

Transcript of the Orange County Board of Education Meeting held on January 5, 2022.

BARKE: Welcome everyone. Darou, would you please do roll call Trustee Gomez,

GOMEZ: Present.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Barke?

BARKE: Present.

SISAVATH: Trustee Williams?

WILLIAMS: Here.

SISAVATH: Trustee Sparks?

WILLIAMS: For the record, Trustee Sparks was not aware of the Brown Act requirement that we announced this as a public emergency, so we were operating under the old rules where she could be able to come in under Zoom and be a part of the meeting. She gives her thoughts for us and her best, but because of this Brown Act and this, whatever it is, the state of emergency or none emergency, she can't be with us. She was willing to be here with us. You have anything more to add to that?

ROLEN: I think that is accurate.

WILLIAMS: Okay.

BARKE: Okay. Can I get a motion to approve the Agenda?

WILLIAMS: I make the motion to approve the Agenda.

GOMEZ: I would like to make one comment. I'd like to pull items four and five from the Consent Calendar.

BARKE: Don't we need a second before we do that or no? Do we need a second to do that? No?

WILLIAMS: That is fine.

BARKE: Okay.

WILLIAMS: I'll accept that as a friendly amendment to my motion.

BARKE: What items are we pulling, Beckie?

GOMEZ: Pardon me?

BARKE: What items are we pulling?

GOMEZ: Items four and five.

BOYD: Ken, you amended your originals--

WILLIAMS: Right.

BOYD: --so that we didn't have to wait for the second.

WILLIAMS: I'll amend it--

BOYD: Thank you.

WILLIAMS: --to include that suggestion by Beckie.

GOMEZ: Thank you.

SHAW: This is just to adopt the Agenda, right?

BOYD: Yes.

SHAW: Okay. I'll abstain on the Minutes when we get to that.

BARKE: Okay. All right. All those in favor?

GOMEZ, SHAW, BARKE: Aye.

BARKE: Who made the second after he amended his?

GOMEZ: I will second that.

BOYD: Thank you.

BARKE: Okay, so it passes 4-0. Yeah, 4-0 to accept Agenda.

BOYD: Thank you.

BARKE: Then a motion to approve the Minutes for both meetings the first and the eighth?

WILLIAMS: I make the motion.

BARKE: Any comments or a second?

GOMEZ: Can you just give me one second?

SHAW: I actually want to—is my mic on?

BOYD: Yes.

SHAW: Oh, sorry. I'd like to abstain on the Minutes of December 1st and December 8th. I wasn't a trustee for those meetings.

GOMEZ: I am just double checking to make sure there wasn't anything else. I am fine with the Minutes.

BARKE: Okay. So, are you going to give a second?

GOMEZ: I'll be the second.

BARKE: Okay. All those in favor?

GOMEZ, BARKE, WILLIAMS: Aye.

SHAW: Abstain.

BARKE: Okay.

WILLIAMS: I'll make the motion for the approval of the special meeting December 8th.

BOYD: She did both as one.

BARKE: Yeah, I did both.

WILLIAMS: Oh, you did both?

BARKE: Yeah.

WILLIAMS: Okay.

BARKE: Yeah. Yep. It was both. Any speaker cards for the closed session?

BOYD: No, there are none.

BARKE: Okay. We are going to go into closed session to conduct one inter-district transfer and then we will back.

BOYD: Aren't you going to go immediately to closed session?

BARKE: Mm-hmm.

ROLEN: For the inter-district transfer.

BARKE: For the interdistrict transfer.

BOYD: Typically, you go straight into closed session also, after the inter district.

BARKE: Oh.

BOYD: I am asking you, are you going to continue?

BARKE: Yes. Yes.

BOYD: Because you said you'd be back and so.

BARKE: Yes. Sorry. Yes.

BOYD: Clarify.

BARKE: Yup. We plan to be back by five.

BOYD: Thank you.

BARKE: Mm-hmm.

BOYD: You will do closed sessions one through four?

BARKE: Mm-hmm.

BOYD: Okay. Thank you.

BARKE: Mm-hmm.

GOMEZ: Recess us.

BARKE: We are going to now be--

BOYD: You are in closed session.

BARKE: --got it. We are good.

BOYD: Recess.

BARKE: We are recessing from our closed session.

[The Orange County Board of Education conducts an interdistrict appeal hearing, goes into closed session, and returns.]

BARKE: I take these comments on behalf of my council, Gregory Rolen, who I think most of you know, I respect more than anything. I really have great respect for Greg. On his council for tonight, for reasons that I don't really want to get into. I would like to ask you, in order to stay, to please wear some type of face covering that you are comfortable with. I hope that I am not making anyone feel uncomfortable. Again, I am doing this at the advice of my counsel who I adore and have a lot of faith in. So, I hope you don't mind. Thank you. And with that, I think we will start the meeting. [Strikes gavel.] All right. Let's see. Oh, we are going to start with the invocation please. Ken, yes, I think we will start without Ken. He'll be back shortly. He was going to introduce you. I am at a loss for doing that. If you want to give a very short introduction about yourself, I would be most grateful? I appreciate you being here tonight and waiting very patiently.

J. HANSEN: I certainly can. It's great to be here. My name is Jordan Hansen, I pastor Mesa Church. We are about a mile from here, actually on Red Hill and MacArthur. I am so excited to be here. Probably not for why you think. My wife had a baby, our third last week, so I am just grateful to be out of the house.

AUDIENCE: [Laughter].

J. HANSEN: I am being honest with you [laughter]. But, it's good to be here. I am going to pray for wisdom tonight if that is all right. As a pastor, these last two years have been challenging; all sorts of decisions. Every decision that each of you make, I know that you feel the weight of it. Just know that there are a lot of people that are praying for you; well wishing. We rely on you to make those decisions as best as you can.

My six year old started school this year. Honestly, it was transformational for her. She has been at ISSAC, and it has been amazing. Dr. Saguilan has just done a fantastic job there. Harper has been totally transformed. She was one of those kids that had a slow go of it. She was not super excited to be away from her parents, but she is really transitioning well. I am just grateful for the work that you do. Let's pray, Father, thank you so much for the opportunity to influence 475,000 kids and students. Lord, we do not take it for granted. Lord, every day we all make decisions over our own areas of influence: me, my three kids, my family, the church that I pastor, but Lord, the folks that are here today make decisions and it impacts a lot more. We pray for them. We lift them up to you tonight as they think through all of these situations that they are in. Father, we pray that you would give them wisdom just like James 1 says, if we lack wisdom, and Lord we can never have enough wisdom as it relates to 475,000 students. We pray that you would just give them eyes to see beyond human reasoning. Lord, help them to see behind the why. Help them to see into the family lives, and marriages, and kids' situations. I just pray that you would bless their decisions. Help them. Guide them. Lead them. Protect them. We are so grateful for them. Help us also to pray continually for them. Amen.

MIJARES: Amen.

BARKE: Amen.

J. HANSEN: Thank you so much. Congratulations on your newest addition to the family, and thank you for mentioning ISSAC because it makes us feel very fulfilled in our work when we hear that you are at one of our new charters. We are thrilled to hear that, so thank you for the unsolicited comments about our charter. Appreciate that. Okay. Next, we are going to have the flag salute. Tim, as our newest recently, reappointed board member, I'd love to have you do that.

SHAW: Thank you. Please stand if you are able and face our nation's flag? Repeat after me.

AUDIENCE AND SHAW: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

BARKE: Thank you, Tim. I think now we are going to go straight into public comment. We are going to start with Laura Rosencrans.

L. ROSENCRANS: Hello, board members. Thank you so much for the opportunity to talk to you tonight. My name is Laura. I am a parent of a fifth grader at a charter school here in Orange County and of two high schoolers in the Fullerton Joint Union High School District. I am also an educator in the public school system up in Fullerton. First, I just want to thank you for your thoughtful work on Constructive Ethnic Studies that you've done over the last year. But especially in educating all of us, the public, and people who live here in Orange County to understand these issues well. Tonight, I just want to let you know that I support the adoption of the White Paper. The White Paper gives many specific concerning examples of what liberated pedagogy teaches. Here is just one. Liberated pedagogy requires imposing its own kind of racism. As Ibram Kendi described, "the only remedy to racist discrimination is anti-racist discrimination. The only remedy to past discrimination is present discrimination."

That is not what we want. Our schools should not be teaching discrimination of any kind. Not the liberated kind, not the supremacist kind, no discrimination at all. As Martin Luther King said, "People should not be judged by the color of their skin, but by the content of their character." The point of teaching ethnic studies is to combat racism and discrimination, not promote them. That is why it is important to adopt this White Paper, without revision, and adapt its learning to help our students. Thank you.

BARKE: Thank you so much. Appreciate your comments. Next, we will have Denise Garinger followed by Eddie Kim.

D. GARINGER: Hello. My name is Denise Garinger. I have a son who attends high school in La Habra Fullerton Joint Union High School District. Thank you for your work and support of a constructive ethnic studies curriculum. I support adoption of the White Paper. As a parent of a high schooler, I am looking for a curriculum that teaches my son how to think critically. It would be inspiring for him to learn and become aware of achievements made currently and historically by various races. Let's keep away from accusatory language, placing kids into victim and oppressor groups, which occurs in the Liberated Ethnic Studies curriculum. I support

Constructive Ethnic Studies curriculum so that ethnic studies can have a positive impact on our students. Thank you.

BARKE: Thank you. After Eddie Kim, we have Laura Tanner on deck, and then Stacy Muller.

E. KIM: Amazing how the world's most deadliest pandemic can be stopped with a 10 cent mask made in China that is not even medically approved. Sorry. Hi, my name is Eddie Kim. I am a parent of three kids in OC school system. Two of them are attending, hands down, the best public elementary in the state. I am really thankful for that. My parents are immigrants and came to this country in search of opportunity and it was found through our education system. Unfortunately, that education system that gave so many minorities and immigrants opportunity has been politicized and weaponized for political gain. The saddest and funniest thing to me is that America boasts and ranks themselves as having the best education system in the world, but has very, very low scores. Do you know that the program for International Student Association (PSA) tested and ranked countries all around the world in 2018? Guess where we are at? Number 37 in math, 18 in science, 13 in reading, and globally overall, we are 25th actually.

The country with the 25th rank in test results is identifying itself as the best education system in the world. That is like finishing 25th in the Olympics, in the medal count, and then saying we have the best Olympic program. Maybe we need to look at ourselves and really make some changes in how we educate our children so that we can make our education great again. Honestly, to tell you, one of the greatest gifts that a country can give to their children is a good education system. Most of this country is failing our kids. At a 25th world ranking, that is proof; but I wanted to thank this board for making a true difference in the lives of many kids in this county.

Since the Asian countries blow us out of the water, why don't we look at them and get a hint? First, they don't teach race theory in those Asian countries. They want their children to be global competitors, not blame culture, pointing finger victims with no skills. I will tell you that no Asian families with immigrant parents will encourage their children to pursue anything related to race theory. Why? Because Asian parents know it's crap.

AUDIENCE: [Laughter and hoot]

E. KIM: Thank you. I think, as a parent, the education system needs to stop using our kids for their political tool by indoctrinating them at a young age. If you have time to teach crap race theory, I mean, CRT, why not spend more time on math since we are ranked number 37 in the world? If you don't care that we suck at math, then maybe we can teach our kids to say, "you are welcome" and "thank you" and even try balancing finances. But, if you must teach some form of ethnic studies, then please be honest and teach a curriculum that we all agree that we aren't perfect, and that we've all made mistakes individually and as a country. Maybe we can admit that, learn from the past, and not repeat them [timer sounds]. Maybe we can teach our students to forgive each other for the past, create healing and unity, and look to the future with optimism and hope. Let our students know that they can become anything they want with hard work and allow them to experience the American dream.

BARKE: Thank you. Appreciate it. Sorry, your time is up.

E. KIM: No problem.

BARKE: Thank you though. I appreciate it.

E. KIM: I want to endorse the White Paper [applause].

BARKE: Thank you.

L. TANNER: Good evening. My name is Laura Tanner, and I am a Rossmoor resident. I am here today to wholeheartedly support the Board's Ethnic Studies White Paper that supports Constructive Ethnic Studies curriculum. Ms. New and Mr. Stole are two names that hold no significance to the majority of the people in this room, but in my life, they perfectly personify the difference between critical ethnic studies curriculum and Constructive Ethnic Studies. Ms. New was my mentor/teacher during my student teaching experience. She told me in my evaluation that I did not stand a chance of becoming a teacher because of my speech impediment. She said, despite my excellent grades, meticulous lesson plans, and effective delivery, in such a competitive market where there were 300 applicants for every posted position, I didn't stand a chance. She went on to say that she was appalled that the university had given me the clearance on my speech and hearing test.

Mr. Stole was the principal that hired me after with my student teaching. He said that my speech impediment, far from being a liability to my teaching, made me an inspiration to my students who would have a living, breathing model of someone who was successful despite having a disability. Ms. New personifies critical ethnic studies, I guess you are calling it Liberated Ethnic Studies now. This curriculum tells White people they are genetically programmed to be oppressors and no amount of effort on their part can change their DNA. Several critical ethnic studies proponents believe White peoples' only option is to denounce their whiteness and remove themselves from the public space. Critical curriculum also damages non-White people by presenting a narrative that non-White efforts are useless. Their efforts are useless because all institutions are systemically set up to fail them. Bottom line is, why try? Everyone and everything is against you.

Mr. Stole, the principal that hired me, personifies constructive curriculum. Constructive Ethnic Studies acknowledges the challenges of the past, but focuses on the efforts made by diverse population groups to overcome their challenges to achieve their goals. These groups focus on what they could do to change the situation and provide a path for future generations to follow and to achieve their dream. Critical Ethnic Studies criticizes Whites, demoralizes non-Whites, and leads to more hatred and division. Constructive Ethnic Studies builds bridges and paths by converging the strengths and successes of diverse groups so others who follow will know the paths that leads to success. In 2007, I had the distinct privilege and honor to call Mr. Stole and Ms. New to let them know that the Long Beach Unified School District had selected me to be the 2007 Teacher of the Year. Thank you very much.

AUDIENCE: [Hoot and applause.]

BARKE: Thank you. On deck, we have Dorie Krepton after Stacy.

MULLER: That doesn't help. My name is Stacy Muller.

AUDIENCE: [Laughter]

S. MULLER: Hi. I am kind of confused why this is an argument. Either you want to be a racist, and discriminate, and divide and go with Critical Ethnic Studies; or you want to be inclusive and unify everybody together, and go with the White Paper. I am confused. I don't see any difference besides that. That is the bottom line. You want to be divisive? Do the Critical Ethnic Studies. You want to unify everybody in a positive way? Do the Constructive Ethnic Studies. It's obvious that there is a big problem here. It's obvious that people are not happy with the idea of teaching this ethnic studies course and curriculum. How can we teach it and teach that, yes, the United States and many other countries have been terrible in many ways, how have we learned from that? I think we are less racist than we've ever been until you introduced this stuff.

I mean, it's unbelievable to me how backwards this is. Anyone in here, first of all, I don't see a lot of speakers that are speaking for the Critical Ethnic Studies. This is the time. I am just confused how anyone could stand up here and be for something so divisive and not call yourself a racist. That is what you are if you are for it. I am going to tell you right now. I have tons of Black friends, Mexican friends, Hispanic friends, Asian friends. They hate this stuff. Okay, and they don't believe that White people are the oppressor and they are oppressed. What a terrible position to put Black people and any race into. To think that you are oppressed, you are never going to be anything because the White people are keeping you down. Doesn't anyone see how ridiculous this is? The fact that we have to talk about this is embarrassing to me. It pisses me off.

By the way, I am the mom of two kids. I pulled them out of my Los Alamitos School District because of this. Okay, because of this. I don't want my kids to learn to be racist. They love everybody. And if you think school is going to teach my kids how to hate everyone, you got another thing coming. We have a big problem here, and it starts with the racists that are for the critical ethnic studies. I am 100% for and supportive of the White Paper if you didn't know already. But I am very disappointed in our country and in humanity that we think that this is even a topic to argue. How can anyone not see how racist and how divisive this is? Why? It's just unbelievable to me. It's unfathomable. I'd love for anyone [timer rings] that wants to talk afterward, please find me. I'd love to talk to you. Let me put this useless mask back on.

AUDIENCE: [Applause]

BARKE: Thank you. All right. Thank you. Next up, we have Harumi. Then, Marie following Harumi.

HARUMI: Hi. My name is Harumi. I am an Asian American voter in the city of Cypress. Thank you for your work and support of a Constructive Ethnic Studies Curriculum. I am here to support the adoption of the Ethnic Studies White Paper. As you can see, I am supposed to be oppressed and victimized according to the Critical Ethnic Studies. But never in my entire life living in the US did I ever feel like a victim or oppressed. America gave me every opportunity in life that I

could have ever dreamed of. What is Critical Ethnic Studies? It is what many of our schoolchildren are learning nowadays. It is a curriculum that pits students against each other by defining them as victims or oppressors based solely on the color of their skin. Critical Ethnic Studies is against meritocracy, colorblindness, race neutrality, and against equal opportunity.

It believes that such values are promoted for self-interest, power, and privilege of dominant groups in the US society (i.e., White people). This approach is a step backward from all of the progress and the sacrifice our country has made in breaking down discrimination based on race. Our educational system should be encouraging those attributes in our children, not vilifying them. These values, meritocracy, color blindness, and equal opportunities are all things that make this country the most envied on Earth. Ethnic studies can be the most constructive or most destructive course taught in school based on the content. Please adopt the White Paper, Constructive Ethnic Studies curriculum so that the course can have a very positive, inspiring impact in all of our students. Thank you.

AUDIENCE: [Applause and hoot]

BARKE: Thank you. Next up is Marie followed by Lorrie Kaylor.

M. PALMER: Hello, my name is Marie Palmer. I am a parent in Seal Beach and Huntington Beach. I also support BASTA and Lexin. Thank you for your work and the support of a Constructive Ethnic Studies curriculum. It's a better approach to the ethnic study initiative, because it combats racism, emphasizes civic responsibility, and builds inner ethnic group understanding and empathy. As described in the White Paper, it can help bring about change through awareness, compassion, and engagement, and have positive academic and social outcomes for students. These studies have nothing to do with colonialism, Critical Race Theory or Liberated Ethnic Study political ideology, which all serve to indoctrinate a narrow political agenda and promote segregating children instead of uniting them. The White Paper makes it clear that political indoctrination in our classrooms is unacceptable, and it rejects one-sided idea of Critical Race Theory. The foundation of Liberated Ethnic Studies, which challenges the traditional claims of the educational system, such as objectivity, students with skill and imagination, may inspire to reach the highest level, color blindness, race neutrality, and equal opportunity. These are all things that make this country great.

Our educational system should be encouraging those attributes in our children, not villainizing them like the ethnics studies that is being taught in Liberated Ethnic Studies curriculum. They put students against each other by defining them as victims, oral oppressors based solely on this color of their skin. It asserts that all White people are racist and that all people of color are victims. That is horrible. This approach is incredibly divisive and racist in itself. We should not be advocating for division. That approach is a step backwards from all the progress and sacrifices that we have made in breaking down barriers, and stereotypes, and discrimination based on race. CRT theorists claimed that these values act as a camouflage for the self-interest power and privilege of dominate groups, which is a total lie. I agree that any ethnic study course in our school should be based on Constructive Ethnic Studies, which promotes critical inquiry, multiple points of view, and highlights the achievements of various communities. In contrast, Liberated

Ethnic Studies is a one-sided view of social issues based on a Marxist dogma that puts people in categories based on the color of their skin.

Do you want that in our schools? That could create hate for one another. In fact, California Ed. Code 51500 states, “A teacher shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race or ethnicity, religion, or nationality.” I guess Liberated Ethnic Studies is going against the California Ed. Code, right? Something to think about Board. I support Constructive Ethnic Studies. Please adopt the White Paper [timer rings] and a Constructive Ethnic Studies curriculum so that ethnic studies courses can have a positive, inspiring impact in our students. Remember, they are our kids and they are our future. Thank you.

BARKE: Thank you.

AUDIENCE: [Applause and hoot]

BARKE: After Lorrie Kaylor, our last speaker will be Claire.

L. KAYLOR: Hello, Lorrie Kaylor. As an educator and parent, I am very thankful that you have done all the work that you have to put together a Constructive Ethnic Studies Curriculum White Paper and all of the informational meetings that you have given to the public. I think that this is a very important thing for our kids. We need our children to understand that unity, not divisiveness is what we need in this country. I want to piggyback on what was just stated. I will state again, California Ed. Code 51500 states, “A teacher shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race, or ethnicity, religion, or nationality.” There are many other California Ed. Code examples prohibiting the teaching of bias in our classrooms as well. Whether it's under any other name, Critical Race Theory, or whatever they want to call it, I don't want to see it in this Orange County Department of Education. Thank you again for the White Paper, and I want to let you know that I support it.

BARKE: Thank you.

AUDIENCE: [Applause]

C. CHU: Good evening, everyone. This is Claire Chu. I come from Cypress. I come here just to support Constructive Ethnic Studies Curriculum. Being an Asian parent, I know so much about those kinds of like, you know, so called education. It's not just related to the skin color and the races and the (inaudible) just to create some kind of like ideology to hate each other and to separate our, you know, people in this nation. It's just the—my mistake. Critical Ethnic Study is kind of like something followed by those liberal agenda and apply those political, you know, issues into our school, into our kids. I just want to purify our school and teach those academic stuff. Teach kids how to love each other. How to worship our God, and teach those positive things in school. Just give away those Critical Ethnic Study.

I'm kind of like disappointed about our, you know, the rank of our schools, you know, compared with other countries academic, you know, scores and their level. Why our teachers not put more

effort on the academic study and teach them something really useful for their future? By teaching them those, you know, trash, you know, teach the kids for the, you know, hate each other by their skin color and their races. I just want those liberals to remember. This country is the only, you know, castle for the freedom and democracy in this world. We must have the direct path to lead our kids because they are our future. Don't screw up anything. If you liberals really like those kinds of, like, philosophy, why don't try go China? Go North Korea.

AUDIENCE: [Laughter]

C. CHU: Take your practice there. Okay. I love this country [timer rings], so I must do everything possible to support Constructive Ethnic Study.

AUDIENCE: [Hoot and applause]

BARKE: Thank you, Claire. Next, I'd like to bring up our Council Greg Rolen to give a wrap up from our closed session.

ROLEN: Thank you, Madam President. With regard to closed session number one, the Board received information on a matter of existing litigation. The only action taken was to approve invoice number 1071248 from Epstein, Becker and Green dated December 31, 2021. With regard to closed session number two, the Board again received information on a matter of existing litigation and no action was taken. I am sorry, can I refer back to closed session number one?

BARKE: Please.

ROLEN: The Board voted. Trustees' Shaw, Williams, and Barke in favor of the approval of Epstein, Becker and Green's invoices; and Trustee Gomez vote voted in the negative. There was no vote taken with regard to closed session number two. With regard to closed session number three, the Board voted pursuant to Board Policy 100-15, that they shall formally retain the law firms of Epstein, Becker and Green and Nielsen Merksamer. The Board further approved and directed the aforementioned council to initiate litigation against the Orange County Commission on School District Organization should such litigation become necessary. Again, Trustees' Barke, Williams, and Shaw voted in the affirmative; and Trustee Gomez voted in the negative. With regard to closed session number four, that was deferred in interest of time, so no action was taken.

BARKE: Thank you, Mr. Rolen. I appreciate it.

ROLEN: Sure.

BARKE: Next I'd like a motion to approve items two and three from the Consent Calendar.

WILLIAMS: I'll make that motion to approve items two and three.

SHAW: Second.

BARKE: Okay. All those in favor say “aye.”

WILLIAMS, BARKE, SHAW, GOMEZ: Aye.

BARKE: Is that “ayes” from all of us? Okay. Motion passes 4-0. We pulled off item four and five.

WILLIAMS: I'd like to make a motion to move item number four.

SHAW: Second.

BARKE: All those in favor? Any discussion?

WILLIAMS, BARKE, SHAW: Aye.

GOMEZ: Oppose.

BARKE: Okay, so that's 3-1. Motion five.

WILLIAMS: Yeah. I'll make the motion for number five for the invoices for the Law Offices of Margaret Chidester.

SHAW: Second.

BARKE: All right. Any discussion? Hearing none, I'll call for the vote. All those in favor?

WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Opposed.

BARKE: Okay. That is 3-1. All right. Nina, do we have any charter submissions?

BOYD: We do not.

BARKE: Okay. Moving on to item number seven, Aracely, regarding Suncoast Preparatory Academy.

[Audio malfunction]

GOMEZ: Little delay.

CHASTAIN: I apologize. I got stopped out there for just a couple minutes. Are we ready?

BARKE: Mm-hmm.

CHASTAIN: Good evening President Barke, Trustees, and Superintendent Mijares. The Board requested representatives from Suncoast Preparatory Academy attend this evening to provide an update on concerns identified by Orange County Department of Education staff. There were two predominant areas of concern identified: services to English language learners and the school's budget. First, the concern regarding services to English language learners has been addressed by the school. The school has been working with OCDE Educational Services division to complete a legally compliant English learner plan and procure instructional materials. Per Interim Chief Academic Officer, Dr. Christine Olmstead's assessment, school leadership and instructional staff understand English language development and what is needed for reclassification of students. An updated English learner plan was submitted in December that met legal requirements. Additionally, SPA's annual oversight visit took place in November, and it is apparent that the school has improved in some academic and operational areas. We have identified areas of growth, but are pleased to report that nothing stood out as being insurmountable.

Second, our concerns have not changed regarding the school's fiscal health. The school's long term liabilities owed to SMG remain the same. We have no information that the school was able to successfully renegotiate the \$495,000 debt. A review of the 21-22 First Interim Report found that the school's financials, while improved, continue to reflect that the school will remain insolvent through the end of the fiscal year. The projected ending fund balance is negative \$728; a significant improvement compared to prior reports. Additionally, while the underlying assumptions that the budget is built on are reasonable, they do not reflect the latest available information.

Shawna MacDonald, principal and interim executive director for Suncoast Preparatory Academy and Delano Jones, back office provider with Athena Advanced Solutions are present via teleconference to answer any questions.

BARKE: It's back to us? Okay. I'll start to my right, Beckie.

GOMEZ: Yes. I'd like—this is to Suncoast. Could you address the budget situation?

BARKE: I think you are muted.

GOMEZ: They are not speaking.

BARKE: Yeah, we can't hear either one.

MACDONALD: I am muted, but I am going to let Delano speak to the budget Councilmember.

BOYD: Delano, we can't hear you. There seems to be a problem. Try again. No.

MACDONALD: I believe he is going to log out and try to log back if I am reading his lips correctly.

AUDIENCE: [Laughter]

BARKE: You are better than I. I couldn't read those at all.

MACDONALD: We had to do this earlier this week. We had our budget meeting for the board meeting that we have for our school on Monday. We were doing the same thing; reading lips through our computers. It was crazy [laughter].

BARKE: Does our staff know to let him back in? Do they know what's going on?

BOYD: Yeah, they are watching.

BARKE: Okay. Oh, okay. I wasn't sure.

SHAW: There we go.

BARKE: Okay. There we go. Oh boy.

UNKNOWN VOICE: He can type it.

BARKE: Can he?

UNKNOWN VOICE: Yeah.

BARKE: Oh, I guess he can.

GOMEZ: That is not going to be sufficient to chat. We really need to—

BARKE: Well, if he typed it to her.

WILLIAMS: (Inaudible) to the record.

BARKE: Yeah.

BOYD: We need the recording.

BARKE: Well, I am saying if he could type it to her, then she could speak for him and that would be recorded.

GOMEZ: That would be pretty laborious.

BARKE: Yeah. Maybe he could call her. Can you call her and tell her what to say? Then she can speak on your behalf. Does that sound reasonable?

GOMEZ: He should be able to call in through the Zoom.

BARKE: Okay.

AUDIENCE: [Laughter]

BARKE: I understood that. Those lips I could read.

MACDONALD: He is calling me, and I will relay.

BARKE: Yeah. Perfect. Perfect.

MACDONALD: [Phone rings] Okay Delano, go ahead.

DELANO: Perfect. So, if you just put the mic down.

BOYD: I can hear him now.

BARKE: I think we are hearing him through her.

BOYD: No, because his earphones were plugged in.

BARKE: Oh, Delano try speaking now with your earphones. Let's see if we can hear you.

DELANO: Okay. How about now?

BARKE: Yeah.

DELANO: Oh, there is an ugly feedback.

BARKE: Yeah.

MACDONALD: It's because my phone is next to my computer. Hold on.

BARKE: Oh, but, then we won't hear, because we are hearing him through her phone. That is what's happening.

BOYD: He's muted again though.

BARKE: Yeah.

MACDONALD: Okay. If I unmute, can you hear him better?

GOMEZ: He's muted. He's got to unmute himself.

BARKE: But he was—oh, I don't know.

GOMEZ: Oh, my goodness.

BARKE: Could he call—

BOYD: If his headphones were plugged in, it may be, because that was where the issue was.

MACDONALD: He's calling into the Zoom link. There was too much feedback with me using my phone and trying to do the speaker.

BARKE: I did. I was tempted to get up and fix it.

[Feedback is heard]

BARKE: Okay. We got time.

DELANO: I can hear you guys.

BOYD: We can hear you too, but there is feedback.

BARKE: Just keep it really, really good and concise [laughter].

DELANO: Okay. There's a huge amount of feedback, but hopefully you guys can hear me.

BARKE: Can we call him, Nina and put it on a microphone?

BOYD: Tell him to turn his computer off.

DELANO: Okay. I am still here, but I am just on --

BOYD: There we go. [Feedback stops]

DELANO: --the voice call. Can you guys still hear me?

BARKE: Yes.

DELANO: Okay, perfect. All right. I'll do it this way. Thank you, guys, for being patient. Good evening, everyone. Once again, my name is Delano Jones. I am the business manager for Suncoast Prep. If getting connected to this call is indicative of some of the struggles that we've had the last year or two, you know, this is a classic example of that. I'll speak directly to the question that was asked. I believe, the trustee asked what's going on with the budget if I heard you correctly.

GOMEZ: Yes.

DELANO: Okay, perfect. Just to give you an update, and again, as you guys know there are a number of things that has been going on with Suncoast Prep. In terms of you know, one, two years ago I would imagine when those issues first started, and I think from the onset there were issues, right? I think we've reviewed that with the Board a number of times. What we've had to do last year and obviously in this fiscal year as well, obviously there is a sweet spot with this budget in terms of the number of students versus the staff and the complexities of how the

program operates. There are, you know, staff members that they have to hire even though they are only teaching a single subject course, just because of the nature of the program.

Other than that, as Aracely previously mentioned, we have cut this budget down to where it is literally, there is nothing else left to cut. There are no other adjustments that can be made anywhere. I do not anticipate that this budget will have a deficit at the end of the year. It is not tailored that way. The board did not approve a budget that will have a deficit in it. While the ending fund balance, Aracely mentioned, from last year to this coming year, the end of this fiscal year. We are projected to have a small deficit in the fund balance of \$729,000. That is a huge turnaround from the \$183,000 deficit that they finished June of 21. We have made tremendous improvement in that area. We continue to make strides. We are certainly working diligently.

I will address the outstanding liability to SMG of \$490,000. We are currently scheduled to have a meeting to continue negotiations on a settlement with that. I am glad to say that this coming Friday, we will have an opportunity to present our case to them. We are hoping with that, we will get some relief in terms of debt forgiveness for a majority of that liability. That, in and of itself, will in fact make the fund balances come back to positive if we are able to get that negotiated successfully in the month of January. I'll pause right there and allow the Board to ask additional questions or get more clarity if need be.

GOMEZ: Well, yes. You are going to negotiate this debt, hopefully down some. What happens if you can't? What's your next step?

DELANO: Well, the next step currently, as it stands right now, the budget that we have in place, and again, as Aracely mentioned, the projected fund balance of \$729 deficit at the end of June does not take into consideration any debt forgiveness at this point. Even if we didn't get debt forgiveness, we would still finish the year with just a small deficit.

GOMEZ: What is your student enrollment?

DELANO: --in terms of the fund balance.

GOMEZ: Okay. What is your student enrollment right now?

MACDONALD: We are at 123.

GOMEZ: Okay. Are those the projections that you are using for this budget?

DELANO: No, currently we are using a lower projection of 110 students, so those additional 13 students came in after that budget was approved.

GOMEZ: Okay.

DELANO: Those are recent additions.

GOMEZ: Okay. I have no further questions right now.

DELANO: Thank you.

SHAW: Well, I was on a bit of a sabbatical there, so I don't know if I missed anything over the last [laughter] month and a half or so, but I am pleased to hear you guys making progress and just commend you for that.

BARKE: Thank you.

MACDONALD: Thank you.

DELANO: Thank you, sir.

BARKE: Dr. Williams?

DELANO: If there no other questions, I would like to add something.

BARKE: Sure. Go ahead.

DELANO: Absolutely. I do just want to thank, you know, the trustees for your support. I also want to thank the Charter Office for their continued support. They have gone above and beyond in terms of the support and resources that they've provided to Suncoast Prep. I do want to thank both entities for their continued support of the school, so thank you very much.

BARKE: Thank you. We appreciate those comments. The staff is here to hear them, and they'll share them with the rest of the group. Thank you. I appreciate that. Now, we will move back to Trustee Williams.

WILLIAMS: I did have some questions. Your deficit is around \$700? Okay.

DELANO: It is projected to be around \$700 at the end of June 2022.

WILLIAMS: Okay. At the end of June 22, so you have enough cash flow right now to get through the remainder of the year until June and you are just missing \$700. Do you have a foundation that you can raise money to help fill that gap?

DELANO: Unfortunately, no. You know, this program is quite unique in and of itself. At this time, no, would be the short answer to that. Okay. But we all we are always looking for opportunities to fundraise and/or secure additional resources.

WILLIAMS: Right. What a lot of the successful charter schools have done is created foundations to help raise these funds. I will be more than happy to help you with that effort there and make a personal donation so no one can accuse you of ever ending without a balance. I am going to make sure that happens for you. Okay.

AUDIENCE: [Hoot and applause]

DELANO: I am so pleased to hear you say that. Thank you so much.

WILLIAMS: That is all I have to say.

BARKE: Well, that is very generous. Thank you, Trustee Williams. I am also very excited about your progress and excited about your settlement on Friday. I'd love you to share how that goes. From what I've heard, I think there is some flexibility and there is some compassion there, so I'll be praying for you guys and hoping that that goes well. I know over time that you will succeed and prevail and continue to provide the excellent education that I hear in the community you provide. Thank you for what you do. It's very important. We need successful virtual charters like yourself for children that it its best suited, so thanks for everything. Do we have any other board comments/questions? No.

GOMEZ: I would just like to get an update after they do their negotiation later this month.

BARKE: Okay. Can we do that? Do you want to reach out with Aracely to get an update? We will try back over.

DELANO: Yes, we will be sure to provide a report to the Charter Office as soon as we have reached a settlement with them.

GOMEZ: That'd be great.

BARKE: Thank you.

MACDONALD: I'll make sure to email Teresa, who is our contact, as well as Aracely as soon as we get something.

GOMEZ: Thank you.

MACDONALD: I cry almost every single time I come on these meetings because somebody does something or says something. This is my baby. This has been my baby for four years. I do want to reiterate what Delano said, which is to thank you so much for your continued support. I do thank, you know, the Orange County Charter Office. They have been so supportive these four years as well. Thank you very much for your continued support. It means the world to me.

BARKE: Okay, excellent. We are all set. Wonderful. Okay. Moving right along. We will move to item number eight.

WILLIAMS: I make the motion to adopt the White Paper, the California Ethnic Study Model curriculum with small typos that have been found. Joe Nalven is a PhD, rather than a doctor in education. The other error that was identified to me was Dr. Shufutinsky, she wanted social worker to be put in there as far as her occupational and vocational skill sets in working; as well as the fact that she worked in a private school. I make that motion with those changes.

BARKE: I will go ahead and gladly second that motion. I am very excited about the White Paper. Do we have any discussion?

WILLIAMS: I want to thank—a special thanks to Dr. Wu and Elina Kaplan who were very helpful in our two public forums that we had this summer. I want to thank all of the individuals, and I'll name them off for the record. Walter Myers; Dr. Sander from the University of California, Los Angeles School of Law; Brandy Shufutinsky from the Alliance for Constructive Ethnic Studies; Elina Kaplan, as I mentioned; Wenyuan Wu, the California for Equal Rights Foundation; Dr. James Lindsay, founder of New Discourses; Dr. Mark McDonald, a child/adolescent psychiatrist; and Mr. Damon Horton, who is kind enough to be here; and Professor Maimon Schwarzchild, professor of law at UC San Diego.

BARKE: I also want to just take a minute to thank you, to thank the public. I was told by somebody who does documentaries that it was some of the best public comment they've heard across the country. I really want to thank all of you that came out and made public comments, and those that listened and watched. We've had thousands of views on our expert forums. If any of you haven't seen them, you can go on our website under board meetings, and scroll down to special meeting July 27th and August 24th, and you can reenjoy that if you haven't already. Just want to thank the public as well for all of your support tonight and throughout this process, and just your support as a community. We really appreciate that.

WILLIAMS: If I can add a subsidiary motion? I will send to you, Darou, the Word document with those minor little changes that I mentioned; and that this gets put on our new website as well as our current website as a separate URL accessible document.

BARKE: I love that.

BOYD: Just as a point of clarification, your new website is up. If anyone go to the old website, it will take them to the new website, so there is only one website.

WILLIAMS: The new website is--

BOYD: Live.

WILLIAMS: --up and going. Yeah, we didn't get to talk about that so that is new to me. But we will talk about that.

BARKE: The URL, just for the record is O? How do they find it?

BOYD: They can use the same. It will take them to--we will post all the information.

BARKE: Okay.

BOYD: It's posted on there.

BARKE: Okay.

BOYD: But if they click on what they've been, ocbe at ocde.us, it takes them automatically to the new website. All the information is there so that they can update their databases and so forth.

BARKE: All right. Okay. Any other discussion on the White Paper?

SHAW: I just want to comment. I believe we need to really recognize Dr. William's efforts as well. I think you personally spent quite a bit of time on this, Ken if I am not mistaken.

AUDIENCE: [Hoot and applause]

SHAW: Thank you for your efforts. It's very well documented also, you know, I mean, there's several pages of footnotes. I mean, it's, [laughter] no one can say that you didn't really do a lot of research and document all the points you are making, so thank you to Ken and all those that were mentioned for their hard work on this.

WILLIAMS: I'd like to point out that what we did in this White Paper is talk about controversial issues in school district board policies especially that which is advanced by the California School Boards Association, Policy 6144A. As well as the consideration of AB 101 guardrails, and as well as potential exposure for school boards by teaching the Critical Race Theory that is integrated into ethnic studies also described and defined as liberated studies.

BARKE: Any other comments?

GOMEZ: Yeah. I just have a comment or two. First of all, thank you for all the citations. I know that was a little bit of a weakness from our previous white paper, so that is helpful. The people, the panelists, I do have to say, I shared my concern at the time that many of those have never taught in K-12. They were experts in higher ed., which is where Critical Race Theory is often taught, but not at the K-12 level. I do have some concerns about the paper. I don't think that we had a balanced approach in this paper, so I think that is a major concern for this paper.

BARKE: All right. Any other comments?

WILLIAMS: Well, I am not going to let that go without being--

BARKE: Oh please. Let's [sighs]

WILLIAMS: --I think it was balanced. Teresa Montañó, who you asked to be on this, she was invited; but, she played political games afterwards. It was people who taught in college. I will agree with that. But what we are talking about is a White Paper that applies to a mandate for kids in K through 12, in which they are mandated to be taught ethnic studies. Now, how do we teach that? Is it the liberated, or is it critical, or is it constructive? This is what this paper helps K through 12 educators to understand, because this is a very nuanced subject. I do agree with you on that. But this paper specifically applies to K-12 education.

BARKE: I believe Brandy Shufutinsky, who was at the first one, did do some K through 12 as well as her social work if I am remembering correctly. I remember specifically.

GOMEZ: I stand corrected. There was one person. You are right. There was one person that taught K-12 I think for one year. I think elementary, I believe.

BARKE: But I agree with Dr. Williams. I don't think that is a prerequisite. I think they are very learned. I mean, Dr. Wenyuan Wu has a PhD and has devoted years of her life to studying this and is in it every day, so I think whether they've taught K through 12 or not, you know, I think.

GOMEZ: Well, but there was also a math professor that had no experience in ethnic studies who was one of the panelists. So, you know, we can argue about the panelists all day long, but that is not going to be helpful.

BARKE: Nope. I agree. I'd love to move on and just call for the vote.

AUDIENCE: [Laughter]

BARKE: If that is acceptable to everyone? All right. All those in favor?

WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Opposed.

BARKE: All right, 3-1.

AUDIENCE: [Hoots and applause]

BARKE: All right. We are moving on to number nine. Dr. Williams, I see your name there. Do you want to start?

WILLIAMS: Right. On our agenda is a just discussion of the Superintendent's salary for the next term, whoever that will be from the term of 2021, I mean, 22 to 2026. Mr. Greg Rolen is going to be giving us a presentation.

ROLEN: Hopefully, in line with the meeting this evening, it will be brief. Do we have anything that is going up on screen, Nina?

BOYD: Not that I am aware of.

ROLEN: There were some attachments. I don't know that I asked you to put them on the screen.

BARKE: We do have them here. Yes, the board members have them in their red folder.

BOYD: It was posted on the Agenda.

BARKE: And it was posted on the Agenda.

BOYD: As part of the Agenda.

BARKE: Yep.

ROLEN: Thank you.

GOMEZ: But it wasn't in our packet.

ROLEN: This is to an item that we brought--

BARKE: It is in the red folder.

GOMEZ: I know, but it was not in our official packet that we were given.

WILLIAMS: Is it on the public domain? Was it posted?

BOYD: Yes.

BARKE: Yes.

WILLIAMS: Okay.

BOYD: It came in after the board packets were sent out to the board members. We sent it to each board member separately afterwards, and we were able to update the Agenda so that the Agenda that was posted for the public includes the information you are about to talk about.

BARKE: And all of us board members had it via email, very timely. Okay.

GOMEZ: When was it sent via email?

BOYD: Same day that you received your packets.

BARKE: Yeah.

BOYD: That Wednesday afternoon.

BARKE: Yep.

ROLEN: Thank you for your efforts, Madam Deputy Superintendent. Again, this is just a quick follow up to an item, which I believe is on the June meeting where we reported out that the Board has the authority under the California Constitution to increase or decrease the Superintendent's salary. There is also some Education Code sections and very basic principles of contract law which prohibit retroactive decreasing of the salary. In light of that discussion, we provided the Board with some information about superintendent salaries throughout the state of California. Perhaps people can review that information at their leisure, but we did a study of every—the methodology of the study was as follows: a paralegal from our law office went

through a number of public records and board minutes to try to determine the salary. To be perfectly transparent, there was not a lot of information on medical benefits and the like. This information that was provided to the Board does not include medical benefits, or travel, or stipends or anything of that nature.

What we did is we provided a straight breakdown of the County Superintendent salary for all 58 counties in California, but we wanted to also recognize the complexities/challenges of large counties, such as Orange County with diverse populations and large populations. We also broke the salaries down by—we divided the salaries by enrollment, ADA, that the county serves and the overall population of the county. We provided some data that demonstrates how each superintendent fares in that regard. You might imagine that Alpine County, their superintendent, makes \$59,000 a year; but there are 1,204 people in Alpine County. I am sure a lot fewer since the snow. That superintendent makes \$49.09 cents per person in their county. That is opposed to Dr. Mijares who makes 11 cents per person in the county and \$6.73 cents per student in the county. We thought that that would be instructive to the Board and instructive to the public as a way to have some enlightenment as to how we want to approach this salary situation.

Again, this information will be posted on the website and we welcome any input that we can receive to do a yeoman's job of fixing this salary in a fair and equitable way. And with that, I would entertain any questions from the Board.

WILLIAMS: What we are doing, for the record, is something that is statutory, correct?

ROLEN: It's under the California Constitution. Yes.

WILLIAMS: Okay. To do this, it's specific for the superintendent who is elected in the June 7th, 2022, Primary. Is that correct?

ROLEN: That is correct.

WILLIAMS: Whoever wins, that will be the salary. If we were to reduce the salary that is currently in place, would we be able to do that?

ROLEN: Yes.

WILLIAMS: Okay. Next, what is a fair and equitable way? Is there any guidance that you can give us?

ROLEN: That is what I was attempting to do. It is an interesting exercise. We tried to avoid retaining firms that specialize in this sort of thing and start with a baseline number to provide the Board some information.

WILLIAMS: Mm-hmm.

ROLEN: That is exactly what we are trying to do. I think some fair comparisons are larger counties.

WILLIAMS: Mm-hmm.

ROLEN: And counties with diverse populations that match the complexities of Orange County.

WILLIAMS: The metrics you used were the salary per population.

ROLEN: Right.

WILLIAMS: The second metric that you used was salary per enrollment.

ROLEN: Right. ADA.

WILLIAMS: Okay. You know, the question is, are those reasonable metrics to be used? I think a bigger, overarching issue is, fundamentally, on a more simple level, should the superintendents be making more than the governor who makes \$210,000 a year here in California, or a congressional congressman of \$174,000. Should these superintendents be making these huge salaries? When it comes to retirement, a salary such as, lets pick Dr. Debra Duardo of \$336 when she retires after so many years, that is going to be considerably higher. We know that Dr. Bill Habermehl, who's retired here, makes \$385,000 a year, around there, according to the documentation that I have seen since his retirement.

These are very high salaries. The overarching question: what is fair and equitable? The Superintendent is not, he's elected. Elected people, there is a certain difference between being paid a salary. I think if you are elected, you should be expecting a little bit more salary. The governor is probably complaining he's not making \$400,000, like the President of the United States, that sort of thing. That is my only thoughts on this. Obviously, we are not ready to make a decision, but I think the salary is going to be much lower than what it is now.

GOMEZ: I would, you know, when you just look at salary, I appreciate the fact that you did it by population and by students, but you also have to look at things like medical and dental, life insurance, any deferred comp., any car allowance. There's a lot of other things that go into someone's compensation. Looking at it from just a straight dollar perspective is not equitable if you were looking across some of these. I think you need to look at total compensation, because I think that makes a difference as well.

ROLEN: We had a little bit of trouble getting those numbers. We are going to continue to try to find those numbers, but you made that request earlier when we started this process. We tried to honor it.

GOMEZ: Yeah.

ROLEN: We wanted to show the Board that we made a little bit of progress regarding this, and I am happy to entertain any suggestions on how we would get that information because we are continuing to look.

GOMEZ: Okay. Thank you.

BARKE: Any other board questions or comments? No?

WILLIAMS: None for me.

BARKE: Okay.

ROLEN: Thank you.

BARKE: Thank you very much for the information we appreciate it. All right. We will move swiftly now to number 10.

WILLIAMS: Maggie.

BARKE: Maggie, please.

CHIDESTER: Good evening, President Barke, Trustees, Dr. Mijares, members of the public, and I believe we have a PowerPoint--

BOYD: Yes. I believe Media needs just a moment to fix some technology. If we just take a brief recess while we--

BARKE: Sure.

BOYD: --set her presentation; also, they can reboot what they need to for the YouTube.

CHIDESTER: Thank you so much.

BARKE: All right, so we will take a five minute recess. Is that enough time Nina, five minutes, or do you want ten?

BOYD: Five minutes they are saying is fine.

BARKE: Okay. All right.

[The Board takes a recess and returns]

BARKE: Are we back? We are back. Thank you for your patience.

CHIDESTER: [Presentation is displayed] We will try this again. I want to thank Deputy Superintendent Boyd for always making everything work no matter what. The Board and staff will recall, that last October we examined certain legal authorities in the Education Code that deal with the powers of the Board and the powers of the Superintendent with respect to the process of seeking and accepting grants. The Board has requested additional information; this time, specifically on certain contracts that deal with medical and related services and, again, has directed our office to take a look at the statutory scheme and also seven selected contracts.

Hopefully, this won't put you to sleep, but in the spirit of my colleague, Mr. Rolen, I will attempt to be relatively brief even though I am pleased to entertain your comments and questions.

Taking us back briefly to last fall, we looked at some Education Code sections; again, the focus this evening is with respect to contracts for medical and related services. Section 1260 (e) allows a County Superintendent to provide in-service programs, which is kind of an antiquated term, with County Board approval. Section 1703 is brand new. It allows a County Superintendent to employ personnel for guidance, health and library services, special education, attendance activities, and the coordination of courses of study with the County Board's approval. Four days old as a matter of fact. Section 1750, also in the Education Code, allows the County Superintendent to employ health supervisors to provide health services to pupils, again with County Board approval. The final section concerning the County Board approval allows a County Superintendent, instead of employing those health supervisors to contract with the County Board of Supervisors or local health district for their employees to provide health services, again with County Board approval.

With apologies for the relatively small type, we are going to look at some specific contracts requiring County Board approval. The first, was a September 1st, 2020, memorandum of understanding between the County Superintendent and the Orange County Department of Education and the County of Orange Healthcare Agency. Our office found that Section 1260 (e) does in fact apply as OCDE agreed to provide professional development, training, education sessions for staff members regarding mental health, and topics that likely will qualify as in-service programs, or the more current term of course, professional development, and coordinative services.

The contracts we are looking at are quite broad in their scope and don't have a lot of specifics. Those specifics as to how they are actually being implemented were not available to us. That is the reason in a couple of cases that you'll see momentarily, we say it's likely that they apply, but more information would really be needed as to the specific contract. Here, Section 1751 likely applies because OCDE is contracted with the County of Orange; and therefore, with the County Board of Supervisors or alternatively HCA, which is a local health district that will carry out the County of Orange's responsibilities. It may be argued or assumed that OCDE has contracted with a local health district.

The second contract we were asked to look at is the March 16th, 2021, agreement for a grant with a specific ID number. We believe that Section 1260 (e) does apply, because this grant requires OCDE to provide training and technical assistance to school-level leadership teams to implement improvement in policies contemplated by the agreement. These trainings likely qualify as in-service programs and coordinative services, and will be provided to schools within the County Superintendent's jurisdiction.

The second part is not as clear. This is contracts that possibly require County Board approval depending on what is contemplated with respect to the specifics of the agreement. The first in this category is the July 1st, 2020, Agreement for Provision of Educationally Related Mental Health Services between the County of Orange and the County Department of Education. You'll note that this contract has expired as of June 20th, 2021. In our research, we believe Section

1751 may apply because the County Office is contracted with the County of Orange, again, which can qualify as contracting with the County Board of Supervisors. We would need to do further investigation to determine whether the Board of Supervisors has delegated this duty to the County.

The second is a July 1, 2020, Gray Trex Global Learning LLC Agreement. We believe it may apply, that is Section 1260 (e) may apply, because the contract contemplates a virtual keynote speaking event to increase positivity and improve employee performance, which we believe may qualify as a professional development training. Again, we would need to do further investigation to determine whether the speaking event includes a school or a community college district within the County Superintendent's jurisdiction. If so, then the approval of the County Board is required.

Finally, there are clearly contracts that don't require County Board approval, the first being the August, 2019, MOU between CHOC and County Superintendent of Schools; the second being the August 1st, 2020, Children's Hospital of Orange County service agreement; and the third being the July 1st, 2020, contract for provision of K through 12 mental health educational services between the County of Orange and the County Superintendent (i.e., the County Department of Education.) That contract is still in effect through June 30th of this year. That is the highlights.

I want to give you just a bit of detail about some of these contracts as to what we found. Again, the first one we looked at is the August 2019 Memorandum of Understanding or the MOU between CHOC and the County Superintendent of Schools. You may recall that we found, as to this one, Board approval was not legally required. There was a question raised, which we looked at briefly in our analysis. This is a rather unique agreement in that CHOC shall be OCDE's *preferred* pediatric healthcare partner. Contract also says that OCDE shall not enter into a substantially similar agreement with another children's hospital without CHOC's prior written agreement; and further, it offers CHOC, rather it confers on CHOC, a right of first refusal to be the pediatric healthcare provider selected by OCDE for similar arrangements and initiatives for children up to age 18.

The initiatives, I'll just address briefly, that this MOU contemplated are under wellness to improve health of children who attend Orange County public local education agency. This could include fitness, nutrition, education, mental health, counseling, screening, and vaccination, and condition specific education programs, and finally a data exchange program. The concern that was raised to me in looking at this contract was, does this MOU, for example, prevent someone other than a physician or a licensed healthcare provider who is affiliated with CHOC with doing screening for students with potentially severe mental health problems, such as potential suicidal ideation. Our conclusion, and again, these contracts are very, very broad. But our conclusion was, no, this did not prevent specific screenings. The global and nature of this contract and the exclusivity of the contract really goes to programs, rather than an individual healthcare provider providing screening for a student in need.

This August 2019 Memorandum of Understanding also deals with Children's Hospital of Orange County and the County Superintendent of Schools. It goes to care coordination, improving the

quality of care provided at OCPLEA, and to new initiatives that the parties through their joint oversight council that is contemplated by the agreement shall explore ways to adopt new initiatives consistent with their shared vision and objectives of this collaboration; and, of course, as individuals all involved in public education, we know how important the student issues of mental health have been that our students have endured especially in the last two years.

The term of this MOU goes through July 31st, 2024. It does have an automatic renewal provision, unless it is terminated prior to renewal. We found that this particular agreement was neither prohibited nor contradicted by any Education Code sections. We further found that for this particular agreement, because of its terms, the County Board does not have the ability to approve or deny this agreement. Again, the exclusivity analysis said, "OCDE agrees that CHOC Children's shall be its preferred pediatric healthcare partner during the term of the MOU and shall not enter into a substantially similar agreement with another children's hospital." Again, the exclusivity is with respect to another similar organization, rather than preventing an individual provider from conducting an assessment.

Of interest under this MOU is that the preferred pediatric healthcare partner is not defined or elaborated on elsewhere in the agreement. OCDE can't enter into a substantially similar agreement with another children's hospital without CHOC approval. Programs and services developed under the agreement are to be used exclusively by CHOC. Programs such as the Wellness Center, the Data Exchange, and care coordination initiatives are examples. My apologies, I got just a bit ahead of myself. This is the issue I referred to earlier is whether physicians outside CHOC are legally prevented from screening children for high risk of suicide through county programs. Again, we found that the exclusivity provision of this agreement did not prevent such screening. It does prevent OCDE from entering into substantially similar contracts with other children's hospitals without CHOC's agreement. Finally, just to reiterate County Board approval was not required for this agreement.

The next contract we were asked to look at is the August 1st, 2020, Agreement. The scope of work engages CHOC as the independent contractor to perform services for the educational services program. They are described in Exhibit A; chiefly, marketing communication. The team will create, adapt, and curate adverse childhood experiences related information, communication and stories to reach providers, pediatricians, and other target audiences that are serving students in need. As you can see, the term of this agreement ran through June 29th, 2021. Again, this contract isn't prohibited nor is it contradicted by the Education Code, and it does not require approval of the County Board.

The next contract we were asked to look at is the September 1st, 2020, MOU between the County Superintendent and the County of Orange Health Care Agency. Orange County Board of Supervisors has authorized the Healthcare Agency in partnership with OCDE in 27 school districts in the county and alternate in charter schools to apply for the Mental Health Student Services Act grant access to mental health services. These funds will be used to pay for seven regional mental health student services coordinators to coordinate a variety of mental health services for students and their families. This is a four year term beginning, September 2020 and running through August 31st, 2024. The next contract we looked at was the July 1st, 2020, Agreement.

WILLIAMS: Maggie, just real quick. You skipped over the previous slide.

CHIDESTER: Sorry.

WILLIAMS: For this memorandum here, the County Board approval, this contract may be required. Is that your conclusion for this?

CHIDESTER: Yes. Yes, it is.

WILLIAMS: It's not absolute. You are not sure of that because of the details.

CHIDESTER: Let me look back to make sure.

WILLIAMS: In the analysis above, it says requiring County Board approval.

CHIDESTER: This is in the possible category, Dr. Williams. Thank you for flagging that. Education Code section 1751 may apply because OCDE contracted with the County, which we believe may qualify as contracting with the Orange County Board of Supervisors. We would need to determine whether the Board of Supervisors delegated that duty to the County. If they did, Board approval would be required, so this is in the possible category.

WILLIAMS: Help me understand that.

CHIDESTER: The Orange County Board of Supervisors, they have a meeting a couple times a month, and they meet for a few hours. But they don't actually provide the mental health services. They contract with somebody else. Is that correct?

CHIDESTER: That is our understanding.

WILLIAMS: Okay. When you say, "may" I would assume the Board of Supervisors are not practicing mental health disorders or psychiatry.

CHIDESTER: I think that is probably a fair assumption.

WILLIAMS: They are probably delegating it out to another organization.

CHIDESTER: Yes.

WILLIAMS: Okay.

CHIDESTER: And the question is, is it delegated to the County of Orange?

WILLIAMS: Okay. If it was delegated to the County of Los Angeles or to a private provider, does it make a difference?

CHIDESTER: Yes.

WILLIAMS: Tell me the difference.

CHIDESTER: That would take us back to Education Code section 1751. This allows a County Superintendent, instead of employing health supervisors to contract with the County Board of Supervisors or a local health district for their employees to provide health services with County Board approval. If it fit into the category of County Board of Supervisors or a local health district, your approval would be required.

WILLIAMS: A local health district is defined as public or private, or both?

CHIDESTER: I've not extensively researched the answer to that question. My assumption is it would be public, because it would be designated as a local health district.

GOMEZ: I am sorry. Ken, could you repeat your question? What did you ask?

WILLIAMS: Oh, I just asked. The public health district, how is that defined? Could that be a private entity, a private district, a private mental health facility, or is it a public health like the Orange County Mental Health?

CHIDESTER: Yeah. Yeah.

WILLIAMS: That is all I was clear trying to get clarification on.

CHIDESTER: Yeah.

WILLIAMS: I am fine.

CHIDESTER: Okay. Again, as to the July 1st, 2020, Agreement, our conclusion was that the County Board of Education approval of this contract may be required. I think you could even say, it's likely required under the Education Code.

The next agreement is the July 1st contract for K-12 mental health educational services between the County of Orange and the County Superintendent. This runs through June 30th, 2022, and it's to provide K-12 mental health educational services to the residents of Orange County. The services in this document are listed in an exhibit to the contract, Exhibit A. The County Department of Education agrees to maintain facilities and regularly scheduled service hours to provide educational services for support and engage the school community to increase knowledge of community resources, promote awareness of mental health issues, and reduce the stigma of mental illness. For this reason, OCDE has agreed to make mental health awareness activities available to all Orange County schools and youth organizations. As previously mentioned, this runs through June 30th, 2022.

WILLIAMS: Maggie, question. Does the contract, the MOU with CHOC as its exclusive healthcare provider, does those provisions in that contract prohibit an outside private provider from providing mental health services for our kids, such as—I have an individual who is an incredible individual who has a program--

CHIDESTER: Right.

WILLIAMS: --helping kids, identify kids that have suicidal risk and other behaviors.

CHIDESTER: No.

WILLIAMS: Can that private organization be used?

CHIDESTER: Well, a private individual can certainly be used. Now, the exclusivity goes to, if the Department of Education were to contract with another children's hospital or similar organization, then approval of CHOC would be required.

WILLIAMS: So--

CHIDESTER: But an individual or a private practice that is conducting screening for potential suicidal ideation is not ruled out by that exclusivity provision.

WILLIAMS: Even though it may be a private provider organization, a private entity?

CHIDESTER: Correct.

WILLIAMS: Okay.

CHIDESTER: Correct. But again, CHOC has the last word on whether Department of Ed. may contract during the term with another children's hospital.

WILLIAMS: Okay. This type of private provider is not covered under that language. Is that correct?

CHIDESTER: From what you've shared with me, the answer to that is no.

WILLIAMS: Okay.

CHIDESTER: Okay. If you have more detail, I am certainly glad to look into it further.

Continuing with the July 1st, 2020, contract provision for mental health services, this isn't contradicted or prohibited by any Education Code section and the County Board is not required to pass on this agreement under any Education Code section.

Sixth agreement is the March 16th, 2021, Agreement for a Grant. The summary here is it can be used only for objectives described in the agreement. The Healthy Schools Leadership Committee, with participation from at least four school districts, will build the capacity of school and district leaders around social and emotional health. It's to provide training to school level leadership teams to support schools to implement at least two improvements in social/emotional health policies. The idea is collaboration across departments and demonstrating at least two efforts and establishment of recommendations and practices for large capacity building structure

to support other county offices of education. This grant period runs through June 30th, 2023. Our analysis here is that the agreement is neither contradicted nor prohibited by any Education Code section, and that County Board approval of this agreement is required under Education Code Section 1260 (e).

That is a whole lot of contracts. If you are still with me, let me see if I can synthesize briefly. The point of this exercise was to hopefully prompt understanding and communication, and hopefully provide some transparency about these important agreements and how they are going to serve, not only the students served by the County Department of Education, but the students of Orange County at large. We were asked to suggest positions that the Board could consider and potentially adopt with respect to how to move forward on contracts such as these, not just these, but contracts such as these.

We were asked, “Well, what can the Board do about this?” Let's assume there are, and there do appear to be, a number of contracts that by law required Board approval, however, were not approved. The Board could request that County Superintendent notify the Board of proposed contracts and place such contracts on board meeting agendas for review and approval, where it's required, to keep the County Board apprised of upcoming contracts and obligations, to improve communications, and maintain cooperative governance.

The Board may request the County Superintendent to provide periodic, forgive my spelling error, updates of progress, programs, services, obligations, and financial matters regarding OCDE contracts to maintain transparency. For example, suppose there is a contract that doesn't require Board approval. There is no legal prohibition if the parties have an understanding, with putting that item on the agenda as an information item and including the contract as back up to the agenda, and having the resident expert, if you will, from Department of Education present to do a brief presentation. That sort of thing happens in many local school districts where it's essentially a staff presentation: you need to know this, this is important, this is how it serves our kids, these are the purposes it's advancing. Even when there's no Board vote, it's a matter of communication. That is an option you could consider. The third option I would not recommend. The more money that people spend on lawyers, the less money they seem to spend on students and supporting their employees. We know that litigation is a possible method of recourse but we certainly, in the spirit of preventive school law, recommend improved communication and that the parties attempt to exercise their other options and improve their communication, rather than resorting to litigation about something that should have been a offered for Board approval.

This is really a recap, a summary. I won't walk you through it again. It's in your PowerPoint, and we did cover this at the beginning. I am pleased to take any questions.

BARKE: Do we have any questions?

WILLIAMS: I'd like to make a few comments. First, thank you, Maggie for doing this. This was a herculean task. Your staff, and you, and your office did wonderful.

CHIDESTER: Thank you.

WILLIAMS: It really answered a lot of questions that were outstanding that we didn't know. This doesn't happen very often when we get a full legal review of Education Codes and their application to the powers and duties that separate the Superintendent's Office from ours. Part of the discussion that you and I had was wonderful. It was a very insightful. It helped me understand this. The Board doesn't want any more difference between the two entities. We wanted to cogovern. Transparency is the ultimate outcome that I hope we can get from this. My concern, as a physician, is the mental health of our kids. I've done enough pediatric psychiatry, mental health, to recognize that these high risk kids need to be screened, and need to be recognized, and treated.

I am going to be talking with the Superintendent about a particular program that the individual we have in common, that is out there screening right now in school districts and finding those kids who are at high risk for suicide and getting them intervention. I want to thank you for helping answer that question for me.

CHIDESTER: You are welcome.

WILLIAMS: This is a wonderful presentation. A lot of hours went into it. I think it's probably going to be created into a board policy in the next meeting or two. We'd like you to help us make this into a board policy.

CHIDESTER: Delighted to help. Anything I can do to improve communication and trust, I think would be beneficial to both parties.

BARKE: Thank you. Any other questions or comments?

GOMEZ: Yes, I have a couple. There were seven contracts that were reviewed, were the contracts selected just based on health? Is that what the intent was?

WILLIAMS: They were contracts I just had. It was given by staff.

GOMEZ: Okay. They all seemed to be centered around health.

WILLIAMS: Pardon me?

GOMEZ: They were all centered around health.

WILLIAMS: Uhh.

GOMEZ: More or less.

CHIDESTER: Broadly, yes, Trustee.

WILLIAMS: Yeah. Okay.

GOMEZ: Are these seven contracts that were selected, they all seemed to be very recent or in progress? We didn't look back at any expired contracts?

CHIDESTER: A couple of them have now concluded, but yes--

GOMEZ: Recently.

CHIDESTER: --they were all quite recent.

GOMEZ: Okay. In some cases, in your long memo that you sent us, there were some sections that applied and others didn't. If there's one section that applies that says, "Board approval is required for this particular portion." That means the entire contract then requires Board approval. It's not like the best three out of four.

CHIDESTER: Yes, Ma'am. You can't really cut the contract up in pieces and approve pieces.

GOMEZ: Yeah. Okay, good. There were several references to, again, in the long memo, not in your presentation, although I think you mentioned it briefly, several references to research and different studies. What I'd like to find out, and this is probably a question more for the Superintendent, is maybe we can get some feedback on some of these contracts? Because again, in your analysis, there were a couple things that said it was not clear whether or not the Department is actually doing certain things. I think it would be helpful for us if we got some feedback, perhaps from the Department, about some of these points in this analysis so that we can have a full understanding of how the contracts, you know, apply, especially going forward. To your point, we want more transparency. We want some visibility so that we are all understanding what the expectation is.

I don't think any of us want to be out of compliance with anything. But I think it would really help to have a better understanding what the Department is actually doing.

CHIDESTER: Yes.

GOMEZ: I think that, you know, if we could perhaps maybe get a response or some feedback on some of these points? I think that would be most helpful.

MIJARES: Yeah.

GOMEZ: Does that sound reasonable?

MIJARES: Yes. Madam President if I can just address--

BARKE: Of course.

MIJARES: --Beckie's comments? Yeah. I'd be happy to do that. First of all, I do want to thank, Maggie for her hard work. She's incidentally going to be recognized by the USC (DSAG) that is the Dean Superintendent Advisory Group, which I am a member of.

CHIDESTER: Thank you.

BARKE: Congratulations.

MIJARES: I do think though, in the interest of objectivity, and fairness, and breadth, that there are some code sections that were lacking in the presentation. I know it is voluminous work. A lot to put up there at once. I am totally in support of the good faith effort of transparency. Frankly, I didn't even know this was going to be on the Agenda. I didn't even know she was working on this until a few days ago, so we are not prepared to give a full refutation of this. My intention is not to create division, but it's to be just to the subject matter. If you are willing, I asked our General Counsel Jeff Riel to just comment briefly on a couple of these points, again, just to set the context of it. Because again, we want to make sure that we are both doing our statutory responsibilities, our due diligence in terms of why I've been elected, why you have been elected.

While there is a number of things that creates a plurality of work, we are working together. There are some things that are distinctly different. You have certain statutory responsibilities for some things. I have statutory responsibilities for other things. Neither one of us wants to breach that. In the interest of real disclosure and analysis, I think it's important that, you know, we hear my side as well. If you'll give me that difference and allow me to, to your question, Beckie, certainly. We can come back with our analysis and Greg and Maggie can look at it as well. We can chat back and forth, but there are some code sections that just sort of jumped off the page for me. If you wish, we can do that right now? I can have Jeff Riel come up just to point to a couple of things.

WILLIAMS: Okay. (Inaudible). I don't. I have to get going. I think this is a bigger, broader subject for a different time.

BOYD: Ken, we can't hear you.

WILLIAMS: I think this is a good suggestion. But I'd rather not listen to Jeff, because we have bigger, broader issues that we need to get to. This is very focal. I think this would be a good subject that we can meet--

MIJARES: Sure.

WILLIAMS: --get together, and have something more organized for the Board, rather this tit-for-tat, type of thing. We asked Maggie to give her presentation. Let's take that going forward in the spirit of harmony--

MIJARES: Sure.

WILLIAMS: --and working together, and transparency. So, we don't—I think that may not be good, with all due respect, to have Jeff come up and just rebut what Maggie said.

MIJARES: I wasn't intending to rebut, but just to amplify. But I fully respect the position of the Board. Perhaps we can work on this, you know, with the Executive Committee and our group. We can try to make sense of everything so it's justly done. That is my point.

WILLIAMS: I think the pursuit of governance together is important.

MIJARES: Mm-hmm.

WILLIAMS: The pursuit of what is in the best interest of the kids that we serve. The mental health of our children in Orange County is important.

MIJARES: Yes.

WILLIAMS: And with that heart and goal, I think we can do good things. I have a couple good things to talk and share with you. Maybe we can do more good programs to help identify these high risk kids and get them help.

MIJARES: Very good. I am more than open to that. And you are right; we do have a tremendous need to address the mental health, social/emotional, and behavioral challenges that our students are facing every single day. And of course, the pandemic has exacerbated this. It's a big problem for us. We lose a lot of sleep. Remember that we do the Crisis Response Network. There's times when we know before a school of a suicide, because we get our information directly from the Coroner. We then begin to mobilize our resources. Every time I get either a call or an email from our staff saying that there's been a completed suicide of a minor it's gut wrenching, so I totally agree with you.

WILLIAMS: Yeah.

GOMEZ: I wasn't finished with my comments [laughter]. I just want to make one more note. There were a couple of comments about Section 1703 not going into effect until January of 2022. Just for my clarification, if the contract is signed, it's fine. But if we were to renew it, then that section would apply. Correct?

CHIDESTER: That is correct.

GOMEZ: Okay. All right. Well, I want to thank you for the detail on this. It was helpful to try to sort a few things out, but thank you very much. Okay, now I am finished [laughter].

BARKE: Okay. Any other comments? Okay. I'll leave that maybe to you to coordinate with the Superintendent and start the conversation. Then, we will figure out how to proceed.

WILLIAMS: Absolutely.

BARKE: Okay. Wonderful. I believe we can now move on to staff recommendations, informational items.

MIJARES: Yes. My turn? [Laughter]

BARKE: Yes, please.

MIJARES: Okay. First of all, I just want to want you to be aware. As has been our practice in the past, I will be making some Blue Ribbon Awards to the seven schools that were recognized as Blue Ribbon winners by the United States Department of Education. Again, a program that was started during the Reagan Administration and every president, subsequently, continues to support this Blue Ribbon Award. It's being able to take students who have historically done poorly, let's say on standardized tests. There is other metrics involved. But on standardized tests and a district who is able to sort of break that ceiling and get them to do well, those are the kids that are creating the eligibility for this. The districts are again, Newport-Mesa, Orange Unified, Saddleback Valley, Los Alamitos, Centralia, and Fountain Valley. I'll pop in. Just do a little statement, and give them the award; then, I will leave. I wanted you to be aware of that.

Then also, the latest matter concerning the pandemic and the test kits. Kits that were promised by the State Department of Public Health, we were supposed to receive 456,772 test kits. We were supposed to get them, we thought, before the third of January. Now, those are the antigen test kits where, you know, parents can give these to their students or their kids to see if they have COVID following the fact that they've just come off a break, and they've been socializing and so forth. We didn't get the whole load by any means. We got 40% of that arrived, I think it was yesterday. Is that yesterday, Nina?

BOYD: This morning.

MIJARES: This morning.

BOYD: Eight o'clock.

AUDIENCE: [Laughter]

MIJARES: Okay. I thought it was last night, but this morning our team did just a yeoman's job of getting it all ready. They had to segregate this out. We only got 191,376 test kits so that is 40% of what we are supposed to get. We may be getting more. We got those out immediately this afternoon to the schools, so they will be using those kits with families who care to use it. Number one, it's not a mandate. It's not mandatory. Number two, it's not costing any money.

WILLIAMS: Question Al.

MIJARES: Yeah.

WILLIAMS: Are those kits going to districts or schools?

MIJARES: They are going to districts and then to schools.

WILLIAMS: Then the district is distributing to the schools.

MIJARES: Yeah. And charter schools are included as well.

WILLIAMS: Oh, charter schools.

MIJARES: Yes.

WILLIAMS: We received 40%, so we have some more that are coming.

MIJARES: Well, hopefully we are going to get more. There is a testing shortage I'm told across the United States.

WILLIAMS: Yeah.

MIJARES: It's probably global for that matter. But in California, we are expecting to get more.

WILLIAMS: Okay.

MIJARES: Yeah.

WILLIAMS: Wonderful.

MIJARES: Again, it just gives parents who wish to know if their kids are showing symptoms, do they have COVID based on that test.

WILLIAMS: Okay.

MIJARES: I wanted to advise you of Villa Park High School unveiled its new cutting-edge science center. If you have not seen that, it's a 47,000 square foot complex of state of the art, and it was funded through Measure S, which was a local general obligation bond. If you haven't seen it, you ought to see it. You know, if you want to go see it, let us know, and we can help you visit that school. That is within the Orange Unified School District.

Lastly, I do want to thank President Barke for your introductory comments concerning the California Department of Public Health mandate, which you addressed at the beginning of the board meeting. I know that, you know, it's not—many, many people take issue with it. We are simply trying to be good servants and follow the law. When we get these mandates, we treat them seriously. In this case, the masking matter has become an issue. I am glad that you made the comments you did. There are some exceptions to the mask requirement, and they are listed in this document that I think was given to you by Nina. But really, I would appreciate your forbearance, and your patience with the staff, because we are the messengers you know. We are not over there cranking out the laws. We are the messengers of the law. When we bring these things to you, we do it in good faith and the right spirit. We have employees who right now have volatile situations within their own health as well as their families. There were some complaints, you know, leveled in the past, and we've dealt with them. But the problem is through OSHA, that can constitute a hostile working environment for them. We just want to make sure that people are masked when they come in. There are exceptions to the mask. There are a few, but thank you for making that comment.

The disease is virulent. It ravages lives. A person that I know largely through his ministry, Ray Bentley, as you probably know from Maranatha Calvary Chapel. An amazing ministry. Some

7,000—started off with a group of 30 people at a Bible study. It turned into a \$7,000 church doing a tremendous amount of things in terms of providing not only the gospel, but helping people with special needs in their communities. Well December 23 he was diagnosed with COVID, and on the 4th of January, he died. Just shocking. Shocked the Christendom. It was one of the Calvary Chapel churches. This is the great county that has spawned the Calvary Chapel movement, so he died of COVID. It's real. It is a problem, so I appreciate the mitigation. Yet, it's true. Is this really going to stop me? I don't know. I think the good Lord is going to keep me healthy. I've been vaccinated. But, you know, my point is thank you for saying that and help us as we try to get through this. That is all I have under my reports Madam President.

BARKE: Thank you. Nina.

BOYD: Yes. Just as a reminder, the next board meeting is Wednesday, February 2nd, at 5 o'clock. Submission deadline is January 19th, and packets will be delivered on January 28th. As a reminder, our office is closed in observance of Martin Luther King Day on January 17th. And just as a reminder, it sounded like you all were surprised by the website being live. At the November board meeting, we had direction from you all to go live on January 1.

BARKE: Right. Right. I just didn't know that it actually happened. I had not heard. I do remember that, so thank you.

BOYD: Okay. Right. We did follow the Board's wishes with regards to that. We did not receive any communication from Trustee Sparks with regards to—I know she was appointed the committee member to dialogue with me and staff if there were things that needed to be added, or reviewed, or looked at. When she comes back, we can follow up to see if she has identified anything. But to date, we have not received any correspondence from her related to anything for the website, so just wanted to let you all know that.

WILLIAMS: (Inaudible) the bus.

BOYD: I can't hear you, Ken.

WILLIAMS: Nothing.

SHAW: Since she missed the meeting, we need to start assigning her more work and blaming her for everything [laughter].

BOYD: I think it was more around pictures. When recalling the conversation in November, because everything was moved over. Then it was more looking at the formatting that had changed. The Board's response was that they were satisfied with what they saw, but Lisa was the point person that was identified.

BARKE: In your absence, we appointed Lisa. I am glad you're back.

SHAW: My sabbatical.

BARKE: Yes, during your sabbatical. I am glad, because I thought we were going to have to take new photos. I am happy that we can go with our old photos and save photography.

BOYD: That is all I have for you right now.

BARKE: Okay. Excellent. Beckie, do you have anything to report out?

GOMEZ: No, nothing particular. There is discussion about having another Delegate Assembly meeting in Half Moon Bay, which is really easy to get to, in a couple months. They were finalizing the dates. They may have finalized them. I didn't check my email this morning on that, but nothing really else to report.

BARKE: Okay. Any other board member comments?

SHAW: Please. I'd like to say first off, thanks. You know, at the meeting last month during the appointment meeting, because we took the vote. I got sworn in. We went off to closed session, so I didn't get the chance to really address you guys publicly. I just wanted to say thank you for your vote and letting me rejoin the Board. It was particularly sad and grueling for me for that month and a half I was off the Board. I did miss being on the Board. I actually came to the meeting the one time just as an audience member, but I do appreciate your vote and want to say how much I love serving on this board and love my colleagues here. We have a great time. I was sitting down there feeling really nervous. There were six other applicants who were outstanding, and they obviously had very strong credentials and qualifications. As I was sitting down there with my wife feeling really nervous about my chances up against such a great group there, so I do appreciate you guys sticking with me and your vote. I hope I make you proud.

I did want to mention though. During the comments, one of the other applicants did make comments about local school board members in Orange County being threatened and feeling threatened. As I sat there listening to that, I felt particularly disgusted and outraged at the thought of that. The person mentioned Marilyn Anderson. She's a school board member in the Placentia-Yorba Linda School Board and actually a friend of mine; we happen to attend the same church. I called sister Anderson and asked her, you know, "Hey, what's going on?" She said, "yeah" her meetings have been pretty rowdy, you know. I did encourage her, of course, if she ever is threatened to call law enforcement. My understanding of the law is if you threaten an elected official, that is a crime. I would hope any individual who engages in that disgusting behavior would be prosecuted to the fullest extent of the law. I would want to make it very clear as well, this is regardless of anyone's political position. If it's a conservative audience member making a threat to a liberal board member, or vice versa, a liberal audience member making a threat to a conservative board member. It really doesn't matter. It is a disgusting and terrible thing to do. I would hope they would be arrested and tried for that. I encouraged Marilyn who happens to be married to a police officer by the way. If anyone goes threatening Marilyn, they are going to be in trouble real fast I think [laughter]. Steve is a guy you wouldn't want to mess with.

I just want to say for the record, I am sure I speak for everybody on our board that, you know, threatening an elected official or school board member is a terrible, horrible thing to do. We condemn it universally. I didn't want that to have been said and not addressed. Other than that, I

am very happy to be back on the Orange County Board of Education and look forward to continuing to serve with you guys, so thank you.

BARKE: Well, thank you for those comments. I think I speak on behalf of us that I couldn't be more thrilled to have you back in the empty chair. It was very sad looking at that chair. You do a tremendous job. You are very thoughtful. You are always prepared. You are an outstanding board member, so we appreciate you being back. I also appreciate your comments about Marilyn. I think that is important. There is a balance between our First Amendment rights and our security, and we always have to remember that. I think everybody deserves the right to speak their mind in a nonviolent way, and I hope that we will continue to do that. I have not seen or heard of much violence, but I know there's been some issues. I appreciate those comments and that you took the time to reach out to Marilyn.

WILLIAMS: You are looking to me for more comments.

BARKE: Nope. All right.

WILLIAMS: I've already said enough.

BARKE: Ken has said enough for the evening. He's going to pass, so unless there any further comments, I think I would ask for a motion to adjourn.

WILLIAMS: I make that motion.

BARKE: I knew he had one last comment. So, adjourned [strikes gavel].