

Orange County Board of Education Meeting – 11/16/16 – Transcript

(Sound of voices – gavel)

Welcome and Call to Order

Lindholm: Good morning. And welcome to your Orange County Board of Education meeting. Regular meetings are held each month at 10:00 am unless otherwise noted. Any person wishing to address the Board on any matter whether or not it appears on the agenda is required to complete a request to speak form, available at the table by the door and then please submit the completed form to our board recorder who is up here on the item prior to the meeting where it's going to be discussed. Each individual will be allowed 3 minutes per person per meeting and may not give their time to extend for other speakers. All persons are reminded that this is a public meeting and attendees and speakers should be respectful of each other and the board. Verbal outbursts and clapping are prohibited. If you are disruptive you will be asked to leave pursuant to Penal Code Section 403. Board agendas are posted online and can be reviewed at the OCDE board website and agendas are also available at the back of the board room. Welcome today. We are glad to have you all here. We will begin today with the invocation by Pastor Jim Domen and we will have the Pledge of Allegiance by our Superintendent.

Domen: Would you join me in prayer? Heavenly father thank you for this day, thank you for this board as they lead our schools here in Orange County. Father, I'm reminded of the blessing that we have in this country and this county. Talking to a reporter with the Orange County Register and traveling abroad and seeing what children and other people don't have access to, lord. We never take for granted the blessing of a free education K-12th grade here in this state and this county, lord. So god, as we just thank you for the blessings that you've given us, I ask that you would give wisdom and discernment to our Orange County board. Lord I pray that you would let them make decisions that would help advance children even high schoolers, lord. Junior highers, that they would make decisions that would not only protect them and be in their best interest but would promote reading, writing, history, science and really develop the mind as we've been called to love you with our whole heart, mind, soul, and strength. So god, I ask that you give them wisdom and discernment to do this. To weed through the agendas and policies and do what's best for the children of our county. In Jesus name we pray, amen.

Mijares: Let's salute our flag. Ready, begin.

Many voices: *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.*

Mijares: Thank you.

Lindholm: Thank you, and thank you both. That brings us to Roll Call.

Sisavath: Trustee Boyd?

D. Boyd: Here.

Sisavath: Trustee Bedell?

Bedell: Here.

Sisavath: Trustee Lindholm?

Lindholm: Here.

Sisavath: Trustee Gomez?

Gomez: Present.

Sisavath: Trustee Williams?

Silence

N. Boyd: I just received a communication that Dr. Williams is en route and should be here in about 10 minutes or less.

Lindholm: Thank you. The next item we have on the agenda is a moment of silence. Last week was Veteran's Day and we want to honor all those who've served our country. But I would also like you to join in a moment of silence to honor Chief Petty Officer Jason Finan, who was killed in Masal, Iraq, October 20th. He was born in Anaheim, California and stationed in Coronado Naval Base. He lived in Imperial Beach, California and is survived by his wife and 7 year old son. He died trying to direct American and Iraqi forces away from an explosive device. Last week we honored many of our veterans who put themselves in harm's way to ensure we have the democracy and freedom we celebrate in this country. Please join me in a moment of silence for this fallen soldier as we recognize all the brave men and women who have given for their country.

Silence

I know we all know many who have fallen and many who still serve so we wish all those men and women who serve our country the best. That brings us to introductions.

N. Boyd: I have one introduction. We have Megan Costanada, if you would please stand. Megan is a teacher in our Special Schools program here at the county office and she's observing today as part of her requirements with National University and she's trying to work on obtaining her administrative credential. We welcome you to our board meeting and we thank you for coming.

Lindholm: Hi, welcome Megan. The next item we have on the agenda is the Regular Meeting of November 16, that's our agenda for today. Is there a motion to adopt the agenda?

Bredell: So moved.

D. Boyd: Second.

Lindholm: Motion and a second. All in favor say aye.

Several ayes.

Lindholm; Any opposed or abstentions? OK. Minutes of the October 5, 2016 board meeting. Is there a motion for approval?

D. Boyd: I'll move.

Gomez: I'll second.

Lindholm: There's a motion and a second for the minutes. All in favor say aye.

Several ayes.

Lindholm: Any opposed or abstentions? OK, that concludes that part of the agenda. And that brings us to our Public Comments section. We want to thank each and every one of you for coming here today and taking time out from your daily schedule. We appreciate it and we will listen to you to the best of our ability. If it's not an agenda item we won't be making comments on it. So, I'm turning it over to our board vice president and I think you have a lot of...

Bedell: I have a lot of cards. I have Teresa Hernandez, number one, come on down.

Hernandez: Good morning. My name is Teresa Hernandez I'm resident of Newport Beach, California. I've had all four of my children go through the Orange County school system. I brought a small group of residents with me today. We are all voters here in the county, who are concerned as I am about a small group of people from the Freedom from Religious Foundation

who are offended by the words on the wall there, *In God We Trust*. Many people in the nation are tired of a small minority dictating to the majority. The words *In God We Trust* have been part of the fabric of America since 1864 when it was first printed on our U.S. currency which I'm sure people from the Freedom from Religious Foundation have in their wallet right now. The money they have was printed by the government. So, if you took this to the nth degree even our money has mixed church and state. Yet I am sure that the mere fact that the coin in their wallet states *In God We Trust* has not made them feel the need to get baptized with the Holy Spirit or attend church. Now in regards to the law I'm sure all of you know the 9th Circuit Court of Appeals unanimously agreed with our position that the motto *In God We Trust* is constitutional. The decision was filed on March 1, 2010. The 9th Circuit explained that displaying such a venerable reminder of our national heritage and identity as a national motto is unquestionably constitutional. I understand the board is always worried about fringe groups wanting to sue and use our tax payer dollars for lawsuits. So you have the support of your constituents that are here, the 9th Circuit Court of Appeals and I'm sure, god almighty. I urge you to do the right thing and keep *In God We Trust* and the opening prayer. Thank you so much.

Bedell: Veronica Imai? Veronica?

Imai: Good morning. My name is Veronica Imai. I was born and schooled in Russian occupied communist Hungary behind the iron curtain. Under the communist rule, freedom of speech, freedom of religion, and even speaking the name of god was forbidden and harshly punished. This is not an exaggeration, this is the way it was. Just as here in the USA we sing God Bless America, our Hungarian national anthem begins with God Bless the Hungarian. However, by communist edict it was forbidden for our people to sing our national anthem anywhere in the land; parents, children, elderly ever. And it was punished harshly if you were reported to have done such a thing. You wonder why? Why would this be important to the communist government? And it's because god's name is mentioned in our anthem and the fact that we trusted him in spite of our circumstances. My brother and I learned the anthem in spite of the edict, by the whispers of my parents late in the night. In 1956 the Hungarian people rose up and many of you probably remember we had a revolution, the first country behind the iron curtain to stand up against Russia with 7 million people. It was brutal. But the revolution exploded all over Hungary and along with thousands of people, my family and I escaped to the west. We were transported by military planes from Austria to the United States. Imagine our joy and our strong hope that the freedoms that were torn from us could never be taken from us again. All I can say at the end of this is thank god that we are free at last. Thank you for hearing me.

Bedell: Rosie Avila? Rosie? Avila? (*no response*).Ok. Cynthia Martinez?

Martinez: Good morning. My name is Cynthia Martinez and I'm from San Clemente, California. Most Americans believe that the statement a wall of separation between church and state is

written in the constitution. The truth is that statement is not written in any of our founding documents, in the constitution or the Declaration of Independence. The words *separation of church and state* was written by Thomas Jefferson in a letter to the Danbury Baptist Association. The Danbury Baptists wrote a letter to Jefferson because they were concerned about the free exercise of religion and the right of religious expression. Thomas Jefferson had no intention of allowing the government to limit, restrict, regulate or interfere with public religious practices. He believed along with the other founders that the First Amendment had been enacted only to prevent the federal establishment of a national denomination. A fact he made clear in a letter to fellow signer of the Declaration of Independence, Benjamin Rush. Since this was Jefferson's view concerning religious expression, in a short and polite reply to the Danbury Baptist on January 1, 1802, he assured them that they need not fear that the free exercise of religion would never be interfered with by the federal government. As he explained in his letter to the Danbury Baptist President Jefferson's reply and I have the letter here, he wrote to Nehemiah Dodge, Ephraim Robins and Steven S. Nelson, a committee of the Danbury Baptist Association and the state of Connecticut. Washington, January 1, 1802. Gentlemen, the affectionate sentiment of esteem and approbation which are so good as to express towards me on behalf of the Danbury Baptist Association, give me the highest satisfaction. My duties dictate a faithful and zealous pursuit of the interests of my constituents and a proportion as they are persuaded by my fidelity to those duties. The discharge of them becomes more and more pleasing. Believing with you that religion is a matter which lies solely between man and his god that he owes account to no other for his faith or his worship. That the legislative powers of government reach action only and not opinions. I contemplate with sovereign reference that act of the whole American people which declared that the legislature would make no law respecting an establishment of religion or prohibiting the free exercise thereof, thus building a wall of separation between church and state. That's in a letter, it's not in the founding documents of the constitution or declaration of independence. Adhering to this expression of the supreme wall of nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights. Convince he has no natural right in opposition to his social duties. *(Sound of timer going off)* I reciprocate your kind prayers for the protection and blessing of the common father and creator of man and tender you for yourselves and your religious association, assurances of my high respect and esteem. Thomas Jefferson.

N. Boyd: Your time is up.

Martinez: Thank you very much. Thank you.

Bedell: Catherine Sanchirico?

Sanchirico: Good morning members of the board, superintendent. You guys have all seen me earlier this year as I came in front of you for a charter petition. However, I'm not here on behalf

of that school. I'm here as an individual, a voting citizen, and a resident of the State of California. We live in a state that has numerous cities that are named after saints. Our state capital is Sacramento, which is Spanish for word sacrament. We have a preamble in our state constitution that acknowledges thanks to the almighty god. We are one state in the union that was founded with an appeal to nature and nature's god, enclosed with a plea to divine providence for protection. We live in the best country in the world and I have first-hand experience as an immigrant coming to this country at the age of 8. In 2006 the senate reaffirmed the phrase *In God We Trust* as the official national logo of the United States of America. And in 2011, the House of Representatives also followed and additionally passed a resolution reaffirming these same words as our motto. I urge you to remember what our founding fathers thought when they added these words to our constitution. And as Teresa mentioned previously in our currency. I also urge you to follow suit with what the senate and the House of Representatives have done who consist of members that were elected by the people. I urge you to do the right thing and keep the words *In God We Trust*. Thank you for your time today.

Bedell: Ok, thank you. Rosie Avila?

Avila: Good morning. I'm Rosie Avila and I've been on the school board in Santa Ana for 17 years and I was a history major in college. I love history. I love watching what goes on and I think we have a lot to learn from history and we're all like right now watching history being made, right? I think one of the criticisms of public education is that our children don't know our history. You know, you see them at every holiday. What's the 4th of July? Who did they declare independence from? Many of our young people don't know that. I think that's really sad and I think it makes the public angry at us, educators. I think we all know if you know your history, America was founded by Protestants who believed in god. They came and they stuck a cross on the sand and said we want this country to be a Christian country. Francis Scott Key, when he did the national anthem which everyone still sings, says and this is our motto, *In God We Trust*. I'm sure everybody said this, I'm sorry to be a little late but, put on our coins, we all know that. And, I think it's wonderful that an educational body would affirm our history. I think it's a message. If there was an article in the paper, you know to say this is our history and this is what we educators are about. Transmitting the history to the next generation. Yes, I like it because I like god but you know the word god is a little bit general. It could be, like in Alcoholics Anonymous, a higher power. You know, I'm sure even atheists believe in some god and it may be a human, man is god. And that's what humanists believe, that's their god. And we see cultures all over the world have many gods. But, America has chosen the Judeo Christian god. And, so I think if you don't like it you can just think of your god. And, if you keep it up I think you'll give a great message to the community, that you like history. And that you want the kids to at least know what happened in America. Thank you.

Bedell: The last name is Williams from Newport Beach, is that Ken? Ron, thank you.

Williams: Good morning. My name is Ron Williams. I have been a resident of Orange County since 1978. I have two daughters that went through the public school system and graduated from Edison High School. So I'd like to read you something very quickly. As you walk up these steps to the building which houses the U.S. Supreme Court, you can see near the top of the building a row of the world's law givers. And each one is facing one in the middle who is facing forward with a full frontal view. It is Moses. And he is holding the Ten Commandments. Did you know, as you enter the Supreme Court the two huge oak doors have the ten commandments on each lower portion of each door? Did you know, as you sit inside the courtroom you can see the wall right above where the Supreme Court judges sit, a display of the Ten Commandments? Did you know, there are bible verses etched in stone all over the federal buildings and monuments in Washington, DC? Did you know, that James Madison the fourth president known as the father of our constitution made the following statement, "We have staked a whole of our political institutions upon the capacity of mankind for self-government, upon the capacity of each and all of us to govern ourselves to control ourselves, to sustain ourselves according to the ten commandments of god? Did you know that every session of congress begins with a prayer by a paid preacher whose salary has been paid by the tax payer since 1777. 52 of the 55 founders of the constitution were members of the established orthodox churches in the colonies? My friends my father fought in the 2nd World War at Iwo Jima. I served 23 years in the United States Secret Service. Our founding fathers founded this country on Judeo-Christian principles. It is our heritage. It is woven into our society. It is who we are. And make no mistake, I respect anybody's belief. If they do not believe in god so be it. I respect that. But do not tread on my belief and my heritage. Thank you.

Bedell: Mr. John Dean? And next will be Ron Keller. Mr. John Dean? And next is Ron Keller.

Dean: I'll try and make this brief. A little history on me and Orange County. To get through K-12, through high school, I made 15 changes. My dad was a builder and we were moved all over the place, mostly in Orange County. And, through all these changes, you know you'd go to one school and they were ahead of you or behind you, so you really had to keep your ears open and your eyes on the target. The target here is, these are trustees and we see *In God We Trust* – even George Washington, his comment was the pillars, just like these two flags here, they're pillars of our republic, our religion, and morals. That's all I have to say. We just hope that you guys keep this up because it wouldn't be Orange County without it. Thanks.

Bedell: Mr. Keller? And on deck is Barbara Weliney – is that w e l i n e y? Close? Come on, your next. Ron?

Keller: Donald Trump became the 45th president of the United States based upon the Electoral College. I wonder how many of you know how the Electoral College came into existence? It goes back to the year 1778. When the constitutional convention was on the verge of disaster. The

issue at hand was would the smaller states have the same kind of representation as the larger states? 81 year old Benjamin Franklin stepped forward. He believed in the word of god and these words from scripture, "Accept the Lord, build the house, they labor in vain who build it." He went on to say, "Gentlemen I have lived a long time and I'm convinced that God governs the affairs of men. If a sparrow cannot fall from the ground without his notice, is it possible that an empire can rise without his aid? I move that prayer, imploring the assistance of heaven be held every morning before we proceed to business." The motion carried and a compromise was made. That's how we got the Electoral College. According to David Barton, who owns the largest private collection of documents of our founding fathers, 52 of the 55 signers of the Declaration of Independence were orthodox believers in the Lord Jesus Christ. The rotunda, the United States capital, was once used to hold Christian church services. Twice, our Supreme Court has ruled that we are a Christian nation. The first time was in 1892 and the second time was in 1931 and at that time our court said everybody had to follow the laws of god as found in the Ten Commandments. John Quincy Adams said, "The highest glory of the American Revolution was this, it connected in one indissoluble band the principles of civil government and the principles of Christianity." In other words what Adams was saying is you cannot separate government from the principles of Christianity. It was William Penn who said, "People who will not be ruled by god will be ruled by tyrants." George Washington was proclaimed our first president of the United States and he was inaugurated in the federal building in New York City. He invoked the name of god. Then he called for a national day of prayer. And then he led members of congress from the federal building to St. Paul's Chapel where they had a prayer meeting. The first national day of prayer was inaugurated by our first president. We need to keep *In God We Trust* because that is the heritage of this nation. G.K Chesterton said this, "When men choose (sound of timer) not to believe in god they do not therefore believe in nothing, they then are capable of believing in anything." Thank you.

Bedell: Barbara? And next is Michelle Mendenhall.

Weliney: Good morning. My name is Barbara Weliney and I'm a resident of Newport Beach and this is going to be quick. I have 5 kids, my three older ones are adults and they went through the public school system. I have a 7th grader and an 8th grader and I'm currently planning to put them back in the public schools for high school. I'm here, please, I'm not a professional at this but I'm here to implore you to please keep our Judeo-Christian values intact and *In God We Trust* on that wall. Thank you so much.

Bedell: Thank you. Michelle? And then we have Helen Di Panni.

Mendenhall: Good morning, good morning honored trustees of our county and of our public education. I am a former public education teacher and the first year that I had a classroom I had 6 different languages in my classroom. So, that was challenging but it was also a pleasure and an

honor to be able to help shape those children's lives just in our education system. As much as our history is trying to be rewritten our country has pretty deep roots and we have people that come and want to support it and we appreciate the differences because that's what our country was founded on, was being able to share your differences. And our founding fathers set it up so people could come and speak their differences. So that is why we are here and we are the free country of the United States of America. The Ontario City Council voted unanimously in 2010 to keep the national motto *In God We Trust* in their chambers as well. That was also litigated by another guest of ours, Mr. Rod Dakis. The 9th Circuit Court has also been shared as well as holding up our national motto as being *In God We Trust*. So, we appreciate we have our differences. I respect them and I respect people's differences as well as respecting mine, I ask they respect mine as well. And I ask that you please urge and encourage you to follow along with the 9th Circuit Court, which is up in Sacramento as well, with the Ontario city council and other city councils around this area to keep *In God We Trust* up there to show who we are and where we came from so we can come and have these meetings. Our founding fathers and a lot of people have died to be able to keep these words up in front of our city and our nation. Thank you very much for your consideration.

Lindholm: Thank you. I just want to let the audience know and the speakers, we just looked and we have 23 more speakers. We've allotted 30 minutes at the beginning of the public comments and I'm not quite sure what process we will have at a certain point. But I just wanted to let you know that and again, thank you all greatly for your time and for being here. Just letting the rest of the board know that.

Bedell: We have Helen right now, right Helen. And we have Brenda Swanko next?

Di Panni: My name is Helen Di Panni, I'm a resident of Orange County and very proud to be a resident of Orange County. This will be short because I am in awe of all the information we've already had presented. But I want to be a little bit more personal. I'm grateful every day that I was born in America. And the reason is because we have the freedom to be whatever we choose to be. I appreciate everyone else's opinions but I don't want their opinions to violate mine. I have a right to my freedom, they have a right to theirs. I'm a Christian and proud to be a Christian and thank god that this is a Christian nation. Why would we ever want to remove god who so blessed our country from being who he is over our country? What else do we expect to have that we don't already have? And to take it away from the children now, to make god's name something that can't even be mentioned so that the children don't even know who god is anymore. I think it destroys everything our country was based on. And, my own personal opinion I wouldn't think that our country would be existing much longer than that. So my prayer is...I just feel like I want to speak the scripture that's 2nd Chronicles 7.14 that says, *If my people who are called by my name will humble themselves and pray and seek my face and turn from their wicked ways I will hear from heaven, forgive their sins, and heal their land.* I have a lot of hope now that that is

what's going to happen and I pray and I ask that we do not ever remove *In God We Trust* from everything that it's already on. We should put it on more. Thank you.

Williams: Madam President might I say something?

Lindholm: Yes.

Williams: Because this issue is an issue at the heart of who we are as a people may I ask that we agree upon suspending our rules and allow everybody who came today to speak, and have the opportunity, we have no time certain agenda we have no appeal, we have nothing else. I'm willing to listen to what they have to say to us as elected members of this community.

Lindholm: I'm looking for my board members for general consensus? Ok, I'm seeing general consensus with that so we will continue.

Bedell: We have Brenda then next we have Kerry Reynolds.

Swanko: Hi my name is Brenda Swanko and I've been a member of, not a member but a resident of Orange County since 1973. I'm a Christian and I'm appalled that it would even come up, that we would try to remove our history from our schools. The motto *In God We Trust* goes back to the War of 1812. Since then it has been our motto, it has been on our currency. And in 2006, as recently as then, the 50th anniversary, the senate reaffirmed *In God We Trust* as the official national motto of the United States of America. In 2011 the house did the same and the vote was 396 to 9. I think the people have spoken. They are our representatives. So, I urge you, the board, to please keep our history and our motto in our schools. Thank you very much.

Bedell: We have Kerry Reynolds and then Adriana Parcher, from Corona del Mar? Adriana had to leave? Kerry had to leave? OK Adriana? Hi. And then we have Karla Downing next.

Parcher: Thank you board members and superintendent. I'm a parent of 2 kids who attend Newport Mesa and one of our wonderful memories is in our grade school we always said the pledge of allegiance every day. And of course everybody knows that does invoke a religious word or two in there. I agree with all the people who have spoken today. I didn't prepare a speech but, I knew there was going to be incredible reflection and discussion of history. How important our founding fathers, just the miracle of how they weaved everything together and how our Declaration of Independence enshrines our rights. I am actually really curious I haven't met any of the people who are from the Freedom from Religion Foundation, I don't know really the basis and how many there are. I did notice the word freedom though and I'm also into freedom. This last year we went to Washington, D.C. with a group of people and one of my highlight experiences was going to the Supreme Court, doing a little tour and I have my little pin

on today, this is Lady Liberty. I would argue that you really can't have freedom if you don't have a foundation in morality. And that's what a lot of people here brought up. So, you just can't have freedom without, it just goes away. A lot of the people that are trying to take religion out of our society, I don't think they're thinking too far ahead because it really ends up with a sadist country where if there is not a ultimate authority over us, then who do we obey? That lady from Hungary has experienced that. That becomes the state and then the state dictates everything. What you believe, what you can say, what you can't say. Nobody here wants that, so that's not freedom. So that's why I'm really questioning the Freedom from Religion, really it's we have freedom because of our founding documents. So the last thing I wanted to read, this is from the Declaration, one more civic lesson here. We all have heard this but I think it says it...*all men are created equal that they are endowed by their creator with certain unalienable rights that among these are life, liberty, and the pursuit of happiness, that to secure these rights, governments are instituted among men deriving their just powers from the consent of the governed.* If we don't have a moral society, we will not elect moral leaders. So please, I do urge you, I think it's wonderful and we should keep our history and our emblems visible to all, for our generation and for future generations. Thank you.

Bedell: Thank you. We have Karla and then Tim Jelden.

Downing: Good morning. My name is Karla Downing and I'm an elected member of the Republican Party Central Committee, representing the 55th Assembly District which is composed of 55,473 registered Republican voters. I come here today to support the continued use of an invocation and the words *In God We Trust* in the board room. The first amendment to the U.S Constitution simply states...*Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.* This guarantees us the freedom of religion not a freedom from religion, and simply prevented congress from establishing a national religion. In June 2002 the 9th Circuit Court of Appeals in San Francisco ruled that the recitation of the pledge of allegiance in the public schools was unconstitutional because it had the phrase, "under god." The public outcry was huge forcing even Democrat Senator Barbara Boxer to defend the use of religious phrases in government. She said, "From the beginning of our country, god has always played a role. All you have to do is look at some of the churches in the 13 colonies to know that god has always played a role in the foundation and continuation of our nation." On June 14, 2004, the U.S. Supreme Court reversed the lower court ruling on the issue of a lack of legal standing. In 2014 the Supreme Court ruled 5 – 4 that legislative bodies such as city councils can begin their meetings with a prayer even if it publicly favors a specific religion. The court ruled 5 – 4 that Christian prayers said before meetings of an upstate New York town council did not violate the constitutional prohibition against government establishment of religion. Justice Anthony M. Kennedy said, "Ceremonial prayer is but a recognition that since this nation was founded and until the present day many Americans deem that their own existence must be understood by precepts far beyond the authority of government. All nine justices endorsed the

concept of legislative prayer. With the four dissenters, the liberal judges, agreeing that the public forum “need not become a religion free zone.” Those are the words of democrat justice, Elena Kagan. I urge you today to stand strong. Religion is a fundamental part of our republic. With these words on the wall and your invocation at the beginning of your meetings, you are not advocating a particular religion or sect. Nor are you criticizing those who choose not to believe in god. Anyone who does not believe in god may continue to do so by siding with the minority, you would be going against the founding fathers’ (*sound of timer*) intention, the constitution and history. Thank you.

Bedell: Thank you very much. We have Tim Jelden.

Donen: My name is Jim Donen.

Bedell: I’m sorry.

Donen: That’s ok. Members of the Orange County Board of Education my name is Pastor Jim Donen and I’m here as the founder on behalf of Church United, representing over 200 churches in the State of California. That’s thousands and thousands and thousands of people. We also partner with Catholics, the Mormons across this great state. On a personal note, I was born and raised in Orange County and attended schools. My wife actually said this morning how can people go to a 10:00 am meeting? People are working and she’s at home with our ten week old child and 2 ½ year old daughter who aren’t quite the age yet to go to school. I’m here to support you and those people, to encourage you, I know there’s a lawsuit with Chino Valley Unified School District by the Freedom from Religion organization. And I’m here today to help represent We the People. We the People of Orange County elected you to these offices and We the People represent the people of the United States and of California’s constitution. I’d like to humbly share some phrases used in the United States Declaration of Independence when prior to writing the constitution and I quote, “Nature’s god, and we hold these truths to be self-evident that all men are created equal, that they are endowed by their creator.” California’s preamble to our constitution reads, and I quote, “We, the people of the State of California, grateful to almighty god for our freedom, in order to secure and perpetuate its blessings, do establish this constitution.” Both the United States founding document and California’s preamble governing documents reference and acknowledge god. I’d like to encourage you as a board to continue this tradition and I know what it feels like when there’s pressure from people opposing what you’re doing or the phrase on the wall or having invocations in a meeting. I want you to feel the people of this county are behind you and support you. Even if it feels unpopular, even if you’re being insulted verbally, the people of Orange County support and stand behind invocations and what we see on the wall, *In God We Trust*. On January 20th, We the People will hear an invocation from President Elect Donald Trump, being sworn into office. Our country’s highest office. Prayer begins each session of congress, one prayer in the United States Senate and one prayer in

the United States House of Representatives. And this great state of California, the legislature, one prayer opens the senate, one prayer opens the assembly every day they meet. The historic traditional practice occurs in every Orange County city council and most open with the words *In God We Trust*. So the Orange County Board of Education, I want you to know that you're in good standing historically, traditionally, and in practice with the rest of local civil and educational government. The phrase *In God We Trust* is on all of our currency as we all know. (*Sound of timer*) So on behalf of the people and clergy of Orange County we support you and ask that you keep *In God We Trust* and invocations in your meetings. Thank you.

Bedell: Thank you. I want to be sure we're fair here, we have Jim is your last name Jelden, J E L D E N? Tim, thank you. It's my new eyes.

Jelden: Yes, my name is Tim Jelden. I am a resident of Orange County, Mission Viejo. My children went to Saddleback Unified School District. I am here just to say that I basically believe in religious freedom. I have it, almost everyone I see in here has it. Those words should not offend anybody else as well. But I don't want those words to mean something different. God can mean anything to anybody. They can be Muhammad, they can be Buddha, they can love Jesus, anything. I've always believed in the fact that someone who says that they're an atheist believes in something. They believe in the right to live. When you believe in something that's a god to me. However, I strongly advocate that we keep the words *In God We Trust* and an opening prayer within your nature, within Orange County, on the wall, in all of the money that we have. So, I would like to know and make sure that those areas are kept where they're supposed to be and where they were originally designed to be and not moved in any other place. Thank you very much.

Bedell: Thank you. We have Deacon Denis Zaun and then Mark Manning.

Zaun: Thank you. Good morning. My name is Deacon Denis Zaun and I'm a Catholic, a deacon assigned to St. Martin de Porres Catholic Faith community in Yorba Linda, California. I represent the 3,000 plus Catholic families that are members of that parish. I also represent the nearly 1.2 million Catholics that make up the diocese of Orange. Which account incidentally for 38 percent of the population of the entire county. I strongly support continuing to include an invocation as part of all board meetings and I strongly support continuing to display *In God We Trust* in the Department of Education board room. In this country our civic and educational institutions were founded on Judeo-Christian principles as we've heard and failure to recognize and affirm that fact is a serious mistake I believe. We may wish to separate church from state but we dare not separate god from state. Thank you.

Bedell: Thank you. We have Mark Manning. Mark Schneider.

Manning: Good morning. My name is Mark Manning. I am the pastor of the Searchlight ministries. We meet in Yorba Linda, California. I represent about 150 people who continue to worship and serve in this wonderful Orange County area. I also have a lot of ties to Orange County education. My wife is a special needs aide in the public school system. I have 3 boys, all 3 of them have gone through and are continuing in. My oldest is autistic and is in the adult transition, and then I have 2 boys at Canyon High School. So we have a lot of connections with Orange County. Even though the Lutheran Church, Missouri senate operates a lot of private Christian education. I have chosen to put my kids through the public school system. I have always stayed active in that. I have served on school site councils and then I can never remember the delay or depac, there's all those things, it's amazing how many you have. I love to serve and I am thankful for that. I just want to encourage you along with everyone else here, to continue *In God We Trust* and continue the invocation practice. Thank you very much.

Bedell: Thank you. Mr. Schneider and then Aaron Lee.

Schneider: Good morning trustees. And thank you for the privilege of speaking to you this morning. My name is Mark Schneider. I live in Fullerton, I've been a resident of Orange County since 1978. I'm also an attorney but I'm here representing this morning Calvary Chapel of East Anaheim where I'm the Cultural Impact ministry leader representing over 3,000 people in our body. You're facing a challenge to take down this slogan on the wall and also the invocations. You're already very well aware of the fact that challenges have been mounted across the country to do the same thing. And courts across the nation have struck down those challenges on good grounds. But the court in *Aronow versus United States 2013* said, "It is quite obvious that the national motto and the slogan on coinage and currency *In God We Trust* has nothing to do whatsoever with the establishment of religion. It's misplaced." The Declaration of Independence says as we've heard this morning which is the founding of our constitution appeals to the laws of nature and nature's god. That is what gives us our rights. We hold these truths to be self-evident that we are endowed by our creator with certain unalienable rights. Our rights are unalienable precisely because they come from god. We've also heard Jefferson's letter and the statement separation of church and state from which an edifice of challenges has been built on. Actually it was a letter assuring the Danbury Baptists that their rights of conscious would not be infringed. All the states had established religious denominations before and after the constitution's ratification in 1789. And given the religiously infused nature the founders sought to ensure that the federal government would never interfere with how the states and local communities cooperated with religious institutions. That's why the first amendment says, Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof. It was an act of Federalism which is a division of power between the federal government and the states and local communities. As in the states when the first amendment was ratified in 1789, the federal government was also friendly toward religious face of all persuasions. Evidence of this can be seen in the fact that congress voted to pay congress and house senate chaplains, asked President

George Washington to declare a national day of prayer and fasting and thanksgiving. Conducted church services in the capitol rotunda and enacted the northwest ordinance a statute that the teaching of religion morality and knowledge is federal government policy which shall forever be encouraged. President Jefferson, the same president who uttered the words Separation of Church and state, said “No nation has every existed or has been governed without religion nor can be.” The Cristian religion, his words not mine, is the best religion (*sound of timer*) that has been given to man and I and as chief magistrate of this nation I am bound to honor it and sanction my people. There’s an old Russian proverb that says, the future we know, it’s the past that keeps changing. Political revisionism and historical revisionism happened in the Soviet Union. Don’t let it happen here. Thank you trustees.

Bedell: Aaron Lee followed by Cliff Samson.

Lee: Greetings. Aaron Lee with Canyon Church in Anaheim Hills and I just want to say thank you for all that you do in your role and probably a lot more work than I can even begin to imagine. Thank you. I just want to say, just looking at that wall quality education transforms minds and I believe *In God We Trust* and prayer transforms hearts and I believe both are necessary and depend on each other and just appeal to you. Thank you.

Bedell: Thank you. Cliff Samson followed by Ofelia Baker.

Samson: Thank you so much for taking the time to hear all of us. So many people have said such great things. My father was a math teacher besides the work that he did for the U.S Government that I will never know, we have a number of people in my family that pledged a commitment with their lives to support the United States Constitution. My wife is a math teacher and has been so in one of our schools here in Orange County and does a great job. We love public education, my wife and I both graduated from UC Irvine, we then went on to Berkley and then to Montana, and returned and for almost 30 years now I’ve pastored the First Baptist Church in Yorba Linda. I know the city council, I know the people in the town, we love them and care for them, and they come and talk with me all the time. Jim, would you say I’m the town pastor? So I come with the reflection of the community of Yorba Linda. Because of my care and love for them, because of my care and love for public education and my care and my love for you as well as my care and my love for my creator. I come to you. You’ve heard the intelligent arguments. You’ve heard the historical precedent. You understand the passion that we come and speak to you with, and that we’re not against you but for you and want to help you do what you do better. Anything that I do, if it’s ever done well, it’s done because god has touched and graced my life. To remove that opportunity from others, to not to be able to see this is robbing our children. Our most precious gift. Thank you for your work and thank you for taking your time to hear all of us speak.

Bedell: Thank you. OK. Ofelia Baker followed by Ivy Jelden.

Baker: Hello. I'm coming as a parent of five successful children who came up through public school systems that had *In God We Trust* and that were taught the history of our nation and because of that I believe that they are successful people today, every one of them. And to rob our children from the history of our nation and to take away from them the words *In God We Trust* I feel is very detrimental not only to the children but to the future of our nation. I would implore you, board. Thank you for hearing me and I would implore that you would please keep the invocation and *In God We Trust*. Thank you.

Bedell: Ivy Jelden followed by is that Maury? We don't have a last name? From Anaheim? First numbers of the address are 1606, I can't read the last.....ok

Jelden: I think the main thing that I want to say is as Ofelia had said about our children and the legacy that we have to offer them. This is a Judeo-Christian country. My grandfather came here, ten of his siblings were killed by Nazis, he was Jewish, and I think about how much I love this country and how much I do trust in god and that is the legacy that we want to give our children. Their belief system is very important and I think about the men and women who have fought in this country and have lost their lives. We don't want it to be for naught. We want it to have meaning and purpose. Think about the families that have lost their loved ones fighting for our freedom. So I would also implore you to consider keeping it because it is obviously seen as our basis politically but it's also just in keeping this as a legacy for our children and our future generations. Thank you.

Bedell: OK, Maury? We don't have a last name for you, Maury. Can you share it with us? (Inaudible conversation) No Maury. OK, fine, thank you.

Maury: Well, first I want to thank this board for allowing us to talk today. It's very good your suggestion was wonderful. I'm a pastor at Calvary Chapel East Anaheim we have approximately 3,000 people attend our church. Mr. Schneider, he's also in that church and I'm honored to represent them here today. I can tell you they would all be unified in wanting you to keep the slogan *In God We Trust*. I've lived in Orange County for 50 years. I've voted in Orange County for 50 years. I've raised 2 children through the public school system and they've done well. A little quick background; I'm a veteran of the United States Army, I'm a former FBI agent, and I was in the Orange County District Attorney's Office for 27 years, and I retired in 1999 as chief assistant district attorney. I didn't think I'd be here today, I didn't believe I'd live that long, but I'm proud to be here with you today. *(laughter)* I feel very good about being here. But I want to talk to you about being a child, me being a child. I grew up in Beaumont, California, that little town towards Palm Springs where there's nothing but fields and orchards, just a beautiful place. I grew up during World War II and we prayed in school every single day for our military that were serving us. Every single day. And we talked about *In God We Trust*, that we were going to be successful in that horrible war when we lost so many of our beautiful, beautiful, young men

and women. But I remember in 1945 we went to that little movie theater there in Beaumont and they showed the news if anybody remembers that. Didn't have TVs, they showed the news at the end. They showed us what a concentration camp looked like. It's still burned in my memory. What Adolph Hitler wanted to do to a people group because he didn't like them. You see, there was no god in Germany at that time, there was no god at all. That movie clip changed me and I just praise god that my mother took me to that little church there in Beaumont and that I believed so strongly in that slogan right there, *In God We Trust*. I want to thank you folks for letting us talk today it's very kind of you, I know we're taking a lot of your time up but thank you very much. God bless you.

Bedell: Thank you. Gloria Pruyne and Scott Williams. Gloria?

Pruyne: thank you so much for allowing us this freedom and this time. Superintendent Mijares, President Lindholm, honored school board members. *In God We Trust* first appeared on U.S coins in 1864, and has appeared on paper currency since 1957. A law passed and a joint resolution by the 84th congress and approved by President Dwight Eisenhower on July 30, 1956, declared *In God We Trust* must appear on currency. The 84th congress passed a joint resolution declaring *In God We Trust* the national motto of the United States. The United States code now states *In God We Trust* is the national motto. Representative Charles Edward Bennet of Florida cited the cold war when he introduced the bill in the house saying, "In these days impersonalistic and materialistic communism seeks to attack and destroy freedom. We should continually look for ways to strengthen the foundations of our freedom. After September 11th attacks in 2001 many public schools across the United States posted *In God We Trust* framed posters in their libraries, cafeterias, and classrooms. The motto was first challenged in *Rommel vs United States* in 1970. But the United States court of appeals for the 9th Circuit ruled it is quite obvious that the national motto and the slogan on coinage and currency *In God We Trust* has nothing whatsoever to do with the establishment of religion. Its use is of patriotic and ceremonial character and bears no true resemblance to governmental sponsorship of a religious exercise. I'm asking that this document be photocopied and distributed to each trustee directly after this meeting for future reference. I would just like to mention that I have 2 ancestral lines Wilcox and Andrews who came to this nation in 1634. I am privileged and honored to be in this wonderful country and I hope that it will continue to be under *In God We Trust*. Thank you.

Bedell: Thank you. We have Scott Williams and then Brenda Swanko.

Williams: Good morning, President, Dr., I had put in to speak on Item # 10, the Resolution for Veteran's Day, so if....

Lindholm: You can go ahead and do that now I think.

Williams: OK. I can't help but I just want to say I did not see your agenda I didn't know about it, about *In God We Trust*. The lady that spoke from Hungary, I was a freshman at Mater Dei High School. We had 5 priests that came from (inaudible), based in Hungary, and I learned number 1, what communism what they did to the Hungarian people, and to hear it today, *In God We Trust, we need it because that is our moral* balance in everything we do. So, I really appreciate all the people that came. I want to talk quickly on Item #10 which is the resolution to have as I understand it, acknowledgement of Veterans Day beginning in 2017. My organization, The Freedom Committee of Orange County also is involved with your essay contest, The Jack Hammett Memorial Day Essay contest that you have. Jack passed away December 13, 2014. As you know he was a World War II veteran, former mayor of the City of Costa Mesa. I have followed in his shoes, they are very large shoes to fill. Our organization has approximately 177 veterans, and as of last Wednesday at our regular meeting we had 45 World War II veterans. They are passing on but we still have them. This is a great opportunity to recognize what I think is a very small minority, approximately 1 ½ percent of our population has served in the military. I was invited to serve in 1966, after graduation from the University of California, Santa Barbara and I got introduced to the United States Army at Fort Ord. And when we do presentations to the kids,

Bedell: Invited.....

Williams: Yeah, invited, congratulations. (*laughter*) What we do is go into schools and give our personal histories and it's great to be there with the World War II guys. The kids are born in, what 19... in high school they're born in...let's see my grandson was born in 2000. So, they don't have a lot of history, they just haven't seen it. But I want to support this resolution, we are the smallest minority that I believe does the most for the country. Even today you are putting people in harm's way and to have just the acknowledgement of what we have done is appreciated. And I just wanted to (*sound of timer*) on the resolution I would just suggest a technical change. It says to...to clarify that veteran would be veterans of the United States Armed Forces. I was at a school the other day and I said how many of you have veterans in your family? We had veterans who fought in the Indian Army. We also had veterans who fought for the South Vietnamese in that group. So, I would appreciate a vote for resolution which is Item #10 on your calendar. Thank you very much.

Bedell: We have Brenda, Brenda Swanko with us? She left.....ok, then Manny Padilla.

Padilla: thank you for allowing me to speak this morning. Honorable Superintendent and board of trustees. I am here to support *In God We Trust* and the invocation before your meetings. I'm going to direct quite a few of my comments to the ACLU because they are the ones that promote this type of activity. As most of you know that many years ago, a gal by the name of Madeline Murray renounced her religion and became an atheist and her goal was to do away with religion

in our country. We know what the ACLU has done for the homeless. Civic Center go down the 57 on the Santa Ana River and you see what's going on. Those homeless people used to be in institutions but the ACLU declared that it was inhumane to keep them there and let them go free. Now they're free and look where they are. Communism was implemented in Russia. Stalin murdered 50 million people to implement his system of government. Even the Russian people didn't know about that because Pravda is the only means of communication they had. They found out about it after Russia, Communism imploded in 1989. Communism is a godless society, and god help us if we ever get to that point. Look at Cuba, look at Venezuela, look at what's going on in those countries. I might also bring up that today in Maryland, Michigan, and Arizona they are allowing Muslims to pray during school hours. When can we bring back our values and our flag to our schools? We do have a hundred million Christians, evangelicals that are willing to bond together to oppose the tyranny from these people. I think I've seen over 80 percent of these folks voted for Donald Trump, and you know how people feel about that. It's been taught that a day of prayer was implemented from the start of the country, but in 1952 Truman established a one day a year of national prayer. In 1988 Reagan designated the first Thursday of May as a national prayer day. June 2007, Obama declared that this US was no longer a Christian nation. On May 2009 Obama dismissed our national day of prayer, not wanting to offend anybody. On September 25, 2009 the Muslim prayer day was held on the west front of the US Capital, that's the site of the inauguration site for 1981. (*sound of timer*) Many of us were offended but that's what happened.

N. Boyd: Your time is up.

Padilla: I guess the point of my comments is that there's a group of people who are trying to change our culture. I grew up in it, I lived in it, and it's very disturbing for me and for my family. Thank you for allowing me to speak to you folks.

Bedell: We have Helen Di ...

N. Boyd: She spoke.

Bedell: And we now have Randy Woolstrum and then Michael Pepper? Is that P E P P E R? Randy Woolstrum? We have Michael and then Brad Dacus.

Lindholm: Who's up?

Bedell: Michael, Michael is up.

Woolstrum: I'm Randy Woolstrum.

Lindholm: You forgot Randy.

Bedell: Sorry, I got rid of you too fast. I'm sorry.

Woolstrum: I just want to start by saying thank you guys. I know you guys are in a very difficult situation and you are getting a lot of history and a lot of legal and a lot of passion but I know that you have a lot of passion 'cause you wouldn't be doing this job without that. I just want to say thank you, 'cause I think a lot of people would say that same thing, thank you for serving us and what you're doing here because we know you're in a tough situation. I oversee 27 churches in Southern California, seven of them are in Orange County, about 7,000 members that are part of that. Our very first church was started in Orange County and we're building our headquarters in Orange County currently right now. I also have a student that's in the school system. We have a 75 year history here in Orange County and the reason I bring it up is because it represents a lot of givers. A lot of people that have served as principals express these as teachers as individuals, has been represented here, the people that have given to the school system. Various activities that we do, we're actively involved on at least 7 campuses and helping them out in different aspects. So, with that in mind I just want to let you know that *In God We Trust* represents and honors all those that have been givers in your history, in our history. The final thing I want to say is that when we come and we pray sometimes it's like you got these meetings and all these details but when we come it's our way of giving back to you saying we honor you, we thank you. We want you to make the best decisions you can in hard difficult times. That we care for you, that we value you as individuals. It's just our way of saying thanks and our tradition. So, you're going to have a lot of givers and we're going to keep on giving, we're keep on being a part, takers, will only take and keep on taking. Thank you.

Bedell: Thank you. Michael?

Pepper: Good morning trustees. My name is Michael Pepper. I work for Pacific Justice Institute and we're a non-profit law firm. You probably are aware of me I did write a letter to you all and we have Pacific Justice Institute has offered to defend the county for any litigation involving these issues free of charge without cost to the board. I wanted to talk about this. We've litigated both these issues, *In God We Trust*, at Pacific Justice as well as the prayer before a school board. And to be sure it's not a clear cut case with respect to the prayer before a school board but the historical nature of this fits and that is that the legislature after legislature after legislature have been upheld to allow for invocations. From congress to state houses in the Marsh case and then to city councils in the (inaudible). And in that case, many of the arguments that were being made were answered by the Supreme Court justices. The issue here is, is this a legislative body and we believe that it is a legislative body. And we believe that that is defensible, notwithstanding the fact that at least one court has ruled against that proposition. The idea that an invocation somehow creates a religion goes against what the court has said. The court said this is really for

the legislature, for the people to make it a solemn affair. I'm so thankful that you folks, I am very thankful. I know time is not a friend and you guys have spent extra time to hear all these things. I'm very thankful that you have done that. And, it has been said before with respect to *In God We Trust* there's no dispute here, whether *In God We Trust* is not a religious statement. It's a ceremonial statement. And that has been allowed by the Supreme Court as well as by the 9th Circuit here that will govern a decision like this. That has been upheld and it can be upheld. I also want to say I am a resident of Orange County a long time resident. I work in Santa Ana with Pacific Justice Institute and I also teach constitutional law at Trinity Law School here in Santa Ana as well. I think you folks have a good place to make a stand. This is a place to stand up and say, no, we're not going to be pushed out. This idea that god's attachment will cause us deep problems is simply wrong. And again, Pacific Justice Institute is here for you.

Lindholm: Thank you. I just want to make an announcement. We have extended our time and we are going to be adding one more person and that will make 37 speakers. I'm going to request that we don't accept any more speakers at that time during the public comments section.

Bedell: So I have Brad Dacus and then I have Pastor Oliver.

Dacus: Thank you, appreciate the opportunity to be here. I'm Brad Dacus, I'm the attorney and president of the Pacific Justice Institute. I second everything that Mr. Pepper just shared. We are very committed to representing you without charge. We have done this before. This is not a new area of law for us and we have a past reputation of succeeding. The reason is we don't ever wish to recommend to a city or other form of government to take on a case which they are going to lose. I'm a taxpayer of Orange County and I have children in Orange County. The last thing we want to see is to see taxpayer's dollars wasted in any way. Needless to say we are willing to represent you without charge because we are confident that the case law, that the precedent and the past practices of legislatures definitely put this board in a very strong position with regard to this challenge. It is an honor and a privilege to have the opportunity....and I want to thank also the many people who are here who took their time especially the pastors of the churches, I think the message is very clear. This board will have the full support of this community if you do what I believe is the right thing that is constitutionally protected. Thank you and I appreciate your time.

Bedell: Pastor Oliver?

Oliver: Good morning. I thank god for this opportunity to be here this morning. I do thank god for being a pastor in Santa Ana and I am called to preach the gospel so we thank god for *In God We Trust* I thank god that it's still on the money, amen and we want to keep it on the wall but most importantly we want *In God We Trust* to be in the hearts of the people. Amen. So I'm just fired up and excited because the bible says when 2 or 3 are gathered in the name of the lord in

the name of Jesus he's in the myth. So I thank god that it was more than 3 speakers so we know that no weapon formed against us shall prosper in god, let us trust in god. We don't want to continue to wait until a crisis happens before we have to come together and pray and realize we need to call on god. So let's continue to call on the name of the lord and In God We Shall Trust because if god be for us who can't be against us and if it what not for god I would not be too blessed to be stressed and if you know god then you are too blessed to be stressed. God bless you.

Lindholm: Thank you. That has concluded the public comments section. I want to thank each and every one of you for coming here today. I'm grateful to you for your time. While we had veteran's day was just last Friday. We have some veterans in our audience and with our board's permission, war veterans please stand so we can recognize you.

(Applause)

Lindholm: Thank you so much for your service to our country. And thank you to all the current service men and women and all their families who stay behind in order to support them. At this time I'd like to take a 10 minute recess. We will let you be able to go back to your jobs and your businesses and your family and the board will be resetting up. So thank you. Thank you for coming.

Lindholm: It's time to reconvene. We have other groups in the audience who would like to listen to the other agendized items. Reconvening from our recess. At this time we have Item # which would be charter submissions if there are any? I am looking at the head of our team and she says there are no charter submissions at this time. So that concludes that item. That moves us on to the consent calendar items. Those are Items 2 through 7.

Bedell: Move approval.

D. Boyd: Second.

Lindholm: There's a motion and a second for approval of the consent calendar items. Is there any other discussion or needs? We have a motion before us all in favor say aye.

Several Ayes.

Lindholm: Any opposed or abstentions? Seeing none that approves the consent calendar with 1 motion. That brings us to staff recommendations. There is Item # 8 and Item # 9. Does the board need a presentation on either of those items? We'll take item # 8.

Bedell: I'll move approval.

Williams: I'll second.

Lindholm: We have a motion for approval on item #8 and a second. All in favor?

Several Ayes.

Lindholm: Any opposed or abstentions? Item #8 carries. Item # 9?

Williams: So moved.

Bedell: Second.

Lindholm: There's a motion and a second for approval of Item # 9. Any further discussion? All in favor? Say aye.

Several Ayes.

Lindholm: Any opposed or abstentions? Item #9 carries unanimously. That brings us to the conference with legal counsel. I believe that we do have members of the audience here that are interested in hearing about the presentation on charter schools and the briefing by counsel. Would it be ok with our board if we just moved to those items at this time?

Bedell: The information items?

Lindholm: The information items. Alright. Seeing agreement, we're going to move to the board discussion items and hold the closed session and item #10 for a later time today. Board discussion items brings us to Kelly Gaughran? Thank you so much.

Gaughran: Good morning President Lindholm, Members of the Board, and Superintendent Mijares. We received a request that I provide you all with an overview of how we monitor our eleven charter schools once they have been authorized. I will do my best to keep it short! I will describe what our team does to assist and work with the OCBE approved charter schools. The items we are reviewing for compliance have been identified in the Charter Schools Act, by the California Department of Education, and also by the California Charter Schools Association.

So, once a charter school is authorized, the first thing we do, after congratulating them on their success, is schedule a meeting to review next steps and begin to develop the Agreement that outlines our working relationship. This is also an opportunity for us all to get to know each other, and introduce them to our charter schools unit team. Our team has four members, including me, but we are also fortunate to have all the resources of the department to support our charter

schools such as instruction, special education, fiscal, credentialing, and risk management. We meet with our charter school teams approximately monthly during the development of the Agreement and we also visit the school site prior to school opening. Once the charter school is up and running, we communicate or meet with charter school administrators on at least a monthly basis, either by phone, in person here at OCDE, or at their school site answering questions and getting updates. These meetings are initiated by either our team or the charter school. And we continue to visit each charter school at least quarterly throughout the year to see how things are going, develop relationships with the principal, and follow up on any questions or concerns that have been raised. We listen to the audio recording of each board meeting for each charter school, and attend at least one Board Meeting in person. This helps us determine where they are on the approval of their policies, gives us a snapshot of budget updates to their board, and better understand their governance structure.

We collect documentation such as parent/student and employee handbooks, Board and school policies, and Board agendas and minutes to review and provide input as appropriate. We monitor enrollment throughout the year and review student records in which we verify enrollment boundaries and ensure that all required items are kept in the student files such as immunization records, parent approval forms, and transcripts from previous schools. We are required to review budget and financial records multiple times throughout the year according to established budget cycles. This helps us to see if enrollment projections are being met and begin a dialogue with them if necessary on steps they are taking to address any shortfalls. At the beginning of the year and as new teachers are hired throughout the year, we verify credentials for certificated staff. And we continually review the overall educational program as documented in the approved charter petition so that once we are at the point of conducting the annual review, we have collected much of the required documentation and have the information we need for this review.

The Charter Schools Act requires that we conduct an Annual Oversight Review. During this annual visit to the school, the team reviews fiscal and business operations; the educational program including LCAP, assessment, and services to special populations; facilities; governance; all personnel; and student services which includes parent involvement and pupil records. On September 30, 2016, we held our first annual Charter School Kickoff Meeting. At this meeting, we covered all of the items I just discussed with our authorized charter schools. The topics included the Annual Oversight Review and they were provided with the document we use. We reviewed, in depth, fiscal and business services, which included the expectations and timelines for submitting first and second interim budgets, because charter schools follow the same timelines as other schools. We also had presentations on instruction including LCAP, Special Ed and English Learners, a presentation on facilities and risk management, and SBAC assessment and foster youth legislation was discussed. Inside the Outdoors also presented their programs, and they brought some critters--a chinchilla and some snakes, and they were a big hit! We had the representatives from all of these areas available to dialogue and answer any questions our charter school representatives had. We plan to continue to have an annual meeting with our authorized charter schools to provide them relevant educational information and continue to develop our relationships with them. We work hard to provide our charter schools with as many resources as possible that are known to us and available, including resources from OCDE, but also from the California Charter Schools Association and the California Department of Education. And, we are always available to assist them with their questions, issues or concerns.

In your take home packets, we have provided you with the agenda of the Annual Kickoff Meeting, and the oversight document that was given to each charter school at the annual meeting and which will be provided prior to the annual visit. The document covers 8 areas such as instruction, fiscal, governance, facilities, and personnel. This is provided for your review and I am happy to answer any questions that you may subsequently have. This concludes my overview of monitoring of our eleven charter schools authorized by this board. Any questions?

Lindholm: Are there any questions for Kelly at this time? Or would you like to hear from counsel?

Williams: Question. So, thank you, this is good. This is the first I've seen of this and well organized, very detailed, I'm very impressed, Kelly, with what you did here. So, this is something that is a checklist that when a charter is initially submitted to us you go through this?

Gaughran: We have our petition review checklist and then that is the annual review that once they're up and running then these are the areas that we go out and look at with our team.

Williams: So, annually, every charter is going to be reviewed. Is that how we're doing that now?

Gaughran: Yes.

Williams: Ok. The concern that I have seen and we saw an article in the Register yesterday about the online, Epic Charter. Is there a complaint that precipitates a review on a not an annual basis but automatically?

Gaughran: The review...

Williams: Is it based upon here say or provided documentation?

Gaughran: The annual review that I'm discussing is a monitoring document that every charter school has, so it's not specific to a charter school with any complaints or anything like that. It's our standard document and we monitor and provide this oversight pursuant to Ed Code 47604. So, as far as complaints go then that's another issue that I believe Ron is going to be discussing.

D. Boyd: What you're talking about then is just routine.

Gaughran: Just routine. We've done that with Samueli Academy, for the last few years.

Williams: And you're going to be talking about a little bit more on these unique situations. Ok.

Lindholm: Any other board members? Ok. I just want to say thank you to Kelly and your team, that's very thorough, for putting on that workshop. You called it a kick off meeting but to give the information and have the group together so they could meet each other and ask you questions and meet face to face. I think that was very valuable, and I'm grateful that you did that. And I think that's a good thing to keep going.

Gaughran: Thank you. We got really good feedback from the charters so we enjoyed doing it for them and look forward to doing it again.

Lindholm: Thank you. Ok.

Wenkart: President Lindholm, Vice President Bedell, Members of the Board, Dr. Mijares. Good morning. I'm here to give you an overview of what happens when there is a complaint or when there's an issue. So, following up on Dr. Williams' question. So, as you can see from Kelly Gaughran's presentation, OCDE staff provides a tremendous amount of support as well as oversight and devotes a considerable amount of resources to helping charter schools to be successful. In other parts of the state there have been a few charter schools that have not been successful. So in such cases the county superintendent and the county board have a duty to oversee the progress of the charter school and make sure that it becomes successful. And if despite staff assistance the charter school is unsuccessful or fails to comply with the charter school act or its implementing regulations then the county superintendent must more closely review the functions of that charter school. And this would apply when we get a complaint as well. So the purpose of my presentation is to provide you with an overview of the process when we are faced with charter schools that are struggling or where there are issues that have been raised. So what are the county superintendent's charter school review functions? They're set forth in the education code 1241.5, 47604.3, and 47604.4 as well as 47604 which was mentioned by Kelly. Those responsibilities are to review and audit expenditures and internal controls to see if there's reason to believe that there's been fraud, misappropriation of funds, or other illegal practices. We can do that either through our own staff or contracting with outside firms. We typically request records from the charter school and the charter school is required to promptly respond to those requests. Then those findings and recommendations of that review are reported to the governing board of the charter school at a regularly scheduled board meeting and that's how the process begins. So, what are the grounds for verification if we get to that point, and I'm not saying that we would necessarily get to that point, but if we do, we look at did the charter school commit a material violation of any of the conditions, standards, or procedures set forth in their charter? Did they fail to meet or pursue any of the pupil outcomes that they've identified in their charter? Did they fail to meet generally accepted accounting principles or did they engage in any fiscal mismanagement? Or did they violate any provision of law? So those are some of the things that we look at. And if we find any evidence if we find substantial evidence to support the allegations that might have been made by someone out in the community or by a school district then we report that back to this board. So what is substantial evidence? Well, it's defined in the law as evidence that a reasonable mind could accept as adequate to support a conclusion. So it's pretty general but basically it means evidence that if you took it and looked at it as a whole a reasonable mind would say this is adequate to support a conclusion. So is there enough evidence to support an allegation that there's been fiscal mismanagement for example or something along

those lines. So if we get to that point and we as a staff, county superintendent staff, recommend that we start the revocation process, the process works this way. It goes to the county board, the county board then reviews the information received either from the staff or if we used an outside agency, you decide whether there is substantial evidence to start the revocation process. You issue a notice of violation, the staff would do that on your behalf that notice of violation would have specific violations tied to grounds for revocation, which I just mentioned. The evidence would have to be both, and you'd have to give them a reasonable time, the charter school, to respond and take care of the violation. If they take care of the violation then that really ends the process. If they fail to cure the violation then the process continues. Then you would issue a second notice, a notice to revoke. That process starts a 60 day timeline in which the board must act within 60 days to revoke the charter or the charter is not revoked. And there would be a hearing, a revocation hearing in this chamber in front of the board in which evidence would present, the staff would present evidence that was found, the charter school would respond with their evidence and then the final decision would be made by this board. So that's an overview of the process. One thing I would like to mention is that it's important that the county board and the county superintendent comply with their oversight responsibilities because if we fail to comply with our oversight responsibilities, this board and the county superintendent could be held liable for the debts and obligations of the charter school. If it's found that we didn't meet our obligations. So with that, I'll just open it up to questions. That's the presentation. Any questions?

Williams: You would have a handout for us?

Wenkart: Yeah, I can provide you with kind of an outline of my remarks.

Williams: Wonderful. So, this is excellent, what you did. It helps me to understand the process. In my 20 years here we've never really talked about this, we've never had a situation when Epic was challenged by the extraordinary appearance of a school district, Anaheim Union High School District superintendent came here as a paid government worker, on government taxpayer funds to criticize a charter school that his district denied. That was pure politics in my opinion, this is a witch hunt by that political agenda. So this is good that we're able to do this. My particular concern is if a complaint is made, which, what's the name?

Wenkart: Mike Matsuda.

Williams: Mike Matsuda. He came here and looked to me to be pure politics. What actually kicks it off? Besides pure politics? Material evidence?

Wenkart: Well, we have to look at those allegations. There were some serious allegations made and so we have a duty to look at that and see if there's any evidence. So we started that process by asking for documents. And we have received some of the documents we requested but we

haven't received all of them so we're in the process of asking them again to provide us with some more documents. So once we have those documents then we'll analyze those documents and determine if there's any substance to these allegations. If there's no substance to the allegations then the process won't go forward. If we think there might be some substance to the allegations then we'll maybe possibly go forward and see what happens, go through this process. But it just depends on whether we find anything in these documents.

Williams: Are we going to be able to talk, are we going to be talking about Epic at a different time and what's going on here?

Wenkart: It's not on the agenda but we could put it on the agenda in the future.

Williams: OK.

Lindholm: Let's think about that for now.

Williams: OK.

Lindholm: Go ahead and ask your question.

Williams: In this particular instance the documentation I received of the requested items from Epic have nothing to do with what Matsuda was blaming. There's a lot of information that had nothing to do with Matsuda and his complaints and allegations. It's hard to understand why....the questions asked had nothing to do with Matsuda's allegations.

Wenkart: Well a lot of his allegations had to do with fiscal mismanagement and so a lot of the request was related to fiscal mismanagement. So we want to see....

(Inaudible conversation)

Williams:I disagree with that.

Wenkart: Well I think one of the allegations was that the money was going to Oklahoma and not staying in California. This was raised by a board member, one of your fellow board members as well. And so....

Lindholm: But, you're getting to a specific topic that's not on the agenda.

Wenkart: Well, let me...

Lindholm: You're explaining the process and how the process works because then we'd all jump into incorrect format.

Wenkart: Well, let me answer in general.

Lindholm: Yeah, answer in general if somebody, doesn't matter who it is,

Wenkart: If there's an allegation of fiscal mismanagement we would look at various documents related to how the money flows. Like invoices, or checks, or things like that to see where the money is going. The state, the money comes from the state, goes to the charter school, and then where does it flow from there? So, that's the reason for the, that's kind of the approach we've taken in general.

Williams: Can a taxpayer go up to a school district and make accusations for an internal review, is it like matter?

Wenkart: Well we're constantly reviewing the level of oversight for school districts are much higher. We're constantly reviewing the expenditures of school districts because all of their warrants all of their expenditures automatically go through the county superintendent's office. So we have all of their cancelled checks. If there's a complaint that XYZ school district is improperly spending money we can go back and pull those checks and see. We can audit that school district very easily. We have most of the documents already.

Williams: Please excuse my ignorance, so, a charter school has to have all the payments through the county superintendent?

Wenkart: No, they usually run their money through a bank.

Williams: Ok, so it's a separate checking account. Do we have access to review and understand and know where those funds are going?

Wenkart: Well that's when we make a request. We wouldn't routinely see all their cancelled checks or routinely see all their invoices. But when an issue is raised about improper expenditures then we would ask for those documents.

Williams: Ok.

Lindholm: Trustee Gomez?

Gomez: Just a process question. When a complaint whatever the form is, some allegation, a complaint, whatever is made, is there in this process time frames to respond so that we're not hanging them out they're not hanging us out. So when we ask for documents is there a specific time frame in which they must respond?

Wenkart: There's no specific time frame in the law so we try to be reasonable. I think we gave them 30 days to respond to the first request, if I remember correctly. And they did respond within the time frame, they didn't raise any objections to the time frame. Then we didn't have all the records that we wanted, we thought there were some missing. We sent a second request and I think we gave them 2 weeks to respond to that. Because we thought they didn't need 30 days because they've already been looking for the records. So, there's no set time line in the law. If they ask for an extension we would probably grant the extension.

Gomez: Yeah, I'm just concerned about if we don't give them a time frame that it could go on and on and on, and then now we're through half a school year. I was just wondering about time frames.

Wenkart: We typically put a time frame in the letter.

Gomez: OK, that's helpful. Thank you.

Bedell: If you could go to your script the, just about the last paragraph? Because I imagine if somebody makes an allegation and we do not investigate it even if it's somebody who's half off the wall kind of thing, or it involves directly a child or it involves malfeasance of money and we do not, that's one of my concerns. I share Dr. Williams, anybody can say anything but one of the main complaints that a lot of school districts have is that charters don't have to go through the way our schools have to go through, but as you mentioned the bank account, that's very different. I think, I applaud you for raising that point. It seems to me you know, years ago when I taught I had a student in my class, several of the faculty said that particular student created for them an uncomfortable work environment. The university did nothing and that student in an inappropriate way that threatened the faculty, where they thought their security was in jeopardy. And the university had some real issues. This is totally analogous to what we have right here. If somebody alleges we must investigate. It may be the walls are painted crazy colors, take care of that in 5 minutes. You know what I'm saying?

Wenkart: Exactly, I think that's very apropos. When you have a situation where a public agency doesn't take action when they've been advised of a problem and they let it go and they let it go and then somebody gets injured as a result. Then you're subject to liability. You can imagine if you're sitting 12 people on a jury and they hear that there's this complaint and that complaint and the public agency did nothing, that jury is going to be upset with that public agency. The

likelihood is they're going to levy a big judgment against that public agency. In this case we have a specific law, we have the education code that says we're immune from liability if we fulfill all of our oversight obligations, which basically implies strongly that if we don't fulfill all our oversight obligations then we are liable. That would certainly be something that would be given to a jury if we ever got sued for liability for something that happened as a result of our failure to investigate. That's always a big concern when you have a specific law that says you're supposed to provide reasonable oversight.

Lindholm: Trustee Boyd?

D. Boyd: Yes, madam president. Over the past couple of years I've had the opportunity along with trustee Lindholm, and Dr. Bedell, to attend many workshops on charter schools. Formation, operation, revocation. One of the things that came out of those workshops, at least in my mind was that once a charter has been granted due to the statute as well as some appellate court decisions it's very difficult to revoke a charter. There's a very high standard we would have to meet to revoke any charter. Would you agree?

Wenkart: I would agree with that. There's several reasons for that. One reason is the process requires you to send out a notice of violation. And when that notice to violation goes out, much of the time, the charter school fixes the problem, so that ends the process. Or even before that, even before you send out a notice of violation there's dialog that goes on, there's usually correspondence that goes back and forth and the problem gets fixed. So, that's one reason why there's not a lot of revocations and then I think the other reason is it requires substantial evidence. So, a lot of times you don't have sufficient evidence to recommend revocation. So there has to be some pretty strong evidence for a recommendation to come to this board to revoke a charter.

D. Boyd: That's all for me, thank you, Linda.

Lindholm: OK, thank you.

Williams: Follow up question.

Lindholm: I have some after you. Thank you, I was trying to wait in line. A couple of questions for you. I like that you're referring to things as allegations because that's what they are at this point in time. And when I see things recorded in the paper it bothers me that it doesn't say they're allegations. That's a complication I think is untoward for some of the charter schools.

Wenkart: Well, at this point it is simply allegations. We're used to dealing with allegations, we have a duty to look into them. We have many times in other context we get allegations we look into them and we don't find anything.

Lindholm: And that's my concern that if you make allegations and they kind of get a life of their own. I'm happy to hear you refrain from that unless you have evidence to the contrary which you find out later. I wanted to know about the....we have just an awesome staff who...(*track changes*) the charter schools and says ok, you need to have this in this time, we didn't get it in this time now we really want it in this time and then what kind of letters are sent out? The notice itself of violation, would that come to the board? Are we the ones that, of course with our superintendent, who are the ones that authorize to send out a notice of violation? That sounds very very formal.

Wenkart: When you get to the formal process, that's when the county board is involved. At this point, the beginning process is...

Lindholm: So like a notice of correction would be sent by staff?

Wenkart: Well, it would come to the board first, the notice of violation, we would come to you with a recommendation to start the revocation process and we would present you with substantial evidence to justify that recommendation.

Lindholm: Ok, so it does come to us.

Wenkart: Yeah, at that point. Prior to that we would try to get it resolved without having to go to a formal process.

Lindholm: Like, you're going to find something they need double signatures on an item and they have single signatures, although there's no error in that, they need to have double signatures.

Wenkart: We'd ask them to make sure they get 2 signatures.

Lindholm: it's a cross check.

Wenkart: Yes.

Lindholm: Ok, I wanted to ask on that. In terms of the letter that was, when you send out a letter requesting information, there was one mention that it was quite lengthy. I don't think the board members got a copy of that letter. Do you, when you send out a letter requesting an extensive amount of information would you get a copy to the board members?

Wenkart: Well, at this point it's a county superintendent process, within the purview of the county superintendent. I don't see any problem with a copy to the board, but it would be at this level it's the county superintendent's responsibility to see if there is substantial evidence to justify a recommendation. If there's no substantial evidence found then it wouldn't really come to you formally and that would be the end of the process.

Lindholm: And, one moment. I totally agree that if we get any kind of inquiry we need to follow up. And I totally agree with our vice president and our superintendent and you that whatever information we get, it has to be followed up on. My only, my big concern is to say these are facts when it starts getting to the paper. When it starts being discussed then it comes beyond an allegation like this may be factual and that's not the case. You haven't gotten all your evidence you have not brought anything to us on that and you're doing your due duty.

Wenkart: Well we're at the very beginning stages.

Lindholm: Ok.

Bedell: It's fact finding.

Wenkart: Exactly, we don't know if there are any facts there or not. We don't know yet if there's anything to be worried about or there's nothing there.

Lindholm: OK. That is my concern. When it starts being discussed and a particular charter's name is being discussed, I think we do them a disservice and that's not right. That's accusing somebody of beating their wife and oh, well, you weren't so I want to make sure that the process is there. And I'm glad to hear that anything to do with the revocation would come to us and that you're giving them adequate time to respond, to get documentation together, I think it's important so, those were my comments. Yes.

Williams: Yes. This is a really good conversation. In my 20 years we've never had this, never even approached anywhere near the controversy and the political nature of what's going on here. So I want to thank you, Ron for taking the bull by the horns. One thought though, allegations if I'm on the street and in my sheriff deputy uniform and I get a complaint by a neighbor against another neighbor, I can't go in there and arrest them because that neighbor wants me to arrest them. The impression that is given is Matsuey, is that his name? Matsuey?

Wenkart: Matsuda.

Williams: Matsuda comes in here and makes political statements, creates a political fire storm and there's no reasonable evidence or any documentation and then the process beginning as what Linda says, it now becomes fact in the papers. So we have to be very very careful about how we couch and frame the debate and what we're doing here. The other question, that was more of a comment, the question is if the primary motivation for review is fiscal mismanagement or failed student outcomes, fiscal mismanagement and obviously breaking the law, those are some of the things I wrote down here from what you mentioned. Is there any other instance where you think for instance a charter petitioner a major charter petitioner would be investigated for his affiliations with other organizations? Is that a part of the process?

Wenkart: Well that has, you would look at that in general if there was concerns about the governance and the way the money is flowing and if that person doesn't seem to have any formal role, they're not on the board of directors, they're not the executive director, but they seem to be running things, so are they getting paid, are they a volunteer, is money flowing to a company that they own? These are things I think that we can legitimately ask if there is some concern about how this operation is being worked. So, for example, and I'm just saying hypothetically, if you have a charter school that's paying 10 percent of its gross to a management company we may want to know what is that management company doing for that money? And if they have contracts with other companies for doing payroll and another company for doing human resources for example, then what is that 10 percent for? It may be totally legitimate but I think we have a right to ask to be sure that services are being provided for that 10 percent of the gross.

Lindholm: OK. I think we have some good clarification. We can always contact Ron on a one-on-one basis. I like the term you're using as fact finding and we are doing what is responsible and what is required of us. Beyond that, and until there is any kind of problem that cannot be easily rectified then we don't see it back here. I thank you for your work and I think we're going to move on. We do have a couple of other agenda items. Yes?

D. Boyd: Can I ask you for clarification? If in the early stages of fact finding would you like the board to not be informed or to be informed?

Lindholm: I think there should be a sharing of, in this case a memo that was sent out requesting that these were issues that they felt could be relevant. And we all got copies of that, correct? I think we should all get that if there's some kind of complaint or allegation then the board should get that. Now while the fact finding is going on, I think that's up to staff to determine and to ask all the relevant information. Does that help?

D. Boyd: Yes. Just wanted to make sure we were on the same page.

Lindholm: Yeah, I would like to know if anything is, you know, if you get other letters.

Wenkart: If there's something....

Lindholm: The board should know we've received a letter.

Wenkart: If there's something serious that comes up then we would ask to put it on the agenda.

Lindholm: If they want to move their parking stalls, I don't want to know about that.

Wenkart: Yeah. We probably wouldn't mention that.

Lindholm: We're not going to micromanage that and we trust you to do what is responsible and the right thing to do. So I thank you both and I thank our charter school members who are here in the audience.

Bedell: Before Kelly sits down, madam chair.....last week I went to a wonderful charter school visit and they kept describing you. How instrumental you were to the development of that school and what a class act you were. And I wanted to be sure they had the right Kelly (*laughter*). Seriously, I just want you to know, we don't hear enough of that stuff in this environment I just wanted to say they were laudatory about you and the people that you bring to help them. It was an extremely wonderful experience I had at that school and you played a big part in making them feel good about what they were doing.

Gaughran: I have a wonderful team.

Lindholm: Thank you, Kelly, and thank your team. Ok, that brings us to Item #10. Yeah, we're going to 10 then maybe we can do a closed session while we're at lunch break. So Item # 10 is Dr. Williams who got this on for Veterans Day...

Williams: So moved.

Lindholm: Do you want to add the wording that the person at the dais during public comments....

Williams: Yes, yes thank you for reminding me.

Lindholm: At public comments he asked that it says veterans of the U.S. Armed Forces.

Williams: I so move with the addition of the language of veterans of the U.S. Armed Forces.

Bedell: Where does that go?

Williams: That would go (*counting to six*) ...whereas, the third line, support for all veterans...it would go in there. United States Armed Forces.

N. Boyd: Actually, there are two places it could go potentially, Ken.

Williams: Oh, OK.

N. Boyd: The fifth whereas, our veterans of U.S. Armed Forces have weathered and experienced...it would go there. And then in paragraph six, that last line as you mentioned, and then also paragraph seven, valor and sacrifice of our veterans of U.S. Armed Forces through appropriate public ceremonies. So we captured it in three places if you're acceptable to that?

Williams: I think that's perfectly reasonable. Thank you for bringing that out, Nina. Your attention to detail is sincerely appreciated. The three areas that were just...

Lindholm: We have a motion, we have a second by Dr. Bedell. Any further comments on recognizing Veterans Day? All in favor say Aye.

Several Ayes.

Lindholm: Any opposed? Motion carries 5 – 0. That concludes the majority of the board business except for the closed session items and we will be, Ron, would you like to introduce that and if it is ok with you we can do it as we do our lunch break?

Wenkart: As indicated on the agenda, the Orange County Board of Education will be meeting in closed session regarding anticipated litigation. The board has received a letter from an organization demanding that the board immediately stop scheduling invocations at its meetings. That the board remove the words *In God We Trust* from the board room and refrain from adopting resolutions related to religion in the future. Since there is a strong possibility of litigation the board will be meeting in closed session to discuss this matter. The second item on the agenda is *Whitley vs Orange County Department of Education*. This litigation involves the Brown Act and the Public Records Act. So those are the two items that we'll be talking about.

Lindholm: OK. Thank you. We will be retiring into closed session at this time, for the benefit of the members of the audience. I anticipate we will not be back out for 30 minutes. Thank you.

Sound of gavel.

Lindholm: We are here. OK, we are coming back in from closed session. We are going to have our counsel report out that there's nothing to report out.

Wenkart: Yes, we met in closed session and discussed both litigation items on the agenda; Whitley vs Orange County Department of Education and the potential litigation and no action was taken.

Lindholm: Thank you. The only other item remaining on the agenda is board discussion items. Announcements. Our honorable superintendent.

Mijares: Okie Dokie. Thank you madam chair and members of the board. It's great to be with you tonight. Just, or today. Just a couple of quick things. First of all I do want to thank a couple of board members who participated in events recently. Mr. Boyd attended the Hispanic Education Endowment Fund dinner on the 10th of this month. Many scholarships were given to students across the county. And then, Ms. Gomez attended the Santa Ana Unified School District's State of the District breakfast at 7:00 am that morning, with traffic everywhere, also on the 10th. So it was a long day for us. So thank you for doing that. Just want to call a couple of things to your attention. I did participate along with some of our staff members in a breakfast for the Boy Scouts of America, where we had the CEO of Exxon Mobile who was a former Eagle Scout, Rex Tillerson, be the keynote speaker and it was a great event. As you know, we're doing a lot of things with both the Boy Scouts and the Girl Scouts of Orange County in terms of helping with the social development of our students. By the way, Exxon Mobile has given since 2007, 125 million dollars for grants, national math and science institute grants to help build up STEM programs across America. Then I wanted to let you know that on the 4th of this month we were part of the Math Faire that was initiated by the MIND Institute from the University of California, Irvine. And it's all an effort to help particularly underserved communities and students who are not fluent in the English language but help them to use things for example like the keyboard to help them learn mathematics. So, it was a fantastic mini-view of where the MIND Institute, they've been around since the early 2000's, if not sooner than that, perhaps. I want to let you know about an upcoming meeting at Chapman University. We're partnering with the new Dean, Dr. Grogan, Margaret Grogan. And it is entitled "Educational Roundtable on Excellent Schools, Meeting the Needs of OC Underserved Students and Families." I'm going to participate on that as a panelist. That will be at Chapman University on December 10th. Then, we've had a number of schools call us concerning the recent elections, the presidential elections, and so some students were, I think, convoluting or misunderstanding the whole matter of deportation. So, we have provided assistance to those schools where they need help. The last thing you want to do is have kids walking out of school. Number one, they miss instruction and number two, they can get themselves into trouble. But we do want them to have dialogue and discourse. This is a great civic lesson in terms of what's happening in America and worldwide and it gives them a chance to really talk through the issues and I think that's really instructive.

So, we have been a support to our schools across the county, we've created a web page for them so that they could get more information on what they might do in the way of discussion with students. So, I wanted you to be aware of that. That's all I have under my reports, madam president.

Lindholm: Thank you. Associate Superintendent, do you have anything you'd like to add?

N. Boyd: A couple of things. I wanted to point out in your red folders if you have not already looked in them, there is a memo from the executive committee regarding Teacher of the Year. There's also a copy of the invocation policy, the executive committee asked us to give you a copy of that for continued dialogue that you are having on that subject. A reminder that the next board meeting is December 14th, submission deadline November 30th. Our office will be closed in honor of Thanksgiving holidays November 24th and 25th, the Thursday and the Friday. And in December we have three days that the office will also be closed, the 23rd, the 26th and the 30th. We'll be moving to shortened hours for the two weeks in observance of the holidays and we'll close at 4:00 pm, so just so if there's a need to come and pick up anything, the office will be open from 7:30 to 4:00 pm. You should have received an invitation to OC Pathways Showcase which will be November 30th at the Marconi Automotive Museum. Please let Darou know if you haven't already done so, if you plan to attend. And the CSBA Conference December 1 – 3, is going to be in San Francisco this year. Two board members attending, Trustee Bedell and Trustee Boyd. We also have our annual holiday luncheon, and Becky, you weren't here last year so our holiday luncheon is an opportunity that the employees here, we have a hospitality council and staff purchase tickets to go and participate. We have typically a school provides music and we have a nice video. Santa comes to visit the employee's children here at the department and actually they'll be doing the taping this weekend. They play that video and showcase families and children visiting Santa. Infants to age 12 I believe. So, if you're interested in attending you and the other board members are certainly welcome. It's December 16th at the Hilton, orange County on Bristol, and please let Darou know if you plan to attend. We'd love having those of you who can attend show up. That concludes my announcements.

Gomez: What time is that?

N. Boyd: It's 11:00 to, excuse me, it's 11:30 to 1:00 pm. We'll get the information sent to you formally. To make sure that my time is correct.

Lindholm: Do we have the date for the January meeting?

N. Boyd: Yes, it's on January 11th. Submission deadline is December 22nd.

Lindholm: Ok, perfect. I have a question for our superintendent. You probably don't know now but the statewide bond measure passed. And I'm just wondering if there's any information we could get on how it might be helping either our districts or us?

Mijares: Sure. That's a technical question so if...absolutely.

Lindholm: Absolutely over time as it emerges. I'm excited if we're able to do any projects. I'm excited and supportive.

Mijares: OK. Very good, I'll get that to the board.

N. Boyd: Just as a reminder to the board. We hold that property over in Anaheim and so as a result of this bond passing we'll be able to move to construction phase. The plans are already approved, it's already at the State Allocation Board approval and so forth, there was just no money to fund it. So, that would be the second alternative school in our ACCESS program that would be built under state monies. That's 100 percent...

Mijares: And we're going through a reaffirmation of that with the Office of Public School Construction, OPSC, just to make sure that nothing has changed with respect to ourselves. We don't think there's going to be a problem there but I believe all of the local bonds affecting schools except for one, passed. Was it two, Jeff? Brea and Capo, ok. Then, how many were left, three?

N. Boyd: I think there were three. But we can provide a list at the next board meeting.

Lindholm: It would be helpful to us, representing schools districts to know what the state is allocating to each, what the award is.

Mijares: Yeah, we'll do that. We can get you that information.

N. Boyd: The level of detail that you're asking for we won't be able to provide but we would be able to say what the passage of the bond was in terms of what their projects are. They haven't identified all those and the dollar amounts.

Lindholm: I don't need to know, for instance, I knew Capo was saying that if it passed they get \$289 million dollars. So I'd just like to know if that's what happened.

Mijares: These are very technical covenants that were submitted to the voters, what they would do with that money. So we can get you that information.

Lindholm: I think that would be useful to each of us in our district. And knowing of course it's a local district that's in charge of disbursing it out and all that, but I think it would be helpful. We realize that we are elected and representing our tax payers it's useful information to know.

Gomez: I think it would be useful for all of us to have all of the districts, not just the ones in our...

Lindholm: Absolutely.

Mijares: Right, all of the districts.

Gomez: I think definitely the districts that won.

Mijares: I think the good thing there is if you know that your efforts to help pass the state bond made sense and you can see what it's going to do locally.

Lindholm: We did also vote that. We passed a resolution to support the state bond. We did. I think that was important that we try and help our schools get when they have a well written forum to do that. Anything else from our board members? Congratulations to you being appointed as a voting delegate to CSBA for two years, good work. We expect reports. Anything else?

Bedell: I just want to say I appreciated the Teacher of the Year dinner. I was there for pieces of it and I also had a great charter school visit last week in the Mission Viejo area. CSBA is meeting in San Francisco, looking forward to that. Some controversy over their election every year, there's controversy over the nominating committee. Doesn't make any difference, there's always controversy. So that's coming down. So, again I did say publicly that the charter people were glowing about Kelly. And if that embarrasses her, that's too bad.

D. Boyd: Does Susan Henry take her position in January?

Bedell: Susan Henry takes her position, the gavel passes Thursday night.

Lindholm: With that, we wish you well in your travels and we stand adjourned until December.