

**TRANSCRIPT OF OCTOBER 6, 2021
ORANGE COUNTY BOARD OF EDUCATION REGULAR MEETING**

BARKE: I think we're ready to open.

GOOCH: Good afternoon, President Barke, members of the Board.

BOYD: Excuse me.

GOOCH: Oh, sorry.

BOYD: You have to start the meeting and do all that before we do yours.

BARKE: Yes. You want to do the roll call?

SISAVATH: Okay. Trustee Sparks?

SPARKS: Here.

SISAVATH: Vice President Williams?

WILLIAMS: [No response]

SISAVATH: President Barke?

BARKE: Here.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Gomez?

GOMEZ: Present.

BARKE: Motion to adopt the Agenda.

GOMEZ: I will move.

SHAW: Second.

BARKE: All those in favor?

SPARKS, BARKE, SHAW, GOMEZ: Aye.

BARKE: 4-0.

BOYD: Was that Beckie and Tim?

GOMEZ, SHAW: Yes.

BOYD: Thank you.

BARKE: Any public comment? Do I check that now?

BOYD: Public comments for closed session, we have not received any.

BARKE: All right, excellent.

BOYD: Prior to you going into your closed session, we should just announce that Dr. Williams has stated that he will arrive late.

BARKE: Yes, he should arrive by four.

BOYD: Go ahead, Spencer.

GOOCH: Good afternoon, President Barke, members of the Board, Associate Superintendent Renee Hendrick, Deputy Superintendent Nina Boyd. My name is Spencer Gooch, Manager of Student Services in the Learning Support Unit. This is an inter-district appeal hearing for Zion Gomez who is a current 11th grader in the 2021-2022 school year. The date is Wednesday, October 6th, 2021. The time is 4:05 PM. This is an open hearing. The circumstances of the appeal are as follows: On August 17th, 2021, the Tustin Unified School District upheld the denial of the inter-district transfer request for Zion to attend Tustin High School, a school in the Tustin Unified School District. The homeschool for Zion is Century High School in the Santa Ana 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 would like to introduce the participants of this hearing. Representing the family, Ruth Garcia, parent or guardian; Zion Garcia, student; Dr. Jeanne Anne Carriere, Licensed Educational Psychologist. Representing the denying school district is Dr. Grant Litfin, Assistant Superintendent, Tustin Unified School District. Also, in attendance Jeff Riel, General Counsel, Orange County Department of Education; Gregory Rolen, Legal Counsel for the Board; Darou Sisavath, Executive Secretary for the Board; Dr. Jami Parsons, Director, Learning Supports Unit; Erick Feinberg, Principal, Tustin Unified School District; Lazaro Gomez, parent of Zion; Maritsa Rodriguez, family friend; and the Media Team who will be facilitating the virtual platform and recording today's hearing.

The county board has thoroughly reviewed the packet of documentation the parent and district submitted. Each party has the procedures in front of them and the allotted timeframes for each party to speak. The lighted timer being utilized is located in front of Ms. Sisavath on the dais. Representing the student, Gomez family, you may address the Board for up to three minutes.

GARCIA: There are two main reasons we requested this appeal. First, is Tustin Unified's denial focus on the district executing procedure properly and simply not having the space to accommodate Zion. After the first appeal, we received two district denial emails with wrong information including the wrong student's name and wrong appeal date. After we sent an email to Dr. Franklin the Superintendent, we received contradictory email responses from Grant Litfin who supervises the transfers process. He stated that he would expedite the transfer appeal process for us, use our email to Dr. Franklin as our formal request for appeal, and get his staff to take another look at our scenario even though we submitted a second appeal on 8/13, Item number 76 and 77 in your binder. On this same email, he stated that he felt the district had executed procedure properly, supported the denial decision, and referred us to the OCDE appeal process. We never received an acknowledgement or formal response to our second appeal and don't believe the district executed this process properly.

In regards to not having space to accommodate Zion, at Zion's last IEP meeting on May 24th his continued placement at Tustin High School was discussed, offered, and approved by his IEP team. Zion had a full class schedule on Aeries when the school year began on August 12th. Although he was formerly enrolled, I was afraid to send Zion on the first day of school, we received automated daily attendance messages letting us know of Zion's absences. On August 17th, I received a call from the attendance office asking why Zion had not been to school. I contacted the Principal Dr. Tuin on August 18th to explain the situation. He stated he wanted to do the right thing for Zion and that Zion could attend Tustin High throughout this process. Zion has been attending Tustin High since August 19th. He has two general ed. classes and four special education classes. Based on these points, it seems that Zion was accounted for in the programming numbers and there was space for him. Okay buddy, ready?

Z. GOMEZ: Dear members of the center of education. I know that I've been like rejected. Like, this is my first time being here. I might be a little nervous, but I just want to know, like, why did you just like reject me and everything? Normally, like when I go to another school, I would honestly just get bullied. Being social is just difficult. Everything else is just like, it's just very hard for me to recognize. I tend to struggle with like many things when I go to a new school. I was wondering if like you rejected me because of my autism or was it really my race? Please center, please let me stay there.

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

LITFIN: Good afternoon, President Barke and members of the Board. My name is Dr. Grant Litfin. I'm Assistant Superintendent from Tustin. I've overseen our transfer process for approximately 10 years. 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's the best fit for them. We do try to run a righteous and transparent process. We do try to serve our TUSD residents first. We provide students second, third, fourth choices of schools whenever we do have impact at the school capacity. In this case, we are talking about programmatic capacity, not school capacity. Whenever we can, we also try to hold students harmless and let them finish years at schools or even matriculation points if we can. In this case, we did have a mail merge issue that was spoken about with the family, which is why I did

directly address the family. I did email them and say that I would have our staff look at that appeal immediately, rather than wait until, you know, another couple of weeks. At which point, we did look at it. We did still have the capacity issue within the needed programs for Zion. We did let the family know at that same time that they would need to proceed to this level with the appeal. I was under the understanding at that point that Zion would be starting school at Tustin High and being held harmless as we have in other cases, and that he would remain there until we had this hearing. That was my understanding. I do apologize to the family if it was not taken that way or received. In this case, we did deny the transfer because we have SAI impact. We also have speech and language impacts. We also have nursing impact. Those are the main reasons. Three different programs where we're coming up short on staffing. We still have those needs as we go throughout our school year. We do have the first obligation of serving our resident population first. You can see evidence provided on page 67 of your packet for our staffing requirements and caseloads. The special ed population in TUSD does continue to climb rapidly as our enrollment is plummeting. At this point, it is purely a matter of staffing. Purely a matter of caseload and impacted programs, not a measure of not wanting the student into TUSD. Thank you,

GOOCH: Gomez family, you have up to two minutes to make your closing statement.

CARRIERE: My name is Jeanne Anne Carriere. I am an educational psychologist at the Center for Autism and Neurodevelopmental Disorders. I run a program there called Families, Agencies and Schools Together. I have known Zion and his mom for over four years. He has been a patient at our center for over 10. I'm not a lawyer. I'm not pretending to be one, but we've had to play with a lot of paperwork. Although I respect what was just said, the family hasn't actually ever received a response to their second appeal. It was all in a single email. What I do want to say though is that Zion has autism and he has an anxiety disorder. He has received years of therapies. His family and his school teams have worked very hard for him to have experienced the success and stability that he has demonstrated in high school.

When I first met Zion, he was struggling academically, socially, and emotionally. To see who he is today is truly remarkable. I know that it is his school, his family, and Zion working very hard. He loves Tustin High School. He has great attendance, good grades, he's on track to earn a diploma. He got a 3.9. He currently has all A's. He's an active member of the swim team. He is very connected to his school and his teachers. His disabilities do not define who he is, though they clearly impact the way he understands, engages, and functions at home, school, and the community. Environmental stressors due to COVID, financial hardship, moving, family loss due to COVID, have been explained in multiple emails to the school district. Besides all of his family's love and support, the consistent factor in his life has been school. I actually believe professionally, a school change will be very detrimental to his overall functioning and mental health. Transitions and changes are very difficult for Zion. He continues to work on building these skills. A sense of continuity and security are vital to his continued growth and wellbeing.

GOOCH: 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. I would like to reiterate that it is not a personal thing with Zion. This is purely a case of we are coming up short on staff across the board. We knew of that issue a long time ago and began noticing students that would have been impacted. That is when the initial communication happened. It was botched, as I said before, as a mail merge issue. I will own that 100%. The communication that happened via email, was actually something where I wrote that as a personal email as trying to serve the family at a higher level than what we typically would. I'm frustrated I guess, by that not being received that way. However, I understand. If they were looking for a second formal letter, that didn't come. I assumed my email would've served that purpose. I illustrated that we would be coming here with that.

This is purely a case load issue, as I stated before. Absolutely no reason other than that, that we wouldn't want Zion at Tustin High. He is a contributing member of the school. He is active. He is a strong student, so this is a caseload issue. This is an impact issue in several different programs that is causing us difficulty in serving our own resident population. That's why we're here following procedure like we do in every single case. Thank you.

GOOCH: That concludes the presentation for both parties and completes this portion of the hearing. President Barke, you are now in charge of the hearing.

BARKE: Thank you, Trustee Gomez.

GOMEZ: Thank you. I'd like to go back to the staffing question again on page 67. When was that caseload evaluated? Was that during the summer, or was that the first day of school?

LITFIN: This was evaluated, Mr. Fineberg is on the screen, but this was the day that we put the packet together. We were able to pull this.

GOMEZ: This was after school started?

LITFIN: Yes, this is as current as we could possibly get for this hearing.

GOMEZ: Okay. Was Zion included in these numbers?

LITFIN: He would be.

GOMEZ: In looking at this, looking at the number of students and the number of staff, there's no room for growth?

LITFIN: That's accurate.

GOMEZ: If we had residents coming into the school, we would be over capacity again at the program level.

LITFIN: That's accurate.

GOMEZ: Not at the school level, but the program level.

LITFIN: The programmatic level.

GOMEZ: All right. Thank you.

LITFIN: You can also see that on this chart. We are 23 and 24 over caseload at the other sites. We are sharing the best that we can across those to manage that caseload. There is some impact beyond that 0.1 at that school.

GOMEZ: That's really an objective number, but it's not kind of what the actual is in the sense that you're sharing resources to try to meet the needs of the other school.

LITFIN: That's accurate. We're trying. We're doing our best to work with the people that we have to serve our whole district.

GOMEZ: Zion, thank you for being here today. Thank you for speaking. It takes a lot of courage for you to be here. I really appreciate that. To the parents, yeah, sometimes there's glitches and stuff. I get that. I know it can appear as though they don't care, but I think it was, I know it's frustrating for you. I will have to commend you on the list of things that you gave us so we could accurately find everything. That was very much appreciated. I think there was also conversation about a paraeducator as well. Is that paraeducator with you at Tustin right now, or to the parent, anybody can answer that for me?

GARCIA: I was told that because he was not there on the first day of school, they moved her to another student. I do want to emphasize that there are other paraeducators that have worked with Zion since middle school that are in the same classrooms as Zion helping other students. One of his current teachers was actually one of his teachers in middle school. He still is very familiar with the staff. He does see that paraeducator crossing classrooms every single day. What remains, one of his periods where he always sees all the coaches on six period. He's very familiar with the educators and the staff that are working with him and other children in the classroom.

GOMEZ: Okay. There's been some crossover, so he's got more than one paraeducator that he's worked with.

GARCIA: Right. There is one that is assigned to help him out specifically, but within the classroom. There is other special ed students. There is other paraeducators. Those paraeducators are familiar with him since middle school.

GOMEZ: Is that a one-to-one?

GARCIA: I believe that it's worded on the IEP as extra classroom support.

CARRIERE: It is not one-on-one.

GARCIA: Right, correct. It's worded that way.

GOMEZ: Okay. Dr. Litfin, educate me. What does that mean?

LITFIN: In this case, it would mean that we were probably sharing within that actual SAI environment. That we would not have necessarily a one-to-one assigned, but that he would receive supplemental support from a paraprofessional, but it may not be all day.

GOMEZ: There is a group of paraeducators that are dealing with a group of students, but it's not necessarily a 1-to-1 ratio.

LITFIN: That's accurate.

GOMEZ: All right. That's all the questions I have for now. Thank you.

SHAW: Zion, Trustee Gomez took the words right out of my mouth. I was going to say what a terrific job you did in your comments. Thank you for that. I want to be real clear in answering your questions. No one denied your request for a transfer because of your race, or because you have autism. The problem that Tustin Unified is having is that they don't have enough teachers to serve the students that they have. They've kind of had a policy. If you're not living in the district, they're just kind of saying no for now. That's why you're here today. We're going to decide that. I wanted to be very clear in answering your questions. That was a good question. That's my only comment. I appreciate you guys all being here.

SPARKS: Hi. I just want to commend you Zion for your amazing progress. Your grade point average is just phenomenal. I want to congratulate your parents and Dr. Carriere for helping you along the journey. I understand you've been in the district since third grade, is that correct?

Z. GOMEZ: Yes.

SPARKS: Consistently, you've been in the district. Then, you found out for the first time this summer that you may not get to stay in the district. Is that correct?

Z. GOMEZ: Yeah.

SPARKS: Okay. You're on the swim team? Is that what I understand? You've been able to make some friends on the swim team after school and so forth in the district, at your school.

Z. GOMEZ: Um, yeah.

SPARKS: Sometimes, or at least you participate. That's wonderful. That's all really the comments that I had. I just wanted to really congratulate you. You have a lot of love and support around you. That's really wonderful to see. Thank you.

Z. GOMEZ: Thank you.

BARKE: Yeah. Ditto for me. I appreciate you being here. It's great. The courage to come and speak for yourself, that's something that we don't see a lot of. We appreciate that. We do appreciate the family support and the support from Dr. Carriere as well. Great job. Thanks for coming today. We'll have to sort through this now. Any other questions?

GOMEZ: I just have one clarifying question. You indicate the student has been in the district for several years, but that was when you lived in Tustin Unified, correct?

GARCIA: Unfortunately, due to COVID hardships we had to move. It was a very fast and quick unexpected move. We managed to stay afloat as long as we could. Oh, sorry.

GOMEZ: That's okay. Take your time.

GARCIA: We would have never moved, which is why we tried staying afloat. We knew that this was going to change his life and his progress. I understand all the policies, all of the procedures; but unfortunately, for a child like mine it's been a long journey. We moved mid into the spring semester. We were dealing with all of the finals, the tests, and everything that was going on. Unfortunately, if it had not been for COVID, we would have never moved, ever. You know, we have worked so hard for his stability. For him to make the progress that he's made, I never thought he would be able to join a swimming team. I have to bring up coach Kyle's name. Kyle Brawley, he's an amazing, amazing coach who has lots of experience with children on the spectrum, as well as the staff at Tustin High has been wonderful. He was enrolled since we moved to Tustin. We love Tustin. He's been there for many years. Like I said, had it not been for COVID we would not have moved.

GOMEZ: Thank you for clarifying that. I appreciate that. I'm sorry that your family has gone through so much, but I applaud you for really advocating for your son and considering what that change might mean for him. Thank you. That was all I had.

BARKE: If there is no further questions, I'd like to make a motion in favor of the family.

SPARKS: Second.

BARKE: All those in favor?

SHAW, GOMEZ: Aye.

BARKE: Four to zero. Congratulations. Thank you for fighting for your son.

GARCIA: Thank you so much.

BARKE: Yes. You've made a big difference in his life.

GOMEZ: Good luck to you, Zion.

GOOCH: To repeat, Gomez family, the decision of the Board is to grant your appeal. Thank you, the District, County Board Trustees for your time. This concludes the appeal hearing for the Gomez family.

GOMEZ FAMILY MEMBER: Thank you very much everybody. Thank you so much.

GARCIA: Can I address the Board? Can I address the Board?

BARKE: Of course, of course.

GARCIA: I want to tell you guys that, when I told Zion that he could no longer go to Tustin High, he retreated into isolation. I wanted to tell you too, that reading through all of this policy and procedure, it's important to take into account mental health for our children. He stopped eating for about a month. I had to force him to eat every single day. He stopped laughing. I'm so emotional, because I know everything that he's gone through to make it this far and be successful. I urge you guys, if there's no policies, no procedures in place to help children like mine, there should be. There should be. I thank you so much for your decision today. Thank you.

BARKE: You're welcome.

Z. GOMEZ: I have one thing to say mom. Those who have a disability, like me, should deserve to have a second chance in life. You don't know what they're going to become in the future.

GOMEZ: I think we'll see you in the future, Zion.

SPARKS: Good luck.

BARKE: We are now going into closed session.

[The Board goes into closed session]

BARKE: Let's get started everyone. Welcome. We love having people come and make public comment. We think that's really important to give everyone the opportunity to do that. We appreciate you being here tonight. We're grateful for that. We're going to start with our Attorney Jonathan Brenner is going to give a quick report out on our closed session.

BRENNER: Good evening, Madam President, members of the Board, Superintendent Mijares. This is the report out for closed sessions one and two this evening. Closed session one, the report out is that the Board held a discussion with council. No action was taken. For closed session two, the report out is that the Board held a discussion with council. The only action taken was to approve Epstein, Becker and Green's invoice, number 1062645. The vote on that was 4-1 in favor. Members Barke, Williams, Sparks and Shaw approving. Member Trustee Gomez, not approving. That's the report out for closed sessions one and two. Thank you.

BARKE: Thank you. Next, we'll go with the invocation please.

EINSTEIN: Help us to serve you truly, with purity of heart. When we hear a hateful or degrading speech, let us focus on good words and worthy thoughts. When our worst instincts cause us torment, teach us to care for ourselves and for others. In rough waters and misfortune, let us harbor patience and strength. Make our souls a sanctuary, that your light may dwell within us. Align all of our acts in pursuit of goodness, so may we be vessels of holiness, serving you with purity and truth. Amen.

BARKE: Thank you, Rabbi Einstein. We appreciate that.

EINSTEIN: Thank you.

BARKE: Next, we're going to have the Pledge of Allegiance, Dr. Ken Williams.

WILLIAMS: Please stand if you would like. We are going to place our right hand over our heart. We're going to give the Pledge of Allegiance to a great country, to a great system and foundation, please. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all

BARKE: Do we have any introductions?

BOYD: There are no introductions at this meeting.

WILLIAMS: Very good. I'll make a motion for approval of the Minutes from August 24th.

SPARKS: Second.

BARKE: All those in favor?

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

BARKE: 5-0. All right.

WILLIAMS: I'll make the same motion for our last meeting last month for approval of the Minutes.

SHAW: Second.

BARKE: All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

GOMEZ: Just one clarification on the September 1st meeting, we noted on page eight, where it says, "the Board took a recess for the Facilities Corporation." Do we normally get those minutes now, or are we going to wait until we have the next meeting?

BOYD: Say again? That was the approval at the last meeting.

GOMEZ: I just wanted to clarify. Okay. Thank you.

BOYD: Also, just for the record. I just want to announce that Dr. Williams came to the meeting today and participated in closed session, because you weren't here for the earlier part when we did roll call. I wanted to make sure we got, what time you arrived.

WILLIAMS: 3:55.

BOYD: Thank you.

BARKE: Next, we are going to go into public comment. I hope that none of you will be upset. I think what we're going to do is do two minutes. We'd like to hear from all of you, and we have two charter schools in the house waiting for their hearing. We also have a special award. We're going to give everyone two minutes.

WILLIAMS: We have 32 people that will be speaking. I will call you up. Then, the second person I named, you will stand up here. The process goes quickly.

GOMEZ: Just for clarification, are we going to do all 32, or are we going to stop at 30 minutes and finish the rest of the public comment later in the second public comment period?

WILLIAMS: I would like to make it convenient for the constituents and get it done right now.

GOMEZ: Two minutes for the 32 folks.

BARKE: Yeah, that's why we did two minutes so we can try and get through it in just over an hour. Normally, we only allow 30 minutes in the beginning. That's not to hold the guests that are here for certain purposes. If anybody would prefer to speak for the full three, they can wait until after our business and we'll let you speak after. If you prefer, just let us know and we can hold you over. We're happy to do that.

BOYD: You have more.

WILLIAMS: We have more, okay. We will be here awhile.

BARKE: All right, number one.

WILLIAMS: Number one, the first one will be the Karla Milano from Santa Ana, on deck, there's no last name, but Aly, you are a number two.

KARLA: [Spoken in Spanish] Good afternoon, my name is Karla Milano. My son is in the 10th grade, here in Century High School. I am here to advocate for all the students. The student teachings from California State Fullerton, Concordia University, and Irvine. To name some of them, I would like to mention that they have made an attempt to the Unified School District of Santa Ana in California to do their professional practices here in Century High School. I would like to know why the Santa Ana School District have not been contracting them. Being the case that Century High School needs them since two months ago. This is a very, very important situation given the fact that a big number of teachers and professors of Santa Ana Unified have been retired. Santa Unified School District has not replaced them yet. As a mother, I would like to request to you to help us in this situation because we want to normalize it. Our goal is better achievement for all the students of Century High School. All the student teachers are very valuable to Century High School. Thank you so much for your attention.

WILLIAMS: After Aly, Nancy from Fountain Valley will be on deck.

ALY: Hi, I'm going to start off with some facts, numbers pulled from the CDC website. There's been 233,298 adverse events from the vaccine including 20,758 deaths; 41,709 life-threatening injuries and 37,845 permanent disabilities. Just let that sink in. You want to push this on five-year-old's, heartbreaking. If you forgot what's behind you, it says "In God we trust." There's the United States flag right there too, which stands for freedom. With freedom comes choices. Sorry, with this vaccine, clearly there are some risks. With risks, you need to be able to make choices for yourself. You are taking that away. I am a teacher here in Orange County. I am willing to lose my job to stand up for what is right for our students and for our future.

You want my vaccination status? I have antibodies. That's my vaccination status. I'm going to leave this with a quote from George Orwell, "If Liberty means anything at all, it means the right to tell people what they do not want to hear." Thank you.

BARKE: Thank you.

WILLIAMS: Thank you very much for those words. Just for the record, to correct, this Board a few months ago, passed a resolution, saying that we don't approve of vaccine mandates and vaccination.

NANCY: Good afternoon. Thank you for hearing us today. I am a mother, a concerned citizen, and I'm also a family nurse practitioner that has been serving Orange County proudly for almost 25 years. I've been prescribing medication and giving vaccines and doing all the medical things that a nurse practitioner is supposed to do. In my practice over the years, I have seen what medications that are new to market due to my patients. As a result of my accumulated experience in my profession, it is a policy of my own where I do not prescribe medication or give vaccines that are brand new to market. It is not safe, because we simply don't have the data to back up the safety of these products. I don't care if they're FDA approved. I don't care if they're emergency use authorized. We don't have the data. That is the simple truth coming from my own personal professional experience. I just want to beg and plead to not allow this vaccine mandate to go onto our children, because it would be a grave mistake. You would be causing undue illness, hardship, disability to innocent children. As adults, we are charged to take care of our children and to protect them from any sort of thing that we put in their bodies. I beg of you, please stand firm, stand your ground, and do not be bullied by big government. Stand for freedom.

Stand for freedom. This is not a Democrat/Republican thing. Not at all. It is for freedom, that we have a choice. If you want a vaccine, great, get it. If you want to wear a mask, go for it, wear it, but don't force the 99.99 that don't need to wear it, or don't need a vaccine because they're healthy people.

BOYD: Your time is up.

BARKE: Thank you.

NANCY: Thank you for your time. I appreciate it. God bless you.

BARKE: Thank you.

WILLIAMS: Thank you, Nancy. Ron Becher is up. Then, after Ron is Jeanette Payne.

RON: Hello. I've got three boys in the local school district, and I'm never getting the job. I'd rather die than get it after what I've seen. My kids are never going to get the job. They can decide when they're 18. What are you going to do to talk to Newsom, to like, to help us out? This is just getting ridiculous. I'm going to have to leave the state apparently. I've never homeschooled before, but you guys are forcing us into homeschooling now. Even my own family thinks I'm crazy, but I don't care. Why are we being forced into this? That's one. Please help push Newsom. He says, oh, talk to me about it. You know, don't put the pressure on you guys. How do I talk to him? He doesn't show up. I have no way of talking to him, but that's his little games he plays.

The next thing is Critical Race Theory, which has now changed to social and emotional learning, which the left always does. They always change the language. Are you guys getting federal funding to push this stuff? Can I ask you that? Is there any federal funding behind this? That's what I'm hearing is going on. You guys are going to try to keep this garbage in our schools. Are you guys getting federal funding for Critical Race Theory or social emotional learning as it's called now? You guys can't answer questions? That's convenient.

WILLIAMS: Just for historical perspective, typically this is public comments. You're directing to us. To engage in a dialogue, really isn't the thing. I'll be more than happy to talk with you. Stand against it.

RON: Okay, good. I appreciate that. Okay. Thanks guys.

WILLIAMS: Jeanette Payne is up. Then, after Jeanette will be number six, Diane.

JEANETTE: Yesterday, Gavin Newsom signed legislation banning PFAS known as forever chemicals in products for infants and children. Democrat Assemblywoman Laura Friedman authored the bill and said quote "as a mother, it's hard for me to think of a greater priority than the safety and well-being of my child." PFAS have been linked to serious health problems including hormone disruption, kidney and liver damage, thyroid disease, and immune system disruption. This new law ends the use of PFAS in products meant for our children. PFAS are a class of thousands of chemicals linked to increased risk of cancer, harm to field development, and reduce vaccine effectiveness. They are known as forever chemicals, because they do not break down in the environment and build up in our blood and organs. To quote from Bill Ellard Director of Environmental Working Group, this law puts California in the lead for protecting children's health.

But are they really? Hypocrisy at its finest. Once again, Gavin Newsom is picking winners and losers on the heels of a statewide fake vaccine mandate. He signs legislation to protect our children. Talking out of both sides of his mouth, he's attacking the chemical compounds and forever chemicals while ignoring the toxic chemicals found in this want to be vaccine. I am a mother, a master's degree special educator. I advocate for my own children and the children of others. The ones that don't have a voice. I, for the record, am not an anti-vaxxer. I got all my

vaccinations as a child and adult, because I believe that was the right thing to do. My children have had all their immunizations and our current, not that it's any business of yours. I am pro-science and pro-choice. As a Christian, I am pro-life. My two children and all children deserve safety and wellbeing. I would personally never choose an abortion, but I recognize a reasonable right to choose for others. MRNA injections are also forever chemicals, forever changing our DNA. Forever changing our immune system. Creating GMO people. My body, my choice. Our kids, our choice.

WILLIAMS: Diane is up. After Diane is a Jane Doe Logan.

DIANE: Good evening. I want to say thank you to those who have been on our side for choice. I am here speaking on behalf of the families in my district, who will not hear us out, who will not give us the option to have a choice. I am asking for your help to stop these ridiculous mandates that make zero sense and our pushed on our children. I am here advocating for my children, and all children who are children, innocent and growing little human beings. The fact that Al Mijares and Clayton Chau and school boards have colluded to be bought off by the ESSER funding to place these cubes on campuses is disgusting. It's disgusting that they put a price tag on our children. Everything that is being said is for their health and safety is the biggest lie. The biggest lie. We the people will not put up with this nonsense. We are pulling our children from public and charter schools if this continues. Thank you.

WILLIAMS: Jane Logan, after Jane is Larry Benes.

JANE: Hi. Hi everyone. First, I wanted to say thank you for inviting us here. What you're about to see right now is under attack, a direct attack right now. Our ability to share information, whether informally amongst ourselves, or even being able to come into a public forum to address our public representatives. I hate to say it, but our public servants who are supposed to be advocating and representing us, is seriously under attack. You guys need to appreciate, or we need to appreciate that they are inviting us here. Honestly, you guys the record shows they have been advocating and fighting for us. I really did come here to say thank you, and to remind people of that. We need to continue to represent, or excuse me, to vote for and support representatives who do represent the will of the people, advocate to protect our children, and who have our best interests in mind. I just did want to say that. I want to say thank you for suing Gavin Newsom. They are suing Gavin Newsom.

There's no state of emergency. When California is the leading state in the United States with the lowest case rate, there's no emergency. Nothing justifies these mandates on our children. They are not experiments. We have never before in the history of mankind sacrificed our children for the wellbeing of adults who can protect themselves. I think it's about 88% of them, have actually protected themselves, are vaccinated, can mask, can distance, and have the emotional and psychological wherewithal to process and be able to handle that. Thank you. We're not domestic terrorists. When you represent us and you listen to us, we will come and we will thank you. We will support you in any way that we can. Thank you guys so much.

BARKE: Thank you.

WILLIAMS: Larry, you are up. After Larry, will be Rudi Krause.

LARRY: Good evening. The first thing I saw was “In God We Trust, Quality Education.” I want to thank you all for what you do. Thank you very much. Thank all the people that are here and all the servants and you know, you know what I mean. I have four children and five grandchildren and sorry. I’m concerned about their welfare. I will say, God bless America. We have freedom here. I truly believe it's not the eight of you, but it's the higher ups whoever they are. Whoever they are. We really don't know. God bless America, though. In God we trust. I always pick up, even if it's a penny, because it says in God we trust. The dollar says it. In God we trust. I do believe in God. There is more of us than there are of them.

WILLIAMS: Thank you. That was very touching. Rudi is up to speak, Mr. Krause. Then, after Mr. Krause is Malana Moore.

RUDI: Hi, my name is Rudi Krause. The book I'm writing right now is, “Origin of the Species, Homosapien Vaccinakis, Human COVID Virus Simbiat.” I had to add the word parasite, because the COVID virus has a parasite in it. If you watched Stew Peters with Dr. Mc Day last week, she showed you the parasite that's inside the COVID virus. You have this concept of the COVID virus that it's a spear with spike proteins coming out. That is only the reproductive ability of the COVID virus. The COVID virus parasite that looks like a squid with tentacles, like six, eight tentacles, it produces the spike protein. I mean, to show you the spike protein and say, this is the COVID virus for a year and a half is like trying to describe a man by showing a penis or sperm and say, that's a man.

You see, what they're doing is misleading you. Why would they do this? Knowing that the virus is a parasite. We had hydroxychloroquine and ivermectin. You get them for five cents, 6 cents. You can kill the parasite. But they didn't want you to know that it's a parasite, because this is a mutagenic program. It's simbiotech biotechnology, S I M B I O T E C H. It spells simbioch. Everyone that got a vaccine is a simbioch. These people, their brains are being fested. Every blood cell, there's billions of blood cells in your body throughout your entire 60 miles of circulatory system all have a COVID parasite in it. They want to turn these people, Americans into parasites, and turn your children into parasites. Don't have sex with a chick who's vaxxed. Vax to vax sex will create vax to vax monsters. The DNA will be even stronger. It's mutagenic in its nature. Now let me show you how to wear.

BOYD: Your time is up.

RUDI: Can I do this real quick, please, please?

BARKE: Go ahead. Go ahead.

RUDI: Show you how to wear a mask.

GOMEZ: Your time is up. Your time is up.

RUDI: Okay. See, I just cut my sleeves off. You pull it down like this, right, now you've got a mask. What you need to do is put it up on your brain because you have a brain virus.

WILLIAMS: Thank Mr. Krause, very interesting. Malana Moore, and following Malana is I believe that's Dana from Capo.

MALANA: Hi. I'm a freshman at Huntington Beach High School. I was wondering if you guys could pass this on to Governor Newsom for me? This is a call for help. I'm not sure if it dawns on you, that whatever you adults do now will impact every kid's future. I'm not a lab rat. This goes for every child. I do not want that. I don't want you sticking a potentially dangerous substance into my body. I think I'm speaking for everybody when I say that. I would personally like to have a family someday. However, this vaccine could prevent that from happening. Alongside other effects that could last a lifetime, or worse, death. I hope you know that more kids have died from suicide this year than from COVID. If masks work, why need the vaccine? If the vaccine so-called "protects people," then why force it upon other people to get it? What happened to freedom of choice? Thank you. Thank you, guys, for being on our side.

BARKE: Thank you.

WILLIAMS: Leigh McDonough, and after Leigh will be Michael Snow. Leigh McDonough? Are you Mr. Snow?

MICHAEL: Yes.

WILLIAMS: Okay. Leigh is not here, so we will go to you sir.

MICHAEL: First of all, I wanted to introduce myself. My name is Michael Snow. I've got two children at Vista Del Mar Elementary School. I wanted to say, thank you for what you're doing. I'll ask you for more specific things in the end. I'm going to say that vaccine mandates should have been an agenda item tonight, given the interest in Orange County and maybe in the country. They should be an agenda item maybe every month until this is resolved. I was at Capo USD parking lot last night, where there were between 800 and 1,100 angry parents. They all thought they were alone, and they were glad to see that they weren't.

I and I think most people are not anti-vax. As one woman said, we are mostly vaccinated. I am personally vaccinated against COVID, because I have cancer. That was my choice, my choice. We're not anti-vax, but we are anti mandate. Parents have the right and responsibility to make the risk/reward decisions for our children. Yes?

AUDIENCE: Yes.

MICHAEL: Not the county, not county health, not the state, not the state board of health, not the federal government, not the CDC, but the parents and the people. We encourage you, and thank you in advance for supporting parents' rights in this. Thank you.

BARKE: Thank you.

WILLIAMS: Thank you, Mr. Snow. Up next is Kristin from Laguna Beach. Following Kristin will be Emily from Huntington Beach.

KRISTIN: Hi. I'm speaking on behalf of my two boys. I work in healthcare also and fully vaccinated. I'm not against vaccines. After I received my COVID vaccine, the year progressed and I started to believe less in science of this vaccine and more in what I saw in my patients and friends and breakthrough cases and fully vaccinated people dying and having severe reactions and, I think my eyes slowly opened up to the risk versus the benefit. For me, it was okay. Then, it came around with Newsom's Friday announcement for the kids, and mama bear came out. I'm not okay with this vaccine. There's not enough science to back this vaccine. This is a flu vaccine. This is a virus. It mutates. Like, I don't understand people science-minded could not see that. We do not mandate the flu vaccine. What am I missing?

Anyways, I just want to weigh the risk with the benefit. For our kids, I think there's way too much risk when there's a 0.02% chance of this virus ever attacking kids in for them to die. Sorry, I got here randomly. I'm not prepared. I'm sorry for my appearance. It was just one of those days. I want to thank you guys. I want to stick up for the kids. Please, please, please, this is not a Republican, this is not an anti-vax movement. This is not an uneducated movement. This is parents, and I will be leaving this state if this happens to this state. Hopefully, it will follow to other states, but we need to be the difference. This is ridiculous, ridiculous. Thank you so much for your time.

BARKE: Thank you.

WILLIAMS: Thank you, Kristin. Up next is Emily, after Emily is Maxine Kane from Capo.

EMILY: Hi, I'm Emily. I have two kids in the Huntington Beach District. I also wanted to thank all of you. I think in Orange County, we've taken for granted that we do have a feeling of safety to an extent, and that is because of you. Allowing us to speak to you is so important. Most of you looking at us, smiling, not like we're seeing in San Diego with Nathan Fletcher and others. I do want to thank you, but I also want to remind you. I'm sure you know how hard this fight is going to get. It's just getting started, and you're going to be taking the brunt of it. I want to remind you why we're asking you to do that. I had a straight A student. My daughter, she's a freshman at Huntington Beach High School who became almost suicidal through COVID, the pandemic, the zooms, staying home, being isolated. We had just moved here. She didn't have friends. She couldn't make friends. What we're up against, this battle that you're going into for us, please fight it. Please, don't bow down.

You can make history. You can make history in California by being the district that doesn't bow to him. He is corrupt, and he doesn't care about our kids. I pray that you will. I pray that you will fight for us, because everything that you're doing matters. We will do anything we can to support you. Please don't give up on us.

BARKE: Thank you.

WILLIAMS: Thank you, Emily. Those are very inspiring words as we will continue to sue Governor Newsom for what he is doing. This is Maxine. After Maxine will be Chhavi Chaula.

MAXINE: First of all, I want to answer the nurse who was just up here. She said she didn't understand or see what was happening. It's money. It's all for the money. Okay. I'm a teacher in Southern California and a founder of a charter school. I'm here tonight speaking for teachers, students, and families. I know from experience that when the government offers a school money, there are stipulations that must be met. When the Obama Administration started, No Child Left Behind, our charter school was offered money from the federal government. In return, we were required to participate in certain programs and complete certain tasks. We were an independent charter school and were able to turn down the money, because we did not want to comply with those tasks. I know that California and the school districts are being given ESSER funds from the Cares Act. I have not been able to find online the terms of receiving these funds. But from my experience, I'm assuming that mandating vaccines for staff and students is a stipulation of receiving the money due to what we've seen.

I ask that you inform the community here what our schools are being mandated to do in order to receive these funds. As the Board, the Orange County Department of Education provides support and mandated fiscal oversight to our 25, excuse me, 28 school districts. What can you do to stop what you yourselves have said you do not agree with? There are no long-term studies for these vaccines. Adverse reactions are being hidden from the community at large. Is risking the health and wellness of our Orange County community worth this money.

Ms. Sparks, in your Ted Talk in 2013, you said that we all have a role to play as caregivers. You outlined a system using the acronym, SMILE. The S stands for satisfaction. You stated that we all have choices so we can provide the best care for our families. If this board allows the mandating of vaccines, you are taking away our choices. Mr. Williams, your bio on the Orange County Department of Ed website, states that you promote parental rights and limited government. You have, sorry, can I finish? You have publicly debated and opposed government control of our nation's medical healthcare system. I'll skip to the end. We hope and expect that you will hold firm to your beliefs and stop vaccine mandates for our students and staff by again, suing Governor Newsom.

BARKE: Thank you.

WILLIAMS: Our next speaker on deck will be Maryam Akhavi.

CHHAVI: There is a lawyer that who's teaching, who's giving talks on religious exemptions. I asked her why aren't there so many court cases? There are so many smart lawyers in this country. She said, because the justice system has been sold. It's been bought. I refuse to believe that. I do pray that this case that you have taken on goes to a win, and we are there to support you in every which way that it takes. The pledge that we took is actually under threat today. The allegiance of pledge, equality, liberty, justice, they're all under threat today. I stand here from a country, and I'm here in California, because this is a potpourri. This is where people from diverse cultures all over the world with their knowledge come. There is such immensity, powerful, painless knowledge that exists around world that can be used to tackle COVID, which is not being used.

Both my children had COVID. I was with them taking care of them without a mask. I was infection free. That's because I take care of my immunity. There are powerful ways. There is naturopathy. There is homeopathy. There is naturopathy. This is not bullsh** science. Homeopathy is not bullsh**. I use homeopathy. I've been using it since a child. It is so powerful. Your headache, your, you know, the fever, everything goes. I have been documenting stories on naturopathy of children from India. They have been recovering in three days flat. Every symptom alleviates starting day one. At the end of, and I have been documenting those stories on YouTube. With those powerful techniques, such as taking turmeric, such as steaming, you know, in certain ways. They're all documented for everyone. These are the practices that need to be shared. We don't need steroids, antibiotics. They are going to worsen us. Those who want to take it, are free to take it. Those who want the vaccine can, you know, it's all right, but we need to not force it. This is wrong. This is a crime.

WILLIAMS: Thank you, Chhavi.

BARKE: Thank you.

WILLIAMS: After Maryam, will be Lindsay Al - Sayyad.

MARYAM: I'd just like to start by thanking you guys for putting yourself through hell to help us. I remembered when I was like a room mom in first grade. After an hour, I'd be so exhausted. We're just tasing, like, I go to bed like vaccine, vaccine. You know, it's and it's amazing. Thank God you have the personalities and the fortitude. The next thing is, you know, they don't understand that like, as parents, we would die before we let them harm our kids. By forcing us, it kind of implies they're harming, you know, it's just weird the way that they're doing it. Then, I think that it's like a win-win for them. Like everything that they set up. They're going to bankrupt our schools. We're all going to end up trying to homeschool.

They win if we cave, so all we have is our army, which is great. Like we've got, then the other implication is potentially the work comp. I'm a work comp attorney. We were talking today about the injuries from the vaccine and how we're going to accept those cases, you know, so that immunity doesn't fall. Now, they're going to bankrupt our businesses, bankrupt, everybody. Like it's just, things that we can't even, you know, so I don't know if we can use it to fight, to fight them. It's just really fishy, especially with the death rate on the kids being so low. If they would withdraw the mandates, I bet we would all take their stupid shot. We know this isn't about the shot. It's about the stripping of, it's like we're in a book, like the books we used to read in school. I don't know what they read now, but, yeah, but thank you. Let us know how we can help.

BARKE: Thank you.

WILLIAMS: Thank you, Maryam. Speaking now is Lindsay. On deck is Portia Fischer.

LINDSAY: Hi, I'm with the Irvine, parent of two kids with Irvine Unified. First and foremost, I want to thank you all so much for your support of our kids, fighting for them. We will be with you, backing you up every step of the way. I've been thinking a lot about what I would say when I got up here. I just kept thinking back to my own childhood, how much I loved school. I

remember occasionally using the phrase, “do what you want, it's a free country.” It saddens me deeply to think that that phrase is being threatened beyond measure right now. Pretty sure our founding fathers didn't write our Constitution saying, it's a free country and you're free, but only if you do X, Y, and Z. That is what we're up against. That's what our children are up against. It's not their fight to fight. We have to be their voice. Everyone says, oh, it's such a shame how politicized COVID has become. I agree. But it became political, when government mandated where we could go, what we have to wear on our face, how far apart we can be from each other, and what we have to put in our bodies in order to simply exist in society.

I promise you if this mandate goes through, millions of families will be pulling their kids from school without question. Where there is risk and zero liability, there needs to be choice. I'm seeing all over people standing up to this, doctors, nurses, firefighters, police, EMTs, because it is wrong, period. If every business, corporation, person stood up to this and said, no, we're not mandating anything. This all would be over real quick. My message to you is fight like hell, and we'll have your backs the entire way. Mandates have no place in a free society. You're molding the minds of the next generation. What side of history do you want to be on? Thank you.

BARKE: Thank you.

WILLIAMS: After Portia, will be Erica.

PORTIA: Hello, thank you so much for giving us this opportunity. I'm a 30-year educator. I've taught public school, all ages. I now run an enrichment center for homeschooled children, because I could not support what was going on. I just want to say that I am incredibly inspired. I'm not afraid of this. I see everyone here taking on an immense task, a huge challenge. You thankfully are, for the most part, on our side. We're all going to just find our way. We won't stay in public schools. We won't go to hospitals. We won't support anything that forces us in a box. I'm inspired. I believe truly that we are on the shift side. Anyone who wants to follow along, may, let them go. I think those of us who are standing strong are going to emerge on the side of light, and love, and unity. I hope that you will support us in getting there. Thank you so much.

BARKE: Thank you.

WILLIAMS: After Erica, will be Ben Savill.

ERICA: Hello. Thank you again for having us tonight. Honestly, this isn't my first go around. I've been here for the mask, the CRT, for SB you know, yada, yada. I did want to bring my children tonight, because I want to teach them what it is to stand up for freedom. I want them to hear and see when things aren't in your agreement, or when they don't agree with it to stand up, to come to do something about it. Right? I see a lot of new faces here tonight. Again, I've been fighting this fight for six, seven years now. I'm so happy to see a lot of new faces. I just want to tell all the parents out there that there is hope. There are other things besides public school. I know we're all fighting and we're going to fight the hardest, but if it doesn't work out, we will make our own schools. We will do all our own things, communities. We will build our own way. I just want to tell you guys to don't give up hope. Don't give up hope. God is with us. He will strengthen us. I pray that he strengthens all of our leaders in our country. Again, if we just come

together and we continue to come in strength and in numbers, and we teach our children how to fight, we're going to move ahead. Thank you again, for making this opportunity, for being on our side, and for suing Newsom.

WILLIAMS: Thank you, Erica, on the dais will be Ben Savill. After Ben, will be Kristin from Placentia-Yorba Linda.

IRINA: I am 24, but the name was wrong for Irina Zilberberg.

AUDIENCE: [Inaudible]

IRINA: I am 24. My name is Irina Zilberberg. I have two beautiful daughters that go to private school, Waldorf. I want to thank you guys for having us today. I just want to start here. I am Russian. I came from Russia when I was 15. My mom brought me here for me to have a better future. I was very excited, because I felt and I saw what my parents were going through and what my grandparents were going through. Having 74 years of communism and grown up, you know, they're still messed up, my parents are. I love America. I truly am. I took a pledge of allegiance, you know, I became a citizen. It was the best day of my life. Now, as a mother, I can sense that feeling that my mom had, you know, when I was growing up. I remember in school when the bus would come to school, and they would vaccinate us. I would come home and be like, mom, I got vaccinated today. She's like, okay. She moved on you know, because you couldn't question the authority at all, at any cost.

If something would happen in school and I would tell her, she'd be like, you don't understand. There's nothing I can do about it. I just don't want it to get to this point. People here in America take their freedom for granted, seriously. I can sense that this is happening today. For 20 years living here, for 22 years living here, I was comfortable. I never felt that way. Right now, having children and having to go through what we go through, I really feel that way. I really feel that this is real. This is real guys. I want all of us to not take our freedom for granted and to fight for it. What we didn't have in Russia, we didn't have wars like that. Thank you, that you guys can listen to us, because you are our hands and our voices. Thank you for fighting for us. We do have hope.

WILLIAMS: Thank you, Irina. Ben, you're at the dais. After Ben, is Kristen.

BEN: Thank you very much. My name is Ben Savill. I'm a parent of a child with special needs and a typical child in Irvine Unified School District. I'm a member of the apparently evil left. Until recently, I was a member of the Tustin Democratic Party, sadly, no more because of its position on mandates. I'm here to urge you to do whatever you can to resist the mandate of the vaccines. I haven't been here to speak on the mask issue. I haven't been here to speak on Critical Race Theory, but I feel so strongly that we've got it completely wrong on the vaccine mandate issue. I would encourage all five, please, five of you, not four against one. Five of you to stand up against this mandate. Not because I have a child with special needs, and I've grown up in a community of children who are vaccine injured, okay. Not because of that, because, one of my good friends in the UK, Dr. Phillip McMillan who is a specialist on Alzheimer's auto immunity and COVID.

Last week, he interviewed two of the greatest minds alive today on virology and vaccine development. Dr. Robert Malone, the inventor of the mRNA vaccine technology. Geert Vanden Bossche, a Belgian scientist who worked for the Bill and Melinda Gates Foundation, he's worked for GAVI, the Global Alliance on Vaccines and Immunizations. They both said very clearly, mass vaccination is madness in the middle of a pandemic. It's complete madness. It's going to create a monstrous virus. This is being ignored by most of the scientists at the WHO. Most of the scientists around the world, most of our policy leaders don't understand the science behind Darwinian selection and vaccine viral infectious escape. They don't understand the basic science. We've gone down this single path of vaccination with an imperfect vaccine. Now, people are too afraid to admit they're wrong. They're too afraid. They've boxed themselves into a corner including many of my democratic brothers and sisters. It's a big mistake. I urge all five of you, please. If you do nothing else, oppose the mandate of vaccines in schools.

WILLIAMS: After Kristen, will be Matt Huddleston.

KRISTEN: Hi, I'm Kristen from Placentia. I have two kids in the district. I'm 26 tonight, so [inaudible] a bit young. At the beginning, Mr. Williams you mentioned that we have a great country with a great foundation. We do, but we're losing that. We're losing that because individually we can't do anything. We need people like you to stand up for us. We need people like you to trickle down to our individual districts, and help them to fight this, too. We know from the recent lawsuit with the, let them breathe. The state said, it's just a suggestion. Our district is still doing modified quarantine for only half our students, only the unvaxxed, or not fully vaxxed. The vaccinated don't have to test, and they can go to every extracurricular activity while they're exposing everybody else. It's complete discrimination. Please help our districts, individual districts, to navigate this and get rid of these rules, this decision tree that is just a suggestion.

They're afraid they're going to get fined \$1,000. I've told them personally, I would pay that \$1,000 to get rid of it with this new mandate, whatever you guys can do. We can't do anything for our kids. We are all in here because we are so frightened for our children and what is to come. You are the ones that can, not comply. We can't not comply. You are the ones that can say, districts, don't comply. Don't do it. Look the other way. Just ask for parent to write that they're vaccinated, whatever you can do. Thank you so much for your continued efforts. I knew a little bit, but after tonight, this is the first time I've had hope. Seeing you speak up and seeing you guys fight for us, somebody is actually there, so thank you.

BARKE: Thank you.

WILLIAMS: That's powerful, Kristen. After Matt, will be Carrie Hess. We have Matt Huddleston. Matt is number 27. Is Matt here?

AUDIENCE: He got stuck outside.

WILLIAMS: He got stuck outside.

BARKE: We can put him aside and come back.

WILLIAMS: Okay. Yeah, yeah, maybe we can have one off to the side, and we can have staff check. We'll put him off to the side. Moving on with Carrie Hess, number 28. Carrie, are you here? Okay. It looks like Carrie is not here.

SPARKS: Maybe she is stuck outside, too.

WILLIAMS: Yeah, maybe she's stuck outside, too. Okay. Moving on to number 29, Nita.

NITA: Twenty-nine, again. Excuse my dress. It was kind of last minute to be here. God bless you patriots and fellow freedom fighters. God bless you. God bless you guys. God bless and Godspeed, do not give up the ship. Keep strong, be courageous, be bold, be faithful, be truthful, speak with wisdom and truth. Okay. Human children are not experiments. Children are statistically zero risk of death from COVID-19. By contrast, experts' studies show that the number killed by the vaccines is well into the tens of thousands. More than that, thus injured as well into the hundreds of thousands. VAERS has one to 10% on a good day, per the Harvard study. We know that's going to be a hundred-fold, correct? Children are one third of our population and are our future. Children are never the experiment. I personally know five dead people post vax, age 44, 62, 60, 60, 80, and 73.

I personally in my life know five young men had heart attacks. All these are within hours or days of the vax. The five heart attacks, three of them had subsequent heart surgery, stint. One, had two heart surgeries. I personally know a 19-year-old who developed blood clots post vax is blind in one eye. I personally know of five miscarriages post vax. Dead babies, four months, four months, six months, six months, eight months, the four month, an autopsy was done. The parents were horrendously distraught. What did the autopsy show? The brain had exploded in utero. Take that home and spread that. That is a fact.

Our children are not experiments. Here is the latest data, 498 deaths, supposedly from COVID. With most children, it's a mild flu, maybe a snuffle. Drownings, this is the last year's data 3,960. See that, at the top? People, where's the camera? See the top? Drownings, see where COVID is? Okay. I know they're going to say, oh, we got to put the poison into the bloodstream permanently. Damage the hearts, one in a 1,000 myocarditis. I just mentioned five young man, heart attacks. Did I mentioned their ages, 19, 19, 22, 22 and 23. A college kid misses graduation, because he had a heart attack with the second vax whose roommate took him to ER. He had two subsequent surgeries and missed his college graduation.

We are here to protect the children. Do not give in. Keep fighting. God bless your efforts. It is about freedom. It is about power and control and money. It is not about a vaccine friends. It is about control and power. We're going to take our freedom back. God bless all of you who are on the team of freedom. God bless our children. If we can't protect our children, who is going to do it?

WILLIAMS: Awesome. What number are you, 28? Okay. Carrie, is that right?

CARRIE: Yes.

WILLIAMS: Okay. You have the dais, Carrie.

CARRIE: Hi, my name is Carrie. I represent parents from San Juan Capistrano Unified School District. The sick and recovered have not been counted. We are millions, and we are immune. We went through the trenches of being sick with this thing for 30 days, most of us. It took months for my lungs to recover. Thank you for fighting for us. The overwhelming majority of us, parents of young and grown children and non-parents are vehemently opposed to Governor Newsom's mandate on this, quote unquote vaccine, especially where our children are concerned. We are here practicing our freedom of speech. Now, that is threatened as well. The DOJ will not take our freedom of speech away. This is nonsensical. The insanity has got to stop. We are the only state in the country who has sprung this looming threat over our personal medical health rights, especially that of our children.

We are now the worst example for the nation and globally. We will not be forced to shoot our kids up with this vax that is actually gene therapy. It is unwarranted as our kids' health is not at risk. Our kids' health is not a threat to adults. We will not be forced to pull our kids from school. Governor Newsom said, you can opt out, oh, but then, your kids can't go to school. Oh, thank you. We will not be forced to pull our kids from school. We will not be forced to shoot them with that gene therapy. At this rate, we will not be forced to move from California. This is why we all, this is a beautiful state and it's turning very ugly. The irony where we live.

BOYD: Your time is up.

CARRIE: Thank you for fighting for us, and we will keep coming back.

WILLIAMS: Thank you, Carrie. My bad, but I skipped over 19, Matt Viers if Matt is still here? We're going to have you up here, sir.

MATT: Okay, right here?

WILLIAMS: Absolutely. Say it from your heart.

MATT: All right. How are you guys doing? Thank you so much for being here and listening to us. This has been on my heart for some time. It's really kind of cool to see everyone here and supporting this, and, you know, not wanting to put this vaccine in their kid's body. I mean, the other night I went over to the school where my kid goes. She goes to Newport Harbor, with a friend of mine and I just prayed over the school. I was just praying for, you know, for us to find some sort of a resolve with this whole thing. My resolve is going to be, she's not going to get it no matter what, and I will pull her out of school. I've been seeing all the news, and all the numbers, and all the things about the negative effects of the vaccine. It's just really something I don't want to do for my kid. I just wanted an opportunity to come here and speak my mind about it. When this whole thing started, I live on the beach. They closed down the beach and put those barriers up so you couldn't even go on the boardwalk, which I thought was the silliest thing.

I would run. I still did my run. I like to stay in shape, because I feel like that's what keeps me healthy. I would run, and I would kick those little barriers down. I thought I saw some cops on

the beach with their ATV, so I ran up the alley away from them. I mean, it was kind of silly then. I kept my business open. I'm a hairstylist, and they closed my salon down for a year. I told all my clients to come to my house. I said, come to my house. I'll do your hair in the front. My boss, you know, did the windows up so we could work in the back room. But I mean, we really shouldn't have to live this way.

I don't know. I really hope that you guys do what you're saying and take a stand for us. We're obviously all here. We're going to support you. We're going to support our children and be there to love them and take care of them. Thank you so much.

WILLIAMS: Thank you, Matt. Number 30, Jay Sweeney, you're on the dais there. Then, after Mr. Sweeney, we have 31, which is Mr. Robert Werner.

JAY: Hello. I just wanted to thank you all personally for getting the kids back in school, for getting the kids back in sports. I've been a 30-year resident of Huntington Beach. I still have a lot of friends in Los Angeles. Listening to the horrors they're currently going through, still, I am super grateful to be part of this county. I've got a recent graduate from a UC Fullerton. It was a tough road for him. He had difficulty in middle school, but with this county's help, he got through middle school and graduated I think number 40 at Edison. Got a full-time job and worked full-time, and went to school almost full time and just got his degree. Super proud of him. But my family and in my neighborhood, it's all about personal responsibility. Taking care of yourself, and taking full responsibility for yourself.

Not, not doing what you're told, not blaming somebody else. Getting my kids back into sports, getting to see the neighbor kids back into sports, it's really helped them as humans and be more positive. The isolation was absolutely horrible. A friend of a friend's child, 13-year-old, down in south county during this isolation got involved with recreational drugs that wound up being laced in fentanyl. He's no longer with us. I don't remember seeing a lot of people at his service, but it's real. I want to thank you for leading the way, leading the state in the right thing for our kids. Thank you.

WILLIAMS: Thank you, Jay. Mr. Robert Werner, number 31. You're up. Then, after 31 will be 32, also known as the taxpayer.

ROBERT: Hi. Hey, thanks for your thanks for your time tonight. I'm Robert Werner. I've been living in Mission Viejo for about 25 years. I have three children that have almost gone through the Capo School District. My son, Jake graduated in '18 from Capo. He entered the Navy. He's currently serving down in Coronado.

AUDIENCE: [Appaluse]

ROBERT: Oh, thanks. My daughter, Alaina graduated last year. She's attending college online, so it's not really anything. Then, I have a sophomore at Capo named Robert Jr. I'm here today to talk about Newsom's edict that all these kids have to get a vaccine no matter what age they are. I did find out when I was standing out in the crowd, and that was not unruly out there, but there were speaking your praises because of you guys suing Governor Newsom.

I thank you for that, but I've done some research on this. I just wanted to tell you that, like, from what I could tell, through August only 360 children, which is terrible, in the whole United States since January of 2020 have died from COVID. Most of those children had other diseases that were a causation of that. There is 75 million children in this country. That number is one in 250,000. At the same time, the CDC on July 19th, said that there were 12,600 people who've died from the vaccine. That number was miraculously changed on the 26th to 6,200 and something, still a lot of people. Now I had the swine flu back in 2009 or whatever it was, right. I survived. If you recall, there was a vaccine for that. Fifty people died, and they pulled the vaccine. Why are we not pulling this vaccine?

Now there's been approximately, what does that mean, thirty seconds, I'm done?

WILLIAMS: Go on. Finish your statement.

ROBERT: All right. Thank you. A couple hundred children have died from the vaccine already. Nobody's talking about that. There is one in 25,000 chance. That's a 10 times more likely death that my kid faces by getting vaccinated then by not right. This is the land of the free and the home of the brave. I wish you would do more than sue him. Defy him.

WILLIAMS: We have speaker number 32, also known as the taxpayer. After that, will be speaker number 34, Catherine Rahimian from Saddleback Valley.

TAXPAYER: Hi, I'm a taxpayer. I've come here a lot. I always appreciate your attention. I love to rally with all the moms and dads and leaders and nurses and doctors and all of our community members that come every time and speak their mind. Governor Newsom does not have any authority to add shots to the mandatory shot schedule already in place. We are going to not comply. It's crazy to think that there are many people that have been psychologically conditioned into silence and submission due to the endless stream of propaganda playing on their primal fears while shunning the actual uncensored data and their own intuition and bodily sovereignty. Most are complying with these far more political than scientific agendas simply as a knee jerk reaction. We need to get a hold of our freedom and hang on to it and fight for this.

There have been 752,801 adverse effects to this vaccine. These numbers are real. They're not fake. They can't be washed away. They can't be denied by Dr. Chau and other medical doctors. These are real people with real injuries. There have been 15,937 deaths to this vaccine, which is a lot more than the previous quoted 50 from a recent flu vaccine. These are real people. These are real deaths. These numbers are being suppressed. There possibly could be more. I'm willing to quote the VAERS website, which is a verifiable website, and it's real. Why are public health officials and politicians ignoring this data and forcing vaccines on our children? There's going to be a mass exodus from all the schools in Orange County, and we are going to feel it as community. I agree with everyone here who has been talking about hope. There is hope. We're going to overcome this. We're going to demand our freedoms back. Screw Newsom.

WILLIAMS: Okay. We have number 34, Catherine Rahimian. Then, after that would be Liza Angier.

CATHERINE: Hi, good evening. My name is Katherine Rahimian. I am a mom of a near two-year-old. I'm a little bit early on the game here, but I'm very concerned because this will eventually affect my son. I just wanted to say to those who call us anti-science that we are in fact, pro science. In fact, studies have shown that we actually understand the risks better than a lot of people think. We are pro data. We are pro logic, and we are pro reality. The reality is SARS-CoV-2, is here to stay. It is an endemic. Everyone in this room has either had COVID or will get COVID whether you're vaccinated or not. To those who would say, everybody here is anti-vax. I am vaccinated against COVID as is my husband, but we don't want this for our son yet, because although he has all his other vaccines, this one has only been trialed in children for about five months.

The polio vaccine took decades to develop. Whenever people say there is precedent for schools to mandate vaccines. These are vaccines that have been around for a very long time, not five months, not a completely new technology. I respect mRNA. I'm a fan of Johnson and Johnson, I got to say, but these are new technologies. It's too soon to be mandating them on children. The data, we are pro data. The data is clear. Children have a very low risk of serious illness from COVID. I'm sure others have mentioned the things they have greater risk of dying from. At the end of the day, we are being expected to use our children as human shields to protect adults. Never has any society, that I'm aware of, succeeded in requiring their children to protect physically the adults in the room. Our children need to be the ones protected. Their mental health has suffered. Their physical health has suffered. Their academics have suffered. They are paying a huge public health toll that's not being counted as public health. I thank the Board for standing up for our children, for future students in this county. Thank you so much for fighting for us.

BARKE: Thank you.

WILLIAMS: Thank you, Catherine. Liza, you are up. After that, will be speaker number 36, Amanda Dalton from Capistrano.

LIZA: Did you say Liza Angier at first?

WILLIAMS: Liza Angier, yes. You're on the dais, ma'am

LIZA: Okay. Well, I never thought I'd be here. Thank you so much for listening to us and for your time. I'm the mother of two teenage boys. I believe I as a parent should have the right to decide what vaccine or medication my son should take. My son was diagnosed with some heart issues, but his doctor said that he cannot give him a medical exemption and that doctors are just not giving them out so that's concerning. Then, another thing is I actually work for IUSD. I have to get tested weekly. I just don't think that is right for me to have to do that. I actually have current cancer. I've already had so many treatments. I don't want to put anything else in my body that's experimental. Yes, exactly. You know, I'm actually pro-life, but in this case, I'm pro-choice. Thank you so much for being here. I just pray for each and every one of you for wisdom, for strength, and that God would bless each and every one of you.

BARKE: Thank you.

WILLIAMS: Amanda, you're up. After Amanda is Dotty.

AMANDA: Thank you. Thank you so much Board for giving us the support we need as parents and letting us be heard. There's been such great testimony tonight. I just wanted to add to that. There's a lot of studies. There's a lot of information. I'm sure that you've read this study or have heard of it that came out in July. The most comprehensive study of school-aged children done to date in England. In July, three studies came out. They surveyed, or they followed 469,000 children who were infected by COVID during the year of 2020. Twenty-five of the children passed away from COVID illness, but 15 of them had serious, serious underlying conditions. Only six of the children who died of COVID, or due to COVID were normal, healthy children. The numbers are out there. The science is out there. The statistics are out there.

The statistics about, especially young men being affected with myocarditis after vaccination. It is a very real consideration we should give, especially when there's vaccine pods that are showing up in parking lots of our schools. Who's going to be accountable, because the manufacturers are not accountable? You can bet everything that parents will come after the districts and bankrupt them. It's a serious consideration. Like others have said, the viral load of vaccinated people is equal to or greater than that of unvaccinated people. These are serious things that politicians who are making policy, they're blowing right by this information. They are on, like a steam train with no brakes. They're on a locomotive. Nobody wants to go back now. Now there's too much money involved, way too much money. I know that our districts are getting tons of money in ESSER Funds I, II, and III, CARES Act. There's so much money, and it's so hard to say no to. It's going to be so hard to put away those funds. Nobody wants to do that, but we have to do the right thing. It will be costly in the end any ways if you are burdened with lawsuit after lawsuit for years. Thank you for hearing me.

WILLIAMS: Thank you, Amanda. Dotty, you're on the dais, after Dotty is Heather.

DOTTY: Hi, good evening. My name is Dotty. I'm an RN. I am a health coach, a researcher, a leader of moms in charge, most importantly, a mom. I share a role with you. We are gatekeepers. You all, like myself, and all the parents here are the barriers against dangers for our kids. We all have been given the responsibility to make sure that we do the right thing to protect our kids when we see that something is unsafe. I am here as the gatekeeper of my kids and the children of our county to stand up and speak. I'm here to make sure that you, the other barriers for the safety of our kids are fully aware of the dangers of allowing a genetic therapy that has no long-term safety data and little to no short-term safety data for our kids. I am here to implore you to do your job as the elected gatekeepers we have entrusted you to be, to stand up in the face of tyranny.

Tyranny, to mandate an experiment that violates the Nuremberg Code as trials are and will be ongoing to every single human being who receives a shot for the following years. I'm here to remind you of the fallacies of even fully FDA approved drugs, like the most recent recall CHANTIX, which although had years of safety data, years, they still did not show that it would cause cancer. But now we know, years later, the catastrophic results of this fully FDA approved drug. What will this vaccine reveal down the road for our kid's side effects? What will our kids have to say when the human trial results start pouring in after mandating thousands of kids to be

vaccinated. Knowing full well that it was allowed without first having fully researched this data. How will you answer them as their gatekeepers?

I'm imploring you as the first line defense. As the gatekeepers that stand with your arms out. As the defending protectors of our kids to not allow this experiment to be mandated. To be the hero and save this generation from repercussions that we can clearly imagine based on the detrimental animal studies that were done over the last 20 years on these kinds of vaccines for Corona viruses. Please stand in the gap. Be the hero. We need for such a time as this, that we don't have to see the very real potential danger to our kids. Thank you so much.

WILLIAMS: Heather is up, and then after Heather will be Tish.

CHRISTY: It's actually Christy Von Walberg. Heather had to go, so I took her spot. Yay. Okay. I'm very proud of my name, and I don't care if the DOJ is watching. This is why God sent me here. In the 1950s, forties and fifties, we all learned of a thing called Brown vs. The Board of Education. What we are witnessing is a repeat of that, because we're looking at segregation. Okay. Yeah. You remember her? Do you remember Rosa Parks, everyone? Yeah. She said, no. I'm with her. Okay. First of all, I want to thank y'all, because I put my thoughts down here in a second. Thank you. Thank you. Thank you for suing Gavin Newsom. We need to end the state of emergency because then his powers go [whistles]. Okay. I won't even talk about that recall, which we all know what that was.

Please use your discretionary authority to withhold funds and audit any districts that are using our kids as political pawns, violating the law, and misappropriating funds, and putting our kids' lives at risk. There are over 800,000 sex offenders in this country. They have the right to their privacy. My children have the right, and I have a right to their health privacy. I don't like that there's 800,000 sex offenders. I'm an actual victim of child sex abuse. It took 35 years for my offender to be in jail. Here's the deal. We all have rights. This country represents every single one of them. There are studies that just came out in Sweden about halting the Moderna shot. Okay. Then lastly, there is a report that just came out that COVID actually has a lower mortality risk to children than the flu, and car accidents, and suicide.

I personally know of children that have died from suicide because of COVID. I actually had to take my daughter, my children are not in public school. They've been in private school. I had to pull my youngest, because she was not doing well with the restrictions at her school. We found a new sacred school. Now I'm back here today, because like my friend Dottie said, you guys are the gatekeepers. We can be just like Rosa Parks. We can say no. You know, I stood here last spring. I stood in front of all of you. I showed a picture of how sad my daughter looked after four months. I said, you have an opportunity to do something different, so let's do something different. I don't need friends. I need freedom. Right now, I'm getting a lot more friends. Thank you for your time. God bless you, and God bless this country.

WILLIAMS: Tish, number 39, you're at the dais. After Tish will be number 40, Lyndi Kennedy.

TISHA: Hi, my name is Tisha. I'm from Ladera Ranch. I have three kids in the public-school system in Capo. I have nine-year-old twins, boy, girl twins, and a 16-year-old daughter. Here's

my kids. Aren't they adorable? Just like every parent in here, I am freaking out. There's a ton of people in here and outside, and more people that I know at home right now that couldn't make it. I just heard about this from my good friend this afternoon. I was like this mandate with the kids, are you kidding me? This is not just a no, this is a hell no. We will die for our children. There's no way we are ever going to allow an unproven vaccine to go in our children. Why? Like, why are we doing this to healthy kids? Haven't they been through enough with the COVID, and the education. You can go to school, but you can't sit with your friends and you have to do everything on Zoom. You know, it's just, it's been enough. It's enough.

Like we all need to stand behind our kids. This is the worst-case scenario. Like, it's one thing if you're going to tell parents and adults to do something. We can kind of like, think about it, but we're never going to risk our children and our children's health. Hell no. Like we will literally pull our kids out of school if we have to. We don't want to, because that's not what they want. They want to be with their friends. They want to learn. They want to grow up normal. They want to have, and there's no reason why we are protecting them from what? They have like less than a 00001% chance of getting COVID. If they did, it's like the flu. What are we doing?

This is insanity to think. I want all of you. I don't know. I'm sorry. I don't know if you have children, do you have children? You do. Okay. If you have children, I want you to fight like it's your child standing on the train tracks, and it's you against the train. You have to help that child get off the track so they don't get run over. You have to think about it like it's your children. You're fighting for our children. We all are fighting for our children to be safe and protected. There's no way any reasonable person would ask a parent to put something in their body, your child's body. When we don't even know what the hell is in there.

Could you give me a list right now like of what the ingredients are in the vaccine? Could you tell me the studies that have been done that there won't be side effects or any kind of long-term effects for my child. Could you tell me that it's safe? You can't tell me it's safe. You can't tell me what's in it. You can't tell me the long-term side effects. What if there's auto-immune affects? What if there's neurological effects? What if there's infertility affects, long-term effects? What if there's a death, and they're reported that there's deaths.

Who wants to roll the dice? Like just logistically, as far as statistics go, there will be children that die if you do this, children will die. A small percentage, a large percentage, hey, we don't know, because it's never been done. There will be deaths. You are going to ask us as parents to roll the dice and see, well maybe it's your kid that dies. Maybe it's your kid that dies. Well, my kid didn't die, but you know what? She's blind in one eye. Well, we all didn't know did we? We didn't know. Now we know better, and now there's lawsuits and blah-blah-blah. Meanwhile, my kid's blind.

Like, no, we're not going to do that as parents, we will move. We will protest. People are pist. This is a hell freaking no way. Like this is not going to happen. We will freak out on you guys. We will freak out. We need you to fight like hell, because there's some insane people in Sacramento that think they can do this sh** to us and we're just gonna comply and go along and get out. I have questions. Where are the studies? Where's our freedom? What happened to our freedom?

GOMEZ: You need to call time.

BARKE: I am sorry, but your time is up. We have to give everyone a chance, but thank you.

TISHA: Does everybody agree? There is a sh** ton of people outside. I just found out about this. There is a ton of people that I know. They will freak out before they let this happen. You guys have to stand up for us, please, please.

BARKE: We will. Thank you.

TISHA: Thank you. Thank you.

WILLIAMS: I don't want to meet you in any corner or any alley. Okay, are you Lyndi Kennedy?

LYNDI: I'm going to let that time maybe go to her, because I actually had three minutes written up, but um.

WILLIAMS: It's two or three minutes. Just say, what's on your heart. We want to hear it.

LYNDI: I am a fashion blogger and mommy lifestyle blogger who was offered money to ask everyone to take the vaccine and give it to their children, wear masks, stay home. I'm a mother of three boys. I've been parenting for 20 years, and I'm a sociology psych major, so I saw right through all of this right away. I couldn't live with myself if I took money to tell people to do this. If influencers are being offered thousands of dollars, I was offered \$2,500. I'm a single mom. I needed that money. I turned it down. If influencers are being offered thousands of dollars, and celebrities and burgers and fries and beer and money, and lap dances are being offered to do this. I mean something's not settling right with me or any of you. It can't be. I wasn't offered money to tell people to take vitamin C and zinc and go get some sunshine and exercise and maybe stop eating donuts. I mean, where's that? You know, so to me, my gut says, like, we know this isn't right.

Then, I lost my dad to the vaccine. He passed away three months ago after taking the J & J. A blood clot killed my dad. My perfectly healthy dad. After playing tennis, and then taking my mom for a walk. He went and sat on the couch and dropped dead at 70 years old. Almost his 50th anniversary with my mom. Now, you want to give that to my eight-year-old and all these little children? Please, don't. Thank you for this time.

BARKE: Thank you.

WILLIAMS: Very humbling. Thank you. We previously called Matt Huddleston, speaker number 27 because he may have been outside. Is he here in the room right here, Matt Huddleston? Okay. He's not. Let's move on to speaker number 41, May G. Then, after May G. is Mr. George Lee, and that's the last card we have.

MAY: Hi, thank you so much for having us tonight. My name is Magi Yang. I'm an attorney for low income housing and domestic abuse survivors. I'm the finance commissioner for the city of Irvine. I'm on two HOA boards, and I'm a mom of two. A nine-year-old and a six-year-old, and they go to a Newport Beach School. I'm here to talk about the vaccine mandate, obviously. First of all, I'm not an anti-vaxxer. My husband and I, we vaxxed our kids. We're vaxxed, just not this mRNA new technology. I'm sure you're getting a lot of data and statistics. I just want to tell you my personal story just like Lyndi did.

I have aunts who suffered strokes after they got the vaccine. My cousin in her thirties had COVID, but was required by employer to take the vaccine. She had a blood clot. Now, she has severe symptoms. Her hands won't stop shaking. She has terrible headaches, heart palpitations. She can't take care of her kids. She can't work. Who is she going to turn to? No one.

I myself, I had COVID. I have antibodies. My blood test confirms that I have a very high level of antibodies higher than people who have been vaccinated. But does that matter? No, that's not going to matter. There are two cases of COVID in Newport Beach today. Does that matter? That doesn't matter either. None of this matters. You're not going to see any of this on CNN or Fox News in the mass media. No one talks about it. It's hush hush. There's not enough data. There's not enough studies. There's not enough research with adults, let alone kids. Nothing matters, but it should. This should matter, and you can make it matter. Political affiliations aside, there's this one topic that we can agree on, our kids' wellbeing and their health. Please stand up for the residents of Orange County. Please stand up for our kids in Orange County, because they really depend on you. Thank you.

BARKE: Thank you.

WILLIAMS: Mr. George Lee, speaker number 42 our last one. Good evening, sir.

GEORGE: Good evening. Thank you, Board for giving me the opportunity to talk today. I'm not here to discuss if the vaccine or mask is effective or not effective. It's not my point today here even though I just learned from yesterday. I read SFGATE, I believe. It says that Orange County and L.A. County, L.A. has a mask mandate, and Orange County doesn't have. But the COVID cases per hundred thousand people, the rate. L.A. county is almost double the Orange Counties. The data, the data don't lie. Another fact, another fact is that San Diego county has higher vaccination rate than L.A. County and O.C. county, but the coronavirus cases is higher than these two counties. I just put the data here, but I'm not here to talk about, again about to discuss about the vaccine or the mask. It's all irrelevant.

I'm here to talk about our basic rights, basic human rights as American, our God-given rights to our body, our rights to our body. We have to decide what to put in our body. No matter if it's a 100% safe or 100% reliable. We still have the rights to decide if we take it or not. Newsom's mandate is exactly tyranny. It's a criminal. It's a tyranny. Only Nazis, only Soviet Union, only Communist China Party do those mandate to their people. To tell you a story. I'm from Communist China. I fled communism to this country to seek my freedom. Now, I just found that this state and this country is taken over by the tyranny and the communism to force the vaccine into our body, to force their mandate. It's not acceptable. I will fight fiercely against this

tyrannical act. I encourage all the parents go to your school board, because your school boards still have a power to fight this a mandate. It is all up to them to enforce this mandate or not. Go to your school board and pressure them, and let them know it's our right. It's our Constitution. We cannot let them take this away. Thank you.

BARKE: All right. Well, thank you. We really appreciate everybody sharing their thoughts, their feelings, their concerns. Thank you for that. We appreciate the freedom to do that, to listen to you. We are going to take a five-minute break and then, we will be back to business. Thank you.

[The Board takes a recess.]

BARKE: Thank you to everybody for waiting so patiently. Hopefully you found the comments uplifting, but anyway, we're going to get started. The first thing on order is for Christina Selter, whose been waiting very patiently in her very patriotic outfit. We are honoring her for volunteering at the very start of the pandemic to feed our children in need. Through Saddleback, I believe, fed many, many children here in Orange County. We want to honor that, and we have a special certificate.

[The Board presents a certificate to Christine Selter.]

BARKE: It is a certificate of appreciation presented to Christina Selter. Thank you for your service to the students and families of Orange County. We are forever grateful. Did you want to say anything?

CHRISTINA: We were honored to be able to serve the schools. There are a lot of the schools in the district, but help from Mari Barke and this whole team. There was a lot of tears. It was a little bit scary at first people. People prayed. People cried, children cried. They made homemade signs saying, thank you for the food. It was beautiful, amazing, scary, and I wouldn't change it for the world.

[The Board takes a picture with Christine Selter.]

BARKE: All right. Now we have to get to the serious stuff. I believe, Aracely.

WILLIAMS: No, charters submission, number five.

BARKE: Oh, I'm sorry. Are there any charter submissions?

BOYD: There are no charter submissions at this meeting.

BARKE: Thank you.

CHASTAIN: Good evening, President Barke, Trustees, and Superintendent Mijares. Today, the board will hold a hearing to grant or deny the material revision to the Scholarship Prep Charter School petition. Scholarship Prep is requesting to add two facilities at 1821 N. Grand Ave., Santa

Ana, and 2780 E. Wagner Ave., in Anaheim. A public hearing was held on September 1st to consider the level of support for the material revision in accordance with Education Code Section 47605. The Orange County Department of Education Staff Report was published on September 21st. Orange County Department of Education staff determined that the revised charter petition meets the standards outlined in Education Code 47605, and recommend that the Board approve Scholarship Prep's requested material revision. Prior to public comments, representatives from Scholarship Prep are allotted 10 minutes to provide evidence and testimony in response to the Orange County Department of Education staff recommendation. I now invite executive director, Jason Watts to the podium.

WATTS: I promise I will not be 10 minutes. Good evening, President Barke, Trustees, Superintendent Mijares. My name is Jason Watts. I'm the executive director of Scholarship Prep Santa Ana. As we are unbelievably in year six of operations. Having now served thousands of students and families throughout all of Orange County including foster youth and students experiencing homelessness. It is time for us to grow, and serve as we'd originally intended as a countywide charter. As we were all thrust into the challenges of what the pandemic has meant to students and families, we payed close attention to those most underserved. In particular, we realized that just how important to having students on campus was to ensure not only academic needs were met, but basic needs as well. From healthy meals, to school supplies, to social emotional supports, the realization that we needed to be closer to families hit us hard.

Because we have families who reside in many districts throughout the county, getting these vital, basic needs as well as other critical supports in the hands of families became a practical and logistical challenge. Moreover, these supports are needed not just during the school year, but 365 days a year. If they can't come to us, we need to come to them. Interested families, as well as our own families are asking us, as you heard at our public hearing, when can you open a school closer to our home? Additionally, we have over 17 different support organizations and partners spread throughout the county booning the unique needs of all of our students. Our communities, which we serve are ready for us to grow. We are ready. We have the team to do it.

Lastly, I want to give a shout out to OCDE staff. Since our inception, their team has been professional, helpful, critical when needed, patient and ultimately, student and family centered. We are greatly appreciative of our partnership with staff. We can truly say they want and expect high quality schools, and we are willing and continuing partners in ensuring that happens. I just want to say we're hopeful for a positive outcome tonight, and we are here to answer any questions you have. I promised, and I kept my promise.

BARKE: We will start with Trustee Gomez, please.

GOMEZ: Yeah, just a couple of. Oh, do you need to go next?

CHASTAIN: Just one second, yeah. The hearing is now open for public comments, Deputy Superintendent Boyd, are there any public comments for this agenda item?

BOYD: There are none.

CHASTAIN: Okay. This concludes the public hearing. The Board has three options for action regarding a charter school material revision. Option one, approve the material revision; option two, approve the material revision with conditions; and option three, deny the material revision. President Barke, I now close the public hearing and turn the meeting back over to you.

BARKE: Thank you. Sorry, I took it a little early.

GOMEZ: And so did I. Could you come back?

WILLIAMS: We're a number seven. This is the actual where we make a motion. I'd like to make a motion to approve of any changes to your material revision application.

BARKE: I would second that motion.

WILLIAMS: Now questions.

GOMEZ: Thank you. Can you just explain a little bit more about your parent engagement strategy now that you're looking to open the other campuses? How you intend to keep the parents engaged, obviously along with the students?

WATTS: Right. Well, this is, that's a great question. It's been certainly a challenge during the COVID crisis if you will. Before COVID, and even now continuing we've had a lot of outreach that wasn't necessarily, in-person. Examples are postcards that are targeted to certain communities based on a number of individuals in the family. Let's say that a family, through the USPS we can determine this, has three or more individuals. We are assuming that maybe one of those individuals is a student, potentially in our age group in which we serve, so we have targeted postcards as an example that will go into different communities. That's one. We are very prominent on social media. We use and take advantage of, not only our website, but Facebook, Twitter, Instagram. On Facebook, we have had Zoom virtual means. We'll take a Zoom information meeting that is targeted towards families to provide information about the school, etc. in different ways that you can enroll.

We will simultaneously have that hosted on Facebook on our different school Facebook pages that allows families to interact on either platform. Zoom, obviously is challenging for some, myself included. Whereas, Facebook is potentially more, you know, easier for families to access. We'll have individuals from our school staff who will be on the Zoom and on the Facebook specifically to be able to translate for families for those who need translation. Going back to the postcard component, those are bilingual as well, so English and Spanish. Those are just a couple of the ways that don't involve direct contact with families. They've been pretty successful. Outside of things like marquees and banners and whatnot, one of the things that's made us very successful traditionally in recruiting is going to events, going to different community partners and asking if we can talk and work with their families. As an example, Kid Works in Santa Ana, or the Boys and Girls Club, et cetera. We have individuals on our staff who are dedicated 100% of the time for recruitment. We actually had a phenomenal recruiter who just moved to Florida due to her spouse's military commitment, which was a bummer. It happened out of nowhere as you can imagine; however, we had someone ready to jump right in and take over for that

responsibility. She's done a phenomenal job in just a very short period of time. We have a staunch team who's involved with this, myself included on certain levels, but to answer your question, it's really multi-tiered. We analyze the communities in which we serve to determine which are the best ways and most efficient ways to reach out to these families, to get them the information they need.

GOMEZ: That's a lot about the marketing and the recruitment, but I'm talking about more of your enrolled students and their families. Reaching out to them on, you know, Zoom or Facebook, what if they don't have internet access? How are you managing that? How are you managing, reaching out to those families?

WATTS: Because we're now in a hybrid format, we've got students who are on campus, the majority of them. We get to see families and students in person so that takes care of a lot of the traditional challenges. There is newsletters and those kinds of things that go out. I think that the conversation was different when it was traditionally or just strictly distance learning versus now where we have most of the students on site. I think that the challenges are no longer as much of an impediment as they were previously.

GOMEZ: You're getting the parents involved in the school?

WATTS: Absolutely. Whether it's School Site Council, whether it's our ELAC et cetera, we have a very involved parent group called our Pep Squad. It is like the PTA. There's ongoing meetings with the site administration, the principal who leads most of that, she was here and could answer that, but she had to leave because of her child. I'm doing my best trying to remember all the things that she does on daily basis and her team, but there's definitely a lot of involvement.

Particularly for those families who are most challenged, whether it's food insecurities, foster youth, or students who are experiencing homelessness. One of the things that we have is, we have onsite these resource centers for families. If they need food, if they need clothing, if they need school supplies, we have on our sites, all of our school sites, in this case Santa Ana specifically, we have resources there that we can provide to families when they're in need. When we talk to families or they come into us at the school office, or maybe they email us or call us on the phone, we can communicate with them in person and even provide supports in whichever way they may need.

GOMEZ: Okay. Thank you.

BARKE: Any other questions? All right. I'll call the vote. All those in favor.

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

BARKE: All those opposed? All right, I think it's 5-0.

WILLIAMS: Congratulations.

CHASTAIN: You ready for me? The Board will now hold a public hearing to grant or deny the Explore, K-12 petition proposing to establish Explore Academy as a countywide charter school. As legally required, the petition has been reviewed according to California Education Code. You've been provided the Orange County Department of Education Staff Report that summarizes findings from that review and offers recommendations for consideration by the Board. Let me begin by stating that this charter petition was submitted by an experienced charter school operator with the capacity and a proven track record of success in Orange County. OCDE staff would support the local consideration of this petition as it appears to have merit and an innovative model.

As noted in the Staff Report, OCDE staff have reviewed the charter school's justification to determine whether it satisfies the threshold requirements for a countywide charter school; and, whether the charter school has reasonable justification for why it could not be established by petition to a school district pursuant to Education Code Section 47605. Based on a comprehensive review of the petition as submitted, information presented during the public hearing, and in-person clarification meeting, OCDE staff determined the petition does not meet the threshold requirements for a countywide charter school for countywide charter school petition and the model described can be established by petition to a local school district.

Charter schools authorized locally by school districts or on appeal by county boards even with multiple authorizers, have the ability to transfer teachers to open positions, implement educational models with fidelity, and are able to secure financing for multiple facilities. The Board has yourselves authorized some of these schools including Orange County Academy of Sciences and Arts, Oxford Preparatory Academy, Ednovate Legacy College Prep, and Vista Charter Public Schools. Additionally, California Education Code 47612.7, states that from January 1, 2020, to January 1, 2025, inclusive of the approval of the petition for the establishment of a new charter school offering non-classroom-based instruction is prohibited. Non-classroom-based instruction includes, but is not limited to, independent study, home study, work study, and distance and computer-based education.

The Explore Academy charter petition states that the ability for students to take courses virtually is an integral part of the charter model. However, the charter petition does not contain a reasonably comprehensive description of the non-classroom-based component of the instructional program or legally compliant, independent study program descriptions, particularly for the target student population. The charter petition fails to adequately describe how the school will maintain no more than 20% of non-classroom-based instruction in order to not trigger a funding determination while administering the program in an equitable manner for all students.

Based on the findings outlined in the Staff Report, OCDE staff recommend that the Board deny the Explorer K-12 petition to establish Explore Academy as a countywide charter school, and further recommend the petitioners revise the charter petition as appropriate and submit to local school districts for authorization. Prior to Board discussion representatives from Explore Academy will have equal time and opportunity or 10 minutes, whichever is longer, to present evidence and testimony responsive to the Staff Recommendations and Findings published on September 21. I now call representatives from Explore Academy to the podium.

BARKE: My mistake, we have a public comment I think we want to start with.

BOYD: Well there's a public comment.

WILLIAMS: Yes, Mr. Miles Durfee.

BOYD: Right, but there's public comments right after. There is a 30-minute segment.

WILLIAMS: Shall we do it, then?

BOYD: Yeah, and we have some more for them, too.

WILLIAMS: We do? Okay.

BARKE: Okay.

ROMERO: Hello, I'm former Senator Gloria Romero. I'm going to talk fast, because we only have 10 minutes. Both Robert Giordano, co-founders, and myself, co-founders of this innovative school look forward to correcting the staff record. The original California charter law sought innovation. New ideas to provide parents with quality educational options not offered by status quo models in order to close achievement gaps. We searched the nation and identified an innovative, exciting model. Our Explore Academy would be the first of its kind in California that would take advantage of the scale of multiple campuses throughout the county to allow for single enrollment in one public school with district access to courses and resources at multiple campuses. It truly is a countywide benefit serving every student enrolled.

Explore Academy is designed as a multi-site model at the outset. Contrary to staff analysis, we provide an example of a countywide benefit charter in Sacramento that has had great success in serving students throughout that county through a multi-site model, akin to our intent. If they can dream big, be bold in Sacramento, then we can and we should dream big right here in Orange County. Innovation and providing new pathways for student achievement encourages us to think outside the box, color outside the lines, challenge status quo models of educating students. With our strong team, we can do this and have a stellar track record of excellence in delivering that for which we stand.

We know now more than ever, that parents are tired of needless bureaucracy and barriers standing between their children and the education they need and deserve. You'll see many of our parents with us tonight. In staff's view, we should build our multi-campus program by seeking approval of 10 different charters authorized and overseen by 10 different school districts in Orange County. Think about the unnecessary duplication of effort, extreme inefficiency, and waste of taxpayer dollars of responding to 10 different government entities with different priorities and preferences, ten different charter renewals every five years. Think what that means for us who would be forced to focus on duplicative, bureaucratic obligations, instead of serving students in a single collaborative partnership with you. We seek to maximize time and research resources in serving students countywide. A program that eliminates barriers, builds connections, and enables students to move freely into the classroom that works best for them. Thank you for

your consideration. We ask for your approval. Janelle Ruley our council will further refute staff analysis.

RULEY: Thank you, Senator Romero. Good evening to the board members. My name is Janelle Ruley. I'm with the law offices of Young, Minney, and Corr., obviously on behalf of the petitioners for Explore. I do have some concern that we may have lost sight of what Explore Academy is actually proposing here. Explore is seeking a countywide benefit, because it's seeking to operate one single school. This is not envisioned as a string of charter schools that might be tethered to some charter management organization like the examples that were given. No, this is one single school with multiple campuses. I really just don't want us to lose sight of that. Staff's analysis suggests in multiple instances that Explore could somehow string together a handful of schools, separately authorized charter schools together to achieve the same thing, but that really fundamentally misunderstands what this program actually is.

The benefits of a one charter, multi-campus model go well beyond course choice in differentiation. It creates unique opportunities for cross-pollination among students, teachers, and staff. It takes advantage of the inherent efficiency of operating a single public school with a single student roster, a single staff, in coordination with a single chartering authority. Instead of as the senator said, 10 different schools, 10 different renewals, 10 different authorizers, 10 different expectations. The successful implementation of Explorer depends on its capacity to locate campuses across school district jurisdictional lines and the coordination of a uniform program across campuses under a single charter.

The legal background for a countywide benefit, the law provides that the establishment of a countywide benefit school to allow for the operation of a charter school that operates at one or more sites within the geographic boundaries of the county. That's what we've proposed, and where the educational services provided by the school will offer services to a student population that will benefit from those services and cannot be served as well by a charter school that operates in only one school district in the county so that's our legal background. The Staff Report and Findings mis-characterized Explore Academy as a non-classroom-based charter school. That can't be approved. There's currently a moratorium on new independent study schools, but Explore is not a non-classroom-based school. The fact that students will be taking courses at other school sites remotely, does not mean that they're engaging in non-classroom-based learning. The law and the regulations are really clear about the definition for classroom-based learning. What they say is, that classroom-based learning occurs when the charter school students are engaged in educational activities required of those students, and the students are under the immediate supervision and control of an employee of the charter school who is authorized to provide them with instruction.

That's what's going to happen here. The students would still be under the direct supervision of teachers. We don't have a non-classroom-based school here. To talk about some of the different findings, in response to some of the different findings. For the countywide benefit, all we have to do is provide a reasonable justification. How do we define reasonable? Well, you all define what reasonable is. The law doesn't give us a lot of guidance, so whatever you think is reasonable. The charter school offered five different justifications for the countywide benefit. Each of which staff has attempted to discredit. For approval, again, we just need this reasonable level.

The first finding was about multiple campuses. The staff believed that we did not meet the threshold there. The finding was that only the elementary grades would have the option to take courses at other school sites virtually. That was only if other campuses were available, but this is just incorrect. The school actually, the charter school is going to offer grade six in year one and grade eight in year three where students can start taking high school courses. The statement that only elementary grades have the option to take courses at other sites is just not true. This is all spelled out the campus plan in the charter. There was a finding around teacher mobility across campuses. The idea that a teacher could kind of go from site to site to site working with different students. The finding said essentially that a school could assign a teacher to a given school for one year. Really, what I think what we want to say in response to that is that, as a series of district approved charters, each charter school, of course, has a legally distinct school operated by a separate and potentially varying charter with its own set of students, its own L-CAP, its own dashboard, its own set of profiles. A countywide benefit ensures that consistency, fidelity, and accountability in the program across campuses as described. This inherently provides a benefit to teachers and their mobility as they can seamlessly transition from one site to another, because the educational program will be the same. It's just one school. It'll help recruit and retain quality teachers who may move within the county and see their employment with Explore as not tethered just to one campus

Third finding was around fidelity to the instructional model. What staff said is essentially, that historically other charter schools have been able to have a string of separately authorized charter schools and still have fidelity to their program. Again, though, I would say that Explore's program is the first of its kind in California that would take advantage of the scale of multiple campuses throughout the county to allow for single enrollment in one public school with direct access to courses and resources at multiple campuses. The law does not allow students to duly enroll in two different schools in California. It's antithetical to Explore Academy's model that students would be required to disenroll from one school just to turn around and enroll in another school. That just doesn't follow the model and it would really frustrate, I think, the flexibility that families are looking for.

On the fourth finding, which was around consistent oversight and operational efficiency, the finding from staff was that at least half of the charter schools authorized the board, again, also operate, other charter schools with other authorizers. What we want to say here is there really is a high risk of inconsistency if you have multiple charter authorizers. Your charter terms could be different. You could have different expectations at renewal. Oftentimes, when a charter is approved, there are conditions. We might end up with a set of conditions that is different at every single program. There was a finding that we didn't have enough discussion about how we would secure financing or that we needed to have a countywide benefit in order to better secure financing. I think what we've explained though is the assets, the ADA, the financial history and the credit worthiness of one single school is more compelling to a lender than having several different schools, so thank you for your time.

BARKE: Thank you.

CHASTAIN: The hearing is now open for public comments, Deputy Superintendent Boyd, are there any public comments for this agenda item? We have multiple public comments.

BARKE: Should we start with Miles Durfee?

DURFEE: You ready for me? Okay. Good evening, Board members and Superintendent Mijares. I'm here today to encourage you. I'm Miles Durfee with CCSA as you know, but I will do it for the record. I'm here today to ask you to support this petition and to approve it. I'm going to focus on two quick things. One is the countywide eligibility, I think that's one of the findings. Then, the second is whether non-classroom-based school. I will address those two. I did review the staff report thoroughly. I actually had our legal team and the CCSA staff review this report also. I would like to point to the two pages in the Staff Report to kind of give you why we think that this qualifies for eligibility for a countywide. If you look at page 15 of your agenda packet, it quotes the 47605.6 (a)(1). I just want to call out to you the words "as well" that are in the second to last sentence. Call that out, because that really gives you the broad authority to determine whether this petition is able to serve the students as well, better than to serve the students in a district petition. I think this petition goes through why that makes sense.

Then, I'll point out to you, page 17. Top of page 17. What you can see is staff wrote their report. It talks about how they think of their threshold for requirements for a countywide eligible. It uses the word "must operate under a countywide charter." What they're doing there is they're narrowing the definition from the law and taking away.

SPARKS: Where are you?

DURFEE: I'm looking at the top of page 17.

BARKE: Second sentence, first paragraph.

SPARKS: Okay.

DURFEE: Where it says, in order to determine whether charter school justification satisfies the threshold.

SPARKS: Okay, got it.

DURFEE: Yeah. What they're doing there is they're narrowing that definition for you and trying to tighten down on what the requirement is for a countywide charter. That is not what we believe the law says. We believe you have the broad authority to do that. With the rest of my time, I'll just talk about non-classroom-based charter schools. This clearly is a site-based petition. I think you heard that from their council. We concur with that. If it were a non-classroom-based school, they would bump up against a threshold that would then require them to go to do a funding determination and would classify them as a non-classroom-based school. That would happen during their operational period. They would have to be sensitive to that. If that occurred, they'd have to interact with your staff to have discussions about what that looked like and why that was happening. From my belief of the way the petition is written, they have no intention to ever hit that threshold or need a funding determination to be considered a non-classroom-based school. For those reasons, and you've heard many others, but those are the two that I thought were important for me to mention to you. We would ask you to support this petition. Thank you.

BARKE: Thank you, Miles. Appreciate it.

WILLIAMS: Okay. Very good. The next speaker will be Betty Chu.

BETTY: President Barke, Trustees, Superintendent. My name is Betty Chu and proudly now a resident in Trustee Ken William's district. I have been interested in education over the span of 60 years, primarily because of my own situation of having experienced discrimination in education. Starting out as an elementary student, living a block away from skid row in San Diego. All the way up to law school, where I was only one of four women in law school, being called upon every day. These personal experiences led me to believe that one of my jobs to help my community was to serve in relationship to education. I applied for and became the attorney for the Los Angeles Unified School District, as well as the Los Angeles Community College District for 10 years. It is based upon that experience that continued my community interest in education.

That spanned to my opposition with reference to Senate Bill 185, SC 85, which are very similar to Proposition 16, the 2020 election. My main opposition to that was that education was going to be based upon racial preferences. Yet, I understand the rankings of the California schools are so low, because our diverse multicultural population, multiracial population is not being met by education. That's why I was just really so excited to see this application of Explore Academy. I want to thank this board for being innovative and strong and courageous in the works that it has done. I had worked with former Senator Gloria Romero in old days when she first approached me, despite our political party affiliations, and despite differences in other things, we were able to work together to achieve benefits for our multicultural and our multi-racial communities.

They benefited greatly in terms of her leadership. That's why I am so enthusiastic about this concept. That will really, as the key, one of the key signers in opposition to Proposition 16, this can, instead of dumbing down our students, we can raise up the level of the students by meeting certain needs so that they can compete competitively. The school district must meet the needs of its diverse community. I am fortunate enough to say that our culture had a great opportunity for education, but that wasn't so when I first started out in education. This is a great opportunity under her leadership.

WILLIAMS: Betty, I hate to say it, but that was your three-minute beep that just went off.

BETTY: Thank you. I want to thank you, and I hope that you will be courageous as you have been in the past. Give us all an opportunity to be able to raise the standards of California's school rankings.

WILLIAMS: Thank you. Next up is Andrea Chawni. C H A, and then, I'm not sure what these next letters are, Duke Lane. Andrea is not here? Okay.

BARKE: Is there a number? Number 47.

BOYD: They don't have the numbers.

WILLIAMS: Are you Andrea? Oh, come on up.

BOYD: Do you need translation?

ANDREA: Yes, please.

BOYD: She's coming to translate for you.

ANDREA: [Spoken in Spanish and was interpreted] Good evening. My name is Andrea Chamu. I am the mother of five children. I come from Santa Ana city. I would like you to support this school. I have been talking with them, and I really like the way they are thinking and gathering with the students and building their groups. I would like this school, because I have experience, I have friends that have their kids in similar schools. My friends have told me that they like it, because it is smaller groups of kids and they are learning more. I would like you to approve what this academy or charter school is proposing. Thank you.

BARKE: Gracias.

WILLIAMS: Okay, Mr. Juan Sanchez from Fullerton. You are up, sir.

BOYD: Do you need translation, also?

JUAN: Yes, thank you.

BOYD: Natalia, you might want to just stay.

NATALIA: I wanted to put my steps in.

JUAN: [Spoken in Spanish and was interpreted] Good afternoon, members of the Board. My name is Juan Sanchez. I live in Fullerton. I am here, because I want to give you several reasons of why the parents want to support this school. Explore Academy wants to offer students of Orange County smaller class groups size. This is going to be very helpful for students so they can have more participation in their classrooms. I think that in this setting, they are going to learn more. Also, they are going to be offering tutoring during the day. We do not have a school of this type in the county that offers this tutoring to students. We would like you to respect our desire our right to have different modalities of schools. Please, I would like you to vote, yes for the formation of this school. Thank you.

WILLIAMS: Gracias, Mr. Sanchez. Next up, is Grace Moreno.

GRACE: I wrote it, but I am just going to read it. Hi, my name is Grace, and I live in the city of Santa Ana. I am a parent two aged children. I would love my children to be able, I get emotional, sorry, to attend Explore Academy where all students will benefit from teachers and academy diversity. Parents and community members should have the choice of where to send their students. I am here to tell you, I choose Explore Academy. We resign to tell you, our government officials what we would like to see in our communities. Explore Academy will be promoting academy opportunities for all students, no matter where they reside. Explore Academy will provide each student with a personalized education experience through the power of students'

choice allowing each student to create a unique educational pathway in preparation for a college future. We want Explore Academy in our community. We need them in our community. I ask you to please support Explore Academy and approve the petition. Thank you. [Inaudible] I have students with special needs.

WILLIAMS: Thank you, Grace. Next up is Claudia Velazquez.

CLAUDIA: [Spoken in Spanish and interpreted] Good afternoon, my name is Claudia Velazquez. I came here because I want you to vote to allow us to open the charter school. I have a big reason. I come from L.A. County, and I have been living in Irvine for four months. I have four daughters, different ages. They are 3, 7, and 14. I have two special education daughters. I would like to go back to the charter school model. I think this is a good option. I am very happy that I found a place like this. I have hope again, that my daughters can go to this school. For me, this is the best option. Thank you.

WILLIAMS: Sofia Vallejos.

SOFIA: [Spoken in Spanish and interpreted] Good afternoon, members of the Board. My name is Sofia Vallejos. I live in Irvine, and I have three daughters. Two are in elementary schools, and one is in high school. I asked permission at work to be at this meeting today. I wasn't expecting it would last so long, but I am very happy that I stayed because I want to express something. I am very happy with the project that Explore Academy showed me. I came here tonight because I please want to ask you to vote yes for the opening of this charter school for my daughters. I really want you to please respect the right that every parent has to choose the best educational pathway for their child. This school is going to be directed in the majority by Gloria Romero. She has big experience in education, also, for Cecilia Iglesias. This is also one of the main reasons why I am here. That moved me to come here, because the two of them have done great things for us as parents. I truly believe that there is no better thing as parent engagement. I believe that this charter schools is going to give us that opportunity. Explore Academy has an educational model that we are not going to find in any other place in Orange County. In this academy, our kids are going to follow a very particular career pathway. They are going to have a good foundation to go to college classes. This is one of the main reasons that motivated me to support the opening of these schools. I truly have a hope that all my daughters can go to college. That is one of the main reasons that I want them to go to college in this country. Thank you very much.

WILLIAMS: Thank you, Sofia. Next, is Magdalena Sanchez. After Magdalena, will be Francesca Chiera.

MAGDALENA: [Spoken in Spanish and interpreted] Good evening, my name is Magdalena Sanchez. I live in the Santa Ana city. I have three kids, and I have experienced how hard it has been for my kids. How much they have struggled to find a good school. My daughter opted to do homeschool until she found another school that was a better fit for her. My daughter found a charter school for my granddaughter, and I still have two more kids to send to school. My granddaughter is on her pathway to college. We really need schools, charter schools like this one to build all these career pathways for students to be able to go to the university. My experience

with charter schools has been very good, and I am confident that my experience with Explore Charter School is not going to be different. Also, one of the main reasons is because we know Ceci Iglesias. She is part of the Santa Ana Unified School District. She has always been an advocate for the parents. Thanks to people like Ceci, we have all have learned more about the educational system. We're confident that she will supervise this school with the professionalism that is typical of her. I ask you as our representatives to vote yes for the opening of this school.

WILLIAMS: Up next is Francesca and then Regina.

FRANCESCA: Hello, good afternoon, school board members. My name is Francesca Chiera. I live in Irvine. I'm in elementary school, and I would love to be able to attend Explore Academy. We need more schools like Explore Academy in Orange County. At Explore Academy, all courses will be offered in a small group allowing the instructors to be able to get to know their students better, which will encourage students participating. We all know there is more incentive for students to pay attention and students receive more feedback from instructors results in a better, more effective learning experience. Their upper level courses will include Explore Academy majors, which prepare students for the success in college. I ask you to please support Explore Academy and approve the petition. The Orange County students are counting on you. Thank you.

WILLIAMS: After Francesca is Regina. Is that your daughter?

REGINA: Yeah, she is my sister.

WILLIAMS: Oh, your sister. Where is mom?

REGINA: Yeah, my mom went first. Good afternoon, my name is Regina Chiera. I just moved to Irvine like early January. I'm a high school student. I'm here to ask you to honor our community and vote yes to approve the petition for Explore Academy. At Explore Academy, students will be able to choose how they learn and chart their own personalized path as they follow their interest and passions. Please give us, the students, the opportunity to be in a school that offers individualized education through the power of choice. Again, I please ask you to say yes to our petition. I think it would really benefit all of us. I know, including myself, like I struggle in a few like subjects. I think I could really use it, you know. Me, being from a family like that doesn't have that much money, that we can't like really afford college. I feel like this would really help me out educationally to get scholarships and you know, things like that. Thank you so much for your time.

WILLIAMS: Okay. Last up, last speaker under public comments is Nicole Ortiz.

NICOLE: Hello. My name is Nicole Ortiz, and I live in Santa Ana. I am the parent of a school aged children. They're sitting right there. I believe in parents having the right to attend charter schools. I support Explore Academy of Orange County, and I will love be interested in my kids attending there. I believe this is a high expectations school, and we trust the board members to run the school and lead our kids. The Explore team has a strong track record. We know with our

strong parent network of support, it will be successful. We ask you to consider this petition. Thank you so much.

BARKE: Thank you.

CHASTAIN: This concludes the public hearing. The Board has three options for action regarding a countywide charter school petition. Option one, approve the charter petition as written. Option two, approve the charter petition with conditions. This action would result in approval of the charter and require the execution of an agreement to address the issues outlined in the Staff Report and concerns raised by the Board. Option three, denies the charter school. President Barke, I now turn the meeting back over to you to facilitate deliberations and to take action on the charter school petition.

BARKE: Thank you. Does anybody want to make a motion?

SPARKS: I'll make a motion that we approve the petition for the charter school to move forward. Option one, approve the charter as written.

WILLIAMS: Second.

BARKE: All right. We have a motion and a second. Do we have any discussion?

GOMEZ: Yes. Is there a certain timeframe if we were to delay this for a month? We got a very long memo, which I just saw this morning. To the attorney's point, she was addressing some of the concerns. Honestly, I didn't have time to get through it all to compare that with my notes and my concerns to see if they were all addressed. Is there an urgency on this?

BOYD: There is by statute, we're within the timeframe right now. We'll be outside of it at the next meeting.

GOMEZ: Okay.

BARKE: Why don't you just start with your questions and then if they've been addressed?

GOMEZ: That's my point. I don't know if they could be addressed in this memo, but I did not have time to look at it with getting it this morning. When we get items, you know, late, it's difficult to make sure that you're thorough and get through them. I do have some concerns about it.

WILLIAMS: We got this yesterday.

GOMEZ: I had commitments yesterday, and I didn't see it until this morning is my point.

WILLIAMS: Okay. Okay.

SPARKS: I have a few comments.

SHAW: Could I ask some questions?

SPARKS: Go ahead.

BARKE: Of course.

SHAW: I understood the idea is you would have 10 campuses across the county, right? Isn't that what I heard?

RULEY: I think, eventually. No one is going to start out of the gate with 10.

SHAW: Okay. That's what I wanted to make sure I was perfectly clear on this. You could have just one, and then you'll be eventually going out to 10 over time.

RULEY: Yes, that's right. You all have seen brand new charter schools struggle, frankly, with facilities in the first couple of years. We would expect something similar. Is the plan two or three in the first term?

JUSTIN: The petition describes three campuses over the first five years. The first campus year one, and then, the second campus in year three. A year off in between the implementation of a new campus.

SHAW: Can I also ask, it's great to see so many, I mean, you obviously got a great nucleus going already of supporters of a school. Where did these folks come from? How did they hear about this idea and how is that happening?

ROMERO: I'd like to just acknowledge our board members again, too. We've got Mike Tardif, businessmen in Santa Ana, very engaged in charter schools and education. John Phan, long working on education financing, et cetera. Two other board members could not be here. Sharon Mendoza, who works in human resources and with special education students. Then, of course, Ceci Iglesias, who is the founder of the Parents Union. Really in terms of working with parents overall, it really has been that network. I know that board member Gomez, you asked about parent engagement. I think what you'll find overall is that all of us are committed to working with parents. It's the long history, it's that knowledge. When we wanted to reach out to parents, we worked it. We talked to parents about this, we said, this is it. Would you come out and support, so they are here. As you heard them, they're from Irvine, Santa Ana. We have parents from Anaheim, others who couldn't be here this evening, but it's you know, it's that parent network that we have worked. I give a lot of credit to our board member Ceci Iglesias.

GOMEZ: I just have one, well, I'll have more questions than one, but several of your parents mentioned Ms. Iglesias. I didn't see her listed as a board member in your packet. Could you maybe explain her role?

ROMERO: She is a board member. In fact, if you might recall, when we came for the presentation, she was actually here and she did speak on behalf of the petition. She couldn't make it this evening, because she has a work conflict. She said till seven, had she known, she might've

been able to come. She is one of our board members. I want to acknowledge as well, Betty Tom Chu is going to be considered for the board at our upcoming board meeting. Between Betty and Ceci and the other two board members, we think we have a real firehouse committed to parents.

SPARKS: I have a few comments and questions if I could?

BARKE: Please.

SPARKS: Yeah. You talked about reasonable justification and how that's operationalized essentially. It's kind of up to us in a way, you know, in guiding the community and how we operationalize that. I want to commend the parents who've shown up tonight. I think you've helped us to be able to operationalize reasonable justification. You talked about how this school has some special characteristics such as the tutoring model that you hadn't found in other nearby schools. Thank you for your comments and for coming and staying so late. Then, for the team, I think you all, you know, laid out a lot of arguments in terms of certain findings. I was wondering if there were any additional findings that you could speak to that this particular pupil population will really thrive under this environment?

RULEY: Okay, so, yes. About the student population, you know, I do know that the school is planning to seek enrollment from English learner students, students with disabilities. I'm sure that I'm forgetting a couple of other sub groups, but the idea would be to locate the various campuses in population centers where they can pull from those particular subgroups so that's a lot of the idea. Justin, do you want to add to that?

JUSTIN: Yeah. The facility location situation is always a very fluid and it's largely out of our control in some areas given accessibility and what's available. I can speak to the specifics of the model and the authenticity of the model and the accessibility to the academic choice that we want to provide. We did present before you in August. I do want to reiterate the success we've had with our model in a relatively short period of time since Explore Academy's existence. We did invite staff out to visit our inaugural campus out in Albuquerque, New Mexico. I'm not sure they were able to get out there, obviously constraints and schedules and whatnot, but we would have loved to have shown them the operations and academic model in action. It does speak to the innovation that we're trying to provide.

SPARKS: In fact, there are a lot of models out there on the university level just here locally. You know, UC Irvine has campuses in Orange and Irvine. Chapman University has campuses in Orange and Irvine. Cal State Fullerton has campuses in Fullerton and Irvine and maybe other places. I don't even know.

BARKE: Pepperdine.

SPARKS: Pepperdine is here. I mean, so there a model out there at the university level. I really commend you for your innovation in the K-12 space so that's all I have.

WILLIAMS: Okay. My turn, I vote for Betty Chu to be on your board. She's a remarkable woman. To Mr. Miles Durfee, because you've represented CCSA, you said something earlier that

if you can help me clarify? Then, I'm going to ask Aracely some questions and I'll end up with Janelle. You said, on page 17 at the very top, whoever wrote this document took this out of context.

BARKE: Tightened it.

DURFEE: Yeah, just narrowed it. I didn't say out of context. I think what they did is they changed the standard on how they judge countywide petitions. They narrowed it to make it a little tougher than the law, which I think is not the way that we interpret the law or I think is accurate.

WILLIAMS: You think whoever wrote this, narrowed the definition of a countywide charter. Is that what you're saying?

DURFEE: Yes, I think they just interpreted it to try to narrow it to fit into a box, that isn't the box that isn't the box that you should be checking.

WILLIAMS: Okay. Aracely, where are you? Part of the issue of having a public meeting is that we are criticized as a board, because we always vote against our staff. It's important that we bring out certain aspects about why we vote against the staff. I was just asking Miles the question, was this intentionally done to narrow?

CHASTAIN: No, you know, and I didn't quote the Ed. Code on there, and that is what I should have done. What we're looking at is whether the model can be done at a single district or multiple, you know, with multiple authorizers at different districts.

WILLIAMS: Right.

CHASTAIN: In looking at the petition with the rollout of the facilities, it appeared that there was plenty of time for them to be able to get authorization at a local level, which we believe is the intent.

WILLIAMS: Will you help the public understand the process? How long it takes the people involved? How you came to the conclusion that we should deny this?

CHASTAIN: The process of review of the charter petition?

WILLIAMS: Who's on the team? What legal advice are you given? I'm assuming you're not an attorney.

CHASTAIN: No. No. No.

WILLIAMS: You've never been to law school.

CHASTAIN: Right. We do work with our attorneys.

WILLIAMS: Who's that?

CHASTAIN: That would be our two attorneys that are assigned to us. We have Jeff Riel and Ruth Brewda.

WILLIAMS: They are all in office or in the Legal Department here?

CHASTAIN: Yes, that is correct. They are in our Legal Department here.

WILLIAMS: You go to them for legalese interpretation.

CHASTAIN: They are part of the group that reviews the charter petition. We typically have a team between six and eight people that review the charter petition. We pull from expertise from throughout the Department. We have our chief of special education services is on the team.

WILLIAMS: Who's that?

CHASTAIN: I'm sorry, say that again?

WILLIAMS: Who's the chief of education services.

CHASTAIN: That is Analee. She is sitting right here. We also have Christine Olmstead from Instructional Services who also reviews the charter petition, our two attorneys, myself, our financial analyst that's in our group also does that to give us some of that information. If we need additional assistance with the finances, we would then go to Renee for that. Then, we have the coordinator who could potentially be assigned to the school also part of that team. Then, depending on the type of petition it is, we may pull from other expertise in the Department. For example, you know, and that would mostly be up to Christine to determine whether she needed someone else on the team to look at the educational model. But mostly, she's able to do that for us.

WILLIAMS: In the staff's recommendation that the Board deny this charter, what was the primary reason? Some of these reasons I don't agree with. We see them all the time, and they really have no bearing or truth or significance. Is it because you don't feel this as a countywide benefit?

CHASTAIN: Right. We feel that the model could work authorized locally at the district level. What everyone is saying is correct. You do have discretion to make that determination. The law is very vague in that sense. We sort of needed to look at every one of the reasons and really see, okay, are any of these reasons reason to not do this at a district level. Along with our attorneys, that's the recommendation that we came up with. Again, the Board is the one who makes that determination, whether it's a reasonable.

WILLIAMS: Which department attorney made the recommendation to deny?

CHASTAIN: We make the recommendation. The Charter Unit staff makes the recommendation.

WILLIAMS: The Charter Unit staff.

CHASTAIN: Yes, that's correct.

WILLIAMS: Okay. Janelle, question for you. Aracely, just said that the description of the countywide benefit is not clearly defined. I think you may be differ with that?

RULEY: I do. I do. I believe that we met the threshold of having a reasonable justification for the countywide benefit nature of the school.

WILLIAMS: Yeah. I can't understand why a school that's going to be in three different geographic areas, three different school districts can operate efficiently with three different charters. You have the ultimate material revision and everything else going on, that would just bankrupt you and take away from the operation directives, which is inculcating facts and knowledge and educating kids. Now, this is all about bureaucracy. Then, you're trying to cross your T's and dot your I's and meet whatever somebody says is the operational benefit of this charter. I don't agree with the staff respectfully. I think they're wrong on this. I think this charter should be approved and will do very well by the record that this Board has for the last decade in approving charters. I see our board attorney, Mr. Greg Rolen get up. I'm going to ask him, sir, to-

ROLEN: Sorry, just give me 30 seconds. I respectfully submit that the Board has been well-served in this situation by everybody. This system is working the way it's supposed to. Staff did me the courtesy of meeting with me 10 days ago, something like that, and explained every single one of their concerns. They were sincere in their beliefs. Ruth, was it? A new attorney I'd never met alerted me to an issue, sunshine this issue about non-classroom-based charters. It caused me concern. They have addressed it. The issue here is the standard. The legal standard of reasonable expectation. I think everybody seems to agree that there's not a whole lot of legal guidance on what is reasonable expectation, but everybody does agree that it's within the discretion of this board to make that determination. So, you know, Mr. Durfee did not mean, I don't believe, to imply that there was any malicious intent in staff. It's just a matter of interpreting the statute, which we do a whole heck of a lot. Staff, you know, to your point, Dr. Williams staff was complimentary about the educational model and the finances. That's not a rubber stamp.

I submit that the Board was well-served in this situation by everybody. I just want to get in on that. The way I'm going to get in on that is if the Board is so inclined to approve this charter, there's an accompanying resolution. It was sort of unclear to me what the findings were in that resolution. I have made some notes, and I'm going to ask the Board to make a subsidiary motion to add this particular finding. And the Board finds that the educational services to be provided by the charter school will offer services to the pupil population that will benefit from those services and cannot be served as well by a charter school that operates in only one district in the county. Now, this was addressed by your questioning, addressed by Mr. Durfee, if the Board is so inclined to exercise option one, I believe that should be made clear either by my statements in the record or by a subsidiary motion.

WILLIAMS: Well, I'll make that subsidiary motion. I don't have the exact verbiage, but if you can make sure I get it?

ROLEN: I can get it. I can read it again with my third-grade reading skills.

WILLIAMS: Maybe you can read it again into the record, because not everybody may have been paying attention to you?

ROLEN: They rarely are paying attention to me.

WILLIAMS: Read it again.

ROLEN: And the Board finds that the educational services to be provided by the charter school will offer services to the pupil population that will benefit from those services and cannot be served as well by a charter that operates in only one school district in the county. Was everybody paying attention?

BARKE: Yes.

WILLIAMS: That is a “be it further resolved” at the very end?

ROLEN: Yeah, or “whereas.”

WILLIAMS: Okay, so I'll again, I'll reiterate my subsidiary motion to include that language as the last paragraph in this resolution. I need a second.

SPARKS: Second.

BOYD: Who second? Lisa or Mari?

BARKE: She beat me to it. I'll third it.

SPARKS: Does it matter that I made the initial motion? Maybe, she should second it.

BOYD: It doesn't matter. You could've withdrawn your initial motion, or corrected it because it was you and Ken.

WILLIAMS: Technically, you have to vote on the subsidiary motion first to add the language to this. Then, we vote.

BARKE: Okay. Are we ready to vote?

SPARKS: Si. Yes.

BARKE: Before we vote, I do want to thank you for the very professional presentation, all of the information, answering all the questions. Miles, also for your input and our dear attorney who's hiding back there for taking the initiative to add such a resolution. I think now we have it tied up nicely. I'm very comfortable with it. I appreciate everything that your experience brings to the table as well, so thank you. I'll now call the vote. All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

GOMEZ: What are we voting on? The resolution, the amendment to the resolution, or the entire motion?

SPARKS: The amendment.

BARKE: We're starting with the amendment.

GOMEZ: The amendment to the resolution?

BARKE: Yes.

BOYD: I'm confused. I thought you were voting on the subsidiary motion, which included the amendment to the resolution?

BARKE: That works for me.

SPARKS: Yeah, can we do it all in one, or do we have to do it in two parts?

BOYD: That's how Darou and I captured it. We just want to clarify.

BARKE: That sounds perfect. We are voting for the subsidiary motion that includes the additional resolution.

BOYD: Language to the resolution.

BARKE: And we have Ken who made.

GOMEZ: To approve the charter.

BARKE: To approve the charter. All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Oppose.

BARKE: Okay. It's 4-1. Congratulations.

ROMERO: Thank you so much.

BOYD: If I could just ask that Mr. Rolen get the language to us? Then, we will make sure that it's captured.

CHASTAIN: Yes. He said that he would get that over to us so we can amend. This would be resolution one, that will be amended.

BOYD: Thank you. Yes.

BARKE: All right. Thank you very much everyone. Betty Chu, I vote for you as well. Another vote for Betty Chu.

GOMEZ: Can we just take five minutes so that we can clear the room?

[The Board takes a five-minute recess]

BARKE: I think we're going to have order in the court. All right. We're back. Next up, we have Aracely.

CHASTAIN: The Board requested representatives from Suncoast Preparatory Academy attend this evening to answer questions related to concerns identified by Orange County Department of Education staff. There are three predominant areas of concern. First, a review of the 2020-2021 Unaudited Actuals Report and the 2021-22 Adopted Budget found that the school is insolvent and will remain insolvent at the 2022 fiscal year end. Suncoast ended the 2021 fiscal year with a negative fund balance of \$183,510. The school has operated at a loss and has a negative ending fund balance for the past two fiscal years. The 2021-22 Adopted Budget assumed 150 students enrolled. As of September 2021, SPA has 115 students enrolled. At the September school board meeting the board approved a revised budget with a projected net income of \$79,004. Making the 2022 ending fund balance negative \$104,506. SPA's year end, June 2021 cash balance was \$69,634, which is less than 30 days cash on hand. As of June 30th, 2021, SPA's long-term liabilities total at least \$495,000.

Recent information submitted by the school shows that the school owes \$34,497 in unpaid vendor invoices. Many of those, at least 60 days past due. SPA's interim executive director and back-office service provider discussed the school's current financial concerns including a lack of solvency with the school's board of directors during their August and September meetings. We have requested a number of updated fiscal documents including a board approved fiscal stabilization plan detailing steps the school will take to ensure fiscal solvency. Those documents are due by October 21.

Second, the closure of the school facility in Orange County. At the September board meeting, the school's board of directors voted to close the enrichment center permanently due to low interest and the school's budget. The lease on the facility has expired, and the school pays \$2,000 on a month to month basis. The school currently operates out of a separate facility in Escondido in San Diego County. Should the school close the enrichment center, they would not have a facility within the boundaries of the Saddleback Valley Unified School District in violation of Education code 47605 (a)(1). This facility requirement applies to all charter schools including a non-classroom-based charter school as was clarified by Orange County Department of Education council and the California Department of Education. Recent conversations with the executive director indicate that the school will not be closing the facility in Orange County in October as

originally planned. We have requested that the school submit a material revision prior to making any facility changes.

Third, the school's failure to operate a legally compliant English learner program for the past two school years. The school has received requests for information, two notices of concern, and has had deficiencies noted on the Annual Oversight Reports for the last two school years related to the English learner program. In April 2021, Interim Executive Director Shawna MacDonald responded to SPA's second notice of concern by submitting a plan to be implemented by June 30th, 2021. To date, the plan created and submitted by SPA has not been implemented including contracting with a qualified entity for the school to receive support in serving EL students, developing a legally compliant English learner master plan, purchasing English learner curriculum, and providing staff with professional development to support EL students for the 2021-22 academic year. The school's 2021-22 annual oversight visit will take place in November of 2021. I now invite representatives from Suncoast Preparatory Academy to the podium.

EKLUND: Hi.

SPARKS: Hello.

EKLUND: I'm Windi Eklund, and I'm currently serving as the board treasurer. Then, we have Shawna MacDonald who is our interim director. Then, Delano Jones on Zoom. Do you guys have questions for us?

BARKE: Well, would you like to address any of that report? I would love to hear anything.

EKLUND: The part that I have experience with is the closure of the learning center. The office was quoting ed code to us, but I didn't understand to mean that we have to have a physical location in Orange County. It is that we can operate in the district, so we had to pay for our attorneys to write up an explanation, explaining what I thought originally was correct that we don't have to have a center, so we could close that center and save money every month. Janelle is here. She's our attorney. Do you want to come up?

RULEY: Good evening, again. The education code that was cited says that a charter petition has to propose a charter school that will operate within the boundaries of a school district. The phrase "operate within the boundaries of a school district," it's not reduced to saying that you have to have a facility. For example, you may know that there are a number of. [Echoing is heard] Shawna, I think maybe you might need to mute one of them.

GOMEZ: There is a delay.

RULEY: Yeah, it is from the feed, right? The word "operate" does not say that you actually have to have a facility. As you may know, there are probably, not probably, there are a number of fully non-classroom-based charter schools that don't have any site. Some programs end up seeking a PO box, or maybe they can get a location with the district. They might have like a testing facility that they use from time to time, but there's not an explicit legal requirement that you have a physical site in the location so that was what we wrote in a legal opinion.

BARKE: Thank you, Janelle.

EKLUND: We can send that to the Board if you want that?

BARKE: Sure.

EKLUND: Delano, do you want to speak on the budget questions? I think he's frozen.

BARKE: Is he frozen?

EKLUND: I think so.

BARKE: No, I saw his eye move.

EKLUND: He's pretending to be frozen?

BOYD: He might not have heard you. Delano, they're asking you to give a budget update or to answer questions related to the budget.

DELANO: Yes, I can now hear you guys. I had a little difficulty hearing before. Can you guys hear me now?

EKLUND: Yes.

DELANO: Awesome. Perfect. Can someone repeat the question?

EKLUND: The overall concern with the budget.

DELANO: Yes. Good evening, board members. My name is Delano Jones. I am the business manager for Suncoast Prep Academy. I want to sort of take a step back and sort of go back to last year. I think it's important to sort of look at this holistically. The charter office has recognized this as well and does know this, but I will share it here as well. Last year, the school went through a transition in terms of, you know, separating themselves from their former National University sponsor. With that said, obviously there were some, if you will, there were cashflow issues. Basically, the National University systems basically cash flowed them for, you know, a significant portion of time. Unbeknownst to the former board members and leaders of the school, they did not realize how critical the fiscal position of the school was especially during the 19-20 school year. After they transitioned away from there, most of this came to light. You can clearly see that the school was what I would consider in a you know, in a dire financial position or much more disastrous position than they had originally thought.

I came on board with them in July of 2020. During that time, that is really when the school went through the transition of overhauling their operations. By that I mean that, obviously we came on board as a new back office, a consultant. They, you know, switched leadership in terms of executive director. There were some changes as well at the board level, but they also inherited, if you will, some issues that were not their own. They were certainly partnering with a sister

school. There were expenditures that, you know, were made that they inherited or had to settle as a result of the split. There were leases that they had to settle as a result of the split. There were, you know, purchases that were made that they had to settle as well. A lot of attorney's fees, and God forbid, you know I say it in public this way, but there were a number of attorney fees that were, you know, over and above what they had budgeted and anticipated for. Those things all came to a head last year so that caused, you know, if you will a bleed out of cash to the tune of almost \$200,000 last year. That, you know, they could not recover and it was unbudgeted, because those things came to light and they had to meet those obligations.

I do not anticipate going forward that that will be the case any longer. Obviously, they have settled all of their debts with the exception of owing their former support, National University several hundred thousand dollars that is currently still on the books as a liability. That they are still looking to settle through some type of negotiations. Hopefully, forgiveness of debt. That is the stance that the board is taking with that. We hope to get that resolved within the next coming months. The charter is now in a much better position fiscally, because again, as I mentioned, you know, they were paying a lease on a building that they were not occupying. They had shared costs for those lease that they actually had to pay themselves once all three entities are split apart.

I'm not sure if I'm giving you enough, obviously I cannot see you guys. I don't know if there are questions that you want to ask, or how much deeper you like for me to get into this. But I will give you the reassurance, they have turned this around in a way that says that they can be viable. Will it take time? Absolutely. This is not something that they can solve overnight. Obviously without the influx of new students, you know, they will have to go at a slower pace. Obviously, we can directly point to Governor Newsom's recent, if you will, decision not to allow charter schools to expand and not to have growth. This impacted them tremendously. Those are some of the reasons why the finances are the way they were you know, throughout most of last year. I do understand the authorizers concerns in terms of them, on paper, not being fiscally solvent. It is my reassurance that, you know, over time that will change. I'll be happy to take any questions or add clarity that the board or the charter office may have.

BARKE: One of the ways that you're cutting expenses is you're going to stop leasing the location?

EKLUND: Yeah, that's what we had asked for. Then, the office came back and said that we couldn't, we'd be in violation of ed code. Then, we had to go and pay attorneys to write something up to prove to the office that we are not going to be breaking the ed code if we close our facility. While we're trying to cut costs, the office is actually causing us to put more money out.

BARKE: Okay.

WILLIAMS: How many students do you have currently?

EKLUND: One hundred and fifteen currently, Shawna?

MACDONALD: We are now up to 120, but yes, five more new ones.

EKLUND: Five more new students.

WILLIAMS: Your model of instruction is internet based?

EKLUND: We have a home study program that's like the little kids. Then, we have an independent study for high school.

WILLIAMS: Okay. You have 120 students now. You have some debt. You went through quite a bit of difficulty in 2019-2020 disassociating yourself from the National University to becoming your own entity. That debt is now an issue of controversy and contention. You're trying to resolve that debt.

EKLUND: Correct.

WILLIAMS: Are you working with National University?

EKLUND: Correct.

WILLIAMS: You're trying to negotiate to get rid of this debt?

EKLUND: To get rid of the debt, yeah.

WILLIAMS: Okay. Who is the actual executive director of Suncoast Prep?

EKLUND: Shawna MacDonald who is on Zoom.

MACDONALD: Actually, I'm not executive director. I am principal and interim director. We decided as a board last year, for me to just be an interim director and principal.

WILLIAMS: Okay. Going forward, I'm sorry the gentleman?

EKLUND: Delano.

WILLIAMS: Delano, I don't know if you can hear me? Going forward, assuming this debt that has been accumulating is resolved, you shared with us that this charter school should be fine from an economic perspective.

DELANO: Yes. One of the things that's really, you know, been an anchor has been that liability. Obviously, without being able to even seek sources of cash as a result of, you know, other financing sources as a result of having that much liabilities. It certainly has hampered the school's ability to seek other funding sources outside of the traditional, LCFF and in lieu property tax dollars that they receive. Over time, I again here, the way that this will work is if they're able to get that debt reduced down, obviously that improves the balance sheet, which is the first thing that I think your authorizer would like to see. Then obviously again, as I mentioned, you know, the catalyst here is an influx of new students will certainly help. We've cut expenditures. We have a balanced budget, you know, all the way through, but again, there's

certainly a certain amount of liability that we would like to see go away or get off our books to make the financial picture a little bit better.

WILLIAMS: How long have you had this liability for?

EKLUND: Prior to me being on the board, I think it's going on three years, Delano?

DELANO: I've only been the business manager for a year, so I imagine that the accumulation of this goes back to 2018-19. I believe that's the year that the school was approved. I imagine that at the onset of it being approved, they started accumulating this debt.

WILLIAMS: You have vendors about \$30,000, you owe them?

DELANO: As of today, we are current on our accounts payable. We have paid off all of our aging, beyond 60 days. We are current as of October.

BARKE: What kind of rent are you paying on the location? How will that help your budget? Do you know?

EKLUND: Delano, do you have the numbers? It is \$2,800 for the location we want to move out of, correct?

MACDONALD: No. It's \$2,000.

EKLUND: Two thousand.

EKLUND: Two thousand, even. Okay.

MACDONALD: Two thousand, fifty dollars, I'm sorry, there's a lot of feedback. I'm having a hard time talking and answering questions. The enrichment center costs \$2,050 per month. Over the last year and a half since even COVID hit, we've spent almost \$28,000 per year for something that we can't use. It's still continuing to have to pay that, because the board approved for us to close the enrichment center. Then, when we were told by the charter authorizing district, no, you can't do that it's against ed code. We're now still paying that \$2,050 per month. It's essentially being used for storage, because we don't have students that want to go there.

WILLIAMS: There may be some echoing out there. You may want to mute yourself. We have the state legislature, the governor that signed the bill that says charter schools cannot expand their enrollment. All these parents who were here earlier today, saying they're going to take their kids out of public school. That would be a wonderful opportunity for you to kind of pick up 100 kids. That would put you really out of the red.

EKLUND: Right.

WILLIAMS: Delano was saying, you can't expand. Could you elaborate a little bit more on that?

EKLUND: Is that about the funding not following the student, Delano? What are you saying about not being able to expand?

DELANO: Going back to last year when we were not able to grow, and there was a cap on enrollment July of last year. The school was primed or in a position to be able to take advantage of being able to now enroll students who were doing distance learning. Right. Because of that, you know, pause in growth by the governor, they had roughly almost 2,000 students, Shawna would you say? They had enrolled, but they had to disenroll as a result.

WILLIAMS: She did say that. Okay. Going forward, is that cap still in place? Are you allowed to grow?

EKLUND: The cap is no longer in place, but now because of our enrollment numbers for last year, the money rolling into the school to cover the students that are currently there is delayed. If we enroll more students, we're not going to have the money to educate those students.

BARKE: You have to grow slowly.

EKLUND: We have to grow slowly over time. Yeah.

DELANO: Yes, yeah.

MACDONALD: We can't hire teachers to cover those students, because we aren't going to get the funding.

SPARKS: What does the fiscal runway look like in terms of a timeline to becoming whole?

DELANO: I believe the board member said it best, you know. Steady growth over time is what solves this problem. Then obviously, any forgiveness of debt or renegotiation of that debt down to a number that's much more manageable for the school. That is the way through the fog, as I would like to say.

SPARKS: What kind of timeline? Are we talking the end of the academic year? Are we talking a few months?

DELANO: I would say the end of the academic year to be realistic and conservative. I will be honest with this board, you know. It's going to take some time. This is not a problem or an issue that we can solve in two months. It's just not possible, because the resources aren't there. We have a budget that we're living with, and that budget works. If they can stay within the confines of that budget this year as well as next year, you know, this school will thrive. It has to have the factors that I mentioned come to fruition, which is slow and steady growth, the forgiveness of debt, and living within the means of the budget that the board has approved.

BARKE: I certainly think there's climate for growth in your industry based on some of the board member comments tonight.

EKLUND: I also think it's important to remember that we have a moratorium on non-classroom-based charters. I don't know if that moratorium is ever going to go away.

BARKE: It is until 2025 right now.

EKLUND: It was a two year that they extended to an additional three years. This is a rare non-classroom-based charter. If this one gets shut down, we can't authorize any new ones. There's an influx of homeschool students that are leaving the districts and going to be looking for schools. We don't need one less than we currently have.

BARKE: Nope. I think you're in a great position, you know, as long as you grow slowly. I don't anticipate you'll have any trouble growing.

EKLUND: No, not at all.

GOMEZ: I would just like to follow up on what Trustee Sparks was saying about the timeline. I'm not even sure where to look in this room. When we're looking at the debt forgiveness, where are we in those negotiations? Who can answer that? That obviously would help your bottom line.

MACDONALD: I can tell you Trustee Gomez that I have worked with National University on more than one occasion, they are not apt to forgive any of the debt. My board has offered to not make payments, or not make big payments until we can grow our enrollment, because we can't afford it. I need to continue having a conversation with them though, because a lot of these expenses were over three years old. It's hard for us to track the payments that were made, because they didn't necessarily keep track of everything. I'm still working with National to do some debt forgiveness and to work on a newer repayment plan that works in with our numbers so we're not taking from our kids to pay off that debt.

DELANO: If I can add one point to that as well? Currently they are not, if you will, things are paused, right? Meaning that they're not pushing repayment until an agreement can be reached. We have not made a payment to them since the start of the fiscal year.

GOMEZ: They're not going to come back and all of a sudden say, they're going to kick up the interest rate and what you owe or something else?

DELANO: No, because they understand the predicament that the charter is in and, you know, paying them would surely mean that the school goes under. Then, they obviously will not get paid anymore. There is some incentive for them to come back to the table and look at this more holistically in terms of, you know, what's in the best interest of the charter first and how they can get their money out of it without, you know, breaking the school, if you will.

BARKE: I hope also they have the interest of children in mind. I hope.

DELANO: Absolutely. We've been pushing that at every turn if you will, you know, within the conversation. Obviously, with several hundred thousand dollars on the table, you know.

WILLIAMS: I have a question for Janelle.

GOMEZ: We went from 250 students to 120 students. What happened there? How did you lose so many students?

EKLUND: Shawna?

MACDONALD: The 250 was when we didn't have the cap on enrollment that the governor put in place for us last year due to COVID. My predecessor enrolled over 100 students between March 1 and mid-May that we didn't receive any funding for. When that cap hit, that was where we only got paid for 105 students as of February of 2020.

DELANO: Twenty.

MACDONALD: That's how we lost all those kids. It was because of that cap. Then, we also had to pay for services for those too, so that didn't help the budget either unfortunately. I kept questioning it, but was not listened to.

GOMEZ: You had expenses for those 250 students, but you weren't getting the funding? increased your debt right there.

MACDONALD: Correct.

GOMEZ: That increased your debt right there.

MACDONALD: Correct.

DELANO: They actually were being paid on 110 students out of that 250.

WILLIAMS: Janelle, question for you. Obviously, this has snowballed from when that transition from National University. Is there any liability of National University for this debt that Suncoast has now? Is there a liability on their part?

RULEY: I haven't seen all of the agreements. I haven't seen all of the books. I mean, frankly I know the school is trying to do this on their own because of the cost. I do think it's possible, having seen similar agreements, it is possible that National University may have overextended some of the costs. You're asking if Suncoast could sue National?

WILLIAMS: Or vice versa.

RULEY: Yeah. It is possible that National could sue Suncoast. To Delano's point, doing so would close the school, right. It's like going after an insolvent creditor.

WILLIAMS: Are you working with an attorney from National University on this debt?

MACDONALD: Yes, we are. Pablo Fabian is the attorney at National that we're working with.

WILLIAMS: Okay. Who's representing you? Is it Janelle?

RULEY: It's Shawna.

MACDONALD: I'm the one that's been negotiating any terms and my board. The board approves the repayment plans.

WILLIAMS: You need to get a really sharp attorney to go after National University. You are not an attorney.

MACDONALD: I have a feeling I'll be reaching out to Janelle probably tomorrow after all of this. Everything that you know has been transpiring with it.

EKLUND: Don't go to sleep, Janelle.

RULEY: I won't. I'll be there. I will answer that email.

MACDONALD: Thanks, Janelle.

WILLIAMS: Okay. I'm done.

BARKE: Any other questions?

MACDONALD: Can I speak to the EL plan? I know that that was something that Aracely mentioned. I have sent it over. I sent the one that was given to me by my predecessor. I sent it in. I was told that it was incorrect and I needed to redo it. I attended multiple trainings. I met with the Orange County English Language Department. I'm on my third draft. Every time I turn it in, something changes, so I have to re-fix things. I am still working on it. We are a tiny school as you know. It's me, three teachers, two part-time staff that work three hours a day. I'm having a hard time keeping my head above water at this point, trying to get everything done that needs to get done. There's such small timeframes and timelines.

EKLUND: And the confusion.

MACDONALD: I'm having a really hard time, and the confusion of it as well.

EKLUND: There is two timelines that have been reported to her that she's been given by the office saying one this Friday, and then what's the other one, the 21st?

MACDONALD: The 21st or the 29th of October. I'm getting different dates as well between letters and Epicenter and everything else. I can't keep up with everything. I'm getting, you know, notices, not notice of concern, but you know, requests for information every month. Then, sometimes twice a month. When I responded to the one letter, I get another one.

CHASTAIN: This is correct. We do send, you know, letters when we have a concern and need more information to try to figure out where the school is. She is getting letters about the EL

program. She's getting letters about the budget. When our financial folks look at new budget documents that come in, depending on what they see there, there could be a letter that comes out of that asking them for, you know, like we said, that we've asked them for a fiscal stabilization plan on how they're going to be solvent by the end of this fiscal year. So, yes, different things are going to have different deadlines depending on whether we're asking for something to be board approved, whether we're asking them to, if we sent a letter and they submitted documents and it wasn't everything that we requested, we're going to send a second request for those documents and give a shorter timeline, or else we could be doing this all year long, trying to clear up, you know, a couple of issues.

Shawna, I will say, I mean, she is in a difficult, difficult position here. She is wearing so many hats. I think she's still carrying a caseload of students as well and teaching.

MACDONALD: Correct.

CHASTAIN: She's not only the principal, the executive director, she's also a teacher at the school, she's the negotiator for the finance. She's just stretched so thin, so we understand the stress and what's happening. But we can't stop what we need to do in order to make sure that the school is okay. That's sort of how we get to this point, right? Where we're in front of you trying to tell you. We let Deputy Superintendent Boyd know. Here's our update on this school and where our concerns are. The concerns were significant enough that she wanted to bring them to you. We agree, because we are getting to a point probably where we are going to have to ask you to make a tough decision again, particularly with the English learner program and the budget. As far as the resource center and the closing, we're once again in a situation where we have two sets of attorneys who have interpreted the law differently.

We did reach out to the California Department of Education for their interpretation. They also came back with, that they need to have a presence in the district in which they were first denied. That can be looked at again. You know, obviously looked at by this board and the board's attorney. We have asked them to do a material revision if they're going to do anything like that. Their charter petition has a lot of language in it on what services they're going to be providing at that resource center. Everything from wet labs to enrichment programs, things like that, we would need them to adjust that charter petition to let us know how are you going to do these things without this resource center in place? That's above and beyond whether they can legally close it or not. We need to understand that, you know, if you haven't been using this resource center all this time, how are you providing these services to the students?

Our concern always with the budget is going to be that, you know, well, you guys know what happens when a school is so deeply in debt and just trying to keep their head above water is that, what does suffer is the kids, right? You delay buying curriculum. You don't provide professional development for your staff. These are all things that we're asking for and looking into to make sure that they're done. But it's hard to find money for them right now for a lot of things. Enrollment is tough as well, because you know, what they consider their homeschool program versus their independent study program, for the purposes of the law it's independent study. The families who are considered homeschool receive a stipend every year. I think it's \$2,000, \$2,500 a year. How much is it now?

MACDONALD: We reduced it from \$3,000 to \$2,600 this year to help with the budget.

CHASTAIN: To try to help with the budget. What they consider homeschool families receive this amount. Anytime they enroll a homeschool family, they have to take into account that some of their budget is going to then go back out. That's the interest that they have is homeschool families. The homeschool families want this stipend so that's where the interest for enrollment is. Shawna, of course sometimes has to put the brakes on that, because there just isn't money to expend in that way. They're in a tough, tough situation. Time will hopefully always help things, but we're not sure that that's the case here without going another year without serving their English learners in a legally compliant way, which is incredibly concerning. Another year of them, you know, not providing adequate professional development, not buying all of the curriculum that they should be purchasing for all of their students, you know, things like that.

That's our main concern. We just want to make sure that, we know it's important and we know that it's very hard for them to work with attorneys right now. They just don't really have the money to do that. I also know that, you know, my staff can't really pull back on our job of trying to figure out, where are they and how bad is this so that we can keep you informed as well.

EKLUND: Has the debt grown? I thought we were approved with the debt from National University? The debt has been ongoing for many years, right, prior to this?

MACDONALD: Yes.

EKLUND: There's no more debt than there was. The English language learner plan was actually not questioned for three years or for two years prior. It's only now being questioned. I am trying to understand.

MACDONALD: The first time I heard about it was last year at the oversight visit.

CHASTAIN: It's been part of every oversight visit since they first opened. We started sending letters about that, about the EL compliance in 2019 after our first oversight visit.

MACDONALD: My predecessor was never forced to do anything differently. She continued to turn in the same English language learner plan as long as I've been here.

BARKE: Now, there's a different plan required I'm taking it?

CHASTAIN: No, again, in an effort to give schools time to fix what they need to fix when we go out for a visit and we see that they're not providing a legally compliant EL program, we have an EL plan that is not accurate to current ed code. We send a letter. We need an updated plan. We send out an annual report letting them know what the findings were, and how are they going to correct those findings. That's what happens. Typically, you know, this could take months by the time we get back. A plan from the school, by the time they send us various copies of an ELL plan, that's still isn't compliant. It has to go back and we have to kind of do this back and forth. So yeah, it's our concern now is that they're now going into their third year, you know. We feel that we've given them enough time now to fix this issue. I know there's been change in

leadership and, you know, different things going on with the school, but the kids that are in that program still, you know, regardless of what's happening in the background with the school, need to have a legally compliant EL program.

BARKE: Do we know what's not legal complaint? I feel like there's mixed messages here that that the questions are changing.

SPARKS: Can we hear from you, Janelle about the legal interpretation of what's going on here to clear up some confusion.

RULEY: Yeah, I have to say, I'm trying to catch up myself. what I'm wondering is if there is, and I truly don't know, if there's a discrepancy between what's actually being offered and what's captured in the plan. I'm just wondering if the plan is not articulated in a way that matches staff's expectations, but that might be different from what's actually being offered. I would defer to Shawna on that, because I don't know the day to day. I just offer that for her discussion.

MACDONALD: I think, Janelle you are correct. I think that we are working with English language learners. We do, do our designated ELD time with our families every day. I do it three times a week, because that's about all I can handle at this moment. I'm CLAD certified, and there's only two of us, three of us total, I'm sorry, that are CLAD certified. I work with the elementary kids. One of my other teachers works with middle school, and then my high school teacher works with his high school students. I do it three times a week. We use the English learner roadmap. I think that I am just not being clear in that plan. I will work on my third revision and try to get it to be approved by the chartering division. But we are working with kids, and Edgenuity has its own designated ELD components. Then, based on Orange County chartering division, I have bought curriculum that they thought was good and that the state approved. That's what we used, based on their recommendation.

SPARKS: Would you be able to get that this discrepancy sort of reconciled by getting some help from, you know, people in addition to yourself?

WILLIAMS: Why can't our staff help them?

SPARKS: Yeah.

WILLIAMS: Why can't our staff just, why can't you just tell her, Aracely what she needs to correct her problem?

CHASTAIN: Our staff can. We have an English learner department that provides extensive professional development, will come out. I mean, they've done it with other charter schools. Scholarship Prep, I believe is one of the ones they did it with this. There's been a few of our charter schools who've reached out. I believe, Shawna has reached out from my understanding to San Diego County Office of Education for that support. They're working. There's no contract yet, I don't think, but that's the last that we heard was that she was going to be working with them to get that support.

MACDONALD: No.

CHASTAIN: No?

MACDONALD: That's actually not the case. I reached out to San Diego County because Orange County charter division English language wanted me to use a specific, or kept recommending a specific professional development that I tried all last year. It's for seat-based programs. I don't have time to recreate a seat-based program to fit independent study or non-seat-based classrooms.

CHASTAIN: To be clear.

MACDONALD: I reached out to San Diego County to see if there is a professional development specific specified for independent study or non-classroom-based schools.

CHASTAIN: I want to clarify that we don't ever tell a charter school who they have to contract with or what type of services they need to get. What we're asking her to follow is the plan that she submitted to us. She said she was going to reach out to an agency, us, and she listed in her letter it'll either be Orange County Department of Ed or it might be San Diego County Office of Education for that support in order to be able to develop a legally compliant EL program. When we go out on an oversight visit, we're not just looking at that plan. That's a piece of paper, right? We're actually looking, cause the plan could look great on paper. We are looking to see what's actually happening at the school and what's happening in the classrooms. That's where our English learner and our instructional folks who we send out, you know, we go out in teams, we make sure that we have the expertise on our teams in order to be able to evaluate a school.

This is through teacher interviews. This is interviews with the executive director. This is classroom observation when we can do that. What they found was that there's just a lack of understanding of how to run an EL program. That was the concern that we started working with the school on from, you know, 2019 or 2020 trying to get them. After we sent a second notice of concern, that's when Shawna gave us a plan, telling us all the things that they were going to do in order to become compliant in EL. We're just trying to hold her to the plan that she gave us.

SPARKS: Isn't your job to guide her in that?

CHASTAIN: It is not a plan that we created.

SPARKS: Isn't it your job to guide her in that?

CHASTAIN: We do not train on English learner programs.

SPARKS: But you just said that you did with other, you just listed other schools that you had worked with.

CHASTAIN: Yes, the Orange County Department of Education, our English Learner Department has worked with other schools.

SPARKS: I feel like we have really willing and able people here in terms of a team wanting to succeed. We got to find a way to come together to make this work.

CHASTAIN: Yeah. I do know that she came and met I believe with a couple of our folks and was not, you know, didn't necessarily want to contract with the Orange County Department of Ed. She's looking somewhere else to do that. I think that program was just not what she wanted.

MACDONALD: That's not what happened. I've met with them three times, and I asked for a contract. I asked to meet with them more times, and I've never gotten anything back.

BOYD: We can follow up on this, because I think important. The distinction that you're trying to make in terms of what she is saying, the charter staff. As Aracely says, the charter staff does the oversight, accountability, and pulls teams of experts together. The actual individuals who are looking at the EL are not part of the charter staff. They're not the ones who are the coordinator, who's looking at the program, who's reviewing and going through the petition and so forth. They're the experts in EL delivery. From that standpoint, that's another division.

We will reach out to have a dialogue with that leadership and that EL component to get some further clarification from that team. What Aracely is trying to explain is that the coordinator is looking at the plan that was submitted and asking questions around that. We don't have that same coordination of effort between our office, the EL team, and the charter school itself because we're relying on the charter school to work directly with that team. Then, just provide the information because all we're doing is the oversight of that.

SPARKS: There is a lack of communication there. These teams should be working all together.

WILLIAMS: Yeah.

SPARKS: If they need that help, they need that help. They should be guided to that help.

BOYD: Again, the job of the oversight and accountability team is not to do, you're wanting them to be support to them and that's not their job. We do that as an extension of service, just because we want them to be successful, but that's not the job of the oversight and accountability team.

MIJARES: Excuse me, I hate to use an overused phrase, but I am recording the Dodger game. Don't tell me the score. They call strikes and balls. That's their job. The ELD department, you have very skilled people who train, they do professional development all day long. There's various ways to meet the requirements placed upon each school, each district, and school to be in compliance with, how do you work with your EL students, which is like the hottest thing in that the California Department of Education right now, because that's the group where the American classroom does not do well, serving those students, frankly. People come to this with resources, so we work across the county and we're working with districts who have committed funds for this.

Obviously, the charter school does not have that kind of money. I think for the sake of the students, we need to help them because they're the ones at stake, so they don't crash. We have to reach out and help them. But there is a fine line there and distinction because charters pride themselves in their autonomy and their ability to manage their own affairs. The more that we inject ourselves, now it looks like we are, you know, we're philosophizing, and we're pragmatically funding, and we're doing things that may or may not be in the best interest of the charter. I think right now we can all agree that this is at a crisis point. I think we ought to just take this offline tomorrow, and let's figure out a way with you, with your consent, to get it back on track.

It is an aberration. It's not the normal way we work with our charters for good reasons. We're not going to be doing this with OCSA. We're not going to be doing this with Oxford Prep Academy, because they are well-funded. They don't want us in their hair, frankly.

SPARKS: That is how it should be. That is how it should be.

MIJARES: This is one here where for a whole bunch of reasons, no fault of all of you, it sounds like, we just need to treat it a little differently.

BARKE: Yup, it sounds like we need to partner.

MIJARES: If the Board is okay with that? Then, that's the direction that we will go.

BARKE: Yeah, no, I would love to partner. By the way, how are the kids doing? Are they, you know, are they thriving?

EKLUND: I believe they are. They are getting English language lessons. It just sounds like we're not writing it up properly.

BARKE: Well, yeah, I think we should partner to make sure that the kids are benefiting and that everybody's thriving. This sounds like unique situation where we could support you, and I think we should.

SPARKS: I think just to echo some of what Superintendent Mijares was saying, that not all charter schools, the thing that's unique and fantastic about charter schools is it's not a one size fits all. Some might need a little more guidance and help than others. I think that it's important that we all communicate and work together. Whichever division's throwing the strikes and whichever division is catching the balls, whatever it is, and figure that out. Yeah.

BARKE: Just don't ask Tim, because he knows the score.

SPARKS: Right, okay.

MACDONALD: I gladly would love help. My predecessor did not believe in transparency, did not believe in having help from others. I do need that help. I do need that guidance. I sometimes feel like because, and unfortunately for me, and this is just my feeling, I feel as though the staff

in the chartering division put us all in that box of charter schools don't want help, don't need help when I've been asking for the help I need help. I'm struggling. I can't figure this out. I need, like I said, I'm on my third EL plan and cannot seem to get it going. I would desperately reach out and request that help if I can get it.

GOMEZ: Can I suggest that we allow them time to see if we can't work it out. Then, maybe come back next month and get an update?

BARKE: Yeah. Sounds good to me. I was thinking the same exact thing.

EKLUND: Thank you, Becky.

GOMEZ: Well, would that be agreeable to the?

WILLIAMS: Here is the thing? Now, they have to bring Janelle back. That's going to cost money.

BARKE: I don't think they have to bring Janelle back. No, Janelle's not, they're fine.

EKLUND: Janelle wasn't ever here for us tonight? We just made her stay.

GOMEZ: I think more importantly, we need to get them on track. that I think is the most important thing.

WILLIAMS: Can I suggest the Executive Committee works with Al and Nina? Then, we get back because we have a lot on the agenda in the next couple of months here. This may need more than one month. I think this is going to need maybe two or three months.

BARKE: Maybe we should just even put it out 60 days? Then, you know, see if we're ready to come back and get and update?

BOYD: Well, if I could just remind the Board that, I did brief the Executive Committee prior to the conversation and so forth. As a result of that, the Executive Committee had suggested that we send documents to all of you so that you all could get more familiar. On Monday, sent you copies of the letters that have been sent, that has triggered, you know, all of this including responses and so forth from the school so that you would have the information and be able to review that. I'm sure because of the length of the document, you all were not able to go through everything between Monday and today. The anticipation in terms of looking at that was also with the understanding, because the school is currently in violation. This is going to come up. I've briefed your attorney just in general, also, in terms of where the Board may decide that they have to take action on a notice of violation, or similar to what you did before. It's on the agenda and you're allowing time for the school to correct the problem like you did with ISSAC. We've done that with others.

SPARKS: I say we allow time to the beginning of the year so they have time to, you know, work together, rectify the problems, and reconcile the issue.

BARKE: Yeah. I think if we just keep an open communication so that it doesn't get out of hand.

BOYD: I would just caution you to have conversation with your counsel also, because you want to make sure that you don't have some exposure with putting it out there and delaying it without having had some dialogue.

BARKE: Are you paying attention council?

ROLEN: Yes.

BOYD: You need to come to the podium.

ROLEN: I was listening taping the Dodger game.

MIJARES: I'm an Angel fan, too.

ROLEN: You want me to come up?

BOYD: Only if you are making a comment that we need to capture on the record.

BARKE: No, I think we're fine. Okay.

CHASTAIN: Thank you. You will let us know then, when you want another update? Is that where we are at?

BARKE: Yes. I would just love for you guys to work together. If you need to involve us, why don't you reach out to Ken and I, the Executive Committee?

CHASTAIN: I will say Teresa, who is the coordinator for the school. She's in communication with Shawna often. She loves working with her. She enjoys working with the school, and we empathize and feel. You can feel her stress and her angst here. We sense that from her as well. It makes it, you know, we're trying and we want to give her time. It just does become, you know, it's hard sometimes to do that, but yeah, we definitely will come back when you need us to.

BARKE: Thank you, appreciate it. Thank you, Wendi, appreciate it. Thank you. Thank you, Janelle. Okay. Moving right along. Next presentation of legal opinion on contracts, by Chidester and Rolen.

BOYD: Dr. Williams, you have some, I think public comment. I don't know when you're on, that you were holding for two items. I don't know what those two items were.

WILLIAMS: I do. We're not there.

ROLEN: Not there yet.

WILLIAMS: Not there yet.

ROLEN: We find ourselves back here publicly, again, discussing the respective power and authority of the Board and the Superintendent when it comes to the distribution and acceptance of grant funds. Again, there's been several legal opinions going back and forth as early as 2014. Although that's a great boondoggle for the legal profession, it really doesn't get anything accomplished unless we can reach some agreement. With all the lawyers going back and forth, staying with the baseball theme, we're going to bring in the closer. We're going to bring in Ms. Chidester to close on this. Given the late hour and so many accomplishments, we can't get into Ms. Chidester's full career, but suffice to say, you're in for a treat. Nothing to see here.

The central issue that we're going to be discussing is does the County Board of Education have a role in the grant process? The purpose of this presentation is, as they say in an elementary school math class, to show our work. We're going to publicly show our work. Talk about the respective power and authority of both parties, the legal basis for that authority, and what other boards of education do and how they've handled similar circumstances. Without further ado, we're going to give you the star of the show, Ms. Chidester.

CHIDESTER: Good evening, President Barke, Trustees, Superintendent Mijares. The county board and the county superintendent have very important roles. They're, in many cases, independent of each other, but the statutory scheme for governance, it's quite an interesting one. In many respects it requires them to work together, not all but some. That's a little bit of what we want to explain with you tonight. We've omitted the text of the statutes. I do have my education code handy should you have any specific questions, but given the hour, I assume you'll refer to your opinion letter.

The first slide here is statutes requiring superintendent action and board approval. The important takeaway for you here is to begin with, money. For example, should the superintendent determine to dispose of property of the Department that's worth more than \$25,000, that requires under the statute approval of the Board of Education.

Similarly, a budget adjustment, once the final budget is adopted of \$25,000 or more, comes up in the next interim budget, which of course must be adopted. You have to get along, and you have to work together in those primary areas. Then, Section 1260 requires that the superintendent receive county board approval to promote the advancement of education, which is pretty broad. It really encompasses, if you will, the application for, in the acceptance of grants, in our opinion.

Turning to slide six, pardon me. Those are statutes allowing the superintendent to take action, not requiring Dr. Mijares to do that, allowing him to do that, should he deem it appropriate. If he does, then, these require the approval of the board of education. Greg, will take the next slide.

ROLEN: The statutes that we're talking about generally include the language "with the approval of the county board of education," or "as adopted by the county board of education." That's how we were able to get these statutes. Similarly, there are sections requiring superintendent to act, and not requiring any board approval at all. The section that we put up there, 1267 exemplifies one of these statutes. It allows the superintendent to use, you know, do school maintenance and repair funds to purchase materials, build school districts, employ labor, to maintain and repair school premises. Now, this is where the legislation just makes sense. This is something that the

county superintendent should do. He should be able to exercise immediate discretion over things related to education.

The next group of statutes also are sections allowing superintendent action, not requiring board approval, but he can so seek these things if he so desires. Now, in this slide shows several statutes empowering the superintendent in the areas such as coordination of study, curricular services, course preparation, and supervision of instruction. Again, this is an area where you want the educational professionals to do their work. If you've seen any of my presentations, this is one of my personal favorites, the permissive codes, which allow both the board and superintendent to take action related to specific circumstances that aren't prohibited by other codes. Both the board and the superintendent can act, can act together on grants under the permissive codes. These are more permissive codes. If you want to read, you're a better person than I am.

CHIDESTER: Part of the question was, what do you other counties do? How does this work in other places? We didn't have to look too far down the road to find San Diego County has a different approach that may be of interest in resolving some of the differences that have been apparent for some time. San Diego County has a board policy. In looking through lots and lots of board minutes from Orange County and other counties including San Diego. We found that on March the 18th, the eighth, I beg your pardon, 2017. The minutes reflect from the San Diego County Office of Education - Member Gonzales expressed concern that some grants are started prior to obtaining board approval. Does that sound familiar? She requested that the board give approval and that it'd be secured on all grants prior to implementation. Perhaps the concern that some of you have raised is not one unique to Orange County.

This policy adopted by the San Diego County Board has been in effect for some time. Without reading you the entire policy, but note the first bullet acknowledges the parties need to work together to enhance their revenue sources. Then, second bullet, entitlements such as special projects, grants, and contracts are categorized as follows and they're identified. A process is given that includes not only the county superintendent, the educational professional developing the grant or the application, but the county board of education recognizing its role in approving those. Also, the policy addresses the role of local school districts entering into agreements with the county board and encourages to obtain local approval of the local school board and requires that in order for the county board to act in partnership with a local district. What's the results of all this? Slide 13 shows us, and we could only go back, by the way, as far as we could get board minutes. As you see some other counties, you'll say, "Maggie, how come you went back to 2017 for this county and only a different year for another county?" It was only availability of minutes, quite frankly. Look at the numbers for San Diego County on slide 13. Over the last nine years, based largely on this board policy, it appears that the San Diego County Board of Education approved approximately 70 grants.

ROLEN: We have another mid-sized county down the road, Los Angeles County. They approved approximately 51 grants in the last 10 years. We included San Mateo County Board of Education because it is a similarly situated, large sophisticated county with a diverse population, and I was born there. We thought we would include somebody from up north, and they have approved approximately 39 grants since 2017.

CHIDESTER: To be fair, not all counties look at things the same way. Riverside County and San Bernardino county, which have a lot in common in our Southern California area have a different approach. On slide 16, Riverside County Board of Education grant approval has been seven over the years since 2015

ROLEN: San Bernardino County, another one of our neighbors looks like they've had about six or seven since 2014. That brings us home here to Orange County. Orange County seems to exemplify both of the differing approaches. The involvement of the board in the grant process and less so. This is a slide from the, it's a quote from the FCMAT Report, quoting the department's policies and procedures manual. We quoted the FCMAT Report, because we don't have the policies and procedures manual. But this seems to indicate that at some point, staff had an idea that board action must be involved in accepting the grant. It says, "there must be board action accepting the grant before payment is processed." In 1991 to 2001, under Superintendent John Dean, not to be confused with the other John Dean. There was several grants. I'm wanting to get to say there was 276 grant applications, funds, or contracts approved. Yeah, there was 276 over eight years so that's approximately 35 a year, and three a board meeting if we're having a board meeting every month. Maggie, could you explain the graphic of grant applications, contracts, or funds approved?

CHIDESTER: Sure. The type is pretty small and the hour is late, but I'll do my best. "Funds accepted" indicates the county board accepted grant funds from various donors. "Application approved" indicates that the county board reviewed and approved the superintendent's application for a grant, or ratified it after the fact, typically when there was a timing issue. Then, finally "contracts approved" indicates that the county board reviewed a contract, which the superintendent had already entered into and the board either accepted or approved the contract. We know this from a reference in your very own minutes from 1996 in March.

ROLEN: The numbers that we have been showing you are not necessarily apples to apples, but they are indicative of the trends. From 2001 to 2012, Superintendent Habermehl approved, it looks like 340 grant applications in 12 years. Again, that's about 28 a year and over two a meeting, so it's possible.

CHIDESTER: Then, moving to the year 2012 up until the present date under Dr. Mijares. You can see the numbers have changed significantly. To the point where, we have a note, "please check this number. They look incomplete." Those numbers were in fact verified. Up to this year, there have been zero grant applications, funds, or contracts approved as of September 2021.

ROLEN: Given the statutory authority, the critical nature of board oversight, and the inconsistent application of the policy, we decided to bring forward a board policy for Orange County that's modeled on the San Diego board policy. We believe that the San Diego Office of Education is much more similar in San Diego, San Mateo, and LA are far more similar to Orange County than the other counties that don't engage in this process regularly. This is the policy that's going to be brought before the Board in the next agenda item. The language on the screen is almost mirrored from the San Diego policy that we showed you later, earlier I should say. This again is language that we'll be able to discuss in the next agenda item that is again, mirrors the San Diego Office of Education that encourages local school districts to also seek approval when

they are accepting money from a grant approved by the county board. This is encouraging. This is not overstepping any bounds, but this is just trying to give them the same oversight and responsiveness to their constituents that the county board here has by way of this policy.

This is where our policy departs from San Diego's slightly. It's clear from this presentation that it's not always black and white under what authority somebody is exercising their authority. We are suggesting that when we are taking action on a grant or a contract, that we identify that authority initially, contemporaneously with the action or prior to the action. It's akin to asking permission rather than forgiveness. Sometimes when we're identifying variances, staff brings variances forward religiously as they have to by statute during the first interim report and during the budget. We have to identify or approve these variances of \$25,000 at these meetings. Oftentimes, they've happened long in the past, or we don't know exactly how the money, it is a \$300 million budget, so it's hard for the oversight agency to identify what is where. It's important to note that the staff is completely complying with the law, but local agencies have the authority to go beyond the law if they wish. It's regularly in transparency with the Brown Act or the Public Records Act. Local agencies can set policies that go beyond what the law requires. That's what we're suggesting here. That we bring back variances of \$25,000 at every board meeting if they occur so they can be tracked. That's consistent with 1280. Questions?

SPARKS: I [inaudible] offer a couple of comments. I've served on many review panels on the federal level with the national institutes of health as an external scientific reviewer for many years as well as on the local level with foundations, various foundations including the Susan G. Komen Foundation. What happens in terms of a review process is there is a system. There is a review process with external reviewers that are selected to serve for what we call the CFPs or the RFPs, the call for proposals or the request for proposals that are determined on the federal level by the federal government. What are the research priorities for example? This year, you're seeing a lot of calls for, you know, COVID related research. You have, you know, a review panel with a certain amount of money. Then, people are, you know, extensively reviewed by all of this board of, let's say 12 to 15 people. There's a very rigorous, external review process of who gets rank ordered and why against the criteria that are pre-determined. It's not Willy-nilly. There's a very explicit criteria that you have to follow. These reviews take, you know, weeks to do. That's how funding is determined. A very peer reviewed process if you will. Now on the foundation level, which is more, you know, can vary by foundation, but my experience has also been there's a pot of money, let's say with the Susan G. Komen Foundation for Orange County. The pot of money that's given from the National Komen Foundation and proposals are submitted for, you know, related to cancer research.

Again, this external review panel that consists of 10 to 12 people it depends. It might vary a little bit from year to year. Very explicit criteria, not as explicit as the national level, but criteria. Then, they're rank ordered according. Then, the funding is distributed. It varies a little bit by year because the pot of money might be a little bit different each year. I've been kind of shocked in coming into this role to see there's really no system at all. I would appreciate having some sort of, you know, allowing us to, I appreciate you guys doing your homework so we can see how other counties are at least handling it. I don't know what kind of system they have in place that would be for me important, but I don't know if it's important for everybody. At least to have, you know, more oversight and understanding of this process and being more in line with, you know,

making sure that the public understands what grants and contracts are being funded. Those are my comments, and I appreciate you all doing your homework on this.

CHIDESTER: You're welcome.

BARKE: Okay. Any questions, comments?

GOMEZ: The districts that you looked at, were those also elected superintendents or appointed superintendents and does that make a difference?

CHIDESTER: We didn't take into account whether they were elected or appointed. We were looking more at proximity and districts or counties that have similar challenges to those of Orange County.

GOMEZ: Okay. But does that make a difference whether someone is elected or appointed?

ROLEN: The statutes don't draw a distinction.

GOMEZ: Okay. That's what I wanted to know. It seems to me, and I'm struggling a little bit. I don't have my glasses with me. When a local district gets a grant over a certain amount, I don't know what the amount is, but doesn't that have to be routed through the county or no? Am I thinking of something completely different?

CHIDESTER: Typically, the county would be the fiscal agent I believe, but your resident expert could probably answer that better than I.

GOMEZ: Yeah.

ROLEN: That's where I sit down.

HENDRICK: If a district is going to receive a grant from us, it depends on, again that district's board policies. Remember that's where the code is very different for a school district than a county office. For a school district, their warrants do require their board to approve it.

GOMEZ: They can get any amount of a grant? A local school district could get, say \$100,000 grant on something and they administer it?

HENDRICK: They could administer it, or it could be through us, so it could be a multitude of ways.

GOMEZ: Okay. Let's say we were going to administer it. Would we have to get that approved even though it's approved at the local level, because we're administering it?

HENDRICK: Each agency that we're signing a contract for. We normally have an MOU is what it's called, a memorandum of understanding with each individual school district that they are,

depending on their policies, are either getting approved by their board or whoever their designee is for each agency that we're sending money through.

GOMEZ: Okay. Any grants that we, the OCDE would pursue, we would have to get approval before or once it's granted? Anybody can answer that.

CHIDESTER: I think the notion under the policy, and I'll invite Mr. Roland to jump in, is that if it's a grant that the county is applying for and a school district would be a participant or one of the recipients of some of that money, I think the spirit of the policy is that the local school district would receive its own board approval before being able to participate in the county's grant. Mr. Rolan wants to do address that.

ROLEN: That's my understanding as well. That's what the policy says. The different approach, where we may have confused the issue Trustee Gomez is that San Diego County is getting approval from their boards to receive the grant.

GOMEZ: Their local boards or their county board?

ROLEN: Their county board. Their county board receives a grant. Their county board is approving. Seventy times in the last several years. That's the difference. We were doing that until 2011, before Superintendent Mijares. It just kind of dropped off. That prompted this issue. That prompted this question about when do we have to do it. When don't we? That's why we're having that discussion. Renee, is right. School boards regularly have boards approved grants.

GOMEZ: Right. That's what I wanted to clarify. My next question just went out of my head, so go ahead.

ROLEN: It didn't go into Tim's head.

SHAW: No, I did not.

BARKE: You didn't catch it? His head is filled with the baseball scores. That's why. I don't have a lot of questions. I feel like I understand what you're saying. I like the idea of the resolution, because I like the idea of looking at it monthly rather than in the budget when it's so overwhelming and there's so much. I'm a person that absorbs things better in small quantities. I like the transparency. I like the fact that we're looking at it monthly. That, you know, the constituents know what it is monthly. I do like it. I'm always in favor of transparency and simplicity so that's my comment.

GOMEZ: I know that when we review the budgets, we do usually get a list I think of those items that are over \$25,000.

BARKE: It is sort of overwhelming to me anyway.

GOMEZ: Yeah, and I don't have an issue with doing it monthly as long as it's not too burdensome on staff. If it's burdensome on staff, then I think we need to kind of figure out what

that middle ground is between doing it on the budget and interim and you know, what that creates for the staff because I don't know.

ROLEN: The policy does make reference to quarterly reviews. That's not the way I wrote it, but the San Diego policy makes reference to quarterly so that is an option if it is burdensome.

BARKE: I guess the way my brain thinks is it seems like it would be easier monthly, it comes in, you know, push it out. I may not be an expert in that area. I have a simplistic brain.

GOMEZ: It says at the very last line, it talks about, shall be approved by the board at each regularly scheduled board meeting.

ROLEN: That is a distinction. That is a distinction between the proposed policy that you're considering and San Diego's policy that does it monthly.

GOMEZ: Okay. What I understood what you just told me was that you were proposing it quarterly, not monthly.

ROLEN: San Diego has a quarterly component to it. I don't remember exactly what the line is, but we're trying to be mindful of.

SPARKS: Well, I agree. I think it's easier to track. The more, the frequency that we're exposed to it, it's easier to track and there's less large chunks of information to go through.

ROLEN: Since our meetings are so short, we certainly have time for it.

BARKE: I think too, if you're looking at something monthly, it's just more natural, easier. Something I do once a year or twice a year, I have to kind of you know, refigure it out. Where monthly, it would just become more of a process.

SPARKS: The research bears that out, actually.

WILLIAMS: Kind of as a bird's-eye view, a bigger perspective. When I came on the Board in '96, we were on a regular basis and the data that was presented today showed it to be true. We were regularly approving these contracts and grants and whatever. That was under Dr. Dean. Then, we had Bill Habermehl. Now, all of a sudden in the last 10 years, was it zero or I think it was one. I'd like Dr. Mijares to answer that. Why?

MIJARES: First of all, I do want to make a comment with respect to the document. I do want to thank Maggie and Greg for their work. Our attorney sent a letter to you guys today. I don't know if you got that? Did you receive that?

CHIDESTER: We received it this afternoon, and we're prepared to address that.

WILLIAMS: What attorney is that? I didn't see this.

MIJARES: Ed Connor.

WILLIAMS: Ed Connor is a litigation attorney. Is he working now for the Department?

MIJARES: No, it's just that we are in litigation on the budget.

WILLIAMS: This has nothing to do with the budget. This is contracts.

MIJARES: It has a lot to do with the budget. Just by virtue of the fact that it's a contract. Suffice to say, he was not looking at this perusing, but what stuck out was the FCMAT quote, because that quote really contextually has to do with districts, not county offices. I just wanted to put that on the record. But in terms of your question, Dr. Williams, I don't want to respond to the whole report because we are in litigation. But I will say, that funding structure changed radically under Governor Brown.

SPARKS: That doesn't account for the other counties doing it differently.

MIJARES: Well, I'm responding to Orange County. Much of that money got put in to, it was no longer restricted money for one thing. It was a student weighted formula, which turned into the local control funding formula. It removed the categorical aspect of funding, which is restricted money. Some of that money came to the county, whether we wanted it or not, we were going to get it. I mean, you can, I suppose you could just say, we're not going to use it, and send it back. That is all I'm going to say though on that topic, because again, unfortunately we are in litigation. I want to respect the litigators and their request to me.

WILLIAMS: Just for the record, you are having your attorney, Mr. Connor, who's on the budget litigation, look at a policy decision that the Board is making and paying for him to give you an opinion on it?

MIJARES: We are dealing with the lawsuit that was effected by the Board on the budget.

WILLIAMS: I'm sorry, affected?

MIJARES: Yeah.

WILLIAMS: What does that mean?

MIJARES: Effected.

WILLIAMS: You mean we caused it?

MIJARES: You sued me on the budget.

WILLIAMS: Why did we sue you?

MIJARES: Well, I mean, you'll have you to –

WILLIAMS: You failed to do what you're supposed to do. That's why we are there. You can't blame the Board, Al. I'm going to hold you to task on that.

MIJARES: Ken, I did not sue the Board. The Board sued me.

WILLIAMS: You failed to do what you're supposed to do.

MIJARES: The fact of the matter is we are in litigation.

WILLIAMS: Right, but this is a board policy, Al. This has nothing to do with litigation.

MIJARES: I am asking a question in terms of why our attorneys had eyeballs on this?

WILLIAMS: Yeah.

MIJARES: Because it has to do with the budget.

WILLIAMS: I don't think this has anything to do with the budget.

MIJARES: I can't see why you can't see that. The point of the matter is that if we are dealing with the budget, that involves contracts and that involves grants. That is the budget. That is the budget.

WILLIAMS: It is a totally separate issue regarding approval of grants that comes in here. If you look at the data from the last decades to now, the Board has really been excluded. That's why we are where we are today. We had since 2014, several different opinions by your folk, by our folk. Our attorneys have come to this point where we need to come together and agree on this. Part of this is the transparency that is required in governance. You have not been transparent, my dear friend. That is what this does. This makes everybody be transparent. Actually, this helps you. A lot of times you know we're getting these interim reports, we're getting these budgets. We have no idea what's in there. We just had this one contract with, oh, where is that? The one contract with the one company that I saw on our website that is, I have it right here. That is the psychological, feel good contract with the psychologist. What's his name, Shawn. Anyways, it's a contract that came through. We had no idea about it. All of a sudden now, we are reading about this program that's through money that came through the COVID release, the CARES Act. We have no idea what this is, and that's going to be in our budget. It's going to be under a code. It was what, \$30,000? Renee, help me out here. How much was that contract with Shawn?

MIJARES: It's Shawn Achor. He wrote, "*The Happiness Advantage*." That is a book.

WILLIAMS: Right.

MIJARES: He's a distinguished scholar who has served across America in many different aspects of society. He has worked for the Pentagon. He has worked with Fortune 100 companies. He's Harvard trained. He is a theologian as well as a philosopher. He's taken a very interesting perspective in terms of state of mind, resiliency, growth mindset, and how we perceive life. In as

much as we are involved right now in a pandemic, which is creating great mental health distress for our students. We had a student about a week ago that overdosed and died in the ACCESS program. If you look at the suicide rates across the county, they're rising both for students as well as adults.

Our goal was to take some of the ESSER money that we have, the CARES money, designate it for mental health purposes and hire a consultant for our staff. That's what we did. We also had one meeting that we opened it up for the education sector where Shawn spoke so that's part of (PD) professional development, which is what we do. That's what a county office should be doing. It made abundant sense to me and our team that we retain Shawn. That's what we've done, and it's helping. We are just starting the relationship, but I believe it'll be a source of inspiration for our students, for their families, and for the community.

WILLIAMS: Part of the problem is that you have, there's no oversight, no transparency on this. The Board didn't look at anything. The Board has no idea what monies were spent, where the money's come from. I had to specifically ask this information. It was not given to me. I think it's a very simple process. By each meeting, you are applying for a grant, but let the Board know. I don't see any problems with that. I provide a lot of psychiatric care in my 36 years as a physician, and yes, this pandemic has caused more problems. Why? Probably because of what Newsom's doing causing all these deaths. I wouldn't necessarily attribute it to anything else, but the overreach of government has been doing to its people, masking, forced vaccinations. It is just crazy what we're going through in society.

If you are using those funds for staff development, I'm all for that. I am all for making people more emotionally happy and identifying psychological processes that need to be identified. Perhaps seek some care by some psychologist or seek some sort of medicinal therapy. The whole entire effort of this is to make this department more transparent. I'm hoping that you'll agree with that. That you want to be transparent.

MIJARES: Absolutely.

WILLIAMS: To the Board and to the public. That is what we really need here. That is why, you know, I've been working on this for quite some time now as you know. It's been one of my pet projects. It's taken a lot of time to get over here. I'm hoping, you know, we can't force you to enforce this policy. We can't say, you have to do this. But we are hoping that through the process of collaboration and through transparency that we can work together and have a board that's intimately involved with the decision-making process. So far, we've been excluded. You can ask anybody here. Lisa, Mari, and Tim, they feel excluded

SPARKS: I think if you just look at the pattern of the numbers that the lawyers put together, you know. All the grants under the John Dean, there were more than 200 grants approved. Under Superintendent Bill Habermehl, there were 200 plus grants approved. Under you for 10 years, one. Then, if you compare some of the other counties, you are seeing, you know, dozens and dozens of approvals from San Diego County, Los Angeles County, you know, San Mateo County. There's a discrepancy. There's a difference and there's something going on. There is something that's not transparent, and the numbers show it.

ROLEN: Can I jump in here real quick? I respectfully submit that this policy already works, because we had this dialogue that we're having right now. This is exactly what we're looking at.

BARKE: What I love, too is that we know what is going on. If someone in the community says, I hear you have this great happiness program. I say, yeah, I hear it is working great; not, what, huh? I mean, people do, they ask me stuff. I'm like, huh; and they are like, I saw it on your website. People do routinely ask me that. I think it'd be kind of cool to be in the know.

GOMEZ: But I think that that example is not necessarily a good one in the sense that that is an over the larger umbrella of federal money to deal with COVID. This is just a usage of a part of that, to Dr. Mijares' s point. But if we're looking at other grants from other sources, some foundation or whatever, I can see that that would be, you know, something that you would want to see. Also, you know, the communications department does a great job. I subscribe to the newsletter, so I see what's happening on a regular basis. I don't know if the rest of you do that. If you don't, do that so you're not getting information -

SPARKS: We should not be getting information from a newsletter. We should be intimately involved.

BARKE: Right.

GOMEZ: You know what, I'm using that as an example, okay, so let be courteous here.

SPARKS: No, I am being courteous, but, you know, we shouldn't get our information at the board.

BARKE: Just because they're federal funds, people say, hey, what are you guys doing with all that money? I hear that routinely. Parents want to know, where does all that money go? You know, we know you've got a lot of money. What are you doing with it? I just think it would be nice to say, hey, we are concerned about mental health and we're doing this. I just think it would be cool to know.

GOMEZ: I think we've got a report in our packet as to how we used some of that money.

SHAW: Dr. Mijares, I didn't read the letter from your attorney. Do I understand though, from the tone of this, that you do not agree to having just a monthly item about grants in this process as they laid out?

MIJARES: No, that's not what I'm saying.

SHAW: Please help me.

MIJARES: What I'm saying is that my, the attorney wrote a letter specifically addressing one Item in this document, not to imply that that's the only issue he had with it, but there was one mistake here that we thought was uttered out of context. It was the FCMAT, a quote that's in your-

SHAW: Okay.

MIJARES: That's all that that says.

SHAW: To the broader point though, are you going to be willing to?

MIJARES: In terms of transparency, absolutely. I would think that we are authentically transparent. If we need to do a better job in letting you know more about the things we are doing, then, I stand corrected. We will let you know more of that. Frankly, this all gets rolled up into the budget that the Board approves. It's also expressed in the interim reports. Every penny that we spend is in those documents.

BARKE: Right. I think it's just more digestible if we get it monthly. I find it very undigestible when I get it in a big thing. I just think if we got it monthly, I'd really understand it. Otherwise, it is just with a bunch of other stuff, but that's my thoughts.

WILLIAMS: The policy that we're going to be talking about, the next action item here. By the way, we do have a public comment for that, so just so you know. The policy is really to get the Board involved in the process. There are many grants and contracts that are in violation of state education codes that were presented today. I would be more than happy to provide that information, but you are not in compliance, Al with state education codes. Especially on, I believe it is 1703 when it talks about mental health contracts. That requires Board approval. We have many contracts with Children's Hospital and all these other organizations that we have no idea. We have not looked at them. We're not aware of the content. We were not involved in the process of development of these contracts.

I have no idea what Children's Hospital is doing, because we are not involved. That is this whole process, is getting the Board involved. Less hassle for you. I don't have to sit here and talk with you. If I'm involved, you'll probably think, oh, maybe Ken had a good idea. Maybe we should include that and talk about that. It is about conversation. It is about transparency. It is about getting along and walking through the process. we all can agree on the same thing. I think we could be there easily, but we have our flesh sets involved, right? Our pride, our ego, our flesh, all those spiritual things.

MIJARES: There's no question about that. We fight pride every single day. From the moment we wake up, until the time we go to bed. I agree. It is part of our flesh. I struggle with that like, I would assume most of you do. It's the one sin that Christ repudiated the most, pride. That being said, I want to make sure that we serve our students expeditiously, quickly. That's what a county office does. We exist to serve, not only the kids who were in foster care, those kids who are locked up, we serve credit deficiency kids. We don't really have to do that. That's not a mandate under the law. We do it anyway. We probably have the most robust alternative education program in the state. We have a bigger program, believe it or not, than LACOE, Los Angeles County of Education. There is a distinction between an elected superintendent and an appointed superintendent. An appointed superintendent can be terminated. There's a distinction there. I'm not going to articulate more than that, but I want the Board involved. If you want to come to our

meetings, you yourself, not a proxy, but you yourself, you know, let me know and we can arrange that.

I think, at times, a board member shows up at a meeting, it could affect those who are in attendance because of the dignity of your office. Having been a superintendent at the local level, there were times when a board member would show up and we loved it. It was great. Then, there were other times when the board said, let's meet between you and your staff only. I don't think I need to go to that one. There was a moment where that was respected as well. All I'm saying is that the spirit of transparency, I don't believe that we have violated that. I believe that we are good stewards of taxpayers' resources. If you want to have us look at the model of how the budget is developed, and look at the interim reports, and how that can be expanded. That's something that I would seek the guidance of Renee because she has been doing this for years. Our staff can come together and think that through.

ROLEN: Yeah.

CHIDESTER: Yeah, we are.

BARKE: I just feel like we're getting a little off topic. I don't think it's the budget that's concerning. I think it's just monthly updates. It's not even saying we have to be at the meetings. Maybe if it is a monthly update, you know, Ken says, what's this happiness, can I come? Then, fine. But not that we have to be at every meeting, but that by looking at it on a monthly basis, it'll just keep us in the loop and see if there is something that we'd like to know more about. Maybe it is just a conversation with you, what it is about, you know. Maybe it is visiting a meeting. Maybe there is a meeting that might help us. We have mental health as well, who knows. I think we are getting off topic if we go all the way to budget and attending all the meetings. I'm not asking to go to every meeting or to have a bigger, more budget workshops or anything. I think just a monthly update just sounds easy to do.

ROLEN: If the Board passes the policy, then we can interact with staff about execution. What we see, what they see would make it workable. This discussion is premature until the Board -

WILLIAMS: Let me emphasize that this is not just about attending meetings. This is about getting Board approval and knowing about the grants and these contracts before they actually go out. That is what this is about. It is not just attending a meeting here or there. It is the board knows, the staff is actively given the information us. I think Lisa articulated it very well. That is what this new policy that we are going to be going to. Item 11 and item 12 are very similar issues. I think you guys, Greg and Maggie, you did a very wonderful presentation. I appreciate it. I think I'm done with talking about it. I'm ready to move on to action item number 12 unless my board.

SPARKS: Yeah, just one additional comment. That is that I think the whole crux of this is just that, to make sure and crosscheck that we are indeed you know, following the statutes that require superintendent action and board approval. As well as the ones that allow superintendent action, and requiring board approval, that's the crux of the issue here. Then, through that process,

we as a board are going to be more informed so that when we are interacting with the public, we are actually informed as a board and know every step of what is going on.

ROLEN: You're informed and accountable. You would be accountable as well.

BARKE: I think it will make our budgets easier. When it comes to the budget, there's just not going to be nearly as many questions at least from me. I won't be saying, what is all this? Instead, you know, I'll say, oh yeah, I remember that.

ROLEN: Thank you.

CHIDESTER: Thank you, all.

WILLIAMS: Just a real quick comment. Whether you are elected or appointed though, Al. State education codes are equally applicative.

CHIDESTER: True.

WILLIAMS: Anyway, I'm done.

BOYD: Before you go to the next item, Media has informed me they need to change the card, so if you could take a three-minute break?

WILLIAMS: We'll take a three-minute break. Then, we do have a public comment by the good Judge Lynn Riddle. She'll be up there.

[The Board takes a break.]

BARKE: Are we back? Are we ready for public comment?

WILLIAMS: Yeah, we are ready for public comment.

BARKE: We have two, I believe we have a young man also.

WILLIAMS: Judge Riddle is up here.

BARKE: Can we move him up after Judge Riddle?

BOYD: It is up to you all.

BARKE: After Judge Riddle, we will move him up. You are going to go right after Judge Riddle. Are you ready?

RIDDLE: I don't know if you called the meeting back to order.

BARKE: Yes, I did. I banged the hammer. We are back.

GOMEZ: The gavel.

BARKE: Hit the gavel, sorry, the hammer.

RIDDLE: Good evening, board members. I am Lynne Riddle a resident of Orange County. I had prepared some public comments with respect to item number 12, having to do with the issue that we're now talking about, which is the proposed policy. Excuse me, let me make one step back. I had also filed, or delivered to you a request to speak on item number 15. I will withdraw that request. I just want to let you know that. In any case, I was prepared to talk about, make some comments with respect to item 12, but on account of the information that was provided in item number 11 then I've changed my public comment entirely. Let me explain. As a member of the public in order to get ready and to see what's going on here and to see the background to it and to see whether or not there's something that I can add to the conversation. I look at the agenda that gets posted. I saw this one on Saturday, probably mid-day. I know it is posted earlier than that, but that's when I got to it. I looked at the items there. I looked at item number 12. It was a one-page document. I read that. I had some questions about it. Thus, I decided I would ask those questions or propose and discuss my comments related to that. But it was because of the presentation of number 11, that I have the information that I might of wanted to have in order to comment on number 12. That is the whole background. I watched it. I took notes. It's difficult to do that. There's a lot of statutes there. I read statutes. I'd like to have been able to look at them and to look at those other policies. I could have been a better public member and commenter, had I had that information.

I expect you just got it this evening, or sometime earlier in terms of seeing printed copies or what we saw on the screen. Members of the public don't see that. I'm just pointing out to you. It's very difficult to do my role as a public member, to contribute to the conversations here if I don't have the kind of information that's in. That was fundamental information. I'm not sure how many slides there were, something over 20 or 25. It would have been nice to have that information in advance. I just plead with you in the future. If you can supply that background information, the kind of information that you get before you make decisions is the kind of information that public members would appreciate having access to.

I thank you for listening to my comment. I don't really, you may have some urgency to this. I don't see that there's urgency and may I finish? I don't see myself that there's any emergency. It might have been that you could have this explanation at one meeting and then decided in the next. That way, we all could have learned the background information with time to look at it and consider it before your final vote. Thank you for listening.

BARKE: Thank you. All right, why don't we do our final speaker?

WILLIAMS: Alex Bolsiney.

ALEX: Good evening, board members. My name is Alex. Today, I found out why it's called a board meeting. I am 10 years old. I just wanted to tell you that my body belongs to me and not the government. I am not a test. Remember the words in the Constitution. They noted freedom of

speech and freedom of choice. My parents need a choice. They deserve a choice, not the government.

BARKE: Thank you. I totally agree. Thank you for your comments. Excellent. Thank you for waiting your turn. Thank you for being part of public comment. I really appreciate you coming out tonight and sharing your thoughts. Thank you.

SPARKS: Now, you can tell all your friends about the “board” of education.

BARKE: Yes. We are not always such a “board.”

GOMEZ: As long as we spell that correctly.

BARKE: If he comes again, let us know earlier. We'll put him on sooner.

ALEX MOM: Yeah. Thank you.

WILLIAMS: You're a star, Alex. Great job.

BARKE: Yeah. Great job. You are less nervous than most adults who speak before us, and they've had lots of practice. Love it. Love it.

GOMEZ: Okay. Let's move on.

BARKE: All right. Moving right along.

WILLIAMS: I would like to make the motion to approve action item number 12, Board Policy 100-22.

SPARKS: I will second that.

BARKE: All right. Any more discussion before we vote?

GOMEZ: I just wanted to get a clarification on whether or not this is actually doable on a monthly basis? From perhaps, Renee. Is this reasonable to do on a monthly basis?

WILLIAMS: San Diego County does it, right?

GOMEZ: Well, no, they were saying they did it quarterly, San Diego.

HENDRICK: It will take some time to readjust in our office, because our whole system is built on the interim budgets. That is how all the software works. We won't have some mechanisms. It's hard for me to say at this point. I'm sure I'll be talking to Dr. Mijares tomorrow to get his guidance and ask for additional assistance.

BARKE: Thank you. Well, and wont it make the budget easier or the interim reports?

HENDRICK: No.

GOMEZ: No.

SPARKS: I just want to add. The crux, without reading the whole board policy. I just want to clarify the essence of what it says this 100-22. That is the county board of education or "Board" recognizes its statutory authority to approve and accept grants, contracts, and other entitlements. Then, you go to the end of it. This will be posted on our website. The end of it saying, any and all new obligations, encumbrances, and or expenses of \$25,000 or more shall be approved by the Board at each regularly scheduled board meeting. That is kind of the crux of this. There's a lot of language in between that will be posted on our website.

GOMEZ: The only reason I'm asking that question is because if we say regularly scheduled board meetings, that would mean monthly. I'm not sure that we could do that.

SPARKS: That is what we are going to approve today. Then, if we need to adjust and we want to approve an adjustment, then we'll approve an adjustment.

GOMEZ: Why don't we just hold it off for a month and just make sure that it's doable?

SPARKS: I don't think we want to do that.

GOMEZ: Why not? You're going to have to bring it back if we have to make an adjustment.

SPARKS: I think we are going to vote on it right now. We have a motion and a second, and we are ready to vote.

BARKE: Mr. Shaw?

WILLIAMS: I have no questions.

SHAW: I don't have any questions. Is that what you are asking?

BARKE: Yes.

SHAW: No.

BARKE: All right. We'll call for the vote.

WILLIAMS: Call for the vote.

BARKE: All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Opposed.

BARKE: Okay, 4-1.

WILLIAMS: Madam President, for the sake of time, can we skip over 13 and go to 14, 15, and 16 and 17 so we can get out of here at a reasonable time?

BARKE: Yes, so we are going to come back to 13?

WILLIAMS: Yeah, we are going to come back to 13.

BARKE: Okay. It is all right with me.

GOMEZ: When you say come back, you mean at the next meeting, or at the end of this meeting?

WILLIAMS: We will see how we feel.

GOMEZ: We've already postponed it once.

BARKE: Let's make it 17.

BOYD: We've postponed it three times.

GOMEZ: Yeah.

BARKE: Let's make it after 17. That is what we will plan on doing.

WILLIAMS: Okay.

BARKE: We'll try and blaze through 14-17. All right, 14, Resolution on Engagement of Educational Pollster.

WILLIAMS: I will make the motion to engage the Educational Pollster. That is Mr. Nielsen from NP Consultants. We'll have questions for him after we get to that point.

SPARKS: Second.

WILLIAMS: Very good.

WILLIAMS: Mr. Nielsen, do you want to get up here?

SHAW: He's been so patient. We got to at least give him a few minutes here.

ROLEN: Take a seat. No, I am just kidding. I just wanted to introduce this item. I drafted the resolution. Mr. Nielsen was put in contact with me. He made a very gracious offer that I'll let

him share his vision with you concerning. He has been attending our meetings and saw a need for information that may have not been getting out there. He offered to make it available. I just wanted to thank Mr. Nielsen for his work and let him share his vision with you.

NIELSEN: Good morning, Present Barke, and Trustees. Thank you for allowing me to have a few minutes of your time. I'll make it brief, quick, and concise. I attended a couple of your forums, two out of three regarding CRT and ethnic studies. I thought they were very, very good, very informative. Your experts were, a lot of information, and it was great. The one thing that occurred to me is in each individual school district, in the areas that are under your jurisdiction, how do the residents feel about CRT and how do they feel about ethnic studies in the classroom? I thought that was kind of a big component that I didn't see addressed. I started doing some research. A lot of it has anecdotal information, but nothing is real overly specific to specific districts in Orange County.

As a community service and service to the Board, we're offering to do a poll of residents in the different separate districts in the jurisdiction that you control and see how they feel about CRT and see how they feel about ethnic studies in the classroom. We're offering to do that as a public service at no charge. You know, in this late hour, I won't go on and on. If you have any questions, I'm more than happy to answer any.

WILLIAMS: Yes. By the way, there was only two forums that we had on the.

NIELSEN: Two, I'm sorry. Okay. I thought there was three. I apologize.

SHAW: You made both of them.

NIELSEN: I made both of them.

WILLIAMS: What type of questions would you pose? By the way, this is districts. There's five districts, which is basically Orange County. Would you outreach to all of Orange County and get a particular sample?

NIELSEN: No, no. We're going to create a situation, we've done this before for another public agency. We did a poll for the Orange County Sanitation District in 22 cities in Orange County. We did two of them last year with 2,500 respondents.

WILLIAMS: Wow.

NIELSEN: What we would do is we have an Education Advisory Council that we formed in order to create through our marketing team and specifics with their help and input a specific set of survey questions. That's what we were going to be doing. We were just kind of waiting for the green light from you guys. If you wanted to do it, we would start out and go. We would ask questions. We get demographic questions, obviously. You'd have gender, you'd have age. You would have, you know, do you have any children in public schools? You know, those kinds of demographic questions that would be good for you to know. Also, you know, what's your definition of CRT. What's your definition of ethnic studies? Do you want to see that those classes

being offered in your local school district? Do you want to see it being required for graduation? I mean, things of that sort are the questions we are going to go through with our Education Advisory Council to see what they feel about it and be included in the poll.

SPARKS: You would sample approximately, out of our 28 or 29 districts?

BARKE: Twenty-eight.

MIJARES: Twenty-nine.

SPARKS: Twenty-nine, now. I think there's a new one.

MIJARES: [Inaudible]

SPARKS: Okay. Yeah. Out of the 29 districts, you would sample about 100 out of each one?

NIELSEN: That's about what we did for the sanitation district, pretty close. It just depends. This poll is going to be a little more difficult, because it is a hot button issue, frankly. Basically, it is going to take a little bit more. If we can get 80 to 100 per district, we'll be pretty happy with that.

WILLIAMS: I would be concerned about the type of questions you're asking, because a lot of people misconstrue what ethnic studies is. They don't understand the difference between critical ethnic studies and constructive ethnic studies, because they are quite different. How would you be able to differentiate that?

NIELSEN: What we want to do is get their definition of what they think it is.

SPARKS: So it would be an open-ended question?

NIELSEN: Probably that, or we would create a series of multiple-choice questions on different types of definitions that we've researched. But you know, we want to get their definition of it. Then, get their answer if they want to see it in the classroom. That way you can see all the data. How a person would answer this way. Did they go this way? Did they go that way? You know, there's a lot of different variables involved with that.

SHAW: But as with any poll, the wording of the question is extremely important, obviously. You're going to give us an answer for, it'll be statistically valid for all of our local districts as well as our five trustee areas, as well as Orange County as a whole?

NIELSEN: Well yeah.

SHAW: Is that asking too much?

NIELSEN: No, because once we do each of the individual districts, what we did for instance in the sanitation district poll, because it's so recent, we did 22 cities. We did them separately. Meaning, we created a poll just for that particular city. Okay. We got the demographics. We got

the poll questions answered and things of that sort. Then we go, and then we do the compiling, which is compiling for, in this case, for the district. We take all of that information. We put it all together and we have a final amount of data for the specific city and for the district. In your case, it'd be for the specific school district and for the specific trustee area and for the county at large.

WILLIAMS: Just as an FYI, we will be having a white paper that will come as a result of the two forums. I think this data that you are going to be getting would be very important to put in there.

SPARKS: Yeah.

WILLIAMS: As far as the analysis.

SPARKS: You do basic descriptive statistics? You're also going across gender, across ethnicities, all that kind of thing?

NIELSEN: Yes, yes, absolutely.

WILLIAMS: That would be very interesting.

NIELSEN: We have some of that for data that we are going to be using any way to start with.

SPARKS: Yeah.

NIELSEN: Some of that, we are going to have to acquire the questions as well.

SHAW: It is very generous of you. Thank you for that offer.

NIELSEN: We try and do this, to be frank, we try and do one community service aspect from our firm a year. So far, we've been at, this is the one we want to do.

BARKE: Well, thank you.

NIELSEN: Sure, Absolutely.

SPARKS: It's really important to the public, so I really appreciate your efforts.

NIELSEN: No problem, our pleasure.

BARKE: Thank you for waiting, I don't know, five hours to ask us that question.

NIELSEN: I'll say good morning. Thank you very much.

SPARKS: Thank you.

GOMEZ: Wait, just one second, just for full disclosure, John and I both served on the Tustin City Council together, but we have not discussed this particular proposal. I just want to be on the record with that. I am concerned a little bit about local control and how this information would get disseminated. I'm not against it, but I just want to be clear that you know, we've got local school districts that might be interested in this, or might say, what are you doing sticking your nose in our business. Just putting that out there.

SPARKS: They can do their own survey, I guess if they want. I don't know if it would be valid.

GOMEZ: I'm just saying that we may get some pushback from individual districts as to why we are doing this in their areas when they have trustees that have oversight.

WILLIAMS: Because we are elected in their area.

SPARKS: Yeah.

BARKE: And, because we have somebody graciously offering.

GOMEZ: But we don't have jurisdiction over their curriculum.

WILLIAMS: This isn't a curriculum, though.

SPARKS: Our whole job is to sort of sunshine various issues. This is bringing data to this very controversial, misunderstood issue, which I think is our role as leaders on the Orange County Board of Education.

GOMEZ: It's very misunderstood because we are using Critical Race Theory when we are really talking about ethnic studies.

SPARKS: You're going to ask questions on-

WILLIAMS: Uh, oh, you are going to get yourself into another argument here.

SPARKS: You are going to ask a broad range of questions from ethnic studies –

GOMEZ: No, I am not going to get myself into an argument, because there is no argument.

WILLIAMS: There is a conversation about what we are talking about.

NIELSEN: The information frankly, will be presented to you. How you want to disseminate that is frankly, up to you. Our thinking was, on our side and maybe we're a little naive, but we were thinking that, you know, it'd be a service that you'd be providing for your local districts. Hopefully, that's the way it is received.

SPARKS: You are going to tease out questions of the differences in understanding of Critical Race Theory versus ethnic studies and the different kinds of ethnic studies and all that?

NIELSEN: Well, what we're looking for, as I said, this is initial. Then again, we go through a very hefty scrubbing program on questions that we are going to use. We are going to go through our Educational Advisory Council and get their input as well. They are going to scrub it as well. What we want to get to, I think is the definition of whoever the respondent is, on how they feel about it. Whatever it is, is whatever it is. The respondent has something in their mind of what they think it is. That is what we want to get out.

SPARKS: I see.

NIELSEN: Okay.

SPARKS: Thank you.

NIELSEN: Sure.

WILLIAMS: I call the question.

BARKE: All right.

SPARKS: Second.

BARKE: Oh no, you already did that. He is just calling the question.

BARKE: All those in favor?

SPARKS: Did we vote?

BARKE: You already seconded, I think.

SPARKS: It's been a while. As you said, we are getting woozy.

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: I support it.

BARKE: All right, 5-0. Thank you for your generosity. Thank you.

SPARKS: Thank you.

NIELSEN: Have a pleasant evening.

SPARKS: You too.

WILLIAMS: I'd like to make a motion on board item number 15, approving the invoices for Maggie Chidester. Those invoices are on page 38, 39, 40, 41.

SPARKS: Second.

BARKE: Any discussion before we vote?

SHAW: None for me.

WILLIAMS: Barring none, let's vote. Let's call it.

BARKE: Alright. All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Opposed.

BARKE: Okay, 4-1.

WILLIAMS: I'd like to make a motion to approve the consent calendar.

SPARKS: Second.

BARKE: All those in favor?

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

BARKE: Okay, 5-0. All those opposed, 0.

WILLIAMS: Moving on to 17, I'd like to make a motion to approve the Elementary and Secondary Emergency Relief Plan for the 21-22 school year. I need a second.

BARKE: I'll second it. Any discussion? All those in favor?

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

BARKE: Passes, 5-0. We're going to go back to 13.

WILLIAMS: Let's ask the Board. It's now 10:20. This is probably going to be 30 minutes.

SPARKS: I'd prefer to table it until November.

WILLIAMS: I'm okay with that.

SPARKS: I am little bit fried.

WILLIAMS: Yeah.

GOMEZ: Just a little?

BARKE: All right, so we're going to table it?

SPARKS: I think there is a consensus.

SPARKS: I can push through if you guys really want to. I can.

WILLIAMS: I'm tired.

BARKE: All right.

WILLIAMS: Tim, how do you feel?

SHAW: I want to go home.

WILLIAMS: Beckie, are you okay with that?

GOMEZ: I am okay.

BARKE: I don't want to deal with grouchy people, so let's table it.

WILLIAMS: Okay.

GOMEZ: That's complete, defensive mechanism.

BARKE: Let's go to, oh, I don't remember doing the superintendent update.

BOYD: Information items.

BARKE: Didn't we used do it earlier?

MIJARES: Do you want me to do it real fast?

BARKE: Sure.

WILLIAMS: We switched it to do charter.

BARKE: Oh, okay.

MIJARES: Good news, this is Hispanic Heritage Month as you know, September 15th through October 15th. On the 14th, we are going to do a video conference to celebrate Hispanic Heritage

Month. It will be at 3:30 on Thursday afternoon. You should get a notice of that. Feel free to join us if you'd like to. I don't know exactly who is going to speak, but we'll know in a day or two. I also wanted to praise our school districts. The National Blue Ribbon Schools is a designation that is given by the Federal Department of Education. It highlights districts in the country that have closed the achievement gap, but who have high level of achievement. This is reading scores, math scores, science scores. High-level achievement and doing it with a student population that has historically not had those high levels. This year, there were 325 schools across the country. Twenty-eight schools in California and seven of them were in Orange County.

BARKE: What percentage?

MIJARES: That's like 25%. Twenty five percent of the blue ribbons given out in California, came to this county. Just real quickly, Anaheim Hills Elementary School in the Orange Unified School District, Davis Magnet School in the Newport-Mesa School District, De Portola Elementary School in Saddleback Valley Unified School District, Lee Elementary school in Los Alamitos Unified School District, they had two, and Los Alamitos Elementary School in Los Alamitos Unified School District. Los Coyotes Elementary School in the Centralia Elementary School District, and Oka Elementary School in Fountain Valley Elementary School District. Okay, Mari, your question?

BARKE: The amount, how many did you see were across the country?

MIJARES: Three, twenty-five.

BARKE: What percentage of that is of the number of schools?

MIJARES: Ooh, does anybody know how many schools there are in the country?

BARKE: Sorry.

MIJARES: There is about 50 million students in the public schools, but that number has gone out of my head right now.

BARKE: No worries. I just thought it would be interesting to know what percentage.

MIJARES: Yeah.

BARKE: Not a biggie. Okay.

MIJARES: We can find out.

BARKE: It would have been a fun fact. Look it up.

MIJARES: Right.

SPARKS: Not right now.

BARKE: C'mon, Lisa, you are the Google gal.

MIJARES: One other thing, I just want to give a shout out to, I see them back there. Ian Hannigan and his team, many of them are in the back booth back there. They just do a fantastic job, but OCDE hosted a first of its kind, Virtual College and Career Discovery Fair or Fairs. Where students could go online. We featured 70 colleges and universities from over 30 different states and 10 countries. A student could literally get information from these colleges and universities and get to see them. It had information on dual enrollment, financial aid, career charts, and the like.

BARKE: Wow.

MIJARES: I want to give a shout out to our people. It's the first of its kind. I never heard of it being done quite this way, so Ian, congratulations. That's all I'm going to report on right now. It is very late.

BARKE: Very impressive, thank you.

MIJARES: Yeah.

BARKE: All right, Nina.

SPARKS: Three twenty-five.

BARKE: What's that?

SPARKS: Three twenty-five.

BARKE: Three twenty-five, and how many were there?

MIJARES: No, there's 325 blue ribbons, so she wants to know how many schools in the country.

SPARKS: Oh, in the country, okay. I am sorry. I told you. I'm fried.

BARKE: Normally, Lisa would have had that before I ask the question.

MIJARES: She had the 325 though.

BARKE: She is very quick on her phone. All right, Nina.

BOYD: In your red folders, there is the charter schools update.

BARKE: Thank you. I love that. That is one of my favorite things.

BOYD: Aracely, stuck around in case there was a question. Assuming this late hour, I am guessing that if you have questions, you will send me an email. I will get those questions to you.

BARKE: Just happy to have it. It's funny. I was going through my filing and noticed. I forget the last one was July or something like that. I thought, oh, we are probably ready for that. Thank you. I appreciate that, Aracely.

BOYD: Ian is here. Ian, if you want to come up? He can give you a brief update on your transition to your website.

HANNIGAN: This is actually going to take a while. No.

SHAW: That wasn't funny.

HANNIGAN: There are about 130,000 schools in the US, so the blue ribbons went to 0.2%. A very select class.

BARKE: Wow, a pretty exclusive group. How many again?

HANNIGAN: One hundred and thirty thousand.

BARKE: Wow.

MIJARES: Did you just look that up?

HANNIGAN: No, it's all up here.

MIJARES: Okay.

BARKE: So, 325 out of 130,000, okay. If I don't write it down, I'll never remember. Thank you. Cool.

HANNIGAN: I'll keep this super short. I've been up here a couple of times. We've showed you things that looked very much like websites, but were not in fact websites. I'm pleased to report that we have a website that is up and running. It's on an internal server right now. We are in the process of migrating the content over. That's going to take a few days. Then, we want to troubleshoot it and get a few sets of eyes on it. We are looking at a pretty quick deployment, maybe within a week or two.

BARKE: Great. Okay.

SPARKS: Thank you.

BARKE: Good update.

SHAW: Do you have our group picture? I just saw it for the first time. It looks good.

BARKE: Where is it? I want it.

SHAW: Nina, texted it to me.

BOYD: Yes.

GOMEZ: Oh, boy.

BARKE: Did you text it to me, too?

BOYD: Yours, I believe went to your email, not your cellphone.

SHAW: I am her favorite, so you may not have.

BARKE: You may not have gotten it, okay.

BOYD: The question would be whether or not we move over to the new website prior to your next board meeting, or do you want to see it and have them walk you through it? There was also a question with regards to having your own email addresses. If you want those, then, we need a few days to get those and to figure out how that works exactly. Your ocbe.us. We didn't know if you want us to continue to manage your emails the way that we have been, or if those would come to you all and there be individual email addresses. The Board has weighed in on that differently. Different conversations and there's actually two options. We can roll it over exactly as it is right now. Continue to send you and forward information, or we can move forward with getting you individual email addresses, which means you will get everything that's addressed directly to you that people send.

Then, it would be up to you to archive those and keep, you know, what's relevant for public records purposes and so forth. Also, with regards to communicating back to us if there's something that we need to do to support you. You don't have to decide that right now. I can send an inquiry out, but I wanted to bring it up tonight. Then, the Board will need to make that decision either prior to us going live, or at the next board meeting if you're not prepared to do it tonight.

BARKE: think maybe we should all just kind of think about it. Then, bring it up for discussion at the next meeting. I think there is pros and cons. As long as they are each individual. What I don't want to get is ocbe.us. Each one of us get it for everybody. Then we have to start, you know, as long as we each have our own, I think I could manage my own.

BOYD: You will, but someone may send it to everyone like they do right now. Some people use that, and they'll have it specific to you. We send it just to you. Others, they say, you know, it will be to the Board and that means you'll get all those. Then, there's a lot of junk mail that you don't get, that is not relevant.

GOMEZ: We filter for it.

BOYD: We filter through that. You would be filtering your own in the new model if that's what you chose to do. I just wanted to bring that up. Then you can, as you said, think about it. Let it resonate and then let us know. Then prior to the next board meeting, we can either make a decision or at the meeting have some dialogue.

BARKE: I think we should think it. Unless everybody wants to make it in a very tired state.

SPARKS: No, no, no. I want to think about it. I can't think right now.

BARKE: I think just there is some things to weigh, so we should think about it even if we weren't exhausted.

BOYD: The other item that you need to think about Is your board protocols with regards to how items get on your website. As you're mentioning pictures, Dr. Williams had sent something and you all had a brief conversation about some specific items that you wanted on the website. The Board as a whole needs to give us that information. We typically, don't do individual unless it's your individual page. Anything that would be for the Board website would be consensus of the Board. I don't know if you all have thought about protocols with regards to how things get on there or what types of things get on there. Now, it is a website that you need to [inaudible]

BARKE: I nominate Tim to figure out all that out. Weren't you the Website Committee?

SHAW: Yeah, yeah.

WILLIAMS: We do have the Website Committee.

BOYD: You do, Ken and Tim.

WILLIAMS: We haven't talked about this, but maybe we should.

BARKE: Yeah, why don't you guys talk about it and bring it back next time?

WILLIAMS: Okay.

BOYD: We won't go live before the next board meeting.

WILLIAMS: Okay.

BOYD: We will continue to have them merge documents over that are already there. There may be some things that, you know, you decide you want to do differently. We can talk about that and we'll give you an opportunity to see it before it's live.

WILLIAMS: Okay. Yeah, that would be good. Okay.

BOYD: The other thing I wanted to mention to you. HLC, we have an update. The screens, I believe, are up so that you can see where we are currently. Did you need to walk us through that, or is it just a visual?

HENDRICK: How fast we are now going. All the buildings are actually built at this time.

WILLIAMS, BARKE, SHAW: Wow.

HENDRICK: We have roofs. Dr. Olmsted and Vern and I were out there just a few weeks ago. We actually have like rooms. It's pretty exciting. This area you see right here, we're using CARES funds to build an outdoor learning facility. Basically, huge shade structures. We didn't have money in the existing plan, but we're able to utilize our CARES dollars for that. It will also have Wi-Fi capability. Students can actually work in that area. We are also looking at some different options for the play area. This will be the entrance area. The streets where you see the cars, that's actually Harbor Boulevard. Right now, the builder is ahead of schedule.

WILLIAMS: Amazing.

HENDRICK: That is amazing to me. Their deadline is January. We think it'll probably be November, December. Where we are going to struggle is the furniture, because those have 18 week –

SPARKS: Yeah, it's delayed.

HENDRICK: It is very, very delayed. We are doing everything we can to get those orders in.

WILLIAMS: Wow.

GOMEZ: It is probably on the ships out there. Isn't it?

HENDRICK: Yeah.

SHAW: So close and yet, so far away.

BARKE: We just have to order domestically, very close.

HENDRICK: Yeah, so that's what we will be working on. We'll be bringing more information as we get closer to [inaudible]. We are working on what sites are moving in there and the whole transition of what that looks.

WILLIAMS: Are we buying USA products? I have a thing about buying USA.

BARKE: Not if they are coming on ships.

GOMEZ: Furniture.

HENDRICK: I'm not sure, actually. It has to be bid so that's not always a qualification in a bid.

WILLIAMS: Okay, can it be?

HENDRICK: I would have to look at that. It is the lowest responsive bid and depending on what the cost differences may look like. It could be significantly different.

SPARKS: They make furniture in North Carolina.

HENDRICK: You might want to do that on a smaller item, not a whole school. That would be a pretty large, but we could look at those differences. The other thing I just wanted to give you a heads up on is that we finally have successfully settled our negotiations with our collective bargaining units. We've completed all negotiations with our teacher's group. They've ratified their agreement. Classified has a tentative agreement. We are waiting for ratification. Based on those two settlements, which was a 3.5% settlement and an increase in the PPO, what we pay towards the PPO plan. The Superintendent has agreed that the supervisory management team will get the same settlement, basically. Congratulations, to our teams. It was a very long year. We are glad that those are completed.

BOYD: The last thing to mention is your next board meeting is November 3rd. Submission deadline is October 20th. I will continue to communicate with you with regards to inter-district appeals. I'm hopeful that we are winding down on those and you can actually start a meeting at regular time as opposed to coming in early. I will communicate with you via email and the Executive Committee.

WILLIAMS: I do have something real quick to say. I'm going to be putting on the next meeting a resolution. Talking about the Office of the Attorney General, Mr. Garland making a federal police force to go against parents. I think that's just obvious tyranny and unprecedented in this country.

BARKE: Why don't you even to a step back? The fact that the NSBA, which I'm very grateful that we did defund, actually wants to call parents terrorists. I mean, that's how it started. The NSBA wrote to Biden suggesting that parents at meetings be considered terrorists. I was very glad that we didn't give them our \$13,000 towards that. That's what started it. Have you not seen that letter from the NSBA?

MIJARES: No.

WILLIAMS: It will be in the resolution. It is [inaudible] oppression upon free speech and expression. It is a form of tyranny of government in oppressing its people, and its wrong. We need to speak up on that.

SPARKS: Well, I think we showed our parents today that we were willing to listen, you know, to an hour and a half of their comments.

GOMEZ: I think we are always willing to listen.

BARKE: I think so too. I just don't think that parents should be intimidated to speaking out. I think there is some unique cases where maybe parents are acting improperly. The statement that came from the NSBA I thought was way out of line. I was very disappointed in that, and I am grateful for my memories of not spending money on them the last two years.

SPARKS: We'll talk more about that next time, correct?

BARKE: Yeah, anybody want to keep going?

GOMEZ: I'll give my report on CSBA next month.

BARKE: Okay. All right. Anybody else?

SHAW: We probably do need to mention redistricting, right?

BARKE: Oh.

SHAW: There's not much to say.

ROLEN: There is not much to report. Dr. Johnson has relayed that the census data is coming out as he predicted. It's coming out slowly.

SHAW: This doesn't change our deadline that we have.

ROLEN: No sir.

SHAW: To be done by December 15th period.

ROLEN: Correct. Correct.

WILLIAMS: Next meeting, we are going to have a public hearing.

ROLEN: Yes.

WILLIAMS: We have to get this about by, December 15, is it?

SPARKS: Yeah.

SHAW: That has to be when the map is finalized, right.

ROLEN: We are on a tight timeline.

SHAW: It is going to be tight.

ROLEN: Right.

GOMEZ: Can we get any of that information prior to them?

ROLEN: I've been trying.

GOMEZ: The data is out now, so I am not sure what is happening.

ROLEN: That data is being recalibrated for the California recalibration for the prison population.

GOMEZ: Yeah.

ROLEN: We don't have anything final. I've been checking with them pretty regularly.

GOMEZ: Okay. All right.

WILLIAMS: Great, move for adjournment.

BARKE: I'll second it, so adjourned.