULEY: It sounds like there will be one - a written plan as of Monday. I have to say, this is the first time hearing about the tax deduction issue. That certainly will need to be thought through. Padmini, I don't want to over commit. I don't know what's realistic on your end. But I think what we are hearing and what we can agree to is to write a plan about refunding fees, send it to staff, send it to the Board. If we get a check, meaning that it's okay, then move forward with it. I mean, we can certainly, we can take those actions. This might be something, Michelle, I don't mean to be writing your contract, but this might be something that you would be able to assist with.

ANDERSON: Yes.

WILLIAMS: So, I'm just talking out loud.

ROLEN: Let me help. Is there a way we can agendize a review of that plan in July?

CHASTAIN: Yeah. If they get it in on time for us to submit it on the board agenda.

ROLEN: Understood, mighty big if.

CHASTAIN: You mean for us to have analyzed it and given you some sort of a recommendation?

ROLEN: I am not trying to increase your workload, I'll analyze it if you want. But seriously, is there a way that we can split King Solomon's baby on this plan and bring it before the Board so that they can exercise some discretion over this plan and rely on your analysis related there to?

CHASTAIN: That's basically what the process is of a notice of violation would do.

ROLEN: Understood. That's exactly what the process of a notice of violation.

BARKE: When would you need the plan to review it? The meeting is July 7th, so we would need, when do you need it to make sure that it's to us for the July 7th meeting?

CHASTAIN: When is the board deadline, Nina? I'm sorry, I don't have a calendar open.

BOYD: The 23rd.

CHASTAIN: The 23rd is the board deadline. We probably would need probably about a week at least prior to that. That is tight.

GOMEZ: I don't understand why we don't have a written plan if that was supposed to go to- it's scheduled to go to their board in a week. Why isn't there a plan written? This is really unacceptable.

CHASTAIN: The other part, just to throw out there so that they understand kind of what we're wanting here is. We also don't know what would happen to the monies that they've collected if they can't locate the parents that are no longer at the school. Where does that money sit? We believe those fees to have been collected illegally. We don't necessarily want to see the school just absorb that money for other things. These are some of the outstanding questions.

WILLIAMS: What I don't understand, has it been determined that these fees were collected illegally?

CHASTAIN: What's difficult to determine there is that they are classifying it as childcare. I think what we've sort of presented to the Board, what Dr. Srinivasan has said, and what the current board member said in her written statement is that education was happening during that time. Educational activities were happening during that time. That's where - she may have called it childcare, but we know that kids were logging onto Zoom for asynchronous, synchronous learning. There was a period of time when there was a teacher there. What we are unable to determine is, because there were no sign in and out sheets, even though they are telling us that we didn't charge during the time that the kids were learning, we have no documentation of how that was tracked or monitored. Even if they tried to retain some of the funds, because they're saying that the no class instruction happened during that time, there's no documentation of how they kept track of that. The question as to whether they are legal fees or not is pretty complicated. One, because of what we would consider kind of, you know, bookkeeping that's lacking. The other, if we are going to say, they are able to operate a childcare center. We are not sure that that's true - that a charter school can operate childcare during school hours. Before and after school care under the ASIS program, perhaps. But that's not a program that they're operating under and this was during school hours. We would need to know under what jurisdiction are they able to operate a childcare program? Did they need a business license to do it? Does it fall within the parameters of their nonprofit status to do so? There's a lot. If we are going to try to determine whether they're able to legally offer childcare, there's more information that's needed from the school in order to be able to determine that.

What we are saying is that what we observed, what we've been told, and what we keep hearing is that kids were doing schoolwork during this time. It was called childcare, but essential school things were happening with these kids. They were logging on to Zoom. They were listening to lessons. Then later, there was actual teachers there. I want to be very respectful to Dr. Srinivasan. We have of the emails. The same documentation that she looked at. That CUP said that she has to operate exactly under the parameters of the CUP. The CUP had grade levels on it. It had very specific days that it could be operated. She looked and said, I can have 24 kids. That was one small- that was one part of that CUP. There was other things there. The city asked her for- she needed to verify to the city that she was going to operate exactly as that CUP stated. I don't know whether that was ever provided to the city or not. What we know in practice is that no, she didn't follow that CUP to the letter.

There is always a concern. What we're looking at, is the same thing that the school's looking at. What we are reading, she's interpreting in a completely different way. We want her to be successful, but we do know from just past experience, that it's always better to have something

formal in writing because you don't know what's going to happen or what's going to be submitted or what it's going to look like, you know, in a month or two.

GOMEZ: The staff recommendation that that we got in our notebooks is to request an issuance of a notice of violation. Now, if we were to issue a notice of violation, that doesn't necessarily mean that we are going to revoke the charter. It's just a notice to get them to address these specific issues.

CHASTAIN: That's correct. I think what we put on there was 30 days to correct, but you could make that 60 days, you can make that 90 days, you know. Whatever the Board feels is fair in order for her to be able to do that. You have the discretion of making that determination as to how much time you want to allow her to try to correct these issues.

WILLIAMS: It's a little bit more complicated. I recognize the fiduciary responsibility of this Board. Like two weeks ago when we met, there is just so much to process and so much to talk about. I'm hopeful based upon today, that we're going to see some resolve of all the controversies that Aracely is raising. I know you are not prepared to advise your client or to make any sort of determination based upon what you've heard. It takes some time to look into these things and to understand it. My thoughts are that - and I'll make my comments to the maker of the motion that is on the table that maybe September may be too far. We are not issuing a notice of violation. I would like to bring us back in two weeks to reconsider it, assess where we are, look at how much has been progress in that time period. That will give time for Padmini and her legal team, and her new consultant, as well as the Board to make some decisions here. I want to validate what Trustee Gomez says. She makes a lot of sense on these issues. I know there's a lot of [inaudible] involved in here. I'm not so ready to be punitive yet. May I ask if you would resend your motion to lay on the table for September and to resend it and lay it on the table to our next meeting - July 7th so we can have this discussion, a decision at that time.

BARKE: I would be very comfortable doing that. To make my motion, to lay it on the table for our July 7th meeting so that we can assess the progress at that point as to where we are especially with the item, I guess, of the fees. That seems to be the most urgent item. I think by then, if we are convinced that there is a written plan in place, then we can make a decision at that point.

WILLIAMS: Right. Tim, you seconded that motion before for September.

BARKE: I think you did.

WILLIAMS: Did I?

GOMEZ: You did for purposes of discussion. Then you kept talking.

WILLIAMS: Isn't that funny how Alzheimer's begins to kick in at such an early age. Okay. I will second it. We are going to lay- the motion is to lay this on the table - give it two weeks. Come back at that time essentially go through a lot of the discussion that we did here.

BARKE: It is about three weeks, actually.

WILLIAMS: Three weeks, yeah. It also is very helpful if everyone shows up here in the meeting too so we can look everybody in the eye. It's hard to do it through the Zoom process. For me, it's always better in person. That's my thoughts. I'll second it.

SHAW: I think Greg wants to say something.

ROLEN: I just wanted to clarify that for the associate superintendent. We are going to table item number 15 and bring it back with the same language. Is that your understanding as well?

BOYD: That is my understanding.

ROLEN: Yeah. Okay.

WILLIAMS: Yeah, that is the intent. Okay. Any thoughts on that, Lisa, you are out there in Italy. It's now what four?

BARKE: Almost four.

SPARKS: Yeah, almost four. I would just say, I think this sounds like a good compromise. I think that the arguments have been made that they figured out which lanes they want to stay in given what's happened the last several months. I think you verbally made that very clear. I think for us to see all of that in writing is what we need to see. I'm very comfortable with that - bumping it to the July 7th meeting and reassessing at that time.

WILLIAMS: Tim, Beckie?

SHAW: Yes, I agree.

WILLIAMS: Okay.

GOMEZ: I'm comfortable with July 7th, because that will allow their board time to address some of these things. I would really ask that we get some written information maybe following that board meeting so that we know what actions the board took. I think that will help us decide what we need to do on July 7th. That gives you a little bit of time too.

RULEY: Yes. Understood.

GOMEZ: Okay. I'm comfortable with that.

WILLIAMS: Okay. Hopefully, we've been very clear and very gracious and given much charity.

RULEY: All of those things, yes.

WILLIAMS: Right. We don't want to see Padmini and ISSAC fail, but we do have to sometimes go up against the wall or barrier. Tough decisions have to be made. We are being inched back against that wall. Tough decisions are going to have to be made. It can't be just verbal. It has to be written. Let's get all this in written. Hopefully, we are very clear as a board. We stand unanimous on this. It looks like we are going to take a vote here in just a second. Is there any other comments before the vote?

BARKE: No, as long as we make it clear that we would like everything in writing just for clarity. I think that is really important that we have everything in writing on July 7th.

WILLIAMS: Very good. Okay. Because it's a vote and we have Lisa-

BOYD: Point of clarification – they are meeting on the 24th and your board deadline is the day before. You are requesting things in writing from ISSAC for your July 7th board meeting. What date are you giving them to comply with that?

WILLIAMS: Great question.

BOYD: If you in fact - Monday the 28th, in order for us to get it in your packets would probably be - if you are wanting any analysis by our staff or are you just wanting the documents? Those are two different things.

WILLIAMS: No. We would like to have Aracely's input. I think that that is important. We have to post everything by the second, excuse me. The second is when we would traditionally post everything.

BOYD: Right. Everything would be posted on the second. Depending on the number of documents and so forth, you do already have quite a number of things for that meeting. The numbering of the packet is the whole thing. That is what takes the most time in terms of compiling. That is why I say. We would have Executive Committee on one of those days at the beginning of the week as well.

WILLIAMS: Right, Executive Committee would be the 29th or the 30th.

BOYD: Correct to finalize the agenda.

BARKE: Is the 28th too late?

WILLIAMS: Yeah, the 28th or 29th.

BOYD: The 28th is not too late for us to get the information. I just don't know in terms of staff analyzing, you are not going to have anything written from our staff for inclusion probably. You would get that at the board meeting

WILLIAMS: We would have a discussion very similar to this evening, yeah.

BOYD: If the documents are simple and easy to follow, there might be something. I just don't want to commit to having a written document from our team with just two days.

WILLIAMS: Right.

BARKE: If we had the 28th and you would have 1-2-3 almost four days, no?

BOYD: We wouldn't have four days. The way that your documents are compiled if you look at your packet. We have to have everything to a clerical support person by that Wednesday. That's why right after Executive Committee, everything is compiled so that they can start making the appropriate number of copies and get the things numbered and make sure that we have reviewed the documents for errors and corrections.

BARKE: I understand the numbering of our binders and the packets, but even if those were just added as an addendum, I think we could live with that. If that gave you guys the time necessary to review them, they could just be thrown in time for delivery to us.

BOYD: I just want the Board to understand. Not knowing what we are going to get. I hesitate to commit on behalf of my staff, that they can go through - especially if there's financials and so forth. We are also talking about repayment plans and those types of things that could be very complex. I don't know until we get it. I just wanted to point that out to the Board - that's all. We don't have to try to come up with a date or anything. I just want to make sure that you understand that we are going to do our best. If we can't get it to you, we will let you know that. You will know that in advance of, and you'll know why.

BARKE: I think if we tentatively say the 28th, and we'll hope that they can get to them and give us as much feedback as possible,

GOMEZ: Well we needed to get it from ISSAC though, too.

BARKE: Yeah. That is what we are saying. That we would get it in writing.

GOMEZ: Close of business Monday or-

BARKE: What's that?

GOMEZ: From ISSAC, you want their response when?

RULEY: On the 28th.

GOMEZ: On the 28th. Okay.

BARKE: Yes. A written response on the 28th.

WILLIAMS: I think that's reasonable. Lisa, you okay? Is she still on?

SPARKS: Yeah, I'm good.

WILLIAMS: Yeah, there she is. Tim, are you okay with that? Beckie, you okay? Okay. We have a motion and a second. I think we've done a lot of discussion on this. Thank you so much, Janell and everybody out there. Because we do have somebody who is not present, we will be taking roll call.

BOYD: Trustee Sparks?

SPARKS: Yes.

BOYD: Trustee Gomez?

GOMEZ: Yes.

BOYD: Trustee Shaw?

SHAW: Yes.

BOYD: Vice President Barke?

BARKE: Yes.

BOYD: President Williams?

WILLIAMS: Yes. Okay. Very good. It is now 7 o'clock. I'm going to do something real quick here. Then, we are going to take about a five-minute break. I'd like to have a motion for the consent calendar four, five, and six.

BARKE: So moved.

SHAW: I will second.

WILLIAMS: Okay. Discussion? Barring none, all those in favor say aye.

SHAW: We have to do roll call.

WILLIAMS: We have to do roll call don't we. We just went down. Oh boy. Okay. For the record we just, oh, there we are up again. Lisa you're there? We're gonna have a roll call.

SPARKS: Yes. Okay.

BOYD: Trustee Sparks?

SPARKS: Yes.

BOYD: Trustee Gomez?

GOMEZ: Yes.

BOYD: Trustee Shaw?

SHAW: Yes.

BOYD: Vice President Barke?

BARKE: Yes.

BOYD: President Williams?

WILLIAMS: Yes. Okay. For the record, we will be in a five-minute recess and we will come back with communications.

[The Board takes a short recess.]

WILLIAMS: The Orange County Board of Education is back in session. Let me give acknowledgement to our good Sheriff deputy. Thank you for being here. Thank you for protecting us. We do appreciate everything. We strongly support our men and women in law enforcement. Let's go with communications announcements, Dr. Mijares.

MIJARES: Thank you. Mr. President, members of the Board, nice to be with you today. I know that nothing is easy. Your negotiations just now are a testament of that. I do want to thank you for your patience as well as the charter school and our staff. I think our staff is doing a wonderful job that is never easy. Nothing that is worthy is ever easy, frankly. We want to make sure that those kids are served properly, and that's the bottom line. Just some quick items - I want to commend our ACCESS program. Dr. Jeff Hittenberger and all of the leadership individuals that govern over the ACCESS program are doing a great job. We have over 500 students who will be receiving their high school diploma from ACCESS. Dave, thank you. Dave Connor is the principal from CCPA, and he was at the graduation where Trustee Beckie Gomez attended. Beckie, thank you for doing that. Tim Shaw attended the graduation for Sunburst. Tim, thank you for your participation there. I want to do a shout out to Pastor Geiger who is the pastor at Mariners Church. The church really has opened up its doors as well as many churches including Saddleback in many ways, but in terms of the graduation services, they provided a chicken and steak dinner at Mariners for all of our parents at the CCPA graduation.

It was done first class. Top drawer type of a meal for our families. They celebrated and watched their kids graduate. It was a wonderful time. Of course, we've seen graduations across the county. I'm also excited about our districts and the leadership to allow those kids to walk. That was an important thing. Just quickly, I also want to point out a special program that the Garden Grove Unified School District does. The superintendent of schools there, Dr. Mafi. Gabriela Mafi is a tremendous leader. She started this program actually. It received a Golden Bell Award in 2020. It's a mentorship program. She actually mentors' kids herself. One of her students -

Sebastian Lozano. He was a co-valedictorian at Los Amigos High School, and he is headed to Harvard. Back when he was in the sixth grade, in fact, he says it takes more to get into Harvard than just straight A's. He said, it took a mentor. Dr. Mafi, shepherded this little guy around when he was really let down into, you know, in the elementary grades. He was talking about going to Harvard and guess what? She worked with him and mentored him and he got accepted to Harvard. It's a wonderful program that the Garden Grove Unified School District does. I wanted to do a shout out for her. Also, just to let you know that two OC students won top honors at the Congressional Art Competition - Corona del Mar senior. Senior rights book on water issues. The water crisis that we see in many countries. Even here in our own country we are under drought conditions, or I think now we are just about in California. These two students - one is senior, Raymond Tron Nguyen of Costa Mesa High School. He earned the People's Choice Award and the 40th Congressional District. Then, Katherine Lou of Oxford Academy was recognized also by that same district. Each student will have their art work displayed in the US Capitol for one year. Kudos to them, because it's very difficult. Many, many of our students compete for this. For those students to rise to the top, it's a wonderful thing.

Lastly, at one of our elementary schools in the Irvine Unified School District - Woodbury Elementary School. A teacher there - Hilary Gray, read that there was a CEO in Washington who wanted to honor exemplary programs. She contacted this person and invited this person. His name is Dan Price. He came to the school. The kids at the time in her class - it was 2015, they were sixth graders. He promised them that all the kids in that classroom would get \$1,000 if they went all the way up through the 12th grade and were graduating. And guess what? They did. He also gave them interest. There were 33 students. They all got \$1,000 plus interest. They were joyful. It was just a great program. It really did inspire them and give them that hand up to make them believe that they can go on into the university and go out and make their big splash in society. That's it for me.

WILLIAMS: Very, very good. Thank you, sir. Nina, is there anything from the associate superintendent's desk?

BOYD: No, I have already mentioned board deadlines for the next board meeting, so I think we are good.

WILLIAMS: Very, very good. Board discussion real quick. In looking at the forums, again that will be up and coming. I believe it was Nina and myself during the conversation. There will be some people that will be calling asking questions. It was discussed that we would make the Executive Committee a FAQ document based upon the forum. Like today, we heard somebody who thought it was going to be a debate. It's not going to be a debate. With the consensus and agreement, I was going to bring back to the next July meeting's FAQ that we can officially approve on the upcoming forum. Moving on with our-

GOMEZ: Can I ask a question just real quick?

WILLIAMS: Yes.

GOMEZ: Is it going to be more like a fact sheet - like how the event is going to run? It's not a Q and A about the topic. It's just more of a fact sheet about how it is going to run.

WILLIAMS: How many people are going to be there? Do you need a ticket? That type of thing.

GOMEZ: Okay. All right

WILLIAMS: Nina and I will work on some of the questions she brought up in our conversation.

GOMEZ: Okay. I just want to be clear about what we were doing. Okay.

SHAW: Can I ask about the panel -panelists?

WILLIAMS: Sure. We are still working on it.

SHAW: Okay. That is what I thought you were going to say.

WILLIAMS: We don't have all of the confirmations. I'm working on it. Beckie is working on her list. I'm working on mine. I'm going to get a few other people you asked me to help you with the people you suggested. Mari and I are working very hard on that.

BOYD: Dr. Williams, just for the Board's benefit. You and I also talked about posting what the Board had already approved related to the forum. When we updated the Board page with regards to the upcoming meetings, we added the two dates that the Board approved. There is a link on those dates that showed the documents that were previously approved. The mission and purpose along with the outline that was approved at the last board meeting in terms of timeframes. Those are already on there. If people clicked on that, they could see.

WILLIAMS: The FAQ would be along that same line that we link it so people can go to that.

BOYD: Right.

WILLIAMS: Okay. Very good.

SHAW: Doctor? I was reading a lot of the comments that came in on this. There is concerns about parking. I'm not familiar with this. Is it called Russ?

BARKE: Rush.

SHAW: Rush - will there be adequate parking? I would hope that no one would- I would hope there is not a security- would not be an issue. Are we going to have- would that be part of the FAQ?

WILLIAMS: Yes, it will be. Since you brought it up-

BOYD: Ken, can you turn to the mic?

WILLIAMS: Since you brought that up, we will have security. That's an issue that we are going to be voting on deciding this evening regarding the parking issue. I have been in contact with Joe Mendoza who is the city or the district manager who has the ability to make the approval. He has conditionally approved it. Nina and staff went down there. We are going to dialogue about what she saw. We haven't done that yet, but it's a nice large facility. When it's opened up, you can seat 500 people very comfortably in that. The parking - Joe said that they have accommodated up to 3000 people. They were going to reserve a part of the grass field there for parking. They can easily accommodate two to 300 people.

GOMEZ: Maybe the fact sheet should encourage carpooling then.

WILLIAMS: Oh, absolutely. Yeah. Good point. Good point.

BOYD: Dr. Williams, while you all were in closed session, I received a communication about the Rush Auditorium. They are going to have a special board meeting next Tuesday evening to approve or to take action on the request. They have had a lot of community, as you said, for and against. I guess at their last meeting, there was a lot of conversation about it. They wanted to let us know that they were declaring a special board meeting just for this purpose. The rationale was that if for whatever reason it wasn't approved, it would allow the Board enough time to find another location. They didn't want us to think that it wasn't going to be approved - be disapproved. They just wanted us aware of that. Then, they were also sending over some additional costs related to some additional lighting that they felt needed to be - I'm not sure if it's outside or inside along with some of the other things. I'll be bringing that to you as soon as I am able to open documents and see exactly what they have forwarded.

WILLIAMS: Sure, there is a lot of details that have to be ironed out here. Thank you for that. I'd like to move on. It's now 7:15. I would like to move on to staff recommendation. That would be item number – excuse me, we have charter submissions, item number seven. Are there any charter submissions?

BOYD: There are none at this meeting.

WILLIAMS: Very good. We did the ISSAC. Moving on to item number nine - board action on the county wide expulsion plan.

BOYD: As a reminder, you all did approval of the preliminary plan back in February. It had to be sent out to all the districts so that the boards throughout the county could take action. They have done that now. This is requesting final approval on the county wide expulsion plan.

WILLIAMS: Okay. We need a motion and a second – an official approval. I will make the motion and I have a second from Trustee Gomez. Any discussion?

BOYD: I am sorry you had a motion by?

WILLIAMS: By me and a second by Beckie. We are on discussion. Any discussion on that? Barring none – let's do roll call.

BOYD: Trustee Sparks left the meeting, so you can now just-

WILLIAMS: Okay.

BOYD: You don't have to take roll call unless you want to. You can now proceed with just doing regular vote.

WILLIAMS: My hearing is going too.

BOYD: It is okay mine is too.

WILLIAMS: Okay, so all those in favor saying aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

WILLIAMS: Abstain? Motion passes 4-0 with Trustee Sparks absent.

WILLIAMS: Item number 10 - I have board action on the LCAP and Dashboard for our ACCESS and Special Education Division. I'll make the motion. I need a second?

SHAW: Second.

WILLIAMS: Come on you guys. It's not that late. Okay. We have a motion and a second, any discussion?

GOMEZ: I would just like to make one comment about it. I just really appreciate the parent engagement aspect. Talking about the school aligning family engagement activities with culturally proficient practices and increased outreach efforts to underserved populations. I just think that's really important for our families and our students to make sure they are successful. I just want to make that comment.

WILLIAMS: Very good. Thank you, Beckie. Okay. We have a motion and a second.

BOYD: If I can just share with the Board before you take your vote. What Renee is handing out is the 2022-24 Dashboard LCAP Local Control Indicators Report for ACCESS and Special Education Division. The one in your folder is for College and Career Pathways. That one was inadvertently left out. It doesn't need action by the Board, but it's supposed to be presented at the board meeting. We wanted to make sure you had it before you voted.

WILLIAMS: Okay. Yeah, we will review this. There is nothing to vote on. It just that we have to receive it. Is that correct?

BOYD: Correct. You have to receive it.

WILLIAMS: Very good. May it be documented - we received it. Okay. We have a motion and a second. Barring that there is no further discussion. All those in favor, say aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

WILLIAMS: All those opposed? Abstain? Motion passes 4-0. Moving on with number 11 -the 2021 Local Control Accountability Plan for our Career and College Pathway Academy. May I have a motion?

GOMEZ: I'll make a motion.

WILLIAMS: Thank you, Beckie.

SHAW: I will second.

WILLIAMS: Second by Mr. Shaw.

GOMEZ: Trying to keep this moving.

WILLIAMS: Yeah, yeah. Any discussion on this? Very good. We've all had time to review this. Barring none, all those in favor, say aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

WILLIAMS: Oppose? Abstain? Motion passes 4-0. Moving on to item number 12, which is an update on our board policy is suicide prevention. I'll make the motion.

BARKE: I will second it.

WILLIAMS: Any public comments - thoughts on this before we vote on it? Barring none - all those in favor say aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

WILLIAMS: Opposed? Abstain? Motion passes 4-0. Moving on to item number 13, which is the 21-22 Annual Budget for our county office of education. I'll make the motion to approve it. I will need a-

GOMEZ: I'll second it.

WILLIAMS: Seconded. Any discussion? I think we've had a lot of discussion on this. All in favor say aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

WILLIAMS: Oppose. Abstain? Motion passes 4-0. Item number 14 - this is the Re-districting Committee. Because this is getting a little bit more complicated, I will have Mr. Rolan talk about it. I would like to make a motion for Tim to serve as the chairman for this special committee. Because this will be my third time around, I think I will offer a little bit of experience to help this committee. Mr. Rolan, will you share with the Board what you have learned in our situation?

ROLEN: Certainly, we have such good momentum going. I'll try to be brief. I had a meeting with Mr. Johnson - Dr. Johnson on June 14. I shared with him the outcomes of the June 3rd board meeting whereby we set a \$50,000 base price. The Board asked me to get him to agree to at least one virtual meeting as part of that scope of work. He also agreed to provide a more robust scope of work for the Board's review. We had a discussion about what that scope of work would entail. There is two conceivable ways we could do it. One, he explained is a more simple internal process whereby NDC receives the demographic data. They meet with the Board on a number of occasions. Either he will do public meetings and Executive Committee meetings if so desired and meet with board members one-on-one. He would draw the maps and present the maps at a public hearing. He explained that this is the process generally employed by a county board of education.

The timeline is critical. The Census data will become available in August of 2021. There is a California adjustment whereby incarcerated individuals are readjusted to their county of residence. That is about a six to eight-week process. He explained that the data would be available in or about September of 2021. He would bring the data to a board meeting in October 2021 and explain what, if any, other changes occurred at that time. Then, we would go through a mapping process whereby he would create maps. He would attend board meetings in October and November of 2021. Again, he is also available to meet with Board sub committees as necessary. Because the Board has a June 22 winner take all primary sort of election, the voting trustee areas must be approved by no later than December 15th, 2021. That somewhat truncates our timeframe.

He also explained that there is another more robust public engagement process whereby we do community outreach and we accept mapping suggestions by any and all members of the community. Some jurisdictions even use professional outreach firms to accomplish this. He explained that this is much more expensive, and it is going to be very difficult given the truncated timeframe that he explained. Had some discussions about perhaps moving back to the election, he said he didn't think those things were going to happen. In light of the two options, we discussed a sort of a hybrid process where he would go through the internal process with the Board. He would then post the demographic data for public consumption and accept and consider any maps created by the public. I said I would bring this option to the Board. Of course, when Board gives me direction, he would create the exact scope of work.

WILLIAMS: Do you need- you don't need anything now?

ROLEN: I don't need a vote. I just need some direction to tell Dr. Johnson, which direction we would like to go so he could create the scope of work and start the process and start perhaps meeting with Board Executive Committee/

WILLIAMS: The Redistricting Committee.

ROLEN: Did I say exec- Redistricting Subcommittee. Yes.

SHAW: I want to make sure Ken, I don't know that- you may have misspoken a little. You were putting myself and yourself on that?

WILLIAMS: That's my recommendation and motion. That's correct.

SHAW: Okay. I don't know if you fully finished that sentence earlier.

WILLIAMS: Help me out here, Greg. Your conversations indicated that the June Primary is not going to be moved back. It's going to be there. The data is going to be available like October.

ROLEN: The data would be available would be August

WILLIAMS: But you have the incarcerated-

ROLEN: Yeah, we have the six-week incarceration readjustment. Then, he would come to a board meeting in October and November.

WILLIAMS: We have to have decision by December 15th?

ROLEN: That's correct. We'd have to vote and approve a map.

WILLIAMS: We are not going to see actually anything until October-November. Then the meeting in December is where we actually make the decision?

ROLEN: That's correct.

WILLIAMS: Okay. Okay. Okay. Any questions for Greg? Beckie? Tim?

GOMEZ: I know the data is not going to be available till August – Augustish.

ROLEN: Augustish.

GOMEZ: He is going to draw the maps and then put it out on -

ROLEN: He is going to bring it here. He is going to bring it for public consumption. We didn't discuss the website because of cost.

GOMEZ: Okay. But it could be on our board website?

ROLEN: Right. He could post the data for the public to review. Then, they could draw their own maps, and they would be considered. I thought that was an important add on that the Board may like.

WILLIAMS: That would take place when?

ROLEN: That would take place in the same timeframe. He would do his work. If the public saw the data and wanted to draft their own maps, he would consider them in the final map decision.

WILLIAMS: But it's the Board who makes the decision.

ROLEN: Correct.

WILLIAMS: We have to have some public input. It could be a lot, or it could be minimal as far as my experience doing this, this is the third time.

ROLEN: Correct. It's usually a lot when you have more time.

WILLIAMS: Right. There is not much time.

ROLEN: Right.

WILLIAMS: Okay.

HENDRICK: Dr. Williams, if I could remind you? Last time you did have members of the public give you maps also. That would help that process if they were able to present those. I believe the last round we did have members submit their own maps also.

ROLEN: Yeah. Thank you for that. The problem with the December 15 date is he hypothesized that the public would only have about 10 days to do that in this truncated timeframe. That is why we talked about having him make the data available on our website.

WILLIAMS: That would be September?

ROLEN: That would be September-October, I think.

WILLIAMS: Okay.

ROLEN: No, actually you are right. As soon as he has the data, he said he would provide some sort of a tech thing. A zip file or a link or some such thing.

WILLIAMS: Okay. Very good. Any other questions for Greg before we move on?

GOMEZ: Greg, we would get it - could you provide us a timeline then - after you talk to him so that we all are aware of the timeline?

ROLEN: Why don't I have another meeting with him, then do a communication to the Board with specific timelines.

GOMEZ: Yeah. I think we can all kind of figure that- then you guys will have to -

ROLEN: I can communicate it with staff as well. They are going to have to -

WILLIAMS: This is probably going to be on each and every subsequent board until December. This would be a monthly process where we would be updated.

ROLEN: Certainly. Certainly. I don't think it would be difficult for me to get a specific timeline. He is going to be providing me a scope of work. I don't think that would be a difficult ask.

GOMEZ: Since we only meet once a month it's going to be -

ROLEN: We meet twice a month, don't we?

GOMEZ: No.

WILLIAMS: Only in June.

SHAW: I would just say I'm very honored. I know how important and serious this is. Making our trustee districts for the next decade. It's kind of a big, important thing. Make sure we get it right in accordance with the California Voting Rights Act.

ROLEN: There is a lot of discussion about the California Voting Rights Act.

BOYD: Mr. Rolen, you are also aware of county committee involvement?

ROLEN: I am not aware of a county committee involvement.

BOYD: We will need to talk about that, because there is a county committee process that falls on us to be included in this.

ROLEN: Okay.

WILLIAMS: Was that involved last time? I didn't know that. No one told me.

ROLEN: We are always the last to know.

BOYD: That is some of the staff work, because what came from you and-

BARKE: Is everybody hearing that noise?

ROLEN: What are you talking about?

BOYD: We will get you that information.

WILLIAMS: Okay. Very good. Okay. For number 14 - it's a Redistricting Committee appointment. We have a motion and a second. Any other further questions or thoughts before we vote? All those in favor say aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

WILLIAMS: Opposed? Abstain? Motion passes 4-0. We already have taken up item 15. That is laying on the table for next July. Number 16 - I am going to make the motion to assign Lisa and Mari for our Media Committee. This is before the event for the forum we are going to be having. To make it easier for discussion and public information, we are going to have about an hour and half where we are going to have media that will be present. I think Lisa and Mari would do a good job in handling that and arranging that. The idea and concept that we had talked about is that the experts as well as board members would voluntarily if you want to participate in the media event and have the interviews and whatever that may be. I don't know much more about that. We have nobody officially invited, although you did invite Roxanne Kopetman.

BARKE: I did, I did. I happened to be chatting with her about that. She called me to ask me about it. So, I thought I might as well invite her.

WILLIAMS: Okay. You invited her good, good. We'll probably invite all the local print media and local news and all of that. Okay.

BARKE: Am I responsible for invites as well? Is that what you are telling me?

WILLIAMS: Well, yeah.

BARKE: I just want to know, just so I know.

WILLIAMS: That needs to be done, and I trust that you and Lisa will do it.

BARKE: All right, Lisa. Are you listening, Lisa? Okay.

WILLIAMS: Lisa is not on.

BARKE: I know.

ROLEN: Why don't you just assign it to her then?

BARKE: Yeah. Since she's not here, why don't we just- all right, invites.

WILLIAMS: Okay. Any other discussion on that subcommittee?

BOYD: Who seconded?

BARKE: I will second it.

BOYD: Thank you.

WILLIAMS: Questions – Tim, Beckie?

GOMEZ: I'm good.

WILLIAMS: Okay. All those in favor, say aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

WILLIAMS: Oppose? Abstain? Motion passes 4-0. Last, for the forum is security detail - in discussing with Joe Mendoza who is the city or district manager for Rossmoor. He had talked with the Sheriff's Department. The minimum that they have at their meetings is one Orange County Sheriff Department. They are in a district where the law enforcement is the Orange County Sheriff's Department. They typically had one or two depending upon the issues. Joe thought that may be four would be, because of the potential nature of this to be controversial, that maybe four would be important. I just wanted to bring this before the Board to get your approval. It may be less. It maybe more. I'm going to be talking with Captain Knutson from North Orange County about this. For now, I'd like to have a motion.

BARKE: I will make a motion.

WILLIAMS: I'll second that - to okay and authorize four deputies for our meeting.

SHAW: That means the costs of reimbursing them for that - the Department for that?

WILLIAMS: Yeah. We've already set \$7,500 as a budget for that. This was within that.

BOYD: We might have to add some more money.

WILLIAMS: We might have to add more money. Okay. Renee will let me know all that detail. Okay. Any other further discussion on security for the forum? Barring none, all those in favor say aye.

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

GOMEZ: I'm sorry, Ken. We are talking about a minimum of four for each meeting?

WILLIAMS: That's correct.

GOMEZ: Okay.

WILLIAMS: Oppose? Abstain? Motion passes 4-0. Okay. It's now about 7:35 on informational items. Beckie, do you have any?

GOMEZ: Yeah, these are the ones I deferred from last time. I'll be quick. On May 15th, the CSBA Delegate Assembly had a meeting. We talked about the May Budget Revise. We talked about the federal updates and what was happening on the federal level, which money was coming down through the state. Then, we also talked about the State Board of Education updates, some of the curriculum that was being approved, what's going to come down to the local districts. They talked a little bit about the charter school bill. They did have a guest speaker to talk about COVID-19 and the educational equity crisis and what's coming up with the California schools. There was a discussion about summer learning and what different people were doing based on the pandemic and sort of the learning loss that was out there. Then, we had kind of some breakout sessions to talk about what worked well with schools reopening. What didn't work well and how the different challenges were being addressed by each school district. That was the Delegate Assembly.

On May 16th, it was a really fun filled weekend that weekend. I had a meeting with the California County Boards of Education. Different committee reports, they talked about logo branding and a new brochure update, talked about the newsletter. There was also the conversation again which I brought up previously, about the computer science education project. There is a little summary if people are interested in this I can give it to Nina. Nina can forward it to everyone just so you could see what was going on with that. They are planning to meet in-person in Sacramento - tentatively Friday, July 30th to Sunday, August 1st.

Then, they are also planning another meeting in Monterey right now, virtual or in-person, they're still not sure about that. That would be September 10th. Then, another meeting Thursday, December 2nd in San Diego. Again, those are tentatively in-person and virtual depending on what happened yesterday, I guess. They will be making some decisions about what's going to happen there. That is what is going on those two.

WILLIAMS: The CCBE is when - July 30th?

GOMEZ: The California County Board of Education?

WILLIAMS: Yeah. That's in Sacramento last week-

GOMEZ: The Sacramento will be Friday, July 30th through Sunday, August 1st. They are still determining whether that's going to be virtual or in-person. It that may be both. Then, September 10th, in Monterey and Thursday, December 2nd, in San Diego. They still haven't determined whether or not they are going to be in-person or virtual, but they do have those dates set. That concludes my report.

WILLIAMS: Very good. Any other communications from the Board?

BARKE: I have a couple. One, I just want to remind that I don't think we have approved dates for meetings going forward.

BOYD: You get those at your July meeting.

BARKE: Oh, because I mean, we don't even have a July-

BOYD: I'm sorry. You're correct. That would have been this month.

BARKE: Right.

GOMEZ: We did talk about that.

BOYD: With Darou out-

WILLIAMS: We've been shorthanded.

BARKE: Yeah. We know the next meeting is July 7th, obviously.

BOYD: I will bring a calendar for the year based on the first Wednesday of the month and the same calendar that you've set previously. We'll have all those dates outlined.

BARKE: I only noticed, because they are not in my calendar. It kind of concerns me that I'm going to be -

GOMEZ: Well you and I talked about it last meeting. I'm going – we will get that. We thought we were going to get it this meeting.

BARKE: Right.

BOYD: We have them on the website but not -

GOMEZ: Then we forgot. Both of us forgot.

BARKE: Yeah. I wanted to mention - I did go and I actually spoke at the Unity Middle School graduation. It was wonderful. It was a great experience. I apologize for missing Sunburst. That was one of my favorite events. I was actually having serious vision issues. That morning, about 8:30 I called Nina. I actually was having an ocular migraine. I rushed to the doctor. I was very concerned. I didn't even know that existed. I actually followed up with a specialist yesterday. I'm going back in three months, but he thinks my eyes will be fine. I was seeing psychedelic things out of the left side of my head. It was concerning.

WILLIAMS: Wow. That is scary.

BARKE: Yes, it was. I was very sad to miss Sunburst. I felt bad for the last-minute notice. Hopefully, that won't happen again.

SHAW: I did make it to Sunburst. It was a very, very good. A little warm. Alright, a lot warm. It was it was very good. Dr. Hittenberger was a speaker. He did a fantastic job. It was just fun being with those students.

BARKE: Yeah. I really miss do miss that. I have to tell you, Saturday was even hotter than Friday when I was at Unity. It was very hot on that stage, but it's fun. It's an experience. I don't mind sweating.

WILLIAMS: Very good. May I have a motion for adjournment then?

BARKE: So moved.

WILLIAMS: We are adjourned.