

Transcript of the June 27, 2022, Orange County Board of Education Meeting

BARKE: Welcome everyone. Roll call.

SISAVATH: Trustee Gomez?

GOMEZ: Present.

SISAVATH: Trustee Shaw?

SHAW: I'm sorry. Is my mic on? Yes. I am here.

SISAVATH: Trustee Barke?

BARKE: Here.

SISAVATH: Trustee Williams?

WILLIAMS: Here.

SISAVATH: Trustee Sparks?

SPARKS: Here.

WILLIAMS: I will do an invocation.

BARKE: Yes. Okay. Next will be Ken Williams doing our invocation tonight.

WILLIAMS: Lord, we thank you for your goodness and mercies, and for this opportunity to serve the people of Orange County. We thank you for the love and the grace and the charity that is given to this country, in your name we pray. Amen.

AUDIENCE: Amen.

BARKE: Amen. Being that this is Tim Shaw's first night back, I think we have to have him do the Pledge of Allegiance.

SHAW: All right, please stand if you are able. Ready? Begin.

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

WILLIAMS: Madam President, I will make a motion for the adoption of today's agenda.

SHAW: I will second.

BARKE: All those in favor?

SPARKS, WILLIAMS, BARKE, SHAW: Aye.

BARKE: All those opposed? All right, passes.

WILLIAMS: We have no minutes. We have one public comment. Madam president, the honorable Lynne Riddle. You get three minutes, judge. You will set the timer, Darou?

SISAVATH: Yes.

WILLIAMS: Very good.

RIDDLE: Good evening, Board members. I rise this evening, especially to thank Trustee Gomez for all of her years of service here, I believe it is six or more. Just to assure you that while I do not have authority to speak for the entire county or your district, I do believe that hundreds of thousands of people of your constituencies and mine, would celebrate with me and congratulate you on your years of service. Let me just inform you as well, that I have served at some of the highest levels of government, that is not to brag, it is just to talk about my experience. Rarely have I seen or witnessed any more noble, courageous, honest, brilliant, devotion to public service. I know that your service will be an inspiration and a model for young people. But let me assure you too, that for people even of my age in my eighth decade, you have inspired me and shown me new ways to be a better and a fuller human being in public service. So, I thank you.

BARKE: Thank you.

WILLIAMS: Very good. That is the only one Madam President.

BARKE: All right, then we will go ahead and—

WILLIAMS: Public hearing.

BARKE: Get right into the public hearing.

HENDRICK: I'm sorry, one more.

WILLIAMS: Okay.

BARKE: All right.

WILLIAMS: Thank you, Darou. We have one more public comment. Mr. Felipe Delgado, thank you, sir. You have three minutes, sir.

DELGADO: I thank you very much. Good afternoon, my name is Felipe Delgado and I have two children enrolled at Irvine International Academy. My children just completed their first year at the school and the end of school celebrations included the first kindergarten graduation

ceremony, which my youngest child was able to participate in. There were countless parents who came to see their kids move up to the first grade and a lot of happy people, children there at that time. Each child had their picture taken with their teacher and Dr. Watson. I have to commend Dr. Watson because he stood there for every child and there was a lot of them. What followed was a makeshift carnival set up by the kindergarten teachers for the graduating class. I have to admit that was the biggest memory that my child took home, was the carnival.

What followed was individual celebrations for each grade level. The largest was the fourth and fifth grade celebrations. Along with some great food, each child received an award based on their individual achievement for the school year. All the teachers were invited. All the office staff was invited including the janitorial staff who, I want to especially mention, it is Danny and Joseph. They do a terrific job keeping the school clean. Danny in particular directs the traffic in the morning so that all the kids can safely make it across the parking lot where some of the parents are running a little bit too fast. It was a great time. I wish you guys could have been there to see how we ended the school year. I wanted to thank all the IIA board members for their efforts. Like any first year endeavor, they had to make a lot of tough decisions. I especially want to acknowledge Doug Husen. His leadership and his even stream is the benchmark for the IIA Board. But I wanted to especially thank all the trustees here that voted for the IIA charter. It was your foresight that created a huge opportunity, not only for my family, but all the families in the Irvine community who truly wanted to take advantage of an international charter school in Irvine, so thank you. That is it.

BARKE: Thank you.

WILLIAMS: Thank you, Mr. Delgado. That is it for public comments Madam President.

BARKE: Okay, so back to the hearing.

HENDRICK: At this point, we would like to open the public hearing for the 2022-23 Preliminary Budget. Hearing no comments from the public, I would like to close the hearing at this time.

WILLIAMS: Very good. Madam President, item number two, it is my pleasure and honor—and I thank the good Superintendent, Renee, staff and Nina, to make a motion to approve the 2022-23 budget for the County Department of Education. I will need a second for that.

SHAW: Second. Sorry, second. There it is.

BARKE: Any discussion?

GOMEZ: Yeah, I just have a comment here. I know the change had to do with adding the \$125,000 for the lobbying firm. Is that correct?

WILLIAMS: That is correct.

GOMEZ: Okay. How do we—

WILLIAMS: That is what we talked about. That is correct.

GOMEZ: Right, right. So, how did we arrive at the \$125,000?

WILLIAMS: I believe that was a conversation that we had as a board, and that was a number that was put out there. That is how we arrived at it.

BARKE: I believe it was in response. Because that is what we are paying Ball and Frost or something similar, so we just took, sort of, a matching number, really. It wasn't a lot of thought put into it.

GOMEZ: Did you say there wasn't a lot of thought put into it?

BARKE: That is how the discussion, and Dr. Mijares is agreeing, is that we discuss it. Ball and Frost is \$125, so we would just take that number. Later, if it needs adjusting, we would adjust it. But that seemed to be a good ballpark since that is what we are paying our current firm.

GOMEZ: Okay. So just to clarify then, the \$125, is that annual? Is that what we are?

WILLIAMS: Yes, it is for the 22-23 budget.

GOMEZ: Okay. So, the matching was to match what we were going to pay the Department's lobbying firm? So, you are matching it annual to annual?

WILLIAMS: Well, that is my opinion. You were there. You can throw in and tell me what you think it was, but that was what we talked about, yes.

GOMEZ: Well, I know we did talk about it matching. But I do not know if that meant for the entire year, because this scope of work looked like it was only for a partial year. That is why I'm asking how the \$125 came up.

WILLIAMS: So, the fund that is in the budget is different than what is in the contract. That is true.

GOMEZ: Okay. Okay. So, it is different. All right.

BARKE: Any other discussion?

WILLIAMS: I call the question, Madam President.

BARKE: Okay. I will call the question.

HENDRICK: I'm sorry, we would need to do a roll call vote since Lisa is not here.

BARKE: Oh, yes.

BOYD: Go ahead.

SISAVATH: Trustee Williams?

WILLIAMS: Yes.

SISAVATH: Trustee Barke?

BARKE: Yes.

SISAVATH: Trustee Shaw?

SHAW: Yes.

SISAVATH: Trustee Gomez?

GOMEZ: No.

SISAVATH: Trustee Sparks?

SPARKS: Yes.

WILLIAMS: Very good. We passed the budget, Madam President. I make a motion for action item number three, to establish a community forum that would discuss, and promote, and advance and strengthen charter schools here locally in Orange County, as well as in the state. That date of the public forum, as in the agenda item, it was going to be in August. But apparently—after discussion with staff, it might be better, because of more practical issues like parking lot issues that were being repaired, to move it to September, not a firm date. We will get that firm date at next week's meeting.

BARKE: Okay. Any discussion?

SHAW: May I just clarify? On the selection of the expert panel we are going to have, how does that—how are we going to go about it? Is it going to be like before where each Trustee asks a panelist to join, or what does that look like? How do we constitute the panel? Forgive me, I'm trying to get caught back up.

WILLIAMS: Did we have a second for the motion so we can discuss it?

BARKE: I will make the second on the motion.

WILLIAMS: Okay. Now, do you want me to answer your question, Trustee?

SHAW: Please.

WILLIAMS: Very good. Yes, as usual, as this board has done in the past, we have had community forums. I think the format that we use and the methodology is a fine one. It reflects equality and time for everybody. The actual panelists we will be creating, and again, this will be on our agenda for July, an expert panel. We will ask the good Superintendent to help us with recommendations, other thoughts. I have already contacted Gloria Romero. I have contacted California charter school folk. I'm hoping to get a state assemblyman or state senator who would be able to help us, and explain and understand the state legislator process. The whole idea and purpose of this would be to understand what we can do to help and strengthen charter schools.

SHAW: Very good.

BARKE: Any other discussion?

GOMEZ: Are you saying that each board member would put forth a name?

WILLIAMS: Absolutely. Absolutely.

GOMEZ: Okay.

SHAW: Thank you.

BARKE: All right. Ready to vote?

WILLIAMS: It is a resolution, I believe.

BARKE: Mm-hmm.

GOMEZ: I just have a question about the resolution. The third paragraph of the resolution, looking at page 24, when we talk about the OCBE desires that all students are treated with dignity and respect, regardless of ethnic background, gender, creed, race, religion and sexual orientation. I guess when I read that, what kind of just came up to me is that—why are we opposing, or some of the board members have opposed ethnic studies. But yet, we write a resolution that says that all people should be treated with dignity and respect. I just had a little bit of difficulty with that. Talking in the next paragraph, talking a little bit about deep concerns to the erosion of charter schools—where we have, this board has approved a number of charter schools regardless of concerns about quality and things. I do not think there is an erosion of charter schools. I think there is probably been more of a promotion of charter schools. Those two things kind of just didn't seem consistent with some of the conversations that we have had.

BARKE: Well, I think, talking about erosion, I think maybe it is talking more about statewide and some of the anti-charter bills, not the erosion of charter schools at this particular board.

GOMEZ: Well, because it references Orange County in the same paragraph so that was why. I would tend to agree with you, Mari. You know, if you are talking about statewide, that might be different—maybe written a little bit differently. But it referenced Orange County, which means us.

WILLIAMS: So Beckie, as the originator of these questions, are you directing that at me?

GOMEZ: I do not know who wrote it.

BARKE: Wait, can I just?

GOMEZ: Yeah.

BARKE: The way I read that though is that we are concerned about the erosion of charter schools, not that we are concerned about the erosion of charter schools in Orange County. Am I reading that right, Ken?

WILLIAMS: I think generally the concept is we need to do everything we can to strengthen it. There has been a lot of policies at the state level that have hurt charter schools. The idea and concept was, how can we help and strengthen charter schools? Now, regarding the question, Beckie, you asked about ethnic studies. The foundations of which I do not agree with, I'm not sure there is anybody that is in this meeting right now that has any problems with the teaching of ethnic studies. It was only the critical ethnic study curriculums that were coming from Sacramento that we disagreed with. Remember there is constructive ethnic studies and there is critical ethnic studies. Our forum demonstrated there is a difference between the two types of curriculum. I am all for ethnic studies curriculum. So, your reference that you made there, I would disagree to its foundation.

GOMEZ: Okay. So you are saying you would support ethnic studies then in our schools. Is that what you are saying?

WILLIAMS: Oh, absolutely. I would support ethnic studies that is constructive. Not the critical studies that we demonstrated and we proved at the public form, that is inherent to the state approved ethnic study curriculum.

GOMEZ: Okay. Again—

SPARKS: I would like to jump in for a second if I could? Can you hear me?

GOMEZ: Yes. Yeah. It was weird.

SPARKS: You know, Critical Race Theory was introduced at the graduate level in law school. That is where it is really meant to be, not in the elementary-age curriculum. There is a big difference. It really depends on how ethnic studies—I wouldn't say, you know, anyone would support ethnic studies curriculum. It depends on what it is targeting. If it is introducing Critical Race Theory at elementary school, I think that is where parents have a problem. We can make a generic comment about it, but I think that is a little bit dangerous. I think we need to be really specific about what we are supporting and what we are not supporting. I just want to throw that out there.

GOMEZ: Yeah. I couldn't agree with you more, Lisa. I think that Critical Race Theory is graduate level, and I do not believe that it is being taught in the K12. So, yeah, I agree with that comment. I think it is a graduate level aspect.

WILLIAMS: But the problem is it is being taught in the K-12 curriculum. That was what was introduced and that is what we demonstrated. And so anyway, that has nothing to do with paragraph three.

GOMEZ: Well, I'm trying to understand the resolution.

WILLIAMS: But it is a good academic discussion and public discussion. I enjoy it. I will be more than happy to continue it with anybody. I call for the question, Madam President.

BARKE: All right. We will need a roll call vote, please.

SISAVATH: Trustee Gomez?

GOMEZ: No.

SISAVATH: Trustee Shaw?

SHAW: Yes.

SISAVATH: Trustee Barke?

BARKE: Yes.

SISAVATH: Trustee Williams?

WILLIAMS: Yes.

SISAVATH: Trustee Sparks?

SPARKS: Yes.

BARKE: I will sign it.

WILLIAMS: And on item number four, Madam President, I will make a motion approving the consulting and advocacy agreement with the Sheehy Strategy Group.

SHAW: I will second.

BARKE: Any discussion?

GOMEZ: Yes. I have a couple questions. This indicates that it is effective on June 22nd, which was few days ago before this board was able to review it and have a discussion in public. So,

yeah, I just have a concern about contracts being—with the scope of work, also indicated that the date was June 22nd through September 30th. That kind of goes back to my first question about the lobbying and whether or not this was for a year, or this looked like it was just for a short period of time.

ROLEN: Thank you for the question, Trustee Gomez. On behalf of all us, you will be missed. To address all your questions, the \$125 was a discussion we had publicly for the budget allocation. Oftentimes budget allocations, the initial budget allocations are based on a hypothesis, a good understanding, a best guess. The best guess we had for the year-long budget allocation was based on Ball/Frost. After the last board meeting where the Department and the Board agreed that it was appropriate for the Board to have its own lobbyist, there was some real immediacy because of the pending vote on SB 286. So on or about the 22nd, maybe the 21st or 20th, something like that. I interviewed six lobbying firms and Mr. Sheehy's firm stood alone. There were six recommended. Spoke with him.

I'm very happy to discuss his credentials with you. But let me address your question directly about the scope of work. Mr. Sheehy came up with an immediate point by point plan to address SB 286, with a full understanding that the Board would not be able to convene until this date. He began work without even having a contract. The limited scope of work is a test run. The Board is going to appraise what he has done with regard to SB 286, and the contract will end in September. If they are displeased with his scope of work or his performance, then we will look for another lobbyist as the case may be. But that was the idea behind this. That there is a vote coming up in the Education Committee of the Assembly tomorrow. So, Mr. Sheehy was able to get an objection letter put together and have a strategy for that. That is why the contract was for 6/22. That was my decision.

GOMEZ: Okay. It was your decision, not a Board decision?

ROLEN: Correct.

GOMEZ: Interesting. Okay. There was no RFP put out? You selected the—you said six or five?

ROLEN: Yeah, I was given six recommendations. I had a day to interview them all, quite a day.

GOMEZ: I'm sure it was. Okay, no further questions.

ROLEN: Thank you.

BARKE: We will call the question.

SISAVATH: Trustee Gomez?

GOMEZ: No.

SISAVATH: Trustee Shaw?

SHAW: Yes.

SISAVATH: Trustee Barke?

BARKE: Yes.

SISAVATH: Trustee Williams?

WILLIAMS: Yes.

SISAVATH: Trustee Sparks?

SPARKS: Yes.

GOMEZ: Could I make one other comment? I would like to change my vote on the budget to a “yes” since the items I objected to were in the other items. So, I will change my vote on the budget to a “yes,” as opposed to a “no”.

BARKE: Okay.

WILLIAMS: That has never happened before. I have to think about our parliamentary procedures. Is that consistent with our parliamentary procedure?

SHAW: I believe you could change a vote during the meeting, right?

ROLEN: Yeah. I would defer to you and Trustee Shaw and parliamentary procedure. I'm just happy to have some unanimity among the board.

WILLIAMS: May I ask the question, again, why the change in heart?

GOMEZ: I just indicated why.

WILLIAMS: I'm sorry. I didn't hear it. I have to go through our parliamentary procedure. Does anyone have it in their—?

SHAW: In my experience on the city council and other government boards, I believe you could always change your vote up until the time that the meeting was adjourned.

WILLIAMS: Thank you.

SHAW: You could request that the record be amended to change your vote. That is my—

GOMEZ: That has been my experience as well.

WILLIAMS: Okay. But we do not run by any other parliamentary procedure, but the ABC's. What you have done on your city councils, with all due respect, maybe what you have done in

your council. So let me quickly, it has never happened before in my 27 years. Let me see if there is something here. Please bear with me. Well, it doesn't address that in our parliamentary procedures, but would it be more appropriate Counsel to make a recommendation to redo that vote? I mean, can a member just do that afterwards?

ROLEN: I'm looking at Robert's Rules of Order for Dummies.

WILLIAMS: We do not go by that either.

ROLEN: I was just trying to get some guidance on that. But the meeting has not been closed, and the vote would go from a 4-1 to a 5-0. If it is the will of the Board we revote, then it is the will of the Board. However, I do not think it is absolutely necessary.

WILLIAMS: Okay. Since I was a maker of the motion then, again, I've never done this before, would it be appropriate for me to remake that motion?

ROLEN: We would have to go back to the agenda item. I think it is much simpler to have the record reflect that Trustee Gomez changed her vote.

WILLIAMS: Right, right. So, if I remake the motion and we take the vote again, that would—

ROLEN: That would make the record as well.

WILLIAMS: Technically, okay. Then what I would like to do to make this correct, technically, is to remake my motion for item number two, which is approval of the 2022-23 budget. Again, special thank you to Renee, Nina, and Jeff and the good Superintendent. As our counsel Greg Rolen and I, we talked about the logistics and details. It was a very good conversation, very supportive conversation, so I will make that motion for approval of item number two.

SHAW: Second.

WILLIAMS: Very good.

BARKE: All those in favor?

WILLIAMS, BARKE: Aye.

GOMEZ: Don't we have to do a roll call?

SISAVATH: Trustee Gomez?

GOMEZ: Yes.

SISAVATH: Trustee Shaw?

SHAW: Yes.

SISAVATH: Trustee Barke?

BARKE: Yes.

SISAVATH: Trustee Williams?

WILLIAMS: Yes.

SISAVATH: Trustee Sparks?

SPARKS: Yes.

BARKE: All right.

WILLIAMS: I think that is it.

BARKE: I think I will entertain a motion to adjourn the meeting.

WILLIAMS: I will make that motion.

SHAW: May I make a comment first?

BARKE: Of course.

SHAW: I just want to thank you, Madam President. I'm just glad to be back. I apparently go on sabbatical on occasion around here, but it is good to be back. I just wanted to thank the voters of the Fourth District. They just finished counting the votes here on the 25th, and it looks like I get to stick around for a little bit. But I am glad we were are having a meeting here today one more time to see Beckie. I have enjoyed sitting next to Trustee Gomez here. I will just say it. I mean, the last several years I was on my city council, I was on the losing end of a lot of 4-1 votes. It is frustrating sometimes and difficult, but there we were disagreeing and being very disagreeable with each other.

I have always found Beckie to be somebody, we do not share a philosophy, but Beckie has been to me a real role model, at least personally. We could disagree without being disagreeable with each other. I look forward to seeing you every meeting and really wish you the best in your future. Hopefully we will keep running into each other.

GOMEZ: We sure will.

SHAW: You have certainly come to every meeting very well prepared. Obviously, you have done a lot of reading and came with a lot of passion. I have appreciated that, Beckie. I think you have represented your position very well and done it as you saw fit. So, thank you for your years of service here on the Board and being a good seat mate for me and helping show me the ropes as I got situated here. We will miss you for sure. I look forward to all you can accomplish in the future, so best wishes.

GOMEZ: Thank you, Tim.

BARKE: Thank you for those nice words. All right, no other comments? We are adjourned.