

Transcript of the April 6, 2022, Orange County Board of Education Meeting

BARKE: [Strikes gavel] Welcome.

SISAVATH: Trustee Sparks?

SPARKS: Here.

SISAVATH: Trustee Williams?

WILLIAMS: Here.

SISAVATH: Trustee Barke?

BARKE: Here.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Gomez?

GOMEZ: Present.

BARKE: Anybody want to do a motion to adopt the Agenda?

WILLIAMS: I'll make the motion to adopt the Agenda.

SPARKS: Second.

BARKE: Any discussion? All those in favor?

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

BARKE: Yes? Okay. All right.

WILLIAMS: I'll make a motion to adopt the Minutes from March 2nd.

BARKE: Any discussion?

BOYD: There needs to be second.

BARKE: Oh, sorry.

SPARKS: Second.

BARKE: Hearing none, all those in favor?

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

BARKE: Okay. Now, let's see.

BOYD: There are no public comments for closed session.

BARKE: Okay. So, we will now take a recess to go into closed session for the public hearing.

[The Orange Board of Education holds a closed session and returns to open session.]

BARKE: We are now back in open session, welcome. Spencer.

GOOCH: Good afternoon, President Barke, members of the Board, Associate Superintendent Renee Hendrick and Deputy Superintendent Nina Boyd. My name is Spencer Gooch, Manager of Student Services. The purpose of this hearing is to review the expulsion of Benjamin Cruz from the Fullerton Joint Union High School District in accordance with the Education Code commencing with Section 48919. The date is April 6, 2022, and the time is approximately 3:06 PM. This hearing is open to the public. The expulsion appeal application, the transcript of the district's expulsion hearing, background of the case, and other relevant documents were sent to each of you as well as to the parents and to the school district. The Orange County Board of Education has reviewed the packets of materials that both parties had submitted.

The circumstances of the expulsion are as follows: Benjamin Cruz was a 10th grade student attending Troy High School in the Fullerton Joint Union High School District and was charged with a violation of Ed. Code 48900 (b) "possessed, sold or otherwise furnished any firearm, knife, explosive or other dangerous object." During the Fullerton Joint Union High School District's board meeting held on February 8th, 2022, the Fullerton Joint Union High School

District Board of Trustees took action and upheld the recommendation of the administrative hearing panel to expel Benjamin Cruz for the incident that took place on November 10th, 2021. The district's board of trustees voted to expel Benjamin Cruz from the Fullerton Joint Union High School District through June 2, 2022.

To all participants and presenters during the hearing, I remind you that any students discussed are to be referred to as Student 1, Witness A, Student 2, etc., rather than by their names for the safety and security as this is a confidential matter.

At this time, I would like to introduce the participants of the hearing. Representing Benjamin Cruz are: Benjamin Cruz, father; Benjamin Cruz, student; Aaron Cruz, the grandfather of the student; Jabian Gutierrez, Attorney; Keith Altman, Attorney.

Representing the Fullerton Joint Union High School District are: Allen Whitten, Director of Student Support Services; Jillian Davis, Assistant Principal, Troy High School; Alexa Elkabbara, Student Resource Officer at Troy High School. Also in attendance are: Jeff Riel, General Counsel for the Orange County Department of Education; Gregory Rolen, Legal Counsel for the Orange County Board of Education; Darou Sisavath, Executive Secretary for the Board; Dr. Jami Parsons, Director, Learning Supports Unit; Terrance J. Dunn, Coordinator, Student Services; Imelda Cavazos, Program Supervisor, Learning Supports Unit; Lorena Rodriguez, Administrative Assistant, Learning Supports Unit; and staff from our Media Department who will be facilitating the virtual platform and recording today's hearing.

Per California Education Code 48922, the review of the appeal by the County Board is limited to the following: whether the governing board acted without, or in excess of its jurisdiction; whether there was a fair hearing before the governing board; whether there was prejudicial abuse of discretion at the hearing; or whether there was relevant and material evidence, which in the exercise of reasonable diligence, could not have been produced or which was improperly excluded at the hearing before for the governing board.

The County Board has thoroughly reviewed the packet of documentation that the parent and district submitted regarding the expulsion. Each party will be allotted up to five minutes to clarify their position for the Board. Then, each party will be allotted an additional two minutes for their closing remarks. The time will be by a light timer by Ms. Sisavath. The green light means you may begin speaking. Yellow light means you have one minute remaining, and a red light means you should finish your sentence as your time for speaking has ended. Once both parties have completed their closing statements, the Board may then ask questions directly to either party. This hearing is being recorded. Therefore, I request that when you address the Board, you identify yourself by name. Thank you very much.

At this time, we will begin the formal hearing. Cruz family, you may now address the Board for five minutes.

ALTMAN: Before we begin, this is Mr. Altman, I'm severely vision disabled. Could I ask that somebody would call out when there's one minute remaining, because I won't be able to see any lights?

GOOCH: Yes, I can do that.

ALTMAN: Thank you very much. Also, we are not facing the Board. I don't know if you could change the cameras so we do face the Board, or change the cameras? There we go. Thank you very much. Ladies and gentlemen of the Board, thank you for taking the time to hear Benji Cruz's appeal tonight. I know that you've read the packets, and I just want to make a few key points that I think are important and emphasize them; then of course, give an opportunity to ask questions. One of the things that is very important about Benji to consider here is Benji is not the same as all other students. Benji has some severe social and emotional functioning issues. He has an IEP for this, which is obviously important in seeing that Benji get his proper education.

Unfortunately, here, Benji has not received the education that he deserves or is entitled to, and we believe that that has had a significant impact on the events that we are here today on. Benji's social skills, he functions at a much lower level than one would expect given his age. He does require significant support from the school, which he has yet to receive. Once again, I think this is an important factor. Now in looking at the situation itself, one of the questions - is this all about a knife? And the question is, did Benji have a knife? The police said there was insufficient evidence to say that Benji had a knife. I think that that is important. The police are professional law enforcement officers. They investigated the situation. They concluded that there was no knife. Despite that finding from the police, the panel who adjudicated the matter, obviously didn't really consider what had gone on.

Now, the knife incident itself, the only person who says that Benji had a knife and saw a knife is the other student who claims that she gave him the knife. Not one individual of authority, no officer of the school, no one saw Benji with a knife. Supposedly, Benji had the knife and threw the knife when he ran away. Yet, nobody found the knife that Benji supposedly threw away. The reality of the situation is Benji never had the knife, never touched the knife, had nothing to do with the knife to the extent that one even exists. There's no evidence that refutes that.

Now, interestingly, there is video. Except the family has never been given the opportunity to see the video. Now, the school claimed the video doesn't really speak to the matter of whether Benji had the knife or not. What they seem to have not realized is, it could be exculpatory to show that Benji didn't have the knife. Yet, that information was never presented to the parents, never given an opportunity to any of his advisors. That video has never been seen. One must ask, why is that so? I think that is extremely important. If you can bear with me one second here? I'm sorry. My visual impairment. Okay. Here. Okay.

Now, in terms of the hearing itself, Mr. Cruz, Benji's father was not given a reasonable opportunity to speak at the hearing. While yes, it is true that he was able to say words. He was

not allowed to effectively question the evidence that supposedly existed of Benji's involvement. He was shut down. He was told to rush along and was never given a fair opportunity to mount a significant defense of Benji.

GOOCH: Mr. Altman, you have one minute.

ALTMAN: Okay. Thank you very much. Now, as I said before, as far as the video goes, I want you to ask, why was the family refused to see the video? Now, I implore you, please listen to the audio of the hearing, and you will see how Mr. Cruz was not really given a fair hearing and a fair opportunity to test the evidence, to see what happened there. Now, I want to conclude with the following concept. First of all, the school never provided any evidence as to why expulsion was the only possible solution here. Sanctions are supposed to be the least serious that hold accountable and also deter future conduct. I want you to ask, why was expulsion the only solution here?

GOOCH: Mr. Altman, you are out of time.

ALTMAN: Okay. Thank you very much.

GOOCH: We will now hear the presentation for the Fullerton Joint Union High School District representatives. You may address the Board for five minutes.

WHITTEN: Thank you. Is this on?

GOOCH: Yes.

WHITTEN: My name is Allen Whitten, Director of Student Support Services for the Fullerton Joint Union High School District. Before I begin my comments, I'd like to address three of the comments that were just made. There is a very big difference between not pressing charges for the Fullerton Police Department and determining if there was not (inaudible). That is the case here. They did not pursue pressing charges, because the school is handling (inaudible) with school discipline. We work in great partnership in that regard. There was no relevant video. We would have used it, and we would have shared it if there were relevant videos available. [Mic makes sounds]. Maybe it is turned up. Probably because it wasn't turned on. Thank you. Hopefully, I can get that 10 seconds back. The video quality of the video cameras that we do have on any of our campuses is very low. It is extremely rare that it does help us in an investigation, but the cameras are present. There were no relevant videos for this situation.

As far as the initial expulsion hearing, if you do listen to that audio, which I'm sure you did because you have it, you will hear that the panel bent over backwards to be patient, and kind, and

informative and answer every question in multiple formats as they were presented by the Cruz family.

I'd like to start over if I can? Thank you, Board, President Barke, members of the Board. As you are aware, on Friday, December 3rd, the Fullerton Joint Union High School District Administrative Hearing Panel conducted an expulsion hearing for Benjamin Cruz, 10th grade student, Troy High School, for violation of California Ed. Code 48900 "possessed, sold or otherwise furnished a knife." The recommendation for expulsion was due to the fact that on November 12th, Benjamin was suspended for a second time from Troy High School. This time, the second time, was for possession of a knife. The first suspension, which took place on August 31st, just two months prior to the knife incident, was for a particularly violent, racially charged fight that was investigated by Fullerton Police Department and Troy High School. The relevance of this fight is significant in that it demonstrates that Benjamin and his father, unfortunately have not established a track record of taking responsibility for Benjamin's behavior and decision making.

I think it is also significant to note that in that fight that was particularly violent and racially charged, the parent of the student who Benjamin fought with had extensive communication with the school and police following the fight and ultimately removed her son from the school due to concerns about his safety. She noted in an email to Fullerton Police and Troy Administration on September 2nd, that her son had shared with her that Benjamin had called him several racially inappropriate names including dirty N-word, some others, and repeatedly called him the N-word.

Moving to the second disciplinary action, the offense that ultimately led to Benjamin's expulsion. The investigation did establish that Benjamin was in possession of a knife at Troy High School on November 10th. The campus security guard witnessed the exchange of the knife from a female student to Benjamin. This exchange occurred after the female student had executed a planned confrontation of another student. Thankfully, she did not use the knife during that confrontation. Because the campus security guard was responding to this situation, she was in proximity to the female student and Benjamin when he received the knife back from the female student. In the female student's statement, she noted and I quote, "So, I walked to the baseball field and Benjamin was there with my things. And so, he gave me my things and reached into my pocket and got the knife. The teacher saw him and asked him what it was. He ran off."

The campus security noted that she witnessed the exchange of the knife to Benjamin, and that Benjamin ran when she asked for it. It was further noted by Troy Administration that the same campus security officer returned to the area where Benjamin ran to discard the knife, found the knife, and that it matched the items she had originally witnessed him with. The Administrative Hearing Panel concluded that there is substantial evidence in the record relevant to the charges stated at the expulsion hearing to support the recommendation for expulsion as Benjamin's actions of being in possession of a knife created a danger to himself and others. Further, they recommended that the expulsion be suspended, and it was. Benjamin was admitted to the Cruz's family school of choice within the district. They chose Sunny Hills High School, and we are

happy to share that we hear he is doing well. He has strong attendance, has all A's and B's. He is on the cross country team. Congratulations, Benjamin.

Last, we ask that you uphold the expulsion and support the safety of our schools, the work of the Expulsion Panel, the Fullerton Police and our dedicated and caring administrators and staff, all of whom fulfill their roles with a dedication to serving our students and community at the highest level while providing a safe, positive, and supportive environment. Thank you.

GOOCH: Cruz family, you have an additional two minutes for closing statements.

ALTMAN: I must say that I'm absolutely shocked that the school just raised that first incident as the basis of the expulsion. If that is so, then the expulsion should be immediately rescinded. The school is well aware that the video of that first incident showed that Benji was the victim, not the aggressor. The school knows this. And to have stood before this panel and to have said that that is why he was expelled, because it was a second incident, is nothing short of outrageous. During the questioning period, I invite the panel to question the school on this matter. I am just simply astonished and astounded that they would stand here, particularly in light of discussions, when it had about them vacating that finding based on the video evidence.

Nevertheless, the school has taken what I consider to be the bottom-up approach, which is, there appears to be a violation; and therefore, we must punish. What they should have done here, particularly in light of the fact that Benji has an IEP and there was never an MDR meeting as is required by law.

GOOCH: You have one minute, Mr. Altman.

ALTMAN: Thank you very much. The school should have taken the top-down approach, which is, we have the student here, Benji. Benji appears to have had a problem. Why did it happen? What happened? What can we do here to support Benji so that it doesn't happen again? Instead, the school just simply threw him away, and that is not what is supposed to happen here. The school is supposed to be supportive of Benji and not make it this binary, there appears to be a violation, I must punish. There is no evidence, other than the statement of the other student who actually possessed the knife, that Benji had a knife or even touched the knife. No other responsible adult saw this. This is nothing short of outrageous, and the panel should vote to revoke the expulsion. There really shouldn't be any accountability here, because there is no evidence that Benji did anything wrong, other than be scared of a situation and run away when he saw a security guard approaching. That is all that he did.

GOOCH: That is the time Mr. Altman.

ALTMAN: Thank you.

ALTMAN: Thank you very much for your time.

GOOCH: That concludes the presentation for the student. Fullerton Joint Union High School District representatives, you may have an additional two minutes for your closing statements.

WHITTEN: Thank you, Alan Whitten, Fullerton Joint Union High School District, Director of Ed. Services. As I'm sure the Board is aware, brandishing a knife on campus requires us to pursue an expulsion. That is why it was brought forth as an expulsion. The facts of the knife incident stand on their own. I do not want to misrepresent what I'm trying to communicate. That is an expellable offense. Benjamin was expelled based on that incident and that incident alone. I only bring up the previous incident because along the way, one of the things that was challenging for us as a school district was, we like to be able to sit down—the point of discipline is to change behavior. We appreciate when you can partner with a parent and a student and we can see that there is a conversation that takes place where students can identify, these are some different choices I could have made along the way. That is where we can build plans for moving forward. Plans for success.

In the previous incident, and throughout this incident, there was not an opportunity for that. The focus was solely on superfluous things, such as some of the things that the legal counsel has brought up, not the fact that a student brought a knife to school. We are trying to keep our school safe. The danger that that young lady was in because she simply had it on her. Thankfully, she didn't use it. We need to have some recognition that these are some bad choices. There is lots of off ramps in any situation. That is where we have these conversations. In this situation, unfortunately, there was no opportunity for an off ramp. It was just kind of, okay, if that is how you feel, then we will see you here, I guess. Thank you.

GOOCH: That concludes the presentation for the District. The Board of Education will now ask questions of both parties. Afterward, the Board may deliberate in closed session and make a decision. The Board will then announce its decision and the hearing will be concluded. Pursuant to California Education Code 48923, “the county board's decision shall be one of the following:

Where the county board finds that relevant and material evidence exists, which in the exercise of reasonable diligence could not have been produced or which was improperly excluded at the hearing before the governing board, the county board may remand the matter to the local governing board for reconsideration or grant a hearing de novo.

Where the county board determines that the governing board's decision is not supported by findings required to be made by Education Code 48915, but evidence supporting such findings exists in the record of the proceedings, the county board shall remand the matter to the local governing board for adoption and inclusion of the required findings. In all other cases, the county board shall either affirm or reverse the decision of the local governing board. In accordance with California Education Code 48923, if the county board reverses a governing board's decision, the county board may direct the governing board to expunge all references to the expulsion action

from the districts and the students records, and the expulsion shall be deemed not to have occurred.”

The decision is the final step in the appeal process. President Barke, you are now in charge of the hearing.

BARKE: Thank you, Spencer. I've had a request to go into closed session before we ask questions. So, we are going to take a brief recess into closed session with our attorney, and we will be back.

GOOCH: Great.

[The Orange County Board of Education holds a closed session and returns.]

BARKE: All right. We are back. I will now start on my right for any questions.

GOMEZ: Thank you. This is to the district, the possession of the knife, okay, what is your statement about the student possessing the knife? There is some different statements from students and the officer, so I'd just like a little bit of clarification as to why you think that the student had the knife.

WHITTEN: Allen Whitten, Fullerton Joint Union High School District. If it is okay, our SRO was closely involved in that investigation. Would it be okay to have her share that information, or would you like to hear it from me?

GOMEZ: That is fine.

ELKABBARA: I'm already pretty loud. This might be a little too—I'm going to put it right over here.

ROLEN: Just as a point of clarification, for the purposes of this hearing, this is not new evidence. This is argument or clarification in response to the board member's question?

ELKABBARA: Sure. Yes.

ROLEN: Thank you.

ELKABBARA: My name is Officer Alexa Elkabbara. I'm with the Fullerton Police Department. I am assigned to Troy High School and was at the time of this incident. I'm limited on what I can

say about the investigation, because it does pertain to other juveniles, and out of respect for them, I don't want to release the names of those students or their statements directly. But I can say, there was two witnesses, one being an adult, one being a student that did see Student 1 with the knife. I have that knife. That knife is booked into evidence. There was no question really on whether or not the knife existed. That was not a part of the question. For me, it is a little different because law enforcement, we have to worry about what is called evidence continuity. If I did not witness the person with the knife all the way through, it is hard for me to go ahead and press charges. The statements are conflicting as far as the student statements. I chose to let it be handled administratively on this situation, because the knife was seen in possession with student by one of the supervisors, campus supervisors.

GOMEZ: When you're referencing the student, you're talking about the student that is present here today?

ELKABBARA: Student 1, yes, that was present.

GOMEZ: Okay. Okay. I will turn it over.

WHITTEN: Could I just add to recap to that?

GOMEZ: Oh, sure. Go ahead. I am sorry.

WHITTEN: Again, Alan with FJUHSD. Just to recap, we had two witnesses to the situation. One was the student that exchanged the knife with Benjamin. And one was the campus security, campus supervisor who was there and saw the knife; then, saw him retreat when she asked for it, watched where he went, then recovered it from that exact location later, and identified it as the same item she had just seen exchanged between the female student and Benjamin.

GOMEZ: Okay. When you are saying she, you are talking about the-

WHITTEN: The campus supervisor.

GOMEZ: The staff member.

ALLEN: Yeah, the staff member.

GOMEZ: Okay. So, the campus staff member asked where the knife was?

WHITTEN: Yeah. Our campus security.

GOMEZ: Or, what the object was?

WHITTEN: Our campus security is what we call her, campus staff member. She saw the exchange. She asked Benjamin for it. She said it was clearly a gold and silver metal object.

GOMEZ: Okay.

WHITTEN: When she asked him for it, he ran away. She watched where he went. Then took the students, returned to that exact location, and found the exact item she had, just minutes later, seen those two students exchange.

GOMEZ: Okay. All right. Thank you.

ALTMAN: Does Mr. Cruz have the opportunity to respond as well to that same question?

GOMEZ: Sure.

ALTMAN: Okay. Just to point something out, the adult in question never saw the exact item. She said she saw something yellow be exchanged. That is number one. Number two, she saw him run away, according to what was just said. She saw him run away, didn't see him throw anything, you know, anywhere. And just says, I happened to find an item that may have been what I thought, you know, may have been the yellow item that was exchanged. She didn't see the actual knife being exchanged. She just postulated that because it was something yellow, it must have been a knife. I mean, that certainly doesn't—it is not even like she saw Benji throw something, and then I went to that spot and found a knife there. I don't see how that possibly passes muster here as stating that she saw him with the knife. And frankly, the testimony of the other student should be viewed as (inaudible), because she obviously, she did bring the knife to school. I don't think there is any question about that. She is trying to mitigate or manage her own trouble. Thank you.

GOMEZ: Go ahead. I'll come back if I need to.

SHAW: Okay. Well, I hope Mr. Rolan will stop me if I'm asking an inappropriate question. I'm just trying to think about the best, you know, way to move forward with this very unfortunate situation. I wanted to clarify perhaps counselor. It sounded like, you know, this young man is doing quite well at Sunny Hills, so what are you hoping, exactly, for our board to decide? Would it be in the best interest here to have this student continue at Sunny Hills where he seems to be thriving, or are you trying to put him back at Troy, or what is the outcome you're seeking exactly?

ALTMAN: It appears that he is doing well and that he should stay where he is. I don't think the issue is about where he is being educated. That seems to be working extremely well. But the concern is, obviously having an expulsion on his record or a suspension, it can seriously jeopardize his ability to progress to college, which is the hopes. I guess what we are seeking here is maybe the most simplistic, you know. The school kind of got what its wants, which is Benji is no longer a student there. I suppose that if the findings were to be, you know, basically vacated or purged, or if we were to come up with an agreement that there is certainly sufficient questions of the procedures, that if Benji behaves himself and doesn't get into trouble between now and the time he's applying to college, that the school would purge any notation of the incident off of his record so that he has a fair chance at college. I'm sure the Board is aware, having an expulsion on his record, you know, will severely limit his ability to go to a premium college and kind of deflates his desire to work hard so that would be, you know, I think that would be the goal at this point. The end result is fine. He's doing well there.

SHAW: Okay. That will be my only question. Thank you.

WILLIAMS: To our counsel, the question is, having done this a few years, a couple decades, to my understanding, whatever happens in a disciplinary way in the record, stays in the record. Just like "things that happen in Las Vegas, stay in Las Vegas." There's nothing that is going to leave this record. It stays permanent. No college, or post high school college, or university is going to know about whatever happens in high school. Could you help us clarify that?

ROLEN: That is correct. The colleges don't request disciplinary records and don't consider them.

WILLIAMS: Okay.

ROLEN: We have a dean right next to us, and she can probably confirm that.

SPARKS: Correct.

WILLIAMS: Okay.

ALTMAN: May I comment on that? May I comment on that briefly?

WILLIAMS: No.

ALTMAN: Because I think there is very serious misconception about that that is material.

WILLIAMS: Counsel, I'm fine with the response from our counsel. To the Officer Elkabbara.

ELKABBARA: Yes, sir. You are welcome to call me Alexa.

WILLIAMS: Well, thank you for your service and for your colleague who is here. Thank you for your service. In the investigation of this, your school resource officer, there is a great amount of responsibility and experience that you have. Sometimes it is not apparent on a written record what actually happened. In your experience as a school resource officer, was the possession of the knife by Mr. Cruz something that you thought occurred?

ELKABBARA: Yes. Yes. I am only able to—

SHAW: You better get the mic, because the people online won't be able to hear you.

ELKABBARA: Yes. Based on witness statements and the totality of the circumstances, yes. I do believe that he had the knife. However, from my standpoint, from a court side of things, a law enforcement side of things, I didn't go through with pressing through charges on this because of the evidence continuity. That also just refers to, because there was a lapse from when the knife was set down to when it was picked up. That is why I kind of backed off of it and allowed school to handle it their own way. But yes, if you are asking my opinion on what happened, based on everything that I have, the totality of the circumstances, I do believe that there is a strong possibility that he did have the knife.

WILLIAMS: If you can help explain? If the circumstances were different, where you did a pat down and a search, given consent to do such, and you found the knife on Mr. Cruz, it would be different circumstances and you would have pressed charges?

ELKABBARA: It varies. I use my discretion. It is a nice thing that I have that. Discretion is a nice way for me to fluctuate my decision. Not necessarily every time that someone does have a knife on them, do I press charges. It depends on whether I feel that they've learned from the situation. If this was a first time situation, I use my discretion. It does not handle the same way every single time.

WILLIAMS: Okay. Thank you, Alexa. To Mr. Whitten, so the event was this knife event. You did your investigation. It went through an administrative review, went to the board, and the board found that there was possession of a knife by Mr. Cruz. Then the board, made the decision to suspend him, but then revoked that suspension?

WHITTEN: Yeah. The expulsion, the disciplinary infraction went to a school board appointed hearing panel who hears the facts of the expulsion. That is what legal counsel, Mr. Cruz are referring to. That opportunity, where he didn't feel heard. I was there. It was a long meeting, and it was very thorough. Everyone was heard from in that case. That independent panel, it is an independent panel, per Ed. Code, that was assigned to this. They did recommend expulsion. The exact words they used to do so were, "The hearing panel concluded that there is substantial

evidence in the record relevant to the charges stated at the expulsion hearing to support the recommendation for expulsion as Benjamin's actions of being in possession of a knife, created a danger to himself and others.”

They made that recommendation to expel the student. It was upheld by the school board once they heard the facts of the case as well. The Cruz’s team was there at that school board meeting as well, so they heard both sides at that point.

WILLIAMS: Mr. Cruz, you raised your hand. I want to acknowledge you and give you the opportunity to respond.

CRUZ (Father): I would just like to—

BOYD: Could you pull the mic closer?

CRUZ (Father): Okay. I would just like to speak to the way they conducted their investigation. As to Ms. Elkabbara, you came to my house, and saw the video of what they said was an egregious assault.

WILLIAMS: Mr. Cruz, if I can interrupt you? The conversation should be with the Board and not to the other party here.

CRUZ (Father): Agreed. Okay.

WILLIAMS: This is the part of the meeting where it is between the Board discussion and asking questions. We are not here to retry what happened.

CRUZ (Father): Understood. Understood.

WILLIAMS: I just want to give you an opportunity.

CRUZ (Father): Ms. Elkabbara spoke to a fight that took place as well as, I forget the gentleman's name.

WHITTEN: Mr. Whitten.

CRUZ (Father): Mr. Whitten. She saw the evidence, the video evidence. The way that that investigation was held was exactly the way Mr. Whitten described it. It was that my son assaulted another student, called him several slurs, and it never happened. Ms. Elkabbara came to

my house and witnessed the video for herself. If you wish to ask her what the video, and as well as I have it here on my phone ready to cue for your observation, it just speaks to the way that they handled their investigation. They are lies. They are lies. They went off of lies. Lies from the students. Lies from the faculty member.

There was a Mr. G involved. The explanation that I was given was that sometimes they lie to the students in order to get the truth out. This is the way their investigations have been conducted. This is the way this second investigation, to my belief, has been conducted due to what I've presented here in this packet. There is no solid evidence. It is all based off of hearsay. What another student said, what a faculty member from the same school from the same faculty that held an investigation for my son the first initial time, that he was in an egregious assault.

If you would like to speak to Ms. Elkabarra as to those facts of that incident, my son was the one being called racial slurs by the student. My son was the one that was cold cocked while his back was turned. In the video, you can clearly see where the backpacks that they returned to lie. The other student had to go across the parking lot in order to assault my son. My son defended himself. But that is not the way it was presented, not to myself, and not to anybody else. The way that it is presented here was that my son was the assaulter, that he did assault another student, which was never the case. Just like this is not the case where my son held the knife. But all we have to go on is hearsay evidence from another student and a faculty from the same school, which they say, sometimes we have to lie in order to get the truth.

ALTMAN: I would just like to add one thing. The Board should ask the school, did anybody other than the other student see Benji with the knife, actually see him with the knife? Because the testimony is not that. The security guard says she saw something yellow. She did not see the knife. That should just not be ignored here. I'm sorry. I must add something. Benji could be asked on a college application, "Have you ever been found responsible for a disciplinary violation in school?" Whether it is on his record or it is not on his record, he would have to answer, yes. They will then ask him to disclose his records as a condition of being admitted, so the suggestion that this is a no harm, no foul incident, he's already in a good school, is 100% incorrect.

WILLIAMS: I'm done with my questions.

BARKE: Okay.

SPARKS: Yeah, I have a few questions? First of all, to the student, I noticed your GPA is actually pretty good given everything you've been through. No matter the outcome today, I think you are going to be fine. Okay. Just keep up the good work. Just keep up the good behavior, right? No matter what happens today, and it'll be a learning lesson either way. For counsel, at the university level, when we have cases like this, it is preponderance of the evidence or reasonable doubt. I mean, we are not really judge and jury here. We are not lawyers.

ROLEN: This is substantial evidence. We are just making a determination whether there was an abuse of discretion, whether there was a denial of a fair hearing. And substantial evidence is described as enough evidence that a reasonable person can make the determination that the fact occurred.

Okay. I appreciate this. The story of the other incident and so forth, but what we are allowed to sort of decide on today is, was there a knife, or was there not a knife? We can't decide on the other student situation who may have brought the knife or whatever happened there, because that is not in front of us right now. What's in front of us is, did said student in front of us have the knife or not? I see a knife in my packet, so a knife appeared.

CRUZ (Father): The actual question is whether this student had the knife or even held the knife.

SPARKS: Right. Right. Exactly.

CRUZ (Father): That is what the question is.

SPARKS: Exactly.

CRUZ (Father): There is no absolute evidence that shows other than hearsay.

SPARKS: Right. So that is what you are saying. What I'm trying to understand, and I want to know from the district, did you see the actual knife? Did the witness see the actual knife or just something yellow?

ELKABBARA: There is—are you asking?

WHITTEN: I'll respond to that.

ELKABBARA: Yeah.

SPARKS: What are the exact words?

WHITTEN: The exact words of the female student who was involved was—

SPARKS: The student, what about the supervisor or the—

WHITTEN: The campus security noted, she witnessed the exchange of the knife to Benjamin and that Benjamin ran when she asked for it.

SPARKS: Exchange of the knife, so she saw a knife?

WHITTEN: She saw an exchange of an object.

SPARKS: Of an object, well, that is different. That is why I wanted to know this specific language.

WHITTEN: Okay.

SPARKS: That is very important. That is a very important distinction.

ELKABBARA: She could read the statement.

WHITTEN: She could read the statement. But what the hearing panel, a three person independent hearing panel, and a five person school board—

SPARKS: But I asked about the supervisor, the exact words of that supervisor.

WHITTEN: Okay.

SPARKS: And you said, she did not say she saw a knife.

WHITTEN: The supervisor saw the exchange of a gold and silver object.

SPARKS: Okay.

WHITTEN: When she asked the student for it, he ran from her.

SPARKS: Is that what the words say, because before you said yellow object?

WHITTEN: Then, she went to that exact location and found that item, then identified it as the original item she had seen.

SPARKS: Okay. I'm trying to get at the exact words.

WHITTEN: I will let Ms. Elkabbara.

SPARKS: I heard gold object before.

WHITTEN: Okay.

SPARKS: Then I heard yellow. Then I heard yellow and silver.

DAVIS: Here. She will read this statement.

SPARKS: Then I heard something looks like a knife. I want to know the exact words.

ELKABBARA: Do you mind if I just read the statement?

SPARKS: Please.

ELKABBARA: Because, I actually have her exact statement right here.

SPARKS: Please.

ELKABBARA: Instead of kind of going back and forth with it. Okay. I'm going to call her "Campus Supervisor."

SPARKS: Okay.

ELKABBARA: Okay. I spoke to Campus Supervisor, and she informed me of the following information. Campus Supervisor told me she was supervising students on campus at approximately 09:19 hours near the west parking lot of Troy High School. Supervisor told me she overheard a student, Student 1, ask a female student, Student 2, for his pen. Supervisor told me she believed Student 1 was asking for a vape pen, so she looked over to see what they were doing. Supervisor told me she saw Student 2 take a gold object out of her front, jacket pocket and hand it to Student 1, who then placed the object in his front sweatshirt pocket. Supervisor told me she asked Student 1 to give her the object, and that he ran to the baseball field on the west side of campus away from her. Supervisor said she saw Student 1 stashing something near the bleachers, and saw that it was the same gold colored object he was holding originally.

Supervisor told me she went over to the bleachers and recovered a 4 inch, gold locking blade pocket knife. Supervisor told me that Student 1 returned to her and apologized for running, and said he just wanted his pencil. Supervisor brought the pocket knife to the front office and

informed Assistant Principal Davis of the incident. I was then provided the gold pocket knife, seized it, and then continued with my investigation.

SPARKS: That helps a lot. Thank you very much.

ELKABBARA: No problem.

SPARKS: That is all I needed to know.

ALTMAN: I'd just like to point out to the Board. In contradiction of that, the student, the other student, claims that Benji grabbed the object from her. The Board should note that there is an incredible discrepancy there, which is consistent with, I don't think the other student was necessarily being truthful.

SPARKS: We are not listening to the other student. We are listening to the statement from the supervisor. That was what I was interested in.

ALTMAN: I understand. But the statement from the supervisor talked about how the student said, you know, that she saw an exchange. You have to attest the credibility of the other student, because she's the only person who actually said that Benji had the knife because she got it from her. He took it from her. That is the only person who has said that he actually had the knife in his possession. All the security guard says is, "I saw an object." She heard him asking for a pen. She has no idea what it is. For her to say—if she knew, it doesn't make any sense that supposedly he stashed it in the bleachers, which I think is a little bit different.

But the point is, how could she say I saw an object exchanged—

SPARKS: Thank you for your comment, sir. I had my question answered by the police officer. Thank you very much.

ALTMAN: I know, but you started asking Mr. Cruz the question and then got diverted. You were asking Mr. Cruz the question, where are the defects?

SPARKS: I did not ask Mr. Cruz. I complimented the student on his grades, and I was pointed to the police officer. I got my question answered. Thank you very much.

ALTMAN: I'm sorry. That is not correct. You can check the record. You'll have to forgive me, because I can't see who is talking. I'm essentially blind. But the point is before we had this dialogue—

SPARKS: Sir, you are out of line. We are finished hearing from you.

ALTMAN: You started asking to the counsel.

SPARKS: You're out of line. We are not asking you any questions.

ALTMAN: You started asking, to the counsel (inaudible).

SPARKS: Please stop, sir.

BARKE: I would like to go back to the district.

ALTMAN: I would ask that you review the record. When you started saying, "To the counsel." You started off that way.

BARKE: To the district, please.

ALTMAN: I said several sentences.

WHITTEN: I just wanted to make the point that the other student obviously had just had been engaged in a confrontation of another student while she was in possession of the knife. It wouldn't have been the statement of, he grabbed it out of my sweatshirt, instead of I handed it to her, obviously was an attempt to not have that culpability.

WILLIAMS: Could we talk about the protocol here?

ROLEN: Yeah. Unless there is any further questions from the Board, the motions that can be made are either to affirm the decision of the local district, to reject the decision of the local district, and/or remand the finding to the local district for the consideration of new evidence that could not have been presented at the hearing. Unless there is any further questions, we should hear a motion.

CRUZ (Father): I would like to say as far as the hearing was concerned, there was several points where they tried to interject information, new information. I was not given the 10 days to review said information, as per my right, per Ed. Code, per their procedures.

BARKE: No. Unfortunately, that is not what we are looking at today.

CRUZ (Father): I thought that is what we were looking at.

BARKE: No, we are just looking—

CRUZ (Father): —Whether they failed to give me a just and fair trial or hearing, which didn't happen.

BARKE: I'll remand that back to our attorney.

ROLEN: There is Education Code section 48918 (b). The notice that is required is the date and place of the hearing, a statement of specific facts and charges upon which proposed expulsion is based, a copy of the disciplinary rules that relate to the alleged violation, and a notice to the parent or guardian of the obligation pursuant to 48915. There is not a statutory requirement that all evidence be provided 10 days in advance. I understand that the evidence that was provided in this particular case was the SRO's report, and it was given simultaneously to the district and Student 1.

CRUZ (Father): Which again it differs. First they said, that he dropped it in the field. Now, she's saying that he stashed it in the bleachers. This again is hearsay from a second, third party.

WILLIAMS: Madam President, I would like to make the motion to uphold the suspension by the district.

ROLEN: The expulsion.

WILLIAMS: The expulsion, excuse me, by the district.

BARKE: Do I have a second?

SPARKS: I'll second that.

BARKE: Okay. Any discussion? All those in favor?

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

BARKE: Okay. The district holds. Thank you.

GOOCH: The decision has been to uphold the decision of the local governing board. This concludes the hearing for Benjamin Cruz in Fullerton Joint Unified High School District.

BARKE: We are going back into closed session. [Strikes gavel].

[The Board holds a closed session and returns.]

BARKE: Welcome everyone. I think this is the first time we've started at exactly 5 o'clock, so we are very proud of that. We would like to start with the invocation.

COOK: I'm familiar with this. Howdy. I was told I could make a couple comments first. As you well know, just before I pray, we are in a society that really needs healing in a lot of different ways. One of the groups that I represent is Ambassadors of Compassion. They do a program, a social and emotional program that equips youth with the critical skills necessary to navigate and succeed through life's inevitable challenges. We have done it in several schools in this area. Just recently in Warren High School, over 300 kids. One of the top educators that was there said, "I didn't think it would work, because you had small groups, and you are going to be going all those hours." Six hours, and kids would leave, and they wouldn't come back. Nobody left. The kids were very engaged. I just want to share that with you. You can check it out. Ambassador's Compassion, I would like to maybe come back and share it another time.

When we meet people, we generally just say, "How are you?" What is the answer? Fine, or how are you. We are not even paying attention. When I was coaching and teaching, walking the halls of the school, you know, people would say to me, "How are you coach?" I'd say, "I'm dying of cancer." They would say, "Great Coach, have a good day." Now, maybe they really meant that, you know. They didn't care, but you know, I have started to change that to show that I'm interested in listening. You can try it. It is simple. When people say, "How are you?" I say, "Fine, now that I've met you." That kind of gets them off their rails a little bit, doesn't it? They say, "Well, gosh, that is nice." And I say, "Well, no, it is all about the big two, right?" They say, "What's that?" Love God with all your heart, soul, mind, and strength. Love your neighbor as yourself. I say, "Are you my neighbor?" They say, "Oh, I guess so." It is just a different way to approach people and let them know you are really interested. Okay. I don't know how much of my time is gone, but I'm going to pray.

Father God, I thank you for the services represented here. I thank you for the Board of Education. I thank you for the time they put in. The wisdom, knowledge, understanding, discernment that you give them. The people here that are here to share different things. Father, we need you to step in to each person's life and give us that wisdom. We need to learn what it is to now abide, faith, hope and love. The greatest of those is love. That we would really understand how to really love one another. It starts with listening. It starts with being interested and just asking questions so we can really get to know where people are. Lord, I ask that you would bless this meeting tonight. I ask that your spirit would just come in and give a spirit of joy in here. We don't have to be downtrodden. We don't have to be negative. We can be very positive

even in the difficult things. I thank you for what you are going to do now, in the wonderful name of Jesus I ask. Amen.

BARKE: Amen.

COOK: Thank you.

BARKE: Thank you very much. Next, I'd like to invite up Collin Felch with Vista. I believe you are the new assistant superintendent, congratulations.

FELCH: All right. If you're not already standing, please stand. Put your right hand over your heart. Ready? Begin. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all. Thank you.

BARKE: Thank you. Okay. Nina, do we have any introductions?

BOYD: We do not.

BARKE: Okay. All right. We will start with public comment.

WILLIAMS: Very good. Here is the instructions. You get three minutes each. At three minutes, we would like you to wrap up what you are saying. We will give you a few seconds grace there. There will be time keeping by our good Recording Clerk Ms. Darou. You will see a green light. Then at about 60 seconds, it turns yellow and then red. That is your full three minutes. We ask that you respect that. I'm going to call two people up to the podium. We will have always somebody on deck. Our first person will be Mr. Darren Parker. After Mr. Parker, will be Mr. Christopher Ganiere.

PARKER: Hello, Board. My name is Darren Parker. I'm a parent of two children at Irvine International Academy. I'm also someone who cares very deeply about the survival and the prosperity of Irvine International Academy in the future. Now, last month I spoke here in front of this board for the first time. Since that month has passed, I've been contacted by many, many parents who share my opinions and share my interpretation of the facts. Tonight, I'm speaking for many of them as well.

Now, earlier this year, a small group of people began a concerted effort to dig up any dirt they could find, at all, on Irvine International Academy's Executive Director Michael Scott. I know that is a bold claim, right? Why would people do this? Why would they begin this concerted effort to destroy this man? I'm going to tell you why. I'm going to tell you why, in their own words. In their own written, documented, verifiable words. It was very specifically, they didn't

like Dr. Scott's shockingly, cavalier attitude towards, you guessed it, COVID. That is why. They hated Dr. Scott because he was not masked up outdoors, because he wasn't militant in enforcing COVID protocols with children like my son who were having a hard time adjusting; and very specifically, because he was lobbying to make sure that the parents at Irvine International Academy could have vaccination choice and religious exemptions. That is why they hated him so that is what they did.

They dug and they dug, and they honestly found little to nothing. They couldn't get any traction. Then, they started using rumors and propaganda innuendo. They specifically protested in front of our school when they knew prospective parents would be coming in, to get a bigger impact. They did things that people that really care about our school and the survival of our school would never do.

I'm sorry to say it worked. Dr. Scott is gone. He is not coming back. We are left with an Interim Executive Director Ed Watson. I don't know Ed, but I know he speaks Mandarin. I think that is going to help him, but that is where we are. That is where we are today. Am I done?

WILLIAMS: That is your three minutes, sir.

BARKE: Thank you.

PARKER: I wish I had 15 minutes.

SPARKS: Thank you.

WILLIAMS: After Mr. Ganiere, Mr. Felipe Delgado, you are on deck, sir.

GANIERE: I am Christopher R. Ganiere, candidate for Orange County Board of Education, Trustee Area 2. Values, adults get to pick their values. However, they can only pick what they are exposed to. What are Orange County students exposed to? Well, the bulk of their values come from two locations, both of which are highly known for corruption: Sacramento and Washington, D.C. Sacramento takes half of the money from Orange County meant for schools, and it just disappears. Then they turn around and they send half of that money back, and then they try to tell us what to do with it. Washington, D.C., this year, they budgeted over \$250 billion dollars for education. Most of it is wasted teaching their values, war, and then whatever the flavor of the day is: critical theory, diversity, inclusion, equity.

I applaud this board for not bowing to blowing tons of money on critical theory. I appreciate this board pushing back on both of these powers. I think this board can do more to resist. In the words of former President James Madison, "Refuse to cooperate with officers of the union." I know that, you know, around 17 million comes from the federal government to this board for budget. Well, we need to carefully examine the results. Is it absolutely necessary? Whom does it

benefit? Does it benefit students, or does it benefit non students? What incentives does it create? Does it create an undue burden on staff, on facilities, families, or students? What are the compliance costs? What kind of record keeping and reporting is required? It is only by refusing to cooperate with officers of the union that we can instill still the Orange County values on Orange County students, rather than Sacramento values or federal values. You can learn more about these at ideas@lpoc.org. I'm candidate, Christopher R. Ganiere, and I ask for your vote.

BARKE: Thank you.

WILLIAMS: After Mr. Delgado, Mr. Doug Husen will be on deck.

DELGADO: Howdy everybody. My name is Felipe Delgado, and I'm a proud parent of two students who attend Irvine International Academy. You know, every morning my kids jump out of bed, and they are eager to go to school, you know. In the afternoon when I go to pick them up, I got to drag them out of there kicking and screaming. They love that school. My son he wants to be president of the United States someday. Earlier this year, he got a Leadership Award from the school, which is exactly the kind of education that I want to get from Irvine International Academy. My daughter, I don't know if you can hear this? [Plays his phone audio] She is playing the piano at home. She learned to play the piano at the Irvine International Academy from the pianos that Dr. Scott purchased for the school. We take every advantage that we can to learn from the school.

Now, stop this. There we go. Now, I know starting a school must be a huge endeavor. Okay? No matter how well you plan, there is always things that come up that have to be addressed. You know, mistakes are made. The board is working towards fixing those mistakes. Now, I'm sure all the board members here know that when you have a project that involves people, there is always a vocal minority who tries to represent the whole. They take advantage of these small mistakes and these issues that occur. They twist it, and they try to use it to their advantage. They use these terms like nepotism, conflict of interest, they quote the Brown Act. You know, they do everything to try to legitimize themselves as if they are trying to help the school. But in reality, that is not part of their agenda.

My father taught me that jealousy, superstition, and insecurities are cancers of the mind. You can always recognize people who have that illness by the negativity that they communicate. When you hear these people talk to you and the board, ask yourself a question. If the school is so bad as they say, why do they stay? Is it for some divine intervention that they are going to improve, or take over the school from the founders and make it better? These people are like the coronavirus. They need a positive host to survive. They are not interested in building anything. You know, I'm looking forward to my journey on the IIA train. My only disappointment is there is no high school to move on to from IIA Elementary.

BARKE: Thank you.

DELGADO: Thank you.

WILLIAMS: After Mr. Husen, is Javier Orduño.

HUSEN: Good evening, Trustees, President Barke, Superintendent Mijares. I come for a brief update from our last gathering to inform you of a couple of transitions, and to give you an update just on the overall health of the teachers and students as well. Following our last gathering, our board made the decision to give temporary leave to one of our board members, Dr. Edward Watson. He is a bit of a particular gem for us because his Ph.D. studies are in dual immersion, particularly Mandarin and English. He agreed to step off the board temporarily and then take the interim director role for us. Dr. Scott still enthusiastically, as our founder, supports the school. He is in transition now, will likely become our director of development, soliciting and receiving funds from those who are like-minded that want to support our school with private funds, two major transitions.

I would say this, we are on spring break this week. But last week and the week prior, with Dr. Watson at the helm brought a lot of healing and a lot of harmony if I could say that. It looks really good at this point, moving forward. I provided each of you for reading later on his CV or resume. I won't pretend to read it, but a couple things that attracted me in this is his educational background right here in University of California Irvine where he earned his Ph.D. He is well published, and you can take a look at some of those; awarded with grants for some of his studies. Then he is research oriented, which is really going to help us evaluate our testing longitudinally, so we are really happy, both qualitative and quantitative. Then of course, I would introduce him in person to you tonight, but his prior commitment at Cal Poly Pomona, the greatest school ever Cal Poly Pomona, he is teaching tonight. He sends his regrets, so I apologize he is not here in person tonight. Next month, he will be.

Other than that, I'll just simply say we feel that, in this interim, it is the right move. It is helping our school greatly, so thank you for the opportunity to provide that update.

BARKE: Thank you.

WILLIAMS: After Mr. Orduño, is Roger Kim.

ORDUÑO: Good evening, Board President, Superintendent Mijares. My name is Javier Orduño. I'm the director of Local Advocates in Southern California for the California Charter School Association. The California Charter School Association is the membership, professional organization serving the vast majority of the over 1,300 public charter schools in the state of California. Our mission is to increase student achievement by strengthening, expanding access to high-quality public charter schools education. Our Vice President Miles Durfee sends his regards and wanted to be here, but is not able to do so.

I'm here myself to formally introduce myself as the newest member to join the Southern California Local Advocacy Team. I have spent the last few years working for the Local Advocacy Team in Los Angeles, working with school leaders and charter parents as a parent organizer. Now I'm happy to help the association in representing charter schools in Orange County. Tonight, I represent in recommending the countywide petition for Vista Meridian Global Academy. Vista Meridian is a member in good standing. In our opinion, should be approved to continue operating their high school program as a countywide charter. I look forward to meet with you all soon and all of our Orange County charter schools. If you have any questions regarding our support of the charter schools, please do not hesitate to contact me. Thank you very much.

BARKE: Thank you.

WILLIAMS: After Mr. Roger Kim, will be Dorie Krepton.

KIM: Hello, (inaudible) survey that was conducted about a month ago. Okay. Hello Board members. It has been less than a year since IIA was open, and I have been observing the school closely as a concerned citizen, hoping to hear that things are going well. Yet, it is only been sticking out like a sore thumb in Irvine. I have heard so many complaints from all over about the bullying from the school board, unhappy teachers, nepotism, conflicts of interest, and money being mismanaged. I'm not a parent. I just hear this from my network. I'm aware that Mr. Scott has been placed in a director of development position, but what does that exactly mean? When is that until? The school board has not given the parents a definitive answer. Also, does this really remove him from all the management decisions being made at IIA? It seems like he has made financial mistakes. I would like to know if he is still allowed to keep his name on the school bank accounts, or can he still make financial decisions for the school?

Overall, there is a huge distrust between all involved in this school, and it is really destroying the school. Between the parents, staff, and school board. I believe adding parents to the school board could potentially help solve that problem. Also, at the last OCBE meeting, the board members requested surveys to be made, the one I just passed out. The school made two. One was created by the school PTO, and the other was made by the school board. As of March 2022, they both showed, over 70% of the parents were not sure if they were staying or leaving. I would say that that is a very concerning figure. That is a majority of the parents. Please also note, that this is only parents that were surveyed. This does not represent the staff, teachers, admin, and the principal. I would like to be very interested, again, to see what the percentage of the staff would want to stay on at IIA. Thank you.

BARKE: Thank you.

WILLIAMS: After Dorie Krepton, will be Stefan Bean.

DORIE: Good evening, Orange County Board. Thank you for the opportunity to speak with you this evening. My name is Dorie Krepton, and I'm a resident of Huntington Beach. I'm here to speak in support of budget transparency. Over the years, the taxpayers have had little accounting of the Board's spending. And yet, I know you have a rather rich budget. In the Minutes you do list invoices, but only total amounts are given. It lacks the specifics of those paid services. For example, in the last Minutes dated March 2nd, there was an invoice for \$49,450.52 paid to Haight, Brown, etc. Another for \$8,200 to the law firm of Chidester and Associates. Then on February 2nd, Haight, Brown received \$31,015 and \$13,182 to the Chidester and Associates. That is over \$100,000 in a two-month period with no accountability to the taxpayers. We deserve to have more details on those bills.

Invoices need to be more understandable. What do the invoices represent? Standing alone, not much. They are too general, and they lack the specifics. It reminds me a little bit of buying an automobile. When you buy that car, you do see on the sticker, not just the price of the vehicle, but you see if you're getting vinyl seats, leather seats, upgraded wheel covers, other added electronics, etc. What are we paying for this? Are these telephone calls? Is it travel? Is it paperwork? It is interesting to note, too, that on the OC Boards voting on those invoices, it was 4-1. It was not unanimous. Somebody on the Board was obviously not in support of the presented bills. We have a right to know where we are spending our money and where you are spending our money. I feel you have a responsibility to disclose the biggest and the budget activity. You need to provide us with itemized accounting of monetary expenses. We need more useful information. As a responsible taxpayer, I'm asking that you be more forthcoming in your budget reporting; thereby, creating a sense of goodwill, responsibility, and trust with all of your constituents. Thank you.

BARKE: Thank you.

WILLIAMS: Very good. Thank you, Dorie. After, Mr. Bean will be the good Judge Riddle. After Judge Riddle will be Kelly Felton.

BEAN: Good evening, President Barke and Orange County School Board. First of all, I have to commend you for having an ADA compliant podium. I think that is fantastic. I have been to a lot of school boards, and that is not the case. Well done. Good evening. My name is Dr. Stefan Bean. Since it was announced in the Orange County Register today, I just wanted to come to personally and publicly share that it is my privilege and honor to announce my run for the Orange County Superintendent of Schools. As a disabled Vietnamese refugee, I understand the importance of education. I was blessed to come over from Vietnam on Operation Baby Lift, exactly, actually 47 years ago to this day. Not speaking English and living with a disability, made education a struggle for me. But my father was a sixth grade teacher, and he instilled in me the importance and love of education. It was my sixth grade teacher that helped me discover my gifts and strengths to overcome these challenges.

Since then, educating students has been my passion. For the last 25 years, I have served as a teacher, a principal of two different schools, an associate superintendent, and a superintendent of

a charter school district. As a single father of four, I want our OC parents to know they have an advocate and an ally in me. Tonight, I just want to let you know Board that, should I have the honor of serving as the OC Superintendent of Schools, I will work in partnership with this board to support parent rights, school choice, and protect our children. My vision includes working together with this board and our parents to repair the broken trust between parents and schools.

You can learn more about my campaign at drbeanoc.com. That is drbeanoc.com. I just wanted to say, thank you for this opportunity that I get to meet you and you get to meet me. Oh, by the way, I should say that no matter what you decide in terms of the superintendent pay, I'll accept anything if I'm honored and elected for this position. All right. Thank you.

BARKE: Thank you.

WILLIAMS: After Judge Riddle, Kelly Felton.

RIDDLE: Before I begin, may I just ask the members of the board if you have received the copies of two documents that I created that are charts relating to the surveys that were just announced? Hopefully, I haven't started yet. I just want to make sure, because I will refer to them, and it will be easier to follow. Thank you very much. But I want to begin by speaking—I'm by the way, I'm sorry. I'm Lynne Riddle, and I'm a resident of the county. In December of 2018, the Attorney General for the state of California, Xavier Becerra created an Attorney General Opinion. It is 11-201. What it comes to at the bottom is that charter schools, like all other schools, are bound to follow the California Political Reform Act, the Public Records Act, and the Brown Act. It is my understanding with respect to the Irvine International Academy, that the Academy is not complying with the Public Records Act. I have not been able to gather the evidence on that, but they are not getting their replies.

But I want to address the Brown Act. In particular, I challenge you to look at the Irvine International Academy's website, because I think it is the source of so much confusion between the administration of this school and the parents. And that is, because the website is enormously poor in terms of informing public about what the school is about, and what is being proposed on the agendas, etc. I would call your attention, you can review this yourself, I got this information directly off their website, but you can't even hardly find it. You have to look all over the place. There is no button that says "Board." You have to look all around. It is under, I'll give you a hint. It is under "Events." I wouldn't expect that. I would think that would be a car wash, but I'll leave that to you.

But in any case, they have had 20 meetings since this charter was approved. Of those 20 meetings, the first 17 there were agendas that were posted. They were minimal. They were not fairly descriptive. And what else? The other thing that was very concerning, there were no documents attached. These were the beginning and founding meetings of this charter. Those were the initial contracts, the very vital contracts, and all those kinds of things, receiving gifts, and how they would be allocated, and all those kinds of things, the discussions of the budget, et

cetera, et cetera. None of that information was made available to the public. I respectfully suggest to you that this is probably the very reason why we have had so many parents come here and to their own board of meeting, they have pleaded and begged. They were here. They were polite. They were well informed, and they were begging to you to have them be able to get this information.

In his opinion, Attorney General Becerra said this. Let me just finish this, and I'll leave. I might leave if you tell me beforehand, but in any case, yes, it just says this. May I finish President?

BARKE: Finish the sentence, please.

RIDDLE: Yes. Thank you. What he warned was that, with respect to all of these requirements, that violation of these laws, the one I just mentioned, can lead to criminal penalties and fines and violations of any of these laws that lead to revocation of the charter school's charter if the violations are not cured in a timely manner. I respectfully suggest, over 17 meetings, that is not timely. Thank you.

BARKE: Thank you.

WILLIAMS: Kelly Felton. After Kelly, will be Patrick McNally.

FELTON: Hi everybody. I would like to start off tonight's public comment by quoting the late great Thomas Sowell. "It is hard to imagine a more stupid or dangerous way of making decisions than by putting those decisions in the hands of people who pay no price for being wrong." There are people at the state and federal level that are making choices for our children that are harming them. Several months back, you guys passed a resolution to sever ties with the California School Board Association, and in turn, the National School Board Association. I was in favor of that resolution since there were several issues at the National School Board Association calling energetic and involved parents domestic terrorists and to be treated as such. Although you have made the right decision in breaking ties with the CSBA, putting children first, the CSBA has decided to double down their efforts to harm our children.

The CSBA has currently issued a statement that instead of working with the NSBA, they will partner up with the Association of California School Administrators as a launchpad for new policy and advocacy activities at the federal level. It seems to me that, then even the National School Board Association is too soft compared to what the California School Board is seeking to accomplish. They plan to contribute to dumb down our schools by focusing on equity and standard-based outcomes, instead of how to teach real critical reasoning skills along with life and career preparedness, as working Americans, one nation under God. Our children will continue to have CRT and identity issues shoved down their throats while school administrators act deviant to hide their actual agendas from active concerned parents.

I am here tonight to encourage you to continue your brave and bold fight against the Association of California School Administrators to protect our children, their constitutional rights to a real education, not a politically motivated indoctrination, and all the levels of protection put in place as parents who know best for their children. Thank you.

BARKE: Thank you.

WILLIAMS: Patrick is up, and then Vicky Chan.

MCNALLY: Good evening. Thank you. My name is Patrick McNally. I spoke at the last board meeting. Thank you for hearing my comments. I didn't intend to speak, but then I heard Mr. Ganiere and Mr. Delgado speak. I thought, at least, I should come up and just say something. It is a little bit scatter shot, my comments. Mr. Ganiere said that Mr. Scott or Dr. Scott has actually left the school. He is gone. He is not gone. As Mr. Husen has pointed out, he is still in the school. He is the director of development. What that role is, and I know it is been discussed before, we will realize that later on. Also, I only caught the last of your comments, so I can't comment on other things he said. But he said he didn't know Dr. Ed Watson. Get to know him. I think you would like him very very much. I'm here with several other parents. There have been changes that have been encouraging. Mr. Husen has pointed that out. I think we are on the right track, but there is other issues that still need to be resolved.

I know when Mr. Delgado talks about some mistakes that took place. I think Ms. Chastain, Aracely Chastain from the Orange County Department of Education will respond to that. She has done a good report. I know when she was last here, I think it is obvious to the Board and everybody that there was a little bit more than just some small mistakes which were involved here. I think that is about it. Oh yes, the last time I was here, I had asked the Board, because you have the powers under the bylaws of the Irvine IA, which is not actually, it is another bylaw, but you have the power to add a director to the board of directors. We really need more parents on that board. Again, I'd ask and encourage you, once again, to please exercise that power and have a parent be elected to the board. I think it will help us enormously. Okay. Thank you very much.

BARKE: Thank you.

WILLIAMS: Thank you, Patrick. Vicki Chan, and then Lynn Hwang.

CHAN: Hello. My name is Vicki Chan. This is my first time, so thank you for having me here. We just moved down to Irvine recently. I am from Irvine International Academy, yet another parent to speak about that. First of all, I have two kids there. They love it there. First and foremost, we love the school. They love their friends, and teachers, and principal. We are very grateful. Yet as a parent, I am concerned. I am not a minority. There was a couple of surveys put out at IIA. One by the PTO, one by the board, and it showed 70 to 80% of parents show my same concerns, so I am not a minority. There is an issue at the school. I'm sure you guys have all heard

from allegations of nepotism, conflict of interest, hiring issues to the point we hired a person that was not qualified for the position. Now we have to deal with that. Mismanagement of teachers and staff to the point that, I, as a parent, I have no idea which teachers are coming back, or which staff is coming back, or who is leaving. As a parent who wants to send my kids back, that is a problem. To the point where the administration even has told the teachers not to discuss these issues with the parents. That lack of transparency, other parents, or other administrators, or, you know, speakers have mentioned this. This is a problem.

As a parent, Mr. Husen did mention some changes that are happening, so Michael Scott was removed as executive director. I am very excited for Ed Watson to be taking over. But I'm asking the Board, we do need more oversight. I want to make sure, as a parent, that these changes stick. Again, this board has demonstrated, in the past, that they don't have the best transparency as Judge Riddle mentioned.

They tend to push things through without letting us know, and without due diligence, and without explanation. Again, Ms. Chastain actually caught Mr. Husen. He tried to claim that there was a change in the nepotism, because the board asked for it. Ms. Chastain had to correct him. It was not true at all. Please, keep a watch on us, because I really, really want to be able to send my kids back. I really want the teachers to stay. I want the principal to stay. If we continue going all this back and forth, I'm afraid there won't be anything left that we love from this year. Please, help us. Keep us on this good path. Thank you.

BARKE: Thank you.

WILLIAMS: Thank you, Vicki. Yes. Come on up. After Lynn, our last speaker will be Patty.

BOYD: Will be who?

WILLIAMS: Patty. There is no last name here.

BOYD: Okay. That is fine. Thank you.

HWANG: Hi, my name is Lynn. I am a former parent at Irvine International Academy. I'm the parent of two children, and I pulled them out at the six-month mark. It was a very, very tough decision. But as you know, there was just so much going on. Teachers were not happy. Parents were not happy, nepotism, exclusive contracts, and a lot of internal conflict created mainly by the former executive director, now, the director of development. The board has created a new position to safeguard or to allow him to stay at the school. That is contrary to what the parents, I think for the majority, wants based on the surveys that were done by the PTO and the school itself. But I am here, because I do want my children to come back to this school if we are able to salvage it to what the majority of the parents want.

I mean, this is something the Irvine community really does want. But we are actually all very concerned whether the majority of the parents want to come back next year. Teachers have already said prior, that they don't know. Some may stay. Some may not. Until the board kind of clamped down and said, don't say anything to the parents. At this point, it is basically quiet from where the teacher stands. I want to go ahead and bring up noncompliance with the Brown Act from our board. This is a very serious matter. Continuously, I had to invoke my Brown Act rights to speak prior to an action item. Prior to that, I didn't even know what the Brown Act was. IIA's board actually literally forced me to read up on the Brown Act. I had to invoke my Brown Act in February twice and in March once.

The fourth meeting, I was not able to invoke my Brown Act rights to speak, because they had disabled the chat features and the unmute button as well. Members of the public was not able to speak up if they chose to. Also, regarding documents of any agenda item that they are going to vote on, IIA Board did not post a link to any of the contracts, the job description, positions, salary wise, so we are in the dark. When we mentioned it, our board president still went on in the March meeting and allowed the vote to continue, instead of tabling it. That is one of my biggest concerns is the transparency and following the Brown Act. Thank you.

BARKE: Thank you.

WILLIAMS: There is a Patty, no last name. Patty if you're out there, do you want to talk now?

PATTY: Oh, I'm sorry.

WILLIAMS: Are you Patty?

PATTY: Yeah.

WILLIAMS: Okay. You can talk now, or you can wait until—

PATTY: (Inaudible).

WILLIAMS: You are so cute. You can wait until action item number 12 that you said you wanted to vote on. You want to wait?

PATTY: I will wait.

WILLIAMS: Okay, so the last is Donna Lee. That will be the last, and we will move on.

LEA: Good evening, OCBE board. I will be very brief. I did want to bring up something that seems to be inconsistent between what we have heard at the IIA board meeting versus what is apparently true. Our former Executive Director Michael Scott's role was changed to the director of development on March 22nd, 2022, at the board meeting. The role change had a few high profile requirements, such as no stepping on school property, no emailing staff, no emailing parents just to name a few. However, parents and staff were still being contacted by Mr. Scott after that. As of March 30th, apparently, quote, the HR specialist at the school, "Only the position has been approved. The contract has not been finalized or executed to date." This was not consistent with what the parents were led to believe weeks prior. In addition, this was supposed to be a temporary position. Yet, no end date has been specified. Thank you.

BARKE: Thank you.

WILLIAMS: That is it Madam President.

BARKE: All right, moving to the consent calendar.

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

SPARKS: Second.

BARKE: All those in favor?

GOMEZ: I would like to have a discussion before we do that.

BARKE: Okay.

GOMEZ: I would like to pull items seven and eight from the consent calendar. I would support the balance.

WILLIAMS: I don't have any problems with it.

BARKE: Okay. All right. All those in favor of approving the consent calendar with items seven and eight removed?

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

BARKE: Okay. Passes.

WILLIAMS: I make the motion for item number seven.

SHAW: Second.

BARKE: All right. Any discussion?

GOMEZ: No discussion.

BARKE: No discussion, all right. All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Oppose.

BARKE: Okay.

WILLIAMS: I make a motion for number eight, Madam President.

BARKE: All right. All those in favor?

SHAW: We need a second. I will second.

BARKE: Oh, I'm sorry. Thank you. All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Opposed.

BARKE: All right. Moving to charter schools, Nina, are there any charter submissions?

BOYD: There are no submissions at this meeting.

BARKE: All right. Aracely, I would like to welcome you.

CHASTAIN: Good evening, President Barke, Trustees, and Superintendent Mijares. Today, the Board will hold a hearing to consider public input regarding the Vista Meridian Global Academy countywide charter petition submitted on March 4th. Prior to public comments, representatives from Vista Meridian Global Academy are allotted 15 minutes to address the Board. I now call representatives from the charter school to the podium.

WILSON: Oh my gosh. Good afternoon. Good evening. It is really a pleasure to be here. I'm Dr. Don Wilson. I'm the superintendent for Vista Charter Public Schools. Just a couple of off charter things. It is such a pleasure to be here in person again. No masks. It feels great. I want to just acknowledge the invocation by Mr. Cook, who just really, I want to thank part of that invocation that said, "thanking all of you." Each one of you who do this work, the civic duties. They are so important. I sit on a couple of boards myself. I know what it takes, so just thank you for that. I also want to just mention again, Mr. Cook, your invocation about joy. I don't want to minimize some of the issues that have already been brought up, but I just want to say that, to stand here, again, feels very joyous.

It was six years ago that I stood here for the first time. Very nervous I will add, fewer gray hairs, but it is again, just thank you for us to be here. Also, Ms. Gomez, I'm going to stop right now before we get to the question part of this. I want you to know that we hear—

GOMEZ: I am listening.

WILSON: We have heard you. We are adding two parents to our board. They will be from Orange County. In addition, there will be another parent from our board in LA, because we lost the other parent. We just wanted to know that we have heard you. We are excited to do that. I'm not going to really go into my introduction. You have seen this so many times. I have stood here so many times. I just wanted to say, I'd love to introduce Dr. Felch. I am so proud to introduce him as my assistant superintendent. After six years of doing this work, to have him just working by my side has been such a pleasure. I think I actually get two hours more of sleep every night so that is great. I'd like to introduce Dr. Felch.

FELCH: Good evening honorable Board, again. President Barke, Superintendent Mijares, it is absolutely a pleasure. It is always a pleasure to be here in front of you today. I don't need to speak too much about myself. I think all of you know me pretty well. I'm actually going to spend our time to hand it back over to Dr. Wilson so he can introduce someone that is new on our team.

WILSON: Oh my gosh. I am so excited. I'm going to say this is the new Dr. Felch, but it is Dr. Real. We are so incredibly lucky to have Dr. Real join our team. She does not come to us unknown. I'm going to let her introduce herself, but I just want you to know that we did our doctorate together. Her name is actually in our charter. She is cited in our charter. Our theoretical

framework, we developed together for our dissertations. When the opportunity for Dr. Felch to move to assistant superintendent came up, and out of the blue, we had a conversation that she was open to leading the work in our high school. It was, again, it seems like we have miracles happen every time we look for new leadership. We are blessed to have Dr. Real, and I'm going to let her talk all about herself.

REAL: Thank you. Good evening honorable Board, President Barke, and Superintendent Mijares. It is my great pleasure to introduce myself tonight as the principal of Vista Meridian Global Academy. I cannot tell you enough how happy I am to become part of the Vista family. There is a list up there of some of my accomplishments. I've been in education for 24 years as a teacher, a school counselor, an instructional dean, assistant principal, principal of a high school, former USC adjunct professor. As Dr. Wilson mentioned, we received our doctorates together at USC in 2017. I was most recently the director of counseling college and careers with the Monrovia Unified School District. While I was there, I developed a model dual enrollment program that earned a Golden Bell in 2019. I also made it a goal to expand our career technical education pathways so we could help students prepare for their careers and expand ladders of economic opportunity within the community.

I would like to pass the mic back to Dr. Wilson, but I do want to say one more time. I am so pleased to be working in Orange County for the first time. I am a resident. I am very, very happy to be part of the Vista family. Thank you.

BARKE: Welcome.

WILSON: You can see why we are successful. We keep getting the best and the brightest. I'm going to move fairly quickly through these next two slides. But I think it is important, you know, six years ago, I stood here with barely one and a half schools under my belt. I want to just thank the Board, because who we are today is, quite frankly, has been because of your support. Today, we have Vista Charter Middle School in Los Angeles. We have Vista Heritage Middle School. We have Vista Condor Elementary School and Vista Horizon Elementary School in Los Angeles. Our newest is Vista Meridian Global Academy, also, here in Orange County.

We are just about ready to add one more school, which we won't announce until after the board meeting in a month from now. We have grown, quite frankly, we have grown quite fast in some ways, but also with our strategic plan. Something that I want to address on the next slide, which it is really a direct result of working with Orange County Department of Ed and with your staff, it is who we are not. Six years ago, when we started, we really listened to what the staff had to say, the suggestions that you made. What we are is, we are a group of separate LEAs, all with the same mission and vision. But Vista Charter Public Schools does not have its own budget. I have no personal budget that we work with. But each of the LEAs have their own budget, and there is no co-mingling of funds. This is a direct result of working with Aracely and her team six years ago.

Of course, all of our schools have shared support systems of superintendent. We now have a district technology person, a district special ed person. We also have our legal and financial teams, but now we have Dr. Felch as my assistant. We have really been able to grow the support at that level, but these costs are shared among all the schools so that there is no burden to the schools. Another unique feature of what we do is, each one of our principals is a member of the executive team. They meet with me each Monday. We decided long ago that the principal, and their unique position in a local community, that voice really needed to be heard. I wouldn't call it a voting member, because we don't really do the vote like that. But they are a decision-making member of the executive team. Because what we decide in that team, affects their communities and their campuses. That leaves each one of our LEA's flexible to address the local community needs. I think tonight what you're going to hear is another way in which having a countywide charter is going to allow us to address very specific needs of our communities. Thank you again for the time tonight. As always, we appreciate your time. The great thing about having an assistant superintendent is I get to give it all over to him now.

BARKE: Thank you.

FELCH: Okay. So, you might be asking why Meridian? Why countywide charter? Specifically, also, because we currently are operating high school grades or at least ninth grade this year. But if you remember back to 2020, the OC Board approved the material revision expansion of our middle school charter to include grades nine through 12. Now, what this is doing, and I'll go to the next slide, is for countywide under the current petition, it wouldn't allow us to really partner with the community colleges and really build out the dual enrollment and CTE Program that we would really like to have and offer for our students. The way that I'd like to explain this, we have been using the word "pods." But if you think of—many colleges have this, where they have a main site and then they have satellite campuses. It is very, very similar to that.

We've had amazing discussions and even have agreements with some of the community colleges already: Santa Ana College, Coastline College, Orange Coast College, and even UC Irvine. We would have our own main home campus, but then we would have pods at/or near each of these campuses. That is going to allow us to align our dual enrollment programs with the high-quality programs that each of these colleges specializes in, giving our kids the best and brightest education possible. It also allows us to educate beyond community college district jurisdictions. For example, if we stayed the way we were, we are in the city of Santa Ana. That only allows us to work within the Rancho Santiago Community College District boundary. For example, one of our pathways is cybersecurity. Coastline College, which is not that far away from our school, is in one of the other community college jurisdictions. They are very well known for their cybersecurity program. This would allow us to work with them in a dual enrollment capacity. Now what I do want to make sure, and we've already communicated with the superintendents in these districts, that the pods are not meant to enroll additional students in those communities. Most of these students already would most likely come from our feeder schools primarily in the city of Santa Ana already. It is not meant for outside enrollment necessarily.

But I do want to talk about our CTE Pathways. This is another reason why having Dr. Real on board and her expertise is just so amazing for us. Each of our CTE Pathways are carefully chosen in design to provide, at a minimum, industry level certification in these sectors. These sectors are each in high demand, booming industries. I mentioned cybersecurity, biotechnology, these are areas where our kids are not just going to get jobs. They are going to be in high demand, high earning careers in the future. They will also be able to provide, in these CTE Pathways, valuable internship and work experience opportunities. That is going to be embedded into each of our CTE Pathways. As well, to make sure that each of our pathways are of the highest quality, we are going to have a pathway board for each of these CTE Pathways made up of industry professionals in those fields to make sure that we are not just aligning it with the CTE standards, but also making sure that we are graduating students, young adults, with the competencies that are needed in those workforces so that that is extremely important. We want to know what the end product really is from these industry professionals.

Dual enrollment, working in partnership with these community colleges, as well as UC Irvine, we are really closely aligning to an early college high school model, which allows our students to gain college credit, dual enrollment college credit, and high school credit, simultaneously as early as in ninth grade. This is going to allow our students, not only to get those industry certifications, but also pursue up to their associates degree at the same time that they get their high school degree, which would be huge for many reasons. But most of all, to save our students and our families thousands and thousands of dollars in possible college tuition and so on, also to get ahead. But at the same time, we are also working with our community college partners. We actually just met with the Santa Ana College president, about a week and a half ago, to provide dual enrollment through general education classes through a (GETC), which would be UC transferable credits if and when our students decide that they want to go to a four-year UC school. All of these dual enrollment credits will be able to transfer over to the four-year schools.

I also want to talk about something that is special, unique, and innovative. Part of the Vista Meridian curriculum, which is the Master Transcript Consortium (MTC). We are currently, and if this is approved, we will bring in the new countywide petition as part of the Master Transcript Consortium. Now, the Master Transcript Consortium is actually an international consortium of some of the highest quality schools, not just around the country, but around the world. Many of these are high-end private schools. Sage Hill, just down the street, is part of the Master Transcript Consortium as well as many other schools that you probably have heard of.

Now, this will allow our students to create a transcript that doesn't just list them with a single letter or something like that. It gives them a lot more information to provide to colleges and prospective employers about them, their core academic competencies as well as the mastery level of really essential life skills. Now, this is also very rigorous. Because in many high schools all you have to do is pass the class. Here, and I see that my time is almost up, you have to really have a level of mastery in each academic and non-core academics standard as well. This will also be used for digital portfolios as well. Students can, not just compile, but curate their best and brightest work to show higher education and possible employers. I know my time is up. Thank you for your time. If you have any questions, we would be happy to answer them.

BARKE: Thank you for the amazing presentation.

SPARKS: I have some questions.

CHASTAIN: The hearing is now open for 30 minutes of public comments. Deputy Superintendent Boyd, are there any public comments for this agenda item?

BOYD: We have one, Martha Fluor.

FLUOR: Good evening. My name is Martha Fluor. I'm a resident of Newport-Mesa.

BOYD: Martha, could you lower the mic?

FLUOR: Oh, I'm sorry. Thank you. Thank you, President Barke, Vice President Dr. Williams, Tim Shaw, Beckie Gomez, and Lisa Sparks. I have no doubt that this is an outstanding charter school. My issue is transparency. On the Agenda, it calls for a public hearing. Yet when I went on and tried to read and research the information on the basic application. There was no documents. Nothing was attached. I'm a Googler, so I went to the original documentation and found the original application that you approved in 2020. But again, if you are asking for information and public comment, at the very least, I would appreciate as a member of the public to be able to make cogent comments, and do some information gathering, and not have to figure it out myself.

I'd like to look at it. I thought it was a great presentation. I truly appreciate it. You know, the Brown Act, all on your website, everything is there. You are with Board Docs. You know, you are really with it. I really appreciate that. But unfortunately, unless you get that information on your own, there is nothing. When you are asking and you are having a public hearing, and inviting public comment, I would appreciate transparency and provide us with the actual application. Thank you.

BARKE: Thank you

CHASTAIN: This concludes the public hearing. The Orange County Board of Education Staff Report will be published on May 17. The Board will take action at the June 1st meeting. Representatives from Vista Meridian Global Academy are available in person to answer any questions. President Barke, I now close the public hearing and turn the meeting back over to you.

BARKE: Thank you, Aracely. Dr. Sparks?

SPARKS: Yes. I have some questions for all of you, especially Collin. I'm always very interested in the dual enrollment and how that functions in different states and in different ways, and what the limitations are. I was curious when you said that you can go back to ninth—starting in ninth grade, which is pretty awesome. How many credit hours are allowed? Is it like up to 12 or up to six?

FELCH: Nine per semester.

SPARKS: Okay. Nine per semester. That would be for all four years. That gives a pretty good chunk.

FELCH: Yeah.

SPARKS: What is it, 36 hours, 36 credits? Is that right?

FELCH: It would be double, because it is per semester.

SPARKS: Oh, per semester, yeah, yeah, yeah.

FELCH: It would be 72.

SPARKS: Okay. Wow. Wow. That is almost half of a degree. That is amazing. That is amazing. Do you have models? I know you have more experience with that. Can you explain the models you've seen? There are certain states doing it more than others.

REAL: Right. Right. Even within California, there are different models. The model that I developed in Monrovia was a robust four-year model. We took rising ninth graders and every semester they had one to two courses, even sometimes during the summer. That was in a traditional, comprehensive high school setting. We are prepared to replicate the number of units and an enormous amount of support for our students to successfully complete these courses. I always say that dual enrollment is about the three things that stop students from enrolling and persisting through to achieve their degrees. That is time, money, and skills. They are going to complete their degrees faster. They are going to save themselves enormous debt. They are going to realize that they have the skills while they are 14, 15, 16, 17, and walk onto a campus for the first time knowing, I've been doing this for two years, so we are really excited.

SPARKS: It builds that confidence. Then the other side of it is, they see themselves in that college environment.

REAL: They have a college ID.

SPARKS: Right, an ID, yes. Then, another question along those lines. Is it accessible to all the students? How do you identify? If a student says, “Oh, I really want to do it.” But, maybe they are not ready. How do you identify if they are ready for that level or not?

FELCH: We have diagnostic assessments. But all of our students are going to take dual enrollment classes in some form or fashion, because it is part of our CTE Pathway.

SPARKS: Okay.

FELCH: At a minimum, we want them to have an industry certification at the end, which includes some dual enrollment courses.

SPARKS: Okay, great. I love it.

WILSON: I think the other aspect of what Dr. Real was talking about. For our students, so often, you know—we have low income students. Students that oftentimes the boundaries of their neighborhood is the boundary of their life. Getting them into our pods, that is where the pod really comes into play. After four years of being on the campus or near the campus, working with the professors, going to college is just the next natural next step. Really opening their eyes to that possibility and getting them comfortable early on.

SPARKS: Do the universities that you partner with have to provide those extra pods or resources in terms of a certain classroom or a certain set of seats?

WILSON: It is going to be both.

SPARKS: Okay.

WILSON: We are in talks right now with some of them that are actually so excited that they are going to provide space on the campus. But also, you know, we don't have to construct an entire school near the campus. We can just rent out two rooms—

SPARKS: Right.

WILSON: —Which is a much more economical way of getting kids close to the campus if we are not on it itself.

SPARKS: Okay. Great. Thank you. Thank you.

WILLIAMS: No questions.

BARKE: I would just make a comment. I mean, you guys just do such an amazing job at offering children wonderful choices. Now, just to add these opportunities, is just really, really exciting. I can't commend you guys enough for what you are doing.

SHAW: I would echo that. You do a great job. Enjoyed your presentation.

GOMEZ: I would be really excited about the CTE and the dual enrollment, but I know it is a boatload of work. You know, as a former Dean at a community college, we struggled with this, trying to find partnerships. I'm just hoping that you don't bite off more than you can chew on this, because it is pretty detailed. But it sounds like Dr. Real, you have kind of been down this path a bit, so I'm hopeful that it will be successful and that students will really benefit from that. You know, I think the one thing that we struggled with, just as an FYI on the community college side, was just the maturity of the students. Not just academically, but just socially being able to handle the college environment. I think that is just always something to kind of keep an eye on.

REAL: I agree with you 100%. When I came to my counterparts in Monrovia and said, "I believe that we can put rising ninth graders in college." Some of them didn't believe me, and we did it anyway. We did it really successfully. But one of the reasons that it is so successful is because we have done it in a cohort model. We teach the students how to collaborate, how to rely on each other, how to construct knowledge together. It was extremely successful, so I would like to replicate again that cohort model. Really build on the collaborative nature that our students already have in our Vista family.

GOMEZ: The cohort will be just your students? They won't be integrated with the colleges? Okay. That is interesting. Okay.

BARKE: Thank you so much. Thank you, and welcome to the team, Dr. Real. We are very excited. Okay. Moving on to number 11. Are we doing that? Is that remote? There we go. Okay.

[Video feedback is heard]

SPARKS: Interesting delay there.

BOYD: This is an action item for the Board.

WILLIAMS: It is not a presentation?

BOYD: There is no presentation. It is just an action item.

WILLIAMS: We are going to be making a motion to adopt and accept.

BOYD: There is some feedback coming from, I think one of the Zoom links. If you could mute your microphone? Thank you. The Board has draft agreements. This is a carryover item from last month. Draft 1, is the amended language that was received back from Explore. Draft 2, is the amended language that we dialoged about and consulted with the Board's attorney. We provided both documents. Because last month it was just the one document, and you all wanted to see the difference between the two. What I will add for you, because staff had no problem with the edits that came from Explore. The Board's attorney did not either, with the exception of, under the Facilities Agreement. We believe we have come to a mutual agreement with regards to that if the Board accepts Draft 2.

In your red folder, we actually blue lined so that you could see on Draft 2, the changes on the facility item. The blue highlight is what is from staff and the Board's attorney. Everything in red in that document is just a carryover from what came from Explore.

WILLIAMS: President Barke, if I can make the suggestion that we have our good counsel, Mr. Greg Rolen come up and help us with the background on his work, and evaluation, and recommendations to the Board?

ROLEN: Thank you, Dr. Williams, Superintendent Mijares, members of the Board. We were contacted by staff with regard to an attempt to form a compromise on the facilities agreement. We tried to fashion that compromise within the spirit of the Charter School Act that allow some oversight and some responsibility, and some flexibility for Explore. The crux of the issue was whether or not the Explore Academy would have to come back for a material revision on the yet unnamed sites that were approved by the Board in the original petition. I'm sure Explore believes that since there were three sites approved, that they didn't have to come back for a material revision. We wanted to honor that understanding. At the same time, allow the Board to exercise oversight over the sites. Staff, Aracely, Nina and the crew, came up with some language and incorporated language from the Explore Academy that would simply require 45 days before opening a new site, that they provide the Board with the necessary documentation for the Board to exercise oversight. They can make a decision then and there, that the site is within the standards set by the Board.

We really think that this is a compromise that the staff has worked hard to formulate. It gives Explore the flexibility that they believe they got from this board. At the same time, allowing the Board to exercise oversight if they see fit, without going through the somewhat laborious process of a material revision.

WILLIAMS: Greg, is that language in Draft 1 or 2, that is before us?

ROLEN: Draft 2.

WILLIAMS: Draft 2.

ROLEN: Yeah, 2 (j).

SPARKS: In the red folder.

WILLIAMS: Okay. It just says 2. There is no (j).

ROLEN: “J” is the subsection of the agreement that I'm speaking of.

WILLIAMS: Oh, oh, I see.

BARKE: Yeah, it is here. The blue, right there.

WILLIAMS: Okay. I was going to say, “Wow, it is a lot of versions available.” Okay.

ROLEN: It is that \$15 bill you approved.

WILLIAMS: Right. Did Ms. Romero agree to this as a fair—?

ROLEN: I can't speak to if Ms. Romero agreed to it or not, personally. I have not spoken with her, but there was interactions between Explore's counsel and staff. That is why the first draft is what Explore is suggesting. The second draft is a collaboration between staff and Explore.

WILLIAMS: The compromise is what you created with our staff in 2. Draft 1, is what Explore submitted?

ROLEN: Right, and what they are requesting.

WILLIAMS: I see.

SPARKS: But they have seen Draft 2, Draft 2 (j)?

ROLEN: I am certain they have.

SPARKS: Have you all seen that, Ms. Romero and team? Can you hear us?

[Feedback is heard]

ROMERO: Hello, do you want me to speak now?

[Feedback is heard]

ROLEN: That is an extremely annoying voice.

SPARKS: Not you. It was his voice. Yes. Can she speak?

BOYD: There is going to be a YouTube delay. If you guys stop talking, it will catch up.

ROMERO: Can you hear me? Shall I go ahead?

BARKE: Please start now.

ROMERO: I would say that this is less about a compromise, than it was about, thankfully the staff recognizing really the common sense edit that we were asking for from the get go. What we wanted was specificity in the MOU that clearly stated that we would not have to go back for a new material revision to simply open schools that had already been authorized by the Board. We had asked for clarity, and specificity, and language to indicate that a material vision would be needed starting with any other school that you might see after those that were already approved. We asked for this in Section J.

This has been the case from the beginning. After several iterations, and Dr. Williams, you pointed out how many versions there are, we are pleased that staff finally did come back and say, "Okay, we will accept your language." Then they added in some additional language that we are perfectly fine with. At this point, given that the language that we asked for, with respect to when a material revision is required, is in both versions and was adopted (inaudible.) We are fine with accepting that, and thank the staff for accepting our recommendation.

Just in closing, I would like to just point out and ask the Board if you might (inaudible) a whole process of MOUs? We feel that MOUs, really are not in charter law. It is a very costly process, especially (inaudible). As you can see from all these iterations of drafts, that is a lot of taxpayer dollars on your end.

BOYD: Gloria, can you hear me?

ROMERO: As well as legal fees on our end from a startup school. I would just encourage the Board that you might want to do a hearing and look at MOUs in general. Most states do not do

something (inaudible). We figure it might be (inaudible) just to sit down and negotiate a contract to bring it about. Thank you, and I ask for adoption of this.

BOYD: Can you hear me?

ROMERO: I can.

BOYD: Your YouTube is on at the same time that you are dialoguing, so we are getting a lot of feedback. But I think the Board heard you. I'll let President Barke speak to that, but I just wanted to let you know that we had competing things occurring.

SPARKS: If she could just say that last bit about the MOU, that would be helpful?

ROMERO: Thank you so much.

GOMEZ: She has got to turn off the YouTube.

SPARKS: Turn off the YouTube.

WILLIAMS: Turn off the YouTube.

GOMEZ: Turn off the YouTube.

ROMERO: Me?

SPARKS: Yeah.

BARKE: I think you need to turn off your YouTube. We can hear your YouTube at the same time we hear you.

ROMERO: I'm actually not on. I don't have YouTube open.

WILLIAMS: Maybe one of the other two have it on.

BARKE: Does Mike, or does anyone have YouTube on?

ROMERO: Okay. Now?

BARKE: I think that works.

ROMERO: Thank you. I apologize for that. What I would just say is that on the MOUs, I just wanted to point out that I think, you know—I do not believe really in going far beyond what the Legislature has enacted with respect to charters. There is already so much difficulty as it is. Unless we get a very open-minded board like you are, that fairly considers charter petitions in an otherwise somewhat politically hostile climate towards charters and the right for parents to choose, MOUs have really have created some real additional hardships. Dr. Williams pointed out the number of iterations of what could have been really, I believe, a very simple negotiation. Yet, taxpayer dollars are consumed.

We, as a startup, we are starting up basically with no money from the state yet. Legal fees have been very, very costly overall. I would urge you just to think about it. Most states do not do MOUs. I think there are ways to just negotiate the essence of what a contract could look like, so I would just urge the Board to rethink its use of MOUs. There is no such thing as a standard charter school, so how can there be a standard MOU for adoption? Each one is different. I would urge you to maybe do some type of a hearing in the future to think about the need for MOUs and really to streamline it so that it is not as costly. That is all I wanted to add on the MOUs.

Other than that, we thank you for this. We are appreciative that staff recognized our desire to be very clear in language about MOUs. We, of course, accepted the additional language that they proposed. This could have been done a long time ago, we believe. Thank you.

BARKE: Thank you. I apologize for the additional hardship. I know it is been hard, but thank you for being in agreement.

GOMEZ: So, we are all okay with item 2 or version two?

WILLIAMS: May I ask the question? It was difficult over the last 10 minutes to really try to understand what was being said. There was a lot of feedback. My question originally had to do with what we have before us, Draft 1 and Draft 2. There was some compromise in the language. As you and I have talked about over the last decade, we don't want to put any more burdens upon you as a charter. Are you okay and do you accept the language in Draft 2, under the subsection J, Facilities Agreement?

ROMERO: Personally, I think it is unnecessary. But as a charter operator and wanting to show good faith, as I believe we have been, we are willing to accept version two. Given that the language that we have sought, for some time now, is incorporated in both versions. I don't wish to behoove the issue. I have questions about MOUs to begin with; but that is not the point today, so I have no objection any longer to this.

WILLIAMS: Okay. You do not feel that Draft 2 is going to hurt, or hinder, or obstruct any of what you want to do with your charter?

ROMERO: I would say that we are okay with having it approved today. The additional of the, at least 45 days to go in, that is just specifying a dateline. That is fine with us.

WILLIAMS: Okay. That is all I had.

ROMERO: Thank you. Two of our board members, including the president, are here in case you want to add in as well.

WILLIAMS: We appreciate the board members for being present. Thank you for all your hard work. Madam President, I would like to make the motion to adopt Draft 2 of our Agenda, item number 11.

SPARKS: I will second that.

BARKE: Wonderful. We have a motion and a second. Any additional comment? All right. Call for the vote. All those in favor?

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

BARKE: All right. It passes 5-0, unanimously.

ROMERO: Thank you.

BARKE: Thank you.

WILLIAMS: We do have a public comment on item number 12. Patty, if you would like to come up?

BOYD: Just give us just one minute. We are going to set the timer for translation purposes.

PATTY: [Spoken in Spanish] Hi, my name is Patricia Alcabada. I'm here because I don't understand how one person can make so much money. Dr. Mijares is making \$ 400 million. Oh, \$ 400,000—

INTERPRETER: I heard million. I am sorry.

SHAW: That is an outrage.

INTERPRETER: Sorry about that.

BARKE: Triple outrage.

PATTY: [Spoken in Spanish] —To do the work that he does. We have teachers that don't make nearly as much, and they need to make more. We have people that need to be hired, or we could hire more people to do the work. I do not understand how that man can make more money than the governor of California, Governor Newsom. How can one person make so much money? It is just not fair, and it doesn't make sense. The money that he earns can be used to pay people that need to make more money. What has he done to earn so much? I can speak English, but I am so enraged. I want to represent the Spanish speaking population, because they are all wondering how is it that one person can make so much money?

Not all people can read what is out there. Not all people can see what is on the computer, the information that is being put out there. I mean, I'm sorry. All people can see what's being put out there, but not all people read into the details of what's out there. I think that it is important as Latinos, that we all need to be aware of how much this person makes. How is it possible that one person can make so much money? I am here representing, and that is all I have to say for you today.

BARKE: Thank you.

WILLIAMS: Madam President, as maker of item number 12, the resolution, I'd like to introduce as a base pay to complete the document. A base pay for the Superintendent, for the 2022-2026 term, of \$300,000. In addition, an annual car allowance of \$12,000 per year. As a reminder, this resolution does not affect the longevity bonus, the health benefits, or the STRS contribution. I make that motion. I'll need a second.

BARKE: I'll go ahead and second.

WILLIAMS: Very good.

BARKE: Do we have any discussion?

SHAW: Can I ask a question? The minimum credentials to be a candidate for superintendent, I know it requires an administrative credential, correct? Who gets to set that parameter exactly? Is that a state thing? Is that per county, or is that something that would be within our purview to decide? I mean, I know, you know, you got to have a juris doctorate degree to be the district attorney. There is those different requirements, but is that something— who gets to set that exactly? I don't know that for sure.

WILLIAMS: State Legislature, I don't know. It is in the state Education Code though.

SHAW: It is in the state? Okay. Was that uniform in every case, the county superintendent has to have the same qualifications across all 58 counties in California? Do we know?

SPARKS: I think in California, yes. I'm not sure. I don't know nationwide. Do you know, Greg?

ROLEN: Not nationwide.

SPARKS: Right, not nationwide.

SHAW: Okay.

SPARKS: That is why I think it is a Legislature thing.

SHAW: Okay. All right.

SPARKS: I have a subsidiary, I don't know, want to add to the situation here, because there has been some press attention on this. We prepared a few comments related to the motion.

WILLIAMS: Why don't you read it into the record?

SPARKS: Oh, and I can read it into the record. Okay. Is that everybody?

WILLIAMS: Yeah.

SPARKS: Okay. In an exercise of County Board authority according to the State of California Constitution, the Orange County Board of Education modified the Orange County Superintendent of School's salary to properly align with similar administrative leadership positions across the state. Previously, the Superintendent's total compensation package was just over \$467,000 per year. A Board Resolution set the 2022-2026 Superintendent's base pay at \$330,000 per year in addition to approval of a new annual car allowance and benefit package, which was not in place before, establishing an approximate total compensation package of over \$425,000 per year.

Board President Mari Barke articulates, "The California Constitution gives all county boards the authority to set their county superintendent's salary. However, when talking with fellow county board members, very few understood they had the constitutional responsibility." She adds, "We understand that this may be a sensitive issue, but as a board, we have resolved to face difficult

issues head-on. We expect other county boards will follow our lead,” as President Barke continued.

Then I said, “As elected trustees, we have an obligation, not only to the voters of Orange County, but also the students, to direct resources to the classroom where they belong. We promised voters we would exercise fiscal responsibility where appropriate while retaining our board rights to properly be able to represent our constituents, and this Resolution does that,” confirmed Trustee, Dr. Lisa Sparks. More.

The Board engaged in a labor-intensive and publicly transparent process over three public meetings. The Board analyzed the Superintendent's salary using several different analytical measures, including, but not limited to, population, other county superintendent total compensation, employees managed, school districts monitored, and other administrative responsibilities. Quote, “The base pay for the next 2022-2026 term of the County Superintendent of Education accurately reflects a superintendent's responsibilities for Orange County, relative to our other 57 counties in California, even in the more costly counties including Los Angeles County,” says Trustee Sparks.

The Orange County Superintendent of Schools will be on the June 7, 2022 ballot.

WILLIAMS: I'd like to second that, but there is a typo. The base pay that I just made was \$300,000.

SPARKS: Oh, okay.

WILLIAMS: It says here in the first paragraph, the fifth sentence, \$330. That should be \$300. That is a typo that would be corrected for the record, but I'll second that motion to have a press release on this, discussion, then vote on the subsidiary.

BARKE: All right. Do we have any discussion on this subsidiary motion?

GOMEZ: Oh, yes. First of all, I just happened to have an article from the *LA Times* on February 11th of this year, that indicated that the LA Unified's Schools chief is going to make a salary of \$440,000 per year. It doesn't talk about any of his benefits or other compensation. I'm assuming by a salary of \$440,000, that it is the base salary. That is well, well over the proposed salary. Secondly, including in the resolution, some of the constitutional officers, when we talk about the base salary of the governor or the lieutenant governor, and I brought this up last time, that I wanted to see the total compensation. I still don't have that, so we are not even comparing apples to apples here. This is just kind of silly, in my book, that we are trying to do something without having full information.

If we want to pursue this, I think we need to have more of a dialogue about this. We need to have better information about the base pay. Then, some of the other compensation, I am sure that the LA Schools chief who moved from Miami, I bet they paid for him to move. I'm sure that there is probably some other compensation in there. I don't have that for a fact. I would like to know that. I would like to know exactly what his total compensation is beyond the \$440,000. If we are going to talk about—I mean, I understand the goal. I want to understand what the goal is. Again, I asked this the last couple meetings about what the goal was as far as looking at the salary. If the goal is to reduce our expenses, maybe we should look at our benefits.

We brought this up two years ago, and it kind of died on the vine. Nobody wanted to talk about it. We all take the benefits from the county. If you want to take those benefits away, if we are looking at cost savings, we should do that. If we are looking at cost savings, we probably need to look at some of the attorney fees that we are paying and some of the lawsuits that we've got going. I need to understand what the goal is. What is the goal for looking at this, at the Superintendent's salary?

WILLIAMS: Well, since I'm the maker of it, I'm really quite surprised you are asking that question, because we have had three public sessions, Beckie to discuss this.

GOMEZ: We have tabled it a couple of times.

WILLIAMS: I am sorry, Beckie. I have the floor. We have tabled it to look at it, and to reflect upon the data that was given to us by Mr. Greg Rolan over three public meetings. I think the press release talks about a lot of what we are trying to do. I know that we disagree on this. If you want to vote against us, you are perfectly fine.

GOMEZ: Well, thank you. I take my vote.

WILLIAMS: We are not going to—

AUDIENCE: [Sounds].

WILLIAMS: Yeah. It is disrespectful, the snicker at a very serious conversation we are having. We are not the largest district our Superintendent has oversight over, not the highest or the largest amount of districts and students. We wanted to bring that salary for the 2022-2026 years, again, we don't even know who the superintendent is going to be. But we wanted to bring it in line with the state, and that was the purpose of this. I think the press release speaks very clearly to that.

GOMEZ: Well, and again, this is one of my issues. I'm getting something on the dias that I haven't seen. Obviously, two of the board members put this together, which is fine. But the rest

of the Board is getting this on the dias, so trying to absorb and look at this information is a little bit difficult. You know that is my pet peeve, is getting stuff on the dias when we are trying to decide something. That is a little bit difficult to take a look at some of that. The other thing, too is that, you know, I ended up doing a little bit of my own work here. I didn't have it as I requested. But you know Tustin Unified, the regular pay for that superintendent, their base compensation was \$359,000. Their total pay was \$445,000. Santa Ana Unified, their base pay was \$327,000. Their total pay was \$435,000. Irvine regular pay base pay - \$351,000. I'm rounding here. Their total pay - \$417,000. Placentia-Yorba Linda base pay - \$334,000; total compensation - \$413,000.

I can go on. What you are talking about here, our superintendent, the county superintendent would not be making as much as some of the local school district superintendents who don't have as much responsibility. I think, again, this is why I wanted more information. Since I didn't get it, I went out and did my own research. This is from Transparent California, which obviously runs a year or two behind. Also, just as a point of information, the charter schools, some of those principals did not put forward their salaries. You know, I think we ought to look at those charter school salaries as well. I think we need more information before we are to vote on this.

WILLIAMS: Actually, Beckie, I'm just very surprised you are saying, you know, more information. We have had more information in three meetings.

GOMEZ: No, we did not.

WILLIAMS: I'm glad you were able to do a little bit of background on this.

GOMEZ: Because I didn't get it from the attorney as I requested.

WILLIAMS: He did give it to us in three meetings. All this information and everything on here has been in the last three meetings.

GOMEZ: No.

WILLIAMS: Yes, it has, Beckie. You are absolutely wrong. Okay. I'm going to call for the question. Do we have a subsidiary motion we have to vote on first?

BARKE: Mm-hmm.

WILLIAMS: Okay. I need a second.

GOMEZ: Can you repeat the motion, the subsidiary motion?

WILLIAMS: The subsidiary motion is just to approve the press release with the primary motion.

SHAW: So, you are saying that we are adding an adoption of this press release in conjunction with your—

WILLIAMS: To put it on the website.

SHAW: Oh, I see.

SPARKS: With the one edit.

SHAW: And it is with the original motion to make the base pay \$300,000—

WILLIAMS: Correct.

SHAW: —With this. Okay.

WILLIAMS: This would go on the website as a press release. Call the question.

BARKE: Yeah. I will call.

SHAW: Is there a second?

BARKE: There is not, yet.

SHAW: Second.

BARKE: Okay. We have a second on the subsidiary.

WILLIAMS: Okay.

BARKE: All right. All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Opposed.

BARKE: Okay. Passes 4-1.

WILLIAMS: Now we go with the primary.

BARKE: Now we go back to the primary.

WILLIAMS: I will repeat the primary, which is to establish a base pay of \$300,000 and to allow an annual car allowance of \$12,000 per year.

BARKE: That had a first and a second.

WILLIAMS: It had a first and a second. Right.

SHAW: It allows for membership in CalSTRS and the other—

WILLIAMS: Absolutely. It doesn't affect that at all.

SHAW: —all those things. Okay.

WILLIAMS: Yeah. We don't have any impact upon that. It doesn't affect the longevity bonus, nor the STRS, or the health benefits. The total compensation, approximately, is over \$425,000.

SPARKS: It actually adds a car allowance that wasn't in effect before - 12,000 a year.

BARKE: Doesn't the subsidiary just take over?

WILLIAMS: No. You have to vote on it to include it.

BARKE: I thought we just voted to include the subsidiary.

WILLIAMS: Right. The subsidiary we voted upon was to make a press release to put on our website.

BARKE: Okay.

WILLIAMS: Now we go to the primary motion, which is the motion I just made.

BARKE: Okay. We have a first and a second, so I'll call the question. All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed?

GOMEZ: Opposed.

BARKE: Okay. Passes 4-1. Okay. Moving on.

WILLIAMS: I'll make a motion for item number 13. I will have some questions regarding this. I need a second.

BARKE: I will second that.

WILLIAMS: Hello. Hello. How are you, Renee?

HENDRICK: Good, thank you.

WILLIAMS: Very good. This is an improvement grant. This is the first time we have had this?

HENDRICK: No. Well, you actually received it for public—

WILLIAMS: Comment, last time.

HENDRICK: —comment last time. We did share that there would be a revision from the state, which we did receive. It increased by \$25,000. This comes out of some of the COVID Relief. That was part of the governor's proposal, this A- G Completion Improvement Grant. It will be the first time we have had this piece. Yes.

WILLIAMS: Right. This is a first time grant. A-G, that is for the university—

HENDRICK: Correct.

WILLIAMS: —requirements to go, I believe it is now, Cal State and UC, is that correct?

HENDRICK: Yes. It is all four year universities, or four year colleges, I'm sorry.

WILLIAMS: What will you be doing with the grant money?

HENDRICK: What this is doing is providing wraparound services to help the students complete those courses, in a very simplistic way. If you'd like more detail, I can call one of my colleagues up since I am not a programmatic person?

WILLIAMS: What is defined as wrapped up services?

SPARKS: Yeah. I would like to hear. Can I hear a little synopsis? Just brief, three minutes.

OLMSTEAD: In our Alternative Education Program, students have choices between being on an A-G track, or just a minimum graduation requirement track. This grant actually provides more services, more tutoring support, more one-on-one instruction with teachers, after school programs that they can get involved in that will help them be, either prepared to take A-G courses or help them complete A-G courses. It gives them a better chance at getting into a four-year university by taking A-G courses.

SPARKS: Are A-G courses kind of like, Honors or AP type?

OLMSTEAD: No.

SPARKS: I mean, what's the—

OLMSTEAD: No. You don't have to have A-G courses to attend a community college.

SPARKS: Oh, I see.

OLMSTEAD: In order to attend a Cal State system or UC, you have to take A-G courses.

SPARKS: Okay.

OLMSTEAD: They are approved by the CSU and UC systems.

SPARKS: Okay. I see. Can you give us some examples?

OLMSTEAD: Of an A-G course?

SPARKS: Yeah.

OLMSTEAD: Most courses in most high schools are A-G approved, because you want to go to that—in alternative ed settings, you just have courses that might not meet A-G requirements. The university system puts out what high schools need to do in order to be eligible for A-G.

SPARKS: Okay.

OLMSTEAD: There is a whole process. You have to apply. You have to get approval.

SPARKS: Okay.

OLMSTEAD: You have to go to your own board for approval.

SPARKS: Okay.

OLMSTEAD: If you don't want to offer those courses, teachers develop courses that meet minimum state requirements.

SPARKS: I see. Okay. Thank you.

WILLIAMS: A-G would be like English, math, social studies.

OLMSTEAD: Mm-hmm. Everything.

WILLIAMS: Yeah. All those particular courses.

OLMSTEAD: It is everything. Elective courses can be A-G approved, because you have to have electives to go into four-year institutions, those kinds of things.

WILLIAMS: Is this for tutoring, or is it a curriculum that is going to be promoted or advanced?

OLMSTEAD: It is support. It is tutors. It is teachers. It is adding more A-G courses to our course of study for our ACCESS programs. It is all of those things. It is development of courses that need to be approved by the UC system. It is all wrapped into that.

WILLIAMS: Are these A-G courses and curriculums that we will be adding, are any of them related to ethnic study, critical ethnic study, or constructive ethnic study? Because, you know, there is a difference. We are for ethnic studies.

OLMSTEAD: Absolutely. Yeah.

WILLIAMS: That is not a problem. It is just a matter of, there is different versions.

OLMSTEAD: Yep.

WILLIAMS: And different perspectives.

OLMSTEAD: Mm-hmm. We haven't even started those discussions in our program.

WILLIAMS: One is critical and constructive. As you know—

OLMSTEAD: Yeah. Absolutely.

WILLIAMS: —we had the two conferences where we study that in great detail.

OLMSTEAD: Yeah. Mm-hmm.

WILLIAMS: Okay. You are not really set on whether it is critical or constructive ethnic studies?

OLMSTEAD: We haven't even had that discussion in our own programs yet.

WILLIAMS: Okay. When you do, will you let me know?

OLMSTEAD: Absolutely. But we have got a little bit of a runway there.

WILLIAMS: Okay. Very, very good. That is all the questions I have. We have a motion on the floor.

GOMEZ: No.

BARKE: Any other questions? Yeah. Any discussion before we vote? Okay. All those in favor?

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

BARKE: All those opposed? All right, 5-0.

WILLIAMS: Madam President, I will make a motion for board item 4.

SPARKS: Fourteen.

WILLIAMS: Fourteen, excuse me.

GOMEZ: We are not going backwards.

WILLIAMS: We are not going backwards. Yeah. And it is still early. Boy oh boy. I will make that motion for agenda item 14, for College and Career Prep Academy. I need a second.

SPARKS: Second.

BARKE: Okay. Any discussion?

GOMEZ: No.

BARKE: Okay.

WILLIAMS: Just for the sake of asking the very similar type of question, I'm assuming the answers would, you probably want to get up to the microphone for purposes of documentation, but in light of the previous question for item number 13, the response would be?

OLMSTEAD: Exactly the same.

WILLIAMS: Thank you.

OLMSTEAD: You're welcome.

BARKE: Okay. All those in favor?

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

BARKE: All right. Passes 5-0. Now I think we will take a moment to report out. Do we have Jonathan in the house, or Greg, are you going to do it?

ROLEN: He is right there.

BARKE: Oh, excellent. Okay.

BRENNER: Good evening, members of the Board, Superintendent Mijares. Good to be with you. This is the report out for the closed session for today's meeting. With respect to items 1-4 of the closed session, the Board held a discussion with counsel. No action was taken except with respect to Epstein, Becker, Green's invoices. The board approved payment and processing of the invoice numbers 1079826, 1079827, and 1079828. With respect to each, the vote was four in favor and one against: Trustees' Barke, Williams, Sparks, and Shaw approving; Trustee Gomez opposing. That is the report out for the closed sessions for today's meeting. Thank you.

BARKE: Thank you. Okay. Let's see. Next, we have some informational items, Website Committee Report.

SPARKS: I just want to thank Darou, Nina, and the staff for doing little, minor updates. I sent in a request to update our picture on the website. Then, today we had more pictures taken. Hopefully some of those will suffice for the website. We are slowly, but surely trying to figure out what is the most efficient way to get new information up on our website. Trustee Shaw and I are in process, trying to figure out the best approach. I'll just leave it at that for now, but it is a work in progress. Thank you all for your patience. That is all.

SHAW: When I went on there, I was really happy with that picture. I thought it looked really sharp. That was great.

BARKE: All right. Next, we have an Irvine International Academy status update.

CHASTAIN: All right. Hello again.

BARKE: Hello.

CHASTAIN: At the March 2nd meeting, the Board requested that staff provide an update on the status of issues that fall under our oversight and accountability functions for Irvine International Academy. This update includes areas of significant concern that we are currently reviewing. I want to point out that this report delves much deeper than our typical board updates, partially due to the number of complaints received regarding the charter school, also based on this board's request for additional information. Additionally, the hours put into monitoring, supporting the school are not typical for our standard oversight practices. Each school is assigned a coordinator

that acts as a liaison for the school. However, due to the number of inquiries into this particular school, we also have the administrators of our unit, myself, and our deputy superintendent involved in weekly activity with the school.

We have needed to utilize resources and knowledge of staff from throughout the Department, including our Legal Services, Administrative Services, Business Services, and the Board's own counsel. We have extended staff working hours in order to respond to the number of emails and complaints we received, attend charter school board meetings in real time, research complaints and possible violations, draft letters, conduct multiple school site visits each month, collect and analyze hundreds of documents, and listen to dozens of hours of board meeting video and audio.

Our legal support has spent hours researching educational code and applicable laws, drafting opinions, and meeting with the California Department of Education. While we try to preempt issues, many things we don't know about until after the fact and our role then is to ensure the school corrects any violations. As mentioned in past reports, we expect the charter school administration and school's board will resolve complaints and correct issues in a timely manner, run the day-to-day operations of the school, and follow all laws, and school policies, and the school's charter.

The areas of concern that I will update you on today include both violations of education code and applicable laws, and/or failure to adhere to the school's own policies and their own charter petition. Before I begin, I want to provide the Board the most current information that we have regarding the operational structure of the school. Principal Steven Chuang remains in his role. At the March 27, Irvine International Academy board meeting, Board Member Edward Watson resigned from the school's board and was appointed interim executive director at a prorated compensation of approximately \$32,000 for the remainder of the school year. At that same meeting, there was no action taken regarding Dr. Michael Scott and no report out regarding that closed session. However, the school's board approved a motion to revise the job description for the Executive Director Michael Scott into the role of director of development. The board tabled taking action regarding the director of development role to the March 29 meeting in order to conduct a compensation study. However, this item was not on the March 29 board agenda. We have not been able to get a date as to when that will go before the Irvine International Board.

Yesterday, we learned that Michael Scott was placed on paid administrative leave as of the last week of March until he can be moved into the role of director of development. As it stands today, Irvine International Academy has two executive directors on the payroll. We are continuing to ask questions and gather information on this developing situation. We are greatly concerned regarding the decisions and actions that the school board has taken with regards to multiple staff in highly paid roles, as it relates to gift of public funds. Trustee Sparks, regarding the parent survey that has been mentioned before, you requested that the school conduct a survey of the entire school population to determine if all the parents had the same concerns as those who have me to the board meetings. We have received and provided the board the results of two surveys that were completed. One survey was done by the school's PTO, and the other was done by the charter school governing board. We don't have any further information on any of those.

On March 23, we sent the school a notice of concern asking for corrective action on the following issues. One was the Brown Act violations. As stated at the March meeting, we've been working with IIA since inception on Brown Act violations. We continue to get monthly complaints regarding potential Brown Act violations. There continue to be significant issues that we are trying to work through with the school staff including timely posting of board agendas, clarity of board agenda items, board documents, or writings being made available for public inspection at the time as they are distributed to the majority of the IIA Board. A recent allegation and complaint to the board president disclosing closed session information has been referred back to the charter school for investigation. Last night, I received an email from IIA Board Chair Doug Husen, stating that the school has scheduled Brown Act training to be performed by Trustee Ken Williams before the school holds another board meeting.

Regarding violation of health and safety protocols, to date, there are still some IIA staff that have not completed mandated reporter and suspected child abuse training in violation of Education Code section 44691. We are also aware of employees that have begun working prior to obtaining TB or DOJ clearance. We have been in communication with the school, and we will continue to monitor that practice to ensure that there are procedures in place so that does not occur in the future.

Regarding the leaking of private and confidential information to the public, on several occasions, the OCDE Charter Schools Unit has been made aware of complaints regarding personal and confidential information being leaked to the public, such as information regarding students or staff who tested positive for COVID-19, confidential information from employee personnel files, and posting or sharing of photos of students and staff. OCDE staff have determined that the school is not following its policies regarding confidentiality of student and staff records and files as listed in the Employee Handbook, and we will continue to work with the interim executive director on these issues. Now, I will move on to the issues we are currently researching. What I've addressed are the issues were that are in the current notice of concern that we are awaiting a response from the school.

Regarding governance and fiscal mismanagement, OCDE reviewed all of IIA's board meeting agendas and minutes and found that to date, there is no record that the governing board of IIA has adopted or filed a Conflict of Interest Code in compliance with Government Code section 8730. There are issues with the form 700s. They are not following their own anti-nepotism policies, competitive bidding, vendor contracts, not receiving board approval and conflict of interest and contract approval. The charter school has failed to follow its own fiscal and purchasing policies for approval of contracts and vendor bidding procedures, specifically for the Thinkware and Orange County Music and Dance contracts - the two contracts were there may be a potential conflict of interest.

Additionally, on March 7, OCDE staff observed the music and dance classes at the IIA campus and noted that students do not use any of the instruments or the installed ballet bars. IIA principal and school staff confirmed that the instruments and ballet bars are not used by IIA students during the regular school day, but are instead used by students who pay to attend the after school program and then pay an additional fee for music and dance classes. The school is not complying

with generally accepted accounting principles regarding the manner in which after school program fees have been collected and are being recorded. The school's back office provider has requested the source documentation for accounting purposes. As far as we are aware, to date, no information has been provided to Athena Advanced Solutions. We are continuing to research the afterschool program regarding pupil fees.

We have also received complaints regarding violations of Equal Employment Rights, employee discrimination, and retaliatory behavior. We refer these complaints to the school's human resources department, the Office of Civil Rights, or the Department of Fair Employment and Housing. Putting in place documented hiring practices and standardized salary and compensation rates may preempt some of the future complaints regarding staffing.

In closing, we anticipate that in the coming days, we will be sending the school a second notice of concern requiring corrective actions for these issues that I have addressed today. I've been in contact with the school's interim executive director to walk through some of the general areas we are looking into. Dr. Edward Watson has been receptive and is committed to ensuring the school operates within the parameters of law. However, for this school, I want to reiterate again that the level of oversight has been enhanced. Our expectation is that the issues we raise are promptly addressed and that the school puts internal policies in place to prevent the same violations from occurring over and over again. This is an area of weakness for this school, and we hope it will improve significantly. The issues we are looking into are correctable, and we anticipate that the school will improve and enter its second year stronger. But in order for that to occur, the school leadership has to be willing to make the hard decisions that are before them right now. Thank you.

BARKE: Thank you, Aracely. Okay. Moving on to announcements, Superintendent.

MIJARES: Thank you, Madam President. I do want to thank Aracely and our Charter School Unit, led by Nina Boyd, for its diligence in working with ISSAC, I'm sorry, the Irvine International Academy. It has been a difficult task. Anytime you are dealing with people, and emotions, and data, it can get complex. Just to navigate that has been difficult, but I'm very optimistic in terms of people coming together to use this as an opportunity to grow and enrich that school environment. That is our goal. That is our quest.

I only have one item that I'm going to share with you tonight. It happens to be the item that we discussed at our last board meeting when Dr. Martin Eaton approached the Board regarding Heads Up Checkup. You recall that he, along with Michael Arnot, developed the instrument, which is an assessment tool used on one's phone to determine the state of mental health of our students. If there is sadness, if there is depression, suicide ideation, a need for hospitalization, we can detect this with this tool. We find it to be an important tool that can be in our arsenal of helping our students. We know that the pandemic has been ravaging in many ways, and it has been difficult for all of us, no less on our students, particularly our adolescents. This is an opportunity for us to do more for our students, and to help them be healthy, and know how to manage stress and navigate the difficult challenges of life. Just for the record, and by the way,

Dr. Eaton is a good friend of Dr. Williams, as you know. He is also a good friend of mine. We have known each other for a long, long time. He is a clinical psychologist and has a very rich practice in the county, and works a lot with students and their families.

Mr. Arnot is the person who has developed this enterprise, which is the Children's Cause OC, and it is a project of OneOC. Together, they constitute a team who are the individuals that will be administering this assessment of students. We have met with them going back to 2019 when this was in its infancy, this particular way of assessing disaffected youth. We have had a number of meetings with him, but as of the last board meeting, we had several meetings with our staff and both Mr. Arnot and Dr. Eaton. Remember one thing, the goal here is to be like a lighthouse if you will, the county office. This is part and parcel of a much bigger picture of the interventions that we do at this level and in the engagement with our superintendents.

There is no question about the merit of this particular assessment, so we have had a chance to put together some language. It could have easily been called a contract with a vendor, which we do all the time, but we developed it into an MOU. I have agreed to the MOU, much of the language of the MOU was driven by Dr. Eaton. It seemed to be reasonable to us, but we took it through the due diligence and the testing to determine its integrity, its consistency with law, and the things that we have to be responsible for because of the great liability that we bear. Now, symbolically standing behind this enables them to now, they don't have to go this route, but it supports them in their quest to meet with superintendents. That is another level of legality that needs to be exercised, because we have no compulsion, we have no authority to tell districts what to do in this matter, as you know.

The window, or the path, the behavior that compels districts is very narrow that we bear, the Orange County Department of Education bears. You bear your own responsibility with districts, and you know those responsibilities well. We are largely responsible for the fiscal health of our 28 school districts as well as approving their local accountability plans, and naturally being a support to them on all matters of curriculum development, reform, matters of determining how to develop best practices, and helping them to be good stewards of the job that they bear. By doing this MOU, there was a real sense of urgency to do it. As I mentioned to you, I have agreed to this, and we've executed signatures on this with Dr. Eaton. But that doesn't mean that it is all over there. They still have to go and meet with superintendents. I'll help and do what I can to facilitate that, but they are going to have to meet with superintendents. Those superintendents are going to have to go to their boards. They are going to have to then maybe agree to some agreement, or agree to the concepts of what Dr. Eaton and Mr. Arnot are proposing. Then, they will be able to access those populations.

Now, obviously there is other ways to get to the population. You know, we have groups, we have associations, we have churches, we have synagogues. There is a lot of other ways for them to do it, and I think standing behind them helps them with Cal Optima and funding. There is funding that has to be spent by June 30th. The more that they can use this instrument, the better off it will be, and they'll be able to meet those funding deadlines established by Cal Optima. There is going to be more money coming from Cal Optima that I know they are interested in getting. I just

wanted you to understand that what we are doing here is, number one, it will help our ACCESS kids. Number two, it will provide symbolic leadership when it comes to providing more opportunities for kids across the county. I wanted to bring you up-to-date, because I know that Dr. Williams and Dr. Eaton had talked very recently and wanted to know what was going on. Just wanted you to understand that we met several times since the last board meeting to come to an accord of what we believe we can actually do as a county office. That is the update with respect to that program.

BARKE: Well, thank you for your leadership. I know that is very important. I recently visited a Huntington Beach District school. They watch our meetings, and they were excited about that partnership, so thank you for your leadership. I think it provides them a great opportunity, so thank you.

MIJARES: You are welcome.

WILLIAMS: Dr. Eaton and I actually talked in the last week or so. He was telling me about the last school he was at. They found 30 kids who were at risk for depression, and two were actively suicidal. They found intervention to save those two kids, so that nice, simple screening tool for depression really made a difference in that one school that they went to. Thank you so much for taking the leadership on this, Al. We care very much about the mental health of our students here in Orange County, especially me. I mean, one third of my practice was psychiatry at one time, and it is amazing how much you find by simply asking questions. Thank you for doing this.

MIJARES: You are welcome.

BARKE: Nina, do you have a report?

BOYD: Yes. Just as a reminder, the next board meeting is Wednesday, May 4, at 5:00 PM. Submission deadline for any new agenda items is April 20, and your board packets will be delivered on the 29th. At that May meeting, it is our Annual Memorial Day Essay Contest recognition for students in our programs who have submitted essays. We have over 30 essays in our ACCESS program that have come in. We extended another week, because this is spring break. The end of next week, we will know how many have come in from the Special Ed. students in that program. I do need to find out which board members are interested in reviewing and participating on the screening panel for finalizing the awardees. Do you all?

GOMEZ: I'll volunteer.

BARKE: Ken, did you want to do it? Okay.

BOYD: Ken and Beckie, okay. What we will do is, I will set up some time with you all to get the screening information along with all of the essays. That will come to you probably Monday the 18th of April, and try to get those screened within two days. You all like to have the student here, who has one. We want to make sure we have given enough notice for them and their teacher to be available to come and read the winning essay. We have received commitments from several of you. I have not received your financial contributions, yet. I need to get that before the May meeting so that we can make sure we have cash awards. We have had our cabinet members and the Superintendent are also contributing to that this year, so I just wanted to let you all know that as well. Also, Ken, if you can confirm the attendees for that meeting by April, that week of that April 20th, also? We can talk about that just in terms of planning and so forth, making sure we have given them the appropriate information on timing and so forth.

Then, you all received Teacher of the Year invitations in your March 11, Friday, mail. If you are planning or wanting to attend, that event is on Monday, April 25, at 6:00 PM. We would need to know by this Friday if you are planning to attend, because they are doing table assignments and making sure we have capacity and so forth. Also, next month we will also provide a charter schools update for all of our charter schools. If there is any particular area of interest beyond what the normal information that we provide to you if you can let me know that, I will work with our team to make sure that we include that in the update information to you all. In case you didn't go through your red folder completely, just want to point out that the Irvine International surveys, the one done by their PTO and by their board are included in your red folder as well as summary results. We had two different community individuals submit tonight, so we have shared that information with you as well. That is all I have.

BARKE: Thank you very much.

WILLIAMS: Question for you, Nina or Darou. The Memorial Day Resolution, you will make sure that is on the May 4th Agenda?

BOYD: That is part of the agenda packet. We can send it to you in advance just to make sure that there aren't any updates or changes.

WILLIAMS: Okay. Then, I'll contact Mr. Scott Williams to have the Veterans Group come out here that day. Are we going to have the Color Guard from Los Alamitos program?

BOYD: We will check to find out their availability. Then, I will be able to let you know that. We will know, confirmation wise, about April 20th on terms of attendance and so forth.

WILLIAMS: Okay. A question regarding masking, I assume no mask?

BOYD: Currently, there is not a mask mandate. Unless, Public Health issues something that we are unaware of, but if we continue the trend that we are, then I would anticipate that there

wouldn't be. Now whether or not the National Guard has some additional requirements and they bring the students, that would be up to them.

WILLIAMS: Okay.

BARKE: Okay.

WILLIAMS: Awesome.

BARKE: Beckie, do you have legislative updates for us?

GOMEZ: Yes, I do. The California County Boards of Education had a retreat in March, on March 18-20. We talked a lot about the three-year strategic plan. Looking at, you know, a handbook for all board members, as well as an orientation for newly elected board members. We talked about communication protocols with all membership and the board. We talked about just, again, some local communication. They have kind of assigned some of the executive board to reach out to different communities. We talked about the budget, about upcoming dues, special projects, that kind of thing. At the tail end of the meeting, we talked about a software program that will help us track our strategic plan. I just got the first iteration of it yesterday, and I really haven't had a chance to look at it yet. Hopefully, I can take a look at it and give you a little bit more information next month. We do have a new program director. She started a couple months ago. This was her first event. We had a few little blips. Dinner disappeared on the first night, so we had to make due. She did a good job of putting the pieces back together, so we talked a little bit about her role and some of the expectations. That was kind of the gist of the three-day meeting. There will be an Orange County School Board Association meeting next week, I believe on the 13th, so I will have some other information at the next meeting from that, too. That is all.

BARKE: Okay. Any other board member comments?

SPARKS: I have a quick announcement if I may? I had met with some of my friends, the Hilberts. They developed the Hilbert Museum of California Art at Chapman University, in Orange, and it is a place where K-12 students and teachers can bring their students. They have a program with their museum. It is a public museum that welcomes more than 30,000 visitors a year to view its collection, which focuses on 20th and 21st century art by California artists. It has been top rated in Orange County on Yelp, Trip Advisor and so forth. It was recently named the most popular museum in Orange County in the LA Times, Best of the Southland Awards, and so on and so forth. The information for teachers is the museum is open to the public Tuesday-Saturday from 11:00 AM to 5:00 PM. We are going to be expanding to triple its size beginning this summer of 2022.

We will have a grand opening in 2023, so it will go from the current 7,500 square feet to more than 22,000 square feet. We will be able to accommodate even more students, so they are really interested in exposing art to as many K-12 students, that are interested, as possible. You can either call the museum or email the museum. It is on the Chapman website, or just search up the Hilbert Museum. They recommend that tour sizes be 30 or fewer students, which most classrooms, at least in elementary, are around that size. It is really good for that size. There are more details about the space and the temporary space while we do the new construction, but it is a beautiful museum even for you all. If you haven't had a chance to stop by, it is just a beautiful space, and to really get a sense of California art. It is a very peaceful place too, so really cool exposure for particularly elementary school students. I hope teachers will take advantage of that, especially as we expand. Thank you.

BARKE: Anyone else?

SHAW: I just wanted to tell you all. I will be on the east coast for work the first week of May. I intend on participating, but I'm going to have to do it remotely.

BARKE: We will miss you in person, but look forward to seeing you on the big screen.

WILLIAMS: Just remember, Tim, there are requirements.

SHAW: We got to post it. I am aware.

WILLIAMS: Okay. Okay.

BARKE: Yes. Yes.

BOYD: We are working on trying to confirm that we are able to do that.

BARKE: Excellent. Okay. I'll just report out that I visited ISSAC Academy, one of our newer charters, a couple weeks ago. They are thriving. They had a presentation that the children put together regarding ocean pollution. I know adults that couldn't have put these together. They put together websites. They had QR codes. It was amazing. They had a cleanup day they were advertising, so it was so great to see thriving, young children with happy faces. Parents were there, and it was a great opportunity to engage there.

This past weekend, at the invitation of OCSA, I went to Bubble Fest. If you haven't been there, it is pretty amazing. I had never been there, and I understand it is only \$10 to go. It is a real treat if you have any young children or grandchildren. I appreciate OCSA inviting me and going to see that. There was actually a nice write up in the *County Register* last week. That is all I have to report.

GOMEZ: I've just got a couple other comments that I wanted to make. I also attended the Charter School Conference. Some of the sessions that I attended had to do with, you know, board communication, charter petitions, building better boards. There was a session by one of our charter schools that talked about dealing with foster youth and some of the resources that they had provided. I don't know if anybody else had sessions that they really liked at the conference?

BARKE: I didn't attend.

GOMEZ: I took yours spot. Anybody else?

BARKE: Yeah.

SPARKS: I attended. Yeah.

GOMEZ: What did you go to?

SPARKS: I attended the preconference the day before.

GOMEZ: Okay.

SPARKS: I talked with different people.

GOMEZ: Okay. Did you find that helpful? Okay. Anybody else? Nobody else was able to go?

SHAW: I also went to that pre-conference one. They had a lot of information on, you know, just people's attitudes about charter schools and their misunderstandings, what that is. I thought it was very interesting.

BARKE: I actually attended that as well. It was a great day with CCSA or a great morning. Yeah. I just wish we had more time actually to network and the likes.

GOMEZ: Yeah. I just want to make one more comment. You know, I was on the newspaper kick the last few days, but there was really beautiful articles about our local high schools coming together to support Edison High after two of their students were killed in a car crash. The other schools in the Huntington Beach area kind of came together and wore Edison High's colors. It went all through the Huntington Beach School District, as well as Newport-Mesa, and some of the elementary schools. I think that Principal Paul Lopez from Fountain Valley should be commended for kind of starting this. You know, it is just a really nice thing for students to acknowledge their rivals in kind of a time of need, when that school was really reeling for the loss of those students, so just a little shout out to all of them.

SPARKS: My kids knew those students.

GOMEZ: Yeah.

SPARKS: A lot of their friends really came together to support.

GOMEZ: Yeah.

SPARKS: It is, I think, very much a wakeup call for a lot of the students.

GOMEZ: Yeah. But I think it is just really nice that the other students from the other schools acknowledge that.

SPARKS: Yeah.

GOMEZ: A little shout out to them, so that is all I have.

BARKE: Okay. Well, I think all we have left now is our budget study session for the budget, so I think we will take a 10-minute break.

GOMEZ: Yes, please.

BARKE: We will be back.

[The Board takes a recess and returns.]

BARKE: [Strikes gavel].

HENDRICK: Just to remind you, as a budget study session, this is to give you information about the upcoming budget, also, kind of walk through our document. I know it is very large, and we keep making it larger every time you ask for stuff. This gives you the opportunity to tell us what other things you would like to be included. We are going to walk through that since there is no action on this item. I want to talk about the adoption timeline. We have the study session this month. In May, all through May, we are obviously working on the budget, so we have already sent it out to all of our programs. They have it right now. We will be meeting with managers all through May. The May Revise comes out, usually by May 10. It has to be done by May 15.

Then by June 1, the Budget Proposal and LCAP come to the Board. If you look at that timeframe, it is very short considering before the June 1st meeting, we have to have it ready 10 days prior for public inspection. Really, all of our work is going to be done between now and the middle of May. We would make major changes, if there was, from the Governor's Revenue Forecast, things like that. On June 15, is when the Board would take action in conjunction with the LCAP. By July 1st, the Governor and Legislature are supposed to adopt it. The way the code reads, if there is any material revisions, you do another revision 45 days of. We normally haven't had huge revisions, so they just go into the First Interim, which you see in December. That is kind of our timeline we are working on right now.

In your Budget Book, we gave you one just so you had something to read along with. We kind of wanted to walk you through the things we have added. Some of this is also based on the FCMAT study where they wanted more information in there. The planning factors are what come from various sources. That is going to talk about our cost of living by the state, mandated block grants, lottery dollars, any other type of items are added in there for you to see. Number two, is our assumptions. This is your narrative that tells you what changed from this budget to the budget you approved prior. This is the dollar amount for each section, also describing the changes for that. Part three, is a major object code variance. This again is just kind of a backup to the narrative that shows you what changed, right, dollar wise.

Part four, is the form one. This is the state required documents that go with that. It looks at all our different sources of funding, and then the expenditures that go with that. The one area that you have seen before, but I think this is going to become more important as we move through the next couple years. When we are forecasting, we have to forecast for the current year and two years out. You know, times have been pretty good the last few years. I am concerned that that is going to change. You will want to be looking at those two out years.

When we did the budget at Second Interim, we were projecting an \$8 million deficit, that we would have to cut \$8 million going into that year. I will tell you in a few minutes, how we had planned to do that. These projections are already incorrect though, because the Governor's Budget came out different than we anticipated.

Then in the criterion standards, so I know Dr. Sparks, you love numbers. This is your trend analysis. When you look at these pages, it should give you the trend analysis on all the different types of revenue and expenditures. Where you see issues, that is where they are all going to show up, in that trend analysis.

SPARKS: Thank you for your extra thing you sent.

HENDRICK: All the detail.

SPARKS: I am in the middle of it.

HENDRICK: Okay. Right. Then on part seven, is our average daily attendance. That is a required form, and it shows the estimated funded. You can see how ours are broken down. Number eight, is the listing of all the funds we have. You can see, you normally are looking at the general fund. That is where the majority of our dollars are. The Special Ed pass through, fund 10, is just passing dollars through for the SELPA. We have regularly given you form 12, which is a child development fund. That is the only other fund that we have salaries in. All the rest of these funds have no salaries tied to them. Then we have the deferred maintenance fund, special reserve fund, fund 30 is the state school building fund, which we have no money in anymore. That is defunct. Then fund 35, that is where our money is for the new school fund. Fund 40 is capital outlay. Then you see for Esplanade, we have fund 40 and fund 56 go together, right. The rest of the pages just match those forms to show you what those look like.

Part 9, if you look on that, is our Special Education. I think I listed each of them on detail here so that you could see. If you go to part 17, that is on page B-140. This is the listing of all of our contracts, grants, and entitlements. It is going to show you what the name of the entitlement is, how much money, the source of funds, kind of the purpose of the funds, and who receives the funding. We give this to you for each budget cycle that hopefully answers some of your questions on what we are doing with those funds and what that looks like.

The next section is for holding accounts. In the past we have talked about, when we start budgeting especially in the beginning of the year, we know we are going to have X amount of dollars, but we are not exactly sure how we are going to spend it. We would put some in the holding accounts. We have given you a listing of all of the programs that have money sitting there. Number 19 was new for this year. This is all of our different COVID Relief funds, and there is a lot. It is showing you kind of what the purpose is. Most of these have come to you during different parts of the year in different plans that we have submitted.

SPARKS: Why is it that we see, in part 17, you see some pretty good chunks for COVID mitigation, COVID related things; but then in 19, you see additional COVID Relief funding? Are those overlapping?

HENDRICK: We just gave it to you at different reports.

SPARKS: Okay, but they are the same?

HENDRICK: Yeah. They are the same, yeah.

SPARKS: I see. Okay.

HENDRICK: Yeah. There was a question that you guys had asked, which is why included it. You had asked, "What are the COVID funds you are getting? How do we know what they are?"

SPARKS: Yeah.

HENDRICK: So, we separated them out for you.

SPARKS: Oh, okay. But they are the same when we see those?

HENDRICK: They are.

SPARKS: Okay.

HENDRICK: Many of the things in the booklet are really based on questions that you have asked and things that you've wanted included.

SPARKS: Yeah.

HENDRICK: The very front of the book, if you go to that, there is also some other state required parts, sorry, I missed that. In section 20, these are just other reports that are required. It has our cash flow worksheet. If you wanted to know if we have enough cash, obviously that is not an issue for us. It talks about our maintenance of effort that we are required to have for federal funds; then our indirect cost rate, how that calculates. This is the maximum that we are allowed to charge programs for an administrative cost. Those are all in that part 20. These are all now included in your packet. If you have any questions on those, we can go through those in more detail.

In the front of your book, the budget summary, we have tried to include, based on your feedback in the past, all the different items that are probably listed other places. But we tried to put it in one place for you. It does detail your federal revenue. I think, Dr. Sparks you had asked about that kind of trend analysis. If you see for each of the revenues, it lists each of the different funding that we receive under federal. It gives you what the prior years are, then what the current year is.

SPARKS: You are in part 20 now? Where are you?

HENDRICK: Yeah, we are on page B-9.

SPARKS: Okay.

HENDRICK: I am just trying to walk you through where everything is. This is in the very front of your book. This is the charts and graphs and pretty things. These are the same things that are listed in those other listings, but we are breaking them down for you and listing them here. You

can see what they were in the past and what they are currently. It shows that for each different type of federal, state, or local revenue.

Then expenditures, we have kind of showed you that, you know, ongoing impact of what increases in salaries and benefits over the last few years, how many employees we have. These pages are on page B-15 and 16, that is all taken from those criterion standards, what that looks like. The biggest piece is where you give the projection summary. That is where I'm going to give you a narrative of, what are we doing in this year? Okay.

Retirement contribution rates are a big issue for PERS and STRS. We have looked at the books and supplies. Your service and operating is where we have a lot of different expenditures, so we break those out for you. This is also where we have the legal fees broken out. Then it goes into capital outlay, and then our fund balances, and then kind of a summary of our budget outlook. What you don't see is, behind all of these numbers is a very complicated state account code structure. It is hard to realize that behind all these numbers, there is actually a 36 digit tracking code for every single expenditure we have. That is a two digit fund. We have four digits for resource. That tells us, where did that money come from? Is it state money? Is it specific for a specific state program, federal money, local money? The project year is used for federal grants, because they actually close September 30th. They cross two years. The goal is important for us, because that says, is it instructional? Is it supervision of instruction?

SPARKS: You mean two months?

HENDRICK: I'm sorry?

SPARKS: You said September 30 crosses two years.

HENDRICK: Yes. It crosses two years, because our year ends June 30th.

SPARKS: But you mean two months?

HENDRICK: Yes. The two months ends.

SPARKS: Oh yeah. Because you said two years.

HENDRICK: It straddles two years.

SPARKS: Oh.

HENDRICK: Right. You have part of the expenses in say this year. It would be in 21-22 and part will be in 22-23.

SPARKS: I see. Okay. Okay. Gotcha.

HENDRICK: Okay. But the goal is what drives our indirect cost rate. It drives a lot of other expenditures. That goal is very important to us. Sometimes when you are reading those expenditure reports, you may see like, say the Board is split in two sections, and that is because they have different goals.

SPARKS: What is your indirect cost rate?

HENDRICK: For this year, it is like 9.34. I'm looking at Christine, because her people probably know better.

OLMSTEAD: It is 9.75 (inaudible).

HENDRICK: Yeah I know, it is like 9.6, much better than universities, yeah.

SPARKS: That is way better. I am like, gosh.

HENDRICK: The university is like 40%. Higher than some other school districts. But because we have a larger administrative staff, we try to manage it to keep it within that 9% range. In addition to the goal, you have function, which is four digits. That identifies, what exactly are we doing, right? Are you supervising? Are you doing direct instruction? The object code is what you guys are used to seeing. That is the four digit that says, this is what classified expenditures, certificate expenditures. That is what most of the budget is built on, is by object code. In addition, we have a school code, which is three digits. That is by CDS code. We don't use that as much. Then we have added additional codes for manager codes, cost centers, and sites. That is how we sort our reports, and that is all the different things that we use to manage this large accounting system. When you are looking at things, there is a purpose, kind of, behind why it is so complicated. It is not as easy as it sounds sometimes.

I'm not going to go through all these since I have five minutes left. But these are from the School Services Workshop. It talks about where they think the state is. Obviously, the Governor's projections in January were very rosy. He had a \$286 billion spending plan aimed to tackle COVID-19. The area that I wanted to show you on the next slide, it talks about state revenues provided the state General Fund with a surplus of \$45.7 billion, is the surplus for this next year. Significant increase projected for personal income tax and sales and use tax, two of the Big Three taxes. While there are many positive economic indicators, there is still a level of economic uncertainty due to COVID-19.

SPARKS: That is the overall state budget though? Not the—

HENDRICK: Overall state budget, not us, yes.

SHAW: Renee, is that \$45 billion number, that is the Governor's Budget?

HENDRICK: This is Governor's Budget in January.

SHAW: What is the LAO saying?

HENDRICK: Higher.

SHAW: It is even higher, right?

HENDRICK: It is even higher.

SHAW: Okay.

WILLIAMS: Is any of that going to pay for the unfunded liabilities that the state has? Do we know?

HENDRICK: At this point, no, which is part of the budget discussion.

WILLIAMS: Wow.

HENDRICK: Yes.

SHAW: Are we hitting a Gann limit problem, too at the state level?

HENDRICK: Thank you for that question. That is a very interesting question. The Gann limit, right, tells you how much has to be spent.

SHAW: Was that on the side?

HENDRICK: It is not. I didn't have it, because most people don't want to hear about the Gann limit. But I'm a nerd, and I like that. Obviously you must be, too, because you knew it.

SHAW: I'm a nerd too, Renee.

GOMEZ: Congratulations.

HENDRICK: Yeah. The interesting thing about the Gann limit is, they assigned years ago, that said, if you go above appropriations, you either need to rebate taxes or you have to put money into education or infrastructure. You hear him talk about the gas rebate. He is going to give the \$400 debit. That reduces tax, which reduces the Gann limit. What he is trying to do is to get around that by flowing dollars in different ways.

SPARKS: Hmm.

HENDRICK: It is kind of a shell game. When you are hearing that \$400 gas rebate he was talking about, that would reduce it so that he would be below the Gann limit.

SHAW: That is not technically a refund of taxation, or is it?

HENDRICK: They do a lot of things that I would say are not actually what they are meant to be, but that is—

SHAW: But that would not technically be a refunding, because he is just giving us a debit card that is preloaded with \$400.

HENDRICK: It is one of those things.

BARKE: You don't even have to have a car do you? Are they verifying that you even have a car?

GOMEZ: Vehicle registration?

HENDRICK: I think you have to have vehicle registration.

BARKE: How about an electric car?

GOMEZ: We are getting it, too.

HENDRICK: I think you actually still get it.

SHAW: Yeah.

SPARKS: Yeah.

HENDRICK: I don't know whether that proposal will go through, but that is the type of things they are trying to do to get below that Gann limit. Obviously, that hurts us, because we would benefit—

GOMEZ: Yeah.

HENDRICK: —from getting that money back. A lot of the extra funds that you see, he is putting those in a Prop 98, which is our amount that we are supposed to have. In looking at that, he has a lot of new money going to early literacy and college and career programs.

This slide talks about what we are worried about, right. Layoffs, they passed new legislations last year. I think, Dr. Williams, and I think, Beckie you were on the Board, and we have gone through the March 15th notices. We actually thought we would be there this year, but because we had a very successful supplemental employee, early retirement program, basically for our teachers and our classified staff, we had 53 people who took that. Because of that, we don't need to do a lay off. But their new guidelines now requires doing a March 15th notice for classified employees, also, where we only had to give a 60-day notice. That means if we don't notice them by March 15th, we have to pay them for all of next year. It is putting a lot of—

SPARKS: Are those like staff, or what are?

GOMEZ: It is classified, uncertificated.

HENDRICK: Everybody who is not a manager, basically.

SPARKS: Oh yeah. Okay.

HENDRICK: That is going to be difficult for us to manage, so we are working on that. Retirement contribution rates are still going up. We are hoping for some reprieve for putting money toward unfunded liabilities. School facility programs, a lot of aging schools out there, still the impacts on COVID 19, then just the local accountability plan. The Big Three Taxes, if you look in 2022-23, 95% of the state's General Fund revenues come from the Three Big Taxes, personal income tax being the one. Nearly 50% of the state income tax is paid by just 1% of Californians.

WILLIAMS: Geez.

HENDRICK: The state's highest income earners is making personal income tax very volatile. Elon Musk moving out of California, I've heard.

SPARKS: Yeah, that is a problem.

HENDRICK: I have to think there is some type of impact at some point. That just makes some of us in the business area very concerned if so much of our money is being driven by this format. This is the state's budget. You can look for 21-22. They had \$19.3 million going to the stabilization account. For next year, that will grow to 20.8. If you look, there is now money for the public school system stabilization fund. It is going from \$6.6 billion to \$9.7 billion. In this budget surplus of the \$45.7 billion, that is kind of hard to say, wow, \$20.6 is discretionary and \$16.1 billion is required to go to public education so that is K-14, not just K-12, and now TK also. Then \$9 billion is going to reserves and debt reduction.

This is the one that concerns me. If you look at, the Governor's spending of new Proposition 98 revenues, it relies heavily on one-time investments. Look at for K-12, 60% are ongoing, and 40% drop off. But the majority of the money is going so that is our concern always if you have ongoing expenditures built on one-time investments. In his budget, he funds a 5.33% COLA, which I will tell you. Right now, they are saying that will be 6.1%. That is a statutory calculation of the goods sold in California, goods and services in California. It hasn't been certified yet, but they expect that to be 6.1.

WILLIAMS: Gee.

HENDRICK: Yeah. To fund LCFF is \$70.5 billion. That is about a \$587 increase per pupil, then the average ADA proposal to smooth out the ADA for districts. The multi-year projections, I kind of showed you what that page looks like. We actually do that. It is very granule and detailed by each site so we know what that looks like. It is not really a forecast. It is just a projection when you go out those two years.

Dr. Williams, going back to your comment about the unfunded liabilities there for pensions. CalSTRS, for this year, is at 19.10. CalPERS is at 26. Both of them are anticipated to go up by 2% next year. The hope was that he would use some of these one-time funds to fund those pension things that would bring that cost down.

WILLIAMS: Yeah.

HENDRICK: That is an area we have all been advocating for. It is in a lot of the talks, but we are just not sure what kind of traction that is getting from him.

WILLIAMS: Who are the forces that are opposing this reduction in long-term debt? Would that be unions?

HENDRICK: No, they actually support it.

WILLIAMS: Really?

HENDRICK: Yeah.

WILLIAMS: Who is supporting taking on and maintaining this debt?

HENDRICK: Well, it is people that want to see money spent on things, other than things they can't touch. Does that make sense?

SPARKS: Like what?

HENDRICK: Social Services programs, right. All the other programs that want to receive those funds, and don't want it to go to something that they can't see or touch. Unions aren't opposed to it. A lot of them are actually backing it, because they would like to see that be secure.

WILLIAMS: Well, they want their teachers to have it.

HENDRICK: They have seen their employee rates go up too. That is the thing that people don't see most of the time. But like, the teachers have gone up by 2% in the last couple years, also what they have to pay out of pocket. They are feeling the increases also, so they would like to see some stabilization there.

WILLIAMS: Wow.

HENDRICK: The ADA "Cliff," you have heard about that quite a bit. The districts get funded for this year or the current year. They have the hold harmless for COVID. Unfortunately, county offices don't get that, nor do our charter schools. We actually lost our funding in this current year, and some of the charters did also. That has been difficult to adjust to. There is proposals that will actually make that a three-year average. But again, charter schools and county offices are not included in that conversation. I think charters are gaining some momentum, and hopefully, they will do something for that this next year.

SPARKS: Is the K-12 Cliff going to hit high school?

HENDRICK: It is going to hit all of them. What it is, basically, is we have all had higher average daily attendance. Remember 19-20, they held that harmless until 20-21?

SPARKS: Yeah.

HENDRICK: For 21-22, you got whatever is higher. The higher one, right? They drop off next year. We dropped off this year, so it affected us financially this year. For school districts, it would have thrown some of them close to insolvency. I think that is something that Dean West and Dr. Mijares has been working with our districts on, how do they do that? The three-year average gives them a slower amount of time to be able to make cuts. Declining enrollment is a big—

SPARKS: It is all through K-12?

HENDRICK: It is all through K-12.

SPARKS: We are expecting at the university, we call it the Cliff of 2025.

HENDRICK: Interesting.

SPARKS: That is when we are going to hit it.

HENDRICK: You are saying that, because that is when you see the kids dropping off then?

SPARKS: Yes. Mm-hmm.

HENDRICK: Interesting. Yeah. This will show you just the actual enrollment in K-12 goes down, look at 27-28. That is where you are seeing that huge drop off. The other thing that districts have really been impacted by this year is students not attending the way they normally did. Right? I may be exposed to COVID. I should go on independent study. Parents says, "I don't want to do that." They are just basically absent for that time period. We don't get paid when students are absent so that has been a huge problem for some of our school districts. Elementary used to be 97% to 98%. They are showing in the low 90s or even lower in some areas. That has had an impact on their financial.

A lot of new funds are going to childcare and preschool programs. That is a big initiative for the governor. You have seen those increases in our budgets over the last two years, because we do receive a lot of those funds either for pass through to alternate payment agencies or the training we are doing. He is allocating more money again for early education expansion programs. Career Pathways, we are excited to see this. We had a very robust Career Pathways program. There wasn't funding for last year. This is putting more funding back in the budget so that is helpful, especially for our students. You will see those as he starts developing what those plans are. Student nutrition and universal meals, it is a great thing. Every student who wants two meals gets them free, regardless whether they could pay or not. That is a great thing. Except for, it is hurting us because parents no longer fill out those eligibility forms. Our funding is based on, that eligibility qualifies you for either the concentration grants or the supplemental grants. If they don't fill the forms out, you are losing money over here. This is an issue we are all looking at right now.

What is not in the budget? Additional pension relief, state's contribution to subsidized employer rates has run out. Both pension plans are projecting a 2% increase. The current projected COLA for 5.33% reflects the estimated statutory COLA. Then implementation of universal meals will likely have an immediate or direct impact on the UPP. I can tell you if our number drops by just 3%, that is a total of almost \$3 million. It is significant.

SHAW: What do you mean by 2% in the pension plan; 2% as far as?

HENDRICK: That is the increase of our employer cost.

SHAW: The employer cost. Got it.

HENDRICK: Yeah. Impact to programs, not funded by CDE. It is great that, you know, he may give a high COLA for the state programs, but we receive a lot of federal and local programs. They don't get that same COLA. We don't get to tell employees, well you are funded by this program, so you get an increase and your neighbor doesn't. That means that you are trying to figure out how you are going to fund all those other things. In our budget, it is going to show a deficit because we received a lot of funds in this current year that we won't receive next year. We talked about in the past, so MTSS received \$41 million in the current year. Obviously, that is being spent over the future years. COVID-19 is about \$20 million; educator effectiveness \$2.5 million. Then just our decline into the student population.

The SERP was successful so that will reduce our classroom staff to meet that decline. I know for Special Ed, we have to refill those positions. But even for Alternative Education, they are evaluating right now. We may have to replace some of those positions also. Changes in legislation this year may have an impact on how nimble we can be in the future. That is that March 15th notice. Then we have to really closely track. In a lot of the plans that you've seen and approved this year, we have added a lot of additional staff. We have added those with a provision that they are gone in two years. They hired them knowing that. They have been told that. Our job is to make sure that that really happens, because we won't be able to afford them after those federal funds are gone. Then be really careful about using one-time revenue streams to pay for ongoing expenditures. That is all I have. Questions, things you'd like to see?

SPARKS: Thank you for all your hard work. That is amazing. ADA, is that a state, is that a federal thing?

HENDRICK: It is a state.

SPARKS: It is a state thing.

HENDRICK: California passed it in the '70s I believe, in 1970. Is that about right? We used to be based on enrollment.

SPARKS: Yeah.

HENDRICK: Then they changed it, because they said that schools were—

SPARKS: I had never really heard about it until I moved here.

HENDRICK: Yeah. There is other proposals to switch to enrollment also. But, the Department of Finance is not backing that one, so I'm not sure where that goes. But there is like three different proposals right now.

SPARKS: It is kind of stressful, that ADA thing.

HENDRICK: It is very stressful. But their thought behind it is, you would have kids in school more if you stayed on the average daily attendance.

SHAW: The community college where I teach, man, the enrollment is really lagging.

GOMEZ: Yeah.

HENDRICK: I am hearing that for community colleges.

GOMEZ: I don't know that in detail anymore, but yes. I mean it has taken a dive.

HENDRICK: I will say in stronger economic times, community colleges do tend to decline.

GOMEZ: Yep. That is true.

HENDRICK: Then when the economy gets worse, they tend to grow a little bit too.

GOMEZ: Yeah. People go back to school to get more skills so they can get a job.

HENDRICK: They go back to school, or maybe they couldn't afford, you know, a private university or something like that. They kind of switch back to doing that. We are hearing that, yeah. They changed the funding for community colleges last year also. They are funded very

similar to us based on a need. The underserved students, they get more money for them. That is hurting some of the community colleges.

SHAW: As far as like Orange County wide, not just us, but Orange County wide, we are probably still declining overall. Would that be correct?

HENDRICK: Oh yeah. Orange County. We are—

GOMEZ: What is it? Only Irvine, I think is the only one.

HENDRICK: And Brea.

SHAW: Brea, right?

HENDRICK: Thirty kids, but hey. It is not in decline, so we will take it, right.

GOMEZ: That is a classic.

HENDRICK: But as a county, we are up in the top 10 maybe of counties declining. Not as bad as LA. San Diego is declining also. I think if you look at the coastal areas, or the ones declining more, the center of the state seems to be growing more.

MIJARES: Birth rates have a big part of that too.

HENDRICK: Yeah.

BARKE: Well, and I think too, in both LA and San Diego, you have seen more restrictive mandates than here in Orange County. I think that has affected some of it.

HENDRICK: Maybe, I think housing is a huge portion of it.

SPARKS: But even in Orange County, I mean 33 families that I knew, I only know nine of them who are still here. Everyone else moved to Texas, Tennessee, places where they don't have any personal income tax.

HENDRICK: Yes.

SPARKS: That is pretty significant. Only nine families left; 24 families left of the 33 that I knew.

HENDRICK: When you look at all of our funding is based on personal income tax, you now have 20 something people who are no longer paying taxes.

SPARKS: Yeah. That is huge. That is huge. Yeah. Well thank you for all your hard work. This is really helpful.

WILLIAMS: It is good. I love the illustrations and artwork. That is pretty fancy.

SPARKS: You got all creative.

HENDRICK: Thank you.

BARKE: Motion to adjourn?

WILLIAMS: I'll make the motion.

SPARKS: Second.