

Transcript of the October 5, 2022, Orange County Board of Education Meeting

SPARKS: I will call the meeting to order. Darou, roll call.

SISAVATH: Trustee Valdes?

VALDES: Here.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Sparks?

SPARKS: Here.

SISAVATH: Trustee Williams?

SISAVATH: Trustee Barke?

BOYD: Trustee Barke told us she would not be in attendance today in observance of—

SPARKS: Yom Kippur.

BOYD: Unfortunately when the meeting was scheduled, we were not aware of this religious holiday, but we will make sure that we are checking in the future and dialoging, and Dr. Williams will be late. When he comes, if he comes during your closed session, just log the time so that when you come back in—

SPARKS: Okay.

BOYD: —we can report.

SPARKS: Okay. At this time, would we go directly to closed session or would I go ahead and approve the agenda and the minutes?

BOYD: Go ahead and approve (inaudible).

SPARKS: Okay. Okay. Perfect. We are adopting this regular meeting of October 5th. Then I'm asking if we are going to approve the regular meeting of September 7th and the special meeting of September 20? Do I have approval? Motion to approve?

BOYD: Agenda approval, adoption first.

SPARKS: Oh, agenda approval, adoption first.

SHAW: I will move approval.

SPARKS: Do I have a second?

VALDES: Second.

SPARKS: All in favor?

SPARKS, SHAW, VALDES: Aye.

SPARKS: Okay. Then we will go to the regular meeting of September 7 approval.

BOYD: You could do those at the same—

SPARKS: Can I?

BOYD: —unless they want to take the 7th and the 20th.

SPARKS: All right, I will combine the 7th and the 20th for approval.

VALDES: I move to approve.

SHAW: Second.

SPARKS: All in favor?

SPARKS, SHAW, VALDES: Aye.

SPARKS: Approves 3-0. Okay. At this point, do we have any public comments related to closed session?

BOYD: We do not have any public comments related to closed session.

SPARKS: All right, so we are now going to break into closed session for a few closed session items and then we will be back at 5 o'clock.

BOYD: I will just note for the public that the inter-district appeal was canceled by the parent so it would just be your closed sessions 1-4.

SPARKS: Okay. Perfect. We are going into closed session. Thank you.

**[The Orange County Board of Education conducts closed sessions
and then returns to open session.]**

SPARKS: Welcome to the Orange County Board of Education. We just came out of closed session. Actually, we were not able to meet because our attorney was delayed. So we don't have any action to report out, so that brings us to introductions. Nina, do we have any introductions?

BOYD: There are no introductions at this point.

SPARKS: And do we have any comment cards received?

BOYD: We do.

SHAW: Okay.

SPARKS: Okay. And then I guess we will go ahead.

BOYD: Vice President Shaw did the general public comments.

SHAW: On the Agenda—

SPARKS: Yeah.

SHAW: —we start with the invocation and the Pledge of Allegiance, right?

SPARKS: Yeah. And can Dr. Williams is running a few minutes late, but we can go ahead with the Pledge of Allegiance and the invocation. We did have a volunteer for the Pledge of Allegiance. I will start with the invocation, unless there is anyone who would want to volunteer for an invocation. Anyone? Okay. Then I will do an invocation, something inspirational.

We are about 100 years marking the anniversary of the 19th Amendment passage. We are about a year late, but we were kind of in the middle of Covid during that time. So, that is going to be my inspiration for today. The 19th Amendment, of course, guarantees women the constitutional right to vote, one of the most important political, legal, and socially significant moments of the 20th century. The passage of the 19th Amendment came after a protracted and difficult struggle that had begun more than seven decades earlier.

Initially, it was introduced to Congress in 1878. Numerous attempts to pass a women's suffrage amendment failed before passing the U.S. Congress in the spring of 1919 when it was submitted to the states for ratification. Tennessee was the last of the necessary 36 states to ratify it. And then on August 18, 1920, the 19th Amendment adoption was certified on August 26, 1920. So now that day is celebrated as Women's Equality Day. So that will be my little inspirational invocation today. And next will be the Pledge of Allegiance with our volunteer. Thank you.

BOYD: Would you please state your name for the record?

BRYAN: Yes. My name is Bryan Rechtlen. I'm from Oxford Preparatory Academy. Go ahead and please rise. 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.

SPARKS: Thank you.

SHAW: Okay, so for public comments, I will read a name and then read a second name, and that is the person in the on deck circle. Okay. So maybe this person on deck would want to come up near the front, but we will start with Marlene followed by—oh, dear, Jerone.

VALDES: Jarroquin?

SHAW: Sorry.

VALDES: Jarroquin Wheltman.

SHAW: Okay. You will have three minutes.

MARLENE: Hello. I just wanted to—

BOYD: You want to pull the mic down so that we can?—

MARLENE: Okay.

BOYD: Thank you.

MARLENE: My name is Marlene Bronson and I'm running for the Irvine Unified School District, Area 2 as the trustee. I just wanted to introduce myself to you as the Board of Education. I would love to speak to you individually if you have a moment anytime in the near future, and thank you very much for allowing me to be here today.

SHAW: Thank you, Marlene. We will go to Jorone Jarroquin, followed by Lynne.

JORDAN: I'm Jordan Weltman. I don't know. I am number six.

SHAW: It is Jordan. Sorry.

JORDAN: Number six.

VALDES: I couldn't read it. Sorry.

JORDAN: Sorry about that. My handwriting is—I can't read my own—

BOYD: On the back, it has a number.

SHAW: Oh, yes.

JORDAN: I'm coming to talk about the proposed Board Policy #400-4. Is this the appropriate time for that?

VALDES: It is your public comment; go ahead.

JORDAN: Okay. Well, fine. Thank you. I want to speak in opposition to this proposed board policy. I found it outrageous and frankly embarrassing. The proposed policy says that K-12 educational materials should advance evidence-based knowledge and intellectual development rather than subjective political ideologies. It goes on to say that evidence based educational materials talk about freedom of speech, First Amendment rights of academic freedom are considered to be core foundational values in education. Later on, the proposal says that the Board encourages meaningful discussions about controversial subjects, yet it talks about that curriculum should not advance one-sided political ideas, critical theories, and ideological indoctrination. And then the Board goes on to list an entire, 14 right-wing (inaudible), essentially that attack CRT, Black Lives Matter, Defund the Police, 1619 Project, LGBTQ rights.

Then it also for some reason decides to quote verbatim three sections out of the Education Code. Don't ask me why. It is verbatim. They are already in the Education Code. I spent 30 seconds looking at the Education Code, trying to figure out why this one was picked. I found one called 51933, which says, "All comprehensive sexual health education and HIV prevention education pursuant to Section 51934, whether taught or supplemented by school district personnel or by outside consultants or guest speakers, pursuant to Section 51936, shall satisfy all of the following criteria: Number five was instruction and materials shall affirmatively recognize that people have different sexual orientations, and when discussing or providing examples of relationships and couples shall be inclusive of same sex relationships. And six is instruction and material shall teach pupils about gender, gender expression, gender identity, and explore the harm of negative gender stereotypes."

I'm not sure why this board's proposal didn't also include that provision as something that they wanted to reaffirm verbatim that is already in the Education Code. The long list of things that should not be taught, even though we want academic freedom and controversial discussions in our classes, it says that an individual shouldn't feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her ethnicity, skin color, race, sex or gender identity. I don't know how that is supposed to be determined. That is clearly a subjective criteria, and how you are going to enforce that? I guess, does that mean amount of time?

BOYD: Your time is up.

JORDAN: Unfortunately, okay. Well, I hope this doesn't pass. I don't think Orange County corporations are going to appreciate something that is this outlandish in our policy.

SPARKS: Thank you.

SHAW: We will now hear from Lynne.

LYNNE: Good evening. I'm Lynne Riddle and I'm a resident of the county of Orange. In my hurrying to get here tonight, I forgot to bring my copy of the proposed policy 400-4. I had comments related to that. But more importantly, what I wanted to ask this board is to not make a determination on that matter tonight. It is a very complex matter and it starts with a number of

premises that I think have not been supported at all. It is important if we are going to rely upon historical trends, if we are going to rely upon passing this kind of policy, data and historical experience, ethnic and other groups being represented and their histories, we need that information to be presented to substantiate the premises and the basis upon which this policy is being proposed. I think in good conscience and to allow all of the people in the community an adequate time to look into the base behind this. I see no reason, no urgency, that it needs to be decided tonight. I implore you to not make a decision tonight, but to put it over to the next meeting. Thank you.

SHAW: Thank you. Those were all the cards I received for general public comments.

BOYD: Are you—? Is it for Oxford Prep?

TINA: No.

SHAW: Is it general comment?

TINA: Yeah.

BOYD: What is the name?

TINA: Tina Gurney.

BOYD: Gina—Tina.

SHAW: Tina. All right, Tina come on down.

TINA: Thank you. It would sound weird to read what I wrote about—Thank you so much.

BOYD: State your name again.

TINA: Yes, Tina Gurney. Ready? Thank you. I'm speaking about Resolution 400-4. If Ed. Code has already stated the areas covered in this resolution, why has this resolution been proposed? It has its own political agenda by giving specifics and calling out what someone deems indoctrination. It is redundant since Ed. Code already covers what is expected. Using a Martin Luther King Jr. quote to justify the resolution, misuses what Martin Luther King said during his entire speech during the march on Washington for jobs and freedom. He also asked, "Can any fair-minded citizen deny that the Negro has been deprived?" He also stated the concept of supremacy is so embedded in the White society, that it will take many years for color to cease to be a judgment factor. Please stop using Martin Luther King quotes to indoctrinate others.

The resolution lists specific areas of instruction that may not be used to indoctrinate students. Why wasn't fascism, racism, White supremacy, included in this list? Again, this resolution only picks what someone deems as un-American and not educational. This is evidence of more indoctrination from the writers of this resolution. Furthermore, the resolution lists ways to avoid making students uncomfortable about learning difficult information. When I went to Austria and

Germany, I was encouraged by the proprietor of my hotel to visit Dacia. He told me all students attend a field trip to learn about the horrific history of concentration camps so they understand and make sure it doesn't happen again.

I did visit the somber place. Maybe students learning about difficult history will learn about the brave souls who fought and struggled for human rights. Students will learn harsh truth and also learn how it was overcome. And maybe they will continue to help us form a more perfect union. This resolution also includes what may be posted in classrooms. Is their fear that posters are indoctrinating students? If a teacher posts a safe space poster, wont that help a student who may be considering suicide and know there is someone whom they may reach out to for assistance?

You would want to deny this help because the writer of their resolution feels uncomfortable? Do you prefer empty walls, empty shelves, less discussion and wrote learning? Do you fear students learning the knowledge that helps them become better citizens? Is the history of the United States so horrible that you are afraid of someone teaching about it? Ed. Code says what needs to be said. This resolution is a form of indoctrination and is unnecessary. Please vote "no."

SPARKS: Thank you.

SHAW: Okay, I think that concludes our public comments.

SPARKS: Okay, so we will move on to the consent calendar: item number two, approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division. Do I have a motion to approve?

SHAW: And number three as well?

SPARKS: Two.

SHAW: Okay.

SPARKS: Number two on the consent calendar.

SHAW: I will move approval of number two.

VALDES: I second.

SPARKS: Take it to a vote. All in favor?

SPARKS, SHAW, VALDES: Aye.

SPARKS: Passes 3-0. And item number three on the consent calendar, approve invoice number 3256439 in the amount of \$27,566.17 for Haight, Brown and Bonesteel LLP. Do I have a motion to approve?

SHAW: I move approval.

VALDES: I second.

SPARKS: Take it to a vote. All in favor?

SPARKS, SHAW, VALDES: Aye.

SPARKS: Passes 3-0. Okay, thank you. Now we move to charter schools. Nina, do we have any charter submissions?

BOYD: Not at this time.

SPARKS: Okay. Next we would call Aracely Chastain to the podium to facilitate the hearing.

CHASTAIN: Good evening, President Sparks and Trustees. Today the Board will hold a hearing to grant or deny the Oxford Preparatory Academy charter petition proposing to establish Oxford Preparatory Academy Middle School, following denial by the Saddleback Valley Unified School District's governing board. The school proposes to serve grades sixth through eighth, beginning in the 23-24 academic year. On August 17th, the Board held a public hearing on the provisions of the charter to consider the level of support for the petition by parents, guardians, teachers and other district employees where the charter school proposes to locate.

On August 23rd, a clarification meeting was held with charter school representatives and the Orange County Department of Education Petition Review Team. As legally required, the petition has been reviewed according to California Education Code, and you have been provided the Orange County Department of Education Staff Report that was published on September 20th, which summarizes findings from that review and offers recommendations for consideration by the Board.

Let me begin by stating that this is a charter petition that has been submitted by an experienced charter school operator with a proven track record of success in Orange County. Additionally, the Oxford Preparatory Academy Middle School charter petition meets the standards outlined in Education Code sections 47605. Orange County Department of Education staff recommended that the Board approve the Oxford Preparatory Academy petition to establish Oxford Preparatory Academy Middle School for a term of five years from July 1, 2023 to June 30, 2028, and require the execution of an agreement that delineates the operational relationship between the parties.

Prior to public comments, representatives from Oxford Preparatory Academy Middle School will have equal time and opportunity or 10 minutes, whichever is longer, to present evidence and testimony responsive to the staff recommendations published on September 20. I now call representatives from Oxford Preparatory Academy Middle School to the podium.

KERNAN: Good evening, President Sparks and members of the Orange County Board of Education. We are extremely excited to be here tonight, just to kind of give you a little bit of updated information regarding our charter. But first, I would just love to acknowledge just all of our teachers and the teachers around the world today. It is World Teacher Day. Our teachers give

so much every day in the classroom, so I just wanted to share my gratitude for everything that our teachers do every day.

Up here, joined by my Chief Academic Officer Dr. Stephanie Henry and hopefully our new middle school Principal Mr. John Briquet, again, we are trying to create a middle school for our sixth through eighth grade students. This is a petition for a new school, so not just an extension of our current petitions. So just a little bit about our charter school mission and vision. We do believe that all students are unique and gifted individuals. We really value having students who excel and exceed beyond their grade level expectations, creating critical thinkers, students who are lifelong learners. You know, some of our core values are that we want to produce high achieving students. But not just high achieving students, because you can have amazing grades and not do well in life. We want students who have good character, who respect others, who value differences, who have high levels of patriotism. We also work through the theory of multiple intelligences, where students can really show what they learn in a lot of different ways.

In a minute, I'm going to show a little video that kind of expresses how our students really show these core values. Actually, Dr. Williams I shared the video with him earlier and so he asked me to share it with you tonight. But I think it really does embody what we value at OPA through the multiple intelligences. Having students show what they are learning, having students do a lot of movement and singing and showing their patriotism, showing their character, so I will kind of let everyone watch this for a second. It is super cute too. It is our TK'ers kind of showing off their song of the month.

[VIDEO PLAYS]

VOICES IN VIDEO: I'm proud to be an American. Where at least I know I'm free. I won't forget the men who died who gave that right to me. I'd gladly stand up next to you and defend Her still today. Cause there ain't no doubt I love this land, God bless the U.S.A.

[VIDEO ENDS]

KERNAN: Very nice. Yay. Good job. Those are our youngest students. But learning through language, learning how to sign, singing, dancing of course, the one on the right was really getting into it. But just learning in a variety of different ways. So just a little bit—we have kind of gone over the slide, but we do have some new information showing kind of our current successes. Before it was a little bit of old data. I know the test score data is still embargoed, so I can't give any specifics. But just a little preview that we are among the highest CAASPP scores in Orange County. We can see the other scores, but we can't share specifics about it, just a little teaser there.

We also improved our niche rankings. Now being the no. 9 and 10 best charter middle schools in all of California, seven and eight for elementary. We made it into the top 50 public middle schools in California, so we are excited to take that and be able to move that onto a new campus. I will turn it over to Dr. Stephanie Henry, or no, actually John Briquet.

BRIQUELET: We will see how good my eyes are. In terms of curriculum, we present high quality, state approved standards-based curriculum. We are using EDGems in mathematics, StudySync in English, Amplify in Science, and Savvas in social studies. We are offering world languages courses, Spanish and Mandarin at present and looking to expand upon those offerings with the new middle school. We offer STEAM and VAPA electives, and right now we are working with Dr. David Foster to explore CTE Pathways that feed into our surrounding high schools. In terms of instruction, all of our educators are highly qualified, fully credentialed. In grade seven and eight, we will maintain single subject teachers. We use research proven instructional strategies that include student voice and choice, instruction based upon the multiple intelligences to ensure that every student is able to succeed and reach their potential. We are differentiating instruction and assessment to meet students' needs. We are enriching activities in the classroom for students who are able to move ahead.

We are using Thinking Maps. We are writing from the beginning and beyond. We are providing 1:1 technology in the classrooms as an educational support. We are learning beyond the classroom. One of the things that we are really focused on is ensuring that students have enriching activities outside. And right now we have, for this year, we have Astro Camp for our sixth graders. We have the Catalina Environmental Leadership Program for our seventh graders, Washington, D.C. for eighth graders, Sacramento for fourth graders. Did I leave anybody out? Oh, we have kids going to Irvine Ranch in fifth grade and the Mission visits, so it is important to us.

We focus on six skill competencies. We call this our champion profile. You can see the diagram. It is probably not quite large enough to read well. But the six core competencies that we develop in every student are critical thinking, creativity, character, communication, collaboration and civic learning. Dr. Henry.

HENRY: Thank you. As Dr. Kernan shared, our CAASPP test scores, we are not allowed to release them until the embargo is over sometime this month, but we did share some of our published test scores from 2018-19 to illustrate that we have had a history of academic success. Our peak at our 2021-22 test scores showed continued success, so we are really happy for those to be released. Just a few tidbits from this data. Our students outperformed local districts in meeting and exceeding the standards, so 15% more of our students are meeting and exceeding standards than Saddleback Valley Unified in ELA, 30% more of our students in mathematics, English learners by 36% and 46% in mathematics. And for our students with disabilities, 29% more are meeting or exceeding standards and 50% more of our students with disabilities are meeting or exceeding standards in mathematics.

We also wanted to share a little bit about parent involvement at Oxford Preparatory Academy. You have heard some of the cornerstones of our charter school are the multiple intelligences, but we also are so proud of our parent involvement. We have introduced this year a Parent Ambassador Program, which will help incentivize parent involvement and really lead to more than just parents showing up and participation. There are three tiers to our Parent Ambassador Program and that is parent involvement and participation is important for them to be there, but also opportunities for parent education and input into decision making. And then also, that our parent ambassadors serve as leaders to other parents in our community. Recently when we rolled

this out, we had over 100 parents come to our information morning meeting and evening meeting to learn more about the program. You can see a list at the bottom of the slide of all of the different areas and opportunities that our parents have to provide input into our LCAP and strategic planning, school site council, our parent organization, which we call Honor Society, different committees and focus groups. We are very proud of our parent involvement.

KERNAN: I just wanted to kind of wrap it up with how opening this middle school will really help to improve the middle school experience. You can kind of see up there, just increased opportunities, articulation with high schools; but continuing to provide those same OPA traditions, that high level of academic achievement, character, patriotism, community service, parent involvement, but just expanding it to a brand new school. We thank you and we look forward again to continuing and now hopefully expanding our partnership with the Orange County Department of Education.

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: There are. Vice President Shaw.

SHAW: Yes. I got a bunch of them, so we will do the same thing. You guys are a talkative group. I will call one name and then the on deck person.

BOYD: You have identified 30 minutes. How many do you have because we want to make sure we have the timer correct?

SHAW: Twelve. Do we want to do?

SPARKS: Two minutes?

WILLIAMS: Yeah.

SPARKS: Two minutes each.

SHAW: Sometimes less is more. Two minutes.

SPARKS: How about two minutes each?

WILLIAMS: Yeah.

BOYD: She is resetting the timer.

SPARKS: Okay.

SHAW: Okay, so we will give guys—

SPARKS: So we can get everyone in.

SHAW: If you can keep it to two minutes. Okay. So, Kim followed by Lorrie. If you filled out a card, Kim followed by Lorrie.

KIM: You guys are not probably going to like what I say. Nobody in here usually does. Okay. Thank you for letting me talk. My name is Kim. I have a seventh grader at OPA SOC, so we have been there for six years. We loved OPA, love OPA, I should say. Want to love OPA, still want to love OPA. But I'm here to speak out for my daughter. I always speak out for my daughter, my son. My son graduated from there last year. He is in high school doing awesome, so thank you for what you have done for him.

I'm just speaking out about this new middle school as we are like on the horizon of this. It could be exciting, but I'm a little concerned. I would lie if I wasn't concerned. I'm concerned about the capabilities and capacities that you guys have. Really, honestly, I'm a little concerned about expansion. I'm concerned about staff being spread too thin. I'm concerned about that. I'm concerned that my daughter is going to get lost in the shuffle. I don't have one of those really high achievers that is at the top of her class meeting and exceeding everything that we are bragging about, and she is getting lost in the fray already.

I'm a bulldog mom. I'm in the office all the time. I get an eye roll when I walk in and I don't like that. I already saw some faces I feel like when I walked up here. I don't love that, but that is why I'm up here. I'm a little concerned and I just want you guys to be aware. I would love to know that there is some oversight from you guys on them because my daughter is going to be in eighth grade next year and I'm concerned about that. They are moving schools. It is new. How do we know that this isn't just OPA getting a new brand and a big, shiny new school? I hope not. I hope it is really awesome, and it is good, and we are building and it is something great and wonderful and we are getting back multiple intelligences and not just computers.

My daughter has ADHD. Computers are awful, so let's get that back. Let's make it OPA again and not just computers; but let's not make it a brand. That is my big thing.

SPARKS: Thank you.

KIM: Communicate, please. Communication. More communication.

SHAW: Okay, we will hear from Lorrie, followed by Andrei.

LORRIE: Hello. I am going to wear my sunglasses because I forgot my regular glasses. Sorry about that. Good evening Board Members and Staff. I'm here today to support the OPA charter with two requests: comprehensive oversight and accountability. You may or may not know me. I have had three kids at OPA over the last nine years and currently have a child in the seventh grade at OPA SOC.

Last month I was motivated to speak out on record after noticing that in my child's seventh grade English class there were several statement pieces on the classroom wall. These statements included feminist, gender, Marxist and critical race. I asked via email how these terms were going to be featured in the seventh grade curriculum, and I was told by Principal Velez that the

teacher had intended to use some of the terms as topics for extra credit writing assignments. I have a general understanding of CRT and woke ideology, but never expected to see posters like that at OPA.

I was told by Principal Velez and by the Executive Director Amy Kernan that OPA was not teaching CRT. They explained to me that they had no idea that the teacher had these posters in the classroom and that they would be taken down immediately. If the principal and the executive director have no idea what is in their teachers' classrooms, I have a problem. You see, this happened after the OCBE meeting on August 17 where OPA was put on notice after it was exposed that OPA had approved a questionable contract.

As Dr. Ken Williams explained to OPA administration, woke companies and radical ideologies have no place in the K-12 curriculum. With that being said, we cannot have rogue teachers running around and introducing aspects of CRT at OPA without being held accountable. The teacher removed the posters, but I am not confident based on the fact that Mrs. Velez and Mrs. Kernan admitted to having no idea about it. Will they have no idea next time when another teacher may feel liberated to teach or incorporate inappropriate materials in the classroom? At this point, there should be no excuses. I'm requesting oversight. I want to feel confident when I drop my child off at school that all the teachers and staff know what is appropriate and what is not. If they decide to go rogue, they need to be held accountable. I want OPA's elementary and middle school to have a safe space where parents and children can count on getting an education and not an indoctrination.

SHAW: Thank you, Lorrie.

LORRIE: Thank you.

SHAW: We will hear from Andrei, followed by Heather.

ANDREI: Hello, my name is Andrei Jagoden. My son is an eighth grader at OPA. In my opinion, OPA deserves charter but some strings attached, probably in the way of some oversight committee. Parents noticed a number of improvements. The contract with REP was canceled and politically charged posters were taken down from the classroom. OPA Board approved three field trips on the last meeting. Some of these improvements were made as a result of fixing mistakes made by OPA.

In the past, OPA did not acknowledge these mistakes even after parents pointed them out, up until it was noticed by OCBE. I still have a concern regarding OPA. OPA administration is committed to non-curriculum subjects, such as PBIS, MTSS and social emotional learning. These innovations encourage teachers to ignore bad behavior incidents and often require third party software with data collection functionality. For example, PBIS Rewards, Panorama Education and others.

OPA administration is planning to rely on behavioral data collected by already adopted PBIS Rewards software to measure the success of these innovations, rather than receiving feedback by communicating with teachers in person. This may lead OPA administration to losing the real

picture of what is happening in their school and it may result in conflict with teachers and parents. Good teachers could be replaced by useless job positions, such as SEL coordinators.

I would like to make sure that if any OPA teacher finds that PBIS, MTSS, SEL are not working in the classroom, then he or she will not be fired for speaking against or refusing to implement these questionable innovations. Thank you.

SPARKS: Thank you.

SHAW: Thank you, Andrei. Heather, followed by Delete, Delite. Sorry, Delite.

HEATHER: Good evening, Board and Community Members. My name is Heather Roney and I'm an eighth grade teacher at OPA SOC. I teach English language arts, social studies, and I'm also a PAL advisor. From both the lens of a teacher and my administrative leadership experience, I am in favor of OPA's Middle School charter petition. Tonight I want to focus on our middle school teachers and what they utilize to teach ELA skills. OPA's Middle School teachers use McGraw Hill StudySync as our ELA curriculum. This curriculum directly aligns with reading, writing, language, speaking and listening standards. It also provides differentiated lessons to adhere to ELD standards. OPA teachers do not deviate from the ELA standards and we collaborate weekly during professional development or in our professional learning communities to ensure we are using the standards to guide our lessons. Teachers engage in collaboration using the standard as a backbone to ensure students are learning grade-level content.

Currently we have been going through Thinking Maps training, which helps students brainstorm their ideas for narrative, argumentative and informative essays. StudySync has a plethora of resources to teach informational and literature reading standards through first read, skills lesson and close reads. Embedded within these lessons are ELD suggested differentiated lessons and many language and grammar lessons. Teachers also utilize StudySync with writing lessons and novel studies that include comparative text lessons. For instance, my students are working on a narrative essay this week. I took a writing dialogue skill lesson that covered reading, writing, speaking and listening standards. Students analyzed a piece of literature discussing and identifying the purpose and format of dialogue as it is used in narrative writing.

By the end of the lesson, students were able to purposely write dialogue with the correct mechanics, all while engaging in conversation to express ideas and build upon the ideas of others. Our middle school OPA teachers will continue to teach to the standards, as this is what is best for our students as we prepare them for college and career readiness. Approving our OPA charter for middle school would benefit all students and families enhancing high school preparedness, all the while sticking to our core values of teaching and learning through the theory of multiple intelligences. Thank you.

SPARKS: Thank you.

SHAW: Thank you. Forgive me if I'm saying your name wrong. Delete?

DELITE: Delite, like Sunny Delight.

SHAW: It is delight.

DELITE: I get it all the time. It comes with the territory, what can I say. You will remember me, right?

SHAW: “T” is on deck.

DELITE: Thank you. Thank you so much. Good evening distinguished members of Orange County Board of Education, staff, parents and other stakeholders. My name is Delite Travis and it is a great honor to speak with you tonight regarding my support for Oxford Preparatory Academy Middle School charter application. I currently serve as vice president of Oxford Preparatory Academy Board of Directors, and I'm also a parent of four children, three of which are at OPA. We first became involved at OPA six years ago when my husband and I supported the founding of OPA Saddleback Valley. As parents, we were drawn to OPA's commitment that all students are unique and gifted individuals, where the focus is not only on meeting the educational goals and standards, but exceeding them in every way.

As a member of the board, it has been a privilege to witness the hard work and dedication that has been shown by OPA staff in constantly improving and striving to provide students with the most outstanding education available. At every board meeting, the dedication and work that they put in every day is very apparent. I have a good fortune of being involved in the decisions for the school, strengthening the core of educational programs and offerings for all students. There is no doubt in my mind that everyone on OPA's team wants what is best for our students to succeed and become the global systems for tomorrow.

As an OPA parent, I have seen firsthand the growth and positive change that OPA has brought my three children. Each of my children have been supported with a quality education focused on multiple intelligence learning. In addition, OPA's focus on positive educational environment and dedication to learning has impacted the way they think about school. My daughters look forward to going to school every single day, being with their friends and they are ready to learn. They are often rushing me out the door. I believe this is because they attend a learning community that treats them as a valuable individual with staff and a team that is interested in their success of students. They respond immediately and effectively to the needs and concerns.

Even in the height of the pandemic with virtual learning, my girls' education was stellar due to the dedication, support and passion of our school's teachers and administration. As a parent, I didn't worry about learning loss. In fact, it was just the opposite. OPA focused on meeting the educational needs and looked for ways to advance their education through a very difficult time. This ability to adapt and change and prosper is one of the hallmarks that make OPA a great school. Two of my children will have the opportunity to go to this school. And given this wonderful ongoing support and oversight, I strongly encourage you to vote to approve this new school to enhance our student's middle school experience. It will allow OPA to continue to grow in a positive, beneficial way for all students. Thank you for your time, your ongoing support and your commitment to education in in Orange County.

SHAW: All right.

DELITE: Thank you.

SHAW: “T” followed by Courtney.

TIZOC: Nervous here. Good evening. My name is the Tizoc Ceballos, but everybody knows me as Mr. T. For the past 10 years, I have had the privilege of being the music teacher at Oxford Preparatory Academy - South Orange County. And I'm here tonight to speak about our music program, which I'm incredibly proud of. Our music program is open to all of our champions and follows a peer-led model with student leadership and support. This provides an incredibly valuable opportunity to our champions. Within their music program, our champions can, not only build their musical skills, but grow as individuals, team players and leaders in a safe, inclusive and supportive environment. This is incredibly important for our children to have at this age.

A new middle school would help further expand this program and provide great opportunities for our students to perform within our community and challenge themselves musically. Our award-winning marching champions have had the opportunity to perform at several community parades, but most importantly, are able to find a place where they belong, a place to call home, a place where they are free to be themselves, learn some fun music and build memories that could last a lifetime.

One of the things that excites me the most about the possibility of a new middle school program is the chance for my own son to attend. He has been an OPA champion since kindergarten, is currently in middle school and is a dedicated member of the marching band, voluntarily I might add, and looks forward to the chance of continuing to be a part of band at the new middle school if given the chance. Oxford Prep is a school with many traditions and values, the band program being one of our oldest. During my time at Oxford Preparatory Academy, I have had the privilege to see amazing students achieve their musical and academic goals and have been fortunate to hear of many of my former students success in high school and at the university level.

I love my school. I love my students. My son loves our school, and I greatly look forward to the possibility of being a part of the new middle school. Thank you.

SPARKS: Thank you.

SHAW: Thank you. Courtney, followed by Theresa.

COURTNEY: Good evening, board members and guests. My name is Courtney White and I am a sixth grade language arts and social studies teacher and ASB advisor in my seventh year at Oxford Preparatory Academy - South Orange County. I'm here tonight to speak in support of the approval of the OPA Middle School charter petition. Before speaking tonight, I asked my sixth grade class what they thought the Board needed to know about OPA and the OPA Middle School experience, which, let's be honest, they are still figuring out a month in. They shared that OPA, to them, represents nice teachers, a great education, a yummy lunch program with good snacks and their excitement over new amazing water. While the priorities are probably on the snacks, I

think they are very much on the right track about what makes OPA shine. To me, it is the passion of our educators and the rigorous academic expectations.

Since I am part of the sixth grade middle school team, my academics are focused on English language arts, which Ms. Roney already spoke about, and social studies or history. In social studies, we recently piloted the K-5 SABIS curriculum and middle school and beyond that with National Geographic, TCI and SABIS. We had extensive discussions on what provided our students the best historical information. Based on staff and student feedback, we adopted the SABIS curriculum, which all students across both campuses are using.

At the beginning of the year, each of my students complete an assignment called, "Why Study History?" I think a quote from this assignment provides the best guidance on how we look at history as a middle school. The quote reads, "Until lions have their historian, tales of the hunt shall always glorify the hunters." As a group, we identify that this means that all events in history have two sides and that we are not looking at the right or wrong side, but rather the fact that this is a historical event. The use of the SABIS curriculum allows us to look at these historical events through an open lens and focus on the historical events for each grade level's standards.

As we all know, academic decisions have many things to be considered. I truly hope that the information presented in the charter tonight, you will be able to approve for the wonderful benefit of the community. Thank you.

SPARKS: Thank you.

SHAW: Thank you so much. You guys totally buried your lead. You have good food and water. Theresa, followed by Joshua.

THERESA: Good evening and thank you for the opportunity to speak on behalf of Oxford Preparatory Academy, fondly known throughout the community as OPA. My name is Theresa Alderson and I have twin boys currently in third grade at OPA Saddleback Valley in Lake Forest. We have been at OPA SV since 2018. My first year at OPA, I spent many hours in the classroom helping my child's teacher with centers, enrichment programs, anything to help. It was such a joy to see firsthand the amazing instruction our champions receive. Volunteering on campus provides a space to voice concerns and great opportunities to personally thank the teachers for all the good things that they do.

From 2019 to 2021, I served on the School Site Council. Parents, admin and teachers worked together to revise and enhance the schoolwide safety plan. The team's sole focus was to ensure that we had safety policies and procedures in place for our champions. Safety at OPA is certainly a top priority. Collaboration that the school offers with the families is key. During the Local Control and Accountability Plans process, OPA holds a variety of stakeholder feedback sessions. Parents learn about the LCAP, which includes goals for the school and student achievement. Additionally, the school offers chancellor chats, town halls and other input activities such as parent surveys to receive feedback, improve our instructional programs and discuss current events. In 2020, I joined the Parent-Teacher Organization and although we had to navigate

through a pandemic, our organization successfully supplied new Chromebooks to our students, a resource that was desperately needed during such uncertainty. Working with administration, we literally kept our school connected.

From 2021 to today, the PTO continues to partner with all stakeholders to beautify our campus. Our PTO raised \$115,000 last year. We have come together to rebuild a beautiful and cohesive community. From new ball walls to new sustainable gardens, turf replacements, outdoor seating and more, our champions are excited about coming to school and are learning in such an amazing environment. I am confident that OPA will grow our amazing school model into multiple schools. The commitment to all stakeholders is to offer a top-quality education and environment that helps shape the character and minds of our champions. Thank you.

SHAW: Thank you.

SPARKS: Thank you.

SHAW: Two minutes does go by fast. Joshua, followed by Sophia.

JOSHUA: Hello, my name is Joshua. I live in Lake Forest and I'm currently a seventh grader at Oxford Preparatory Academy - Saddleback Valley Campus. I have been asked to say a few words about OPA by my Principal Mr. Wright and what I think about the middle school opening. I have been attending Oxford Preparatory Academy for the past three years now and I really love my experience here so far. The students are nice. The teachers are very welcoming and caring, and the classes are challenging, but fun as well. One of the biggest things I like about Oxford Prep is that it is a smaller school. It creates a sense of unity and makes it feel like you know everyone at school.

I am really excited at the thought of going to an OPA Middle School, mainly because it will give me a chance to attend school with my peers. Like I said before, I do enjoy the small school atmosphere. But sometimes I feel like it would be nice not to be attending school with kindergartners. I think it would be refreshing to be around more people my age and the school will also be fun with more middle schoolers from both the OPA campuses. I'm also really excited for the things that we are going to be able to do at the new school, such as meeting new people and starting clubs with more people of my age group to interact with.

The high schools in my school district are very large. They have more than 1,000 students. Because the OPA Middle school would be combining the students from two different campuses, I think this school will really help me to be able to prepare for my high school years because it is introducing me to a school with a larger student body. I was weary of moving to high school. But with the experience that I will gain from the middle school, I think I will be prepared for ninth grade and I'm really blessed to be able to be a part of a new chapter in Oxford Preparatory's history. I look forward to seeing how it will change the future. Thank you for giving me this opportunity to speak.

SPARKS: Thank you.

SHAW: Thank you, Joshua. Good job. Sophia, followed by Shally.

SOPHIA: Hi. I'm Sophia Kim. I'm a seventh grader at Oxford Preparatory Academy – Saddleback. I started here at OPA SV when it first opened, I mean my entire elementary and middle school there. Seeing my peers grow with me over the past seven years at this school has been a surreal experience. Now finishing it off with the middle school couldn't make it any better. Looking forward to a new school is exciting. I'm sure all, well, most of the seventh graders there agree. Most of you already know, but the new campus will include SOC's Middle School as well. I'm kind of scared of that because I don't really like meeting new people. But I'm really excited just to like get to know more people at the same time, which is something I really look forward to.

I can't express how amazed I am for how far the school has come. When I was younger, I thought this school didn't have that much because, you know, what would a first grader think? Now that I'm older and always growing with this community, I know what definitely makes us unique and different from other schools that I hear my friends talking about. This school being a little smaller than I expected, I feel it like brought us closer as a community, both staff and students. And growing up in a warm and welcome environment really made a difference for me, personally. Now that we are expanding to a third campus is going to be just really cool that I get to be the first graduating year in this new middle school campus. I think that is great. Thank you for having me to share my excitement for the future campus.

SPARKS: Thank you.

SHAW: Good job. All right, Shally followed by Javier.

SHALLY: Good evening. I had debated leaving some details out tonight. But without including them, it would be hard for you to understand my feelings about OPA and the new middle school and why it is important to so many. My name is Shally. I have four kids, three of which who go to OPA. I am a television news anchor. I usually do not disclose this in public settings to protect the location of my kids' school. I wake up at 3 in the morning to go to work. I drive an hour to work, I come back. I get a minute to rest, and then I drive another 20 minutes from our home to OPA to pick up my kids. Why? Well, we are zoned into the Capo Unified School District and we, obviously our school, is at OPA SV.

This is my, going into seventh year making this drive, and it is tiring. And the one time that I suggested to my kids, can we please go to a school now that is a little closer to us? I got shut down very quickly by all of them. That says a lot for kids who really love their school. Why do I do this? My oldest son who is now in the fifth grade, when he was ready to go to elementary school, we began to look for a good school to attend. We wanted more than what the public school around our home was providing, so we started to look at private schools. It was at that time I learned about OPA and the new school that was opening at Lake Forest. So make a long story short, we fell in with the love with the school, the program, the way OPA teaches and I became a founding family and I helped open this school, almost seven years ago.

I have now a fifth grader, a third grader, a first grader, and in a few years, a new student will be at OPA. Now my husband and I are tasked to figure out what we are going to do with our Shya, our oldest kid, so I started to look at private schools and public schools again, figuring out his path. And that is when I heard that OPA could possibly have a middle school. And I think my heart just skipped a beat. That is why I'm here today. I wanted you to see a family who goes through a lot to get our kids to this school. Their curriculum, how they teach our students, all three of my kids are excelling.

One message before I go from my fifth grader, our Shya, he is asking for this school to open. He wants to be an engineer and an attorney. And with everything that OPA has done for him, I have no doubt he is going to do just that. Thank you.

SPARKS: Thank you.

SHAW: Javier.

JAVIER: Good evening, Board President Sparks, Superintendent Mijares, well, he is not available, Trustees and community members. My name is Javier Ortuño and I'm the director of local advocacy in Southern California for the California Charter School's Association. The California Charter School's Association is the membership and professional organization serving the vast majority of the over 1,300 public charter schools in the state of California. Our mission is to increase the student achievement by strengthening and expanding access to high-quality public charter school education. I represent the association and recommending the approval of the new charter petition for Oxford Preparatory Academy Middle School as an Orange County Board of Education authorized charter school.

Oxford Prep is a member in good outstanding of our association, and in our opinion, meets the legal standard for a new charter petition under California Education Code 47605. CCSA has worked with the leadership at Oxford Prep over the last 10 years and know they are providing high-quality programs for students throughout the community that families want. Approval of this new petition will allow the school to ensure that continuing and expanding services are available to students under their care. CCSA supports this school and respectfully urges you to approve this petition. I have had the pleasure of visiting the school and found that the program is a wonderful opportunity for students to excel in their elementary school educational goals.

Approval of the middle school would allow students to receive continuity of care. Families will continue to receive the same high-quality programs they already enjoy. Thank you so much.

SPARKS: Thank you.

SHAW: Thank you. That was the last card I had.

SPARKS: Okay. At this point—

BOYD: Aracely.

SPARKS: Oh, Aracely.

CHASTAIN: I apologize.

SPARKS: No worries.

CHASTAIN: This concludes the public hearing. The Board has three options for action regarding a charter school petition on appeal. Option one, approve the charter petition as written. Option two, approve the charter petition with conditions. This action would result in approval of the charter and require the execution of an agreement to address the findings raised by the Board. And option three, deny the charter school petition.

President Sparks, I now close the public hearing and turn the meeting back over to you to facilitate deliberations and take action on the charter school petition.

SPARKS: Thank you, Aracely. Okay, so we are now to Board questions. I will start to my left. Dr. Williams?

WILLIAMS: Can I be last?

SPARKS: Sure. I will start to my right then. Jorge?

VALDES: Could I ask Ms. Kernan come back up to the podium?

SPARKS: Sure.

VALDES: For the benefit of the public, just a little bit of background. OPA came and did a presentation on the board meeting night, I believe it was August 17. We had some parents complaining at that meeting. And so a lot of the questions that I'm asking relate to some of that. Ms. Kernan, as I ask you some questions here tonight, I don't want you to take them like me being antagonistic, although I do do that for a living. I want to try and maybe learn from each other. Perhaps you and I may not see the same way on every issue, but I like to go through the process with somebody and learn perhaps another perspective.

KERNAN: Mm-hmm.

VALDES: So let's just call this a learning experience. Okay. So, we had some parents complaining about a vendor that you hired. The vendor was named Restorative Equity Partnership. You have since canceled the contract, which is great. But I want to talk to you about that vendor in particular. Did you approve that contract specifically?

KERNAN: Yes, we did. We were looking for a vendor to provide some specific professional development just for a few of our staff members to become, kind of trainer of trainers for staff.

VALDES: When you approved the contract, did you take a look at their website?

KERNAN: Yes, we did.

VALDES: Okay. So, you are aware then that the company essentially teaches that systemic oppression exists and how to break it down? That is long and the short. That is essentially what they do, right?

KERNAN: They did have some pieces of that on their website. That is not what we had contracted with them to provide the training on.

VALDES: What was the purpose of the contract then if it wasn't for that, because it is all over their website?

KERNAN: They were providing some professional development on instructional practice called Restorative Circles where students are, if they have issues, are encouraged to communicate about those issues with other students and have open dialogue.

VALDES: But issues regarding what?

KERNAN: Any sort of issues or conflict that they might have. It doesn't necessarily have anything, any specific issues, just any types of conflict that they might have.

VALDES: Why would a vendor that teaches that systemic oppression exists be the appropriate vendor to teach your teachers how to communicate with their students?

KERNAN: Like I said, they have training in a variety of different instructional practices. One area that they do provide training in is on the restorative circles. A lot of vendors will provide training in a variety of different areas. That was not what we were contracting with them to provide training on.

VALDES: You since canceled that contract? Okay. And when I read your—I don't know if it was a letter or an email, but you wrote to the board in your email or letter. I can't remember if it was one or the other. But you said you didn't realize that that contract would be so divisive. Do you remember writing that?

KERNAN: I don't believe that I wrote that I didn't realize that it would be divisive. I said, that after taking input from parents, which we always do, we looked at that input and decided not to go that direction.

VALDES: I think I'm actually quoting you by saying, you didn't realize it would be that divisive. Let's just accept that as a quote.

KERNAN: Okay. We can accept that.

VALDES: I didn't get that incorrect. That was in your email or letter. When you wrote that, and I'm not trying to sound facetious in this question, but what did you mean by, you didn't realize it would be so divisive? You didn't realize people—?

KERNAN: Again, I can't really answer that because I don't remember that being in the email. Really, I was simply stating that after hearing our feedback from our parents, we took another look. And again, we don't want parents to be uncomfortable with what we are teaching. So after getting that feedback that a few of our parents were uncomfortable, then we did reexamine that and decided not to move forward with that contract. So more about, we didn't want any of our parents to feel uncomfortable with what we are teaching on our campuses.

VALDES: Okay. Do you realize why the contract is divisive? I mean, do you realize it now?

KERNAN: I believe that it may make some people uncomfortable. Yes.

VALDES: Why?

KERNAN: Because some people may not agree with some of the political views stated on the website. However, again, that wasn't what we were using that group for. But again, we don't want any of our parents to feel uncomfortable with anything that they are perceived is being taught in our classes.

VALDES: Again, learning experience, right? So, I want to explain why someone like myself would consider that pretty divisive. Okay. If I may? And I will tell a little story. So I have two little kids, age five. They are in a charter school. Before that, they were in a Pre-K program in Tustin where I live. I got home from work one day. A pretty typical classroom assignment is "What do you want to be when you grow up?" My wife is in the kitchen and I see the assignments. I see that my son wrote "baseball player" and "president" underneath that. My daughter wrote "doctor." And I turned to my wife and I said, "Did you see this?" She said, "Yeah, I saw that. I put that out so you could see it." I just said to my wife, who I gave a kiss that night, I said, "We are doing a really good job."

I digress a little bit by saying baseball players wasn't a flyer. My son happens to be five, but he is a fantastic baseball player. He is the number 1 ranked baseball player in Irvine Pony. The reason why it is divisive is because I don't want a teacher at your school telling my son that he is oppressed. I am not oppressed. My children are not oppressed. That is why it is divisive. And that is part of the learning experience. I want you to understand why someone like myself, I would be pretty upset about that.

KERNAN: We would never try to teach someone or make a student feel that they were oppressed, or caused any type of oppression of another student. That is not part of our curriculum. That is not something that we would teach in our classes.

VALDES: Let's talk about curriculum a little bit. Okay? Because when you go to college, that to me is a very elective situation. You pay the college. You don't like the professor, you change the professor if you don't like his or her political views. Right? I didn't have an experience throughout my public school education where I felt a professor or a high school teacher was trying to put a political viewpoint. I guess that was the age that I grew up in, but I didn't have that. But I guess, you know, clearly, it exists today. How do you view the curriculum process

from a collaborative standpoint? Do you feel like the school sets the curriculum only or is it a collaboration between parents and the school?

KERNAN: I think it is definitely a collaboration, like was mentioned by one of our parents earlier. Part of the LCAP process is determining, you know, all of our different goals, different things that we are going to do in our classrooms. We always try to get a lot of parent feedback. We also put out a survey every year talking about how parents feel about our different curriculum, the different things that we are doing in our school. We definitely want to have that collaboration. We do need to teach the standards. All of our curriculum is state approved or state recommended as far as meeting those standards. We try to use that, but go through a process where everyone has input on what we are teaching in the classroom.

VALDES: I guess I view it, since college is elective, I really do think a professor has more of a right—let's say, she or he can teach essentially what she wants. I really do believe that. But from a K-12 perspective where it is mandatory, right?

KERNAN: Mm-hmm.

VALDES: This is not an elective. Now, it has to be more of a collaboration. If there are things in the classroom or there are curriculum aspects that are not agreed upon, they just got to get removed. I mean, that is kind of how I view this.

KERNAN: And that is why—

VALDES: What do you think about that?

KERNAN: Well, and that is why, as was stated by our teachers, we really do try to stick to our standards-based curriculum so that our teachers are not veering off and trying to put in any political views one way or the other, really trying to just focus on what that standards-based curriculum is. Because everyone, you know, there is always two sides to everything, we want to make sure that we are just focusing on the standards-based curriculum.

VALDES: So how would you respond to the public comment tonight? That you were not aware of some classroom displays and the concern of the parents that you openly told them, which is good that you were honest about it. I appreciate that. But that you—

KERNAN: Go ahead.

VALDES: The question I have is, how would you respond to that? How are you going to fix that?

KERNAN: We do walk around the classrooms all the time. I go through, the different administrators go through—we are very early in the school year, just a week or two in. We do want to make sure that our families are also giving us input about what they see in the classroom, and that is what happened here. Sometimes it was—we are all human. Sometimes I don't catch a particular thing walking around in every single classroom. That is why whenever students, or

parents or teachers come to us if they have any concerns, then we try to address them right away. But we do try to be out in the classroom, seeing everything. Like I said, it was very early on in the year, the teachers put up different things in their room. We have been walking around. I, in all honesty, did not see the posters when I went through that classroom a few times. They were kind of up in one area. But again, that is why we have that collaboration with all of our OPA community, to bring anything forward that they have any types of issues with.

VALDES: Okay. Somewhere in the past month, I received from the board staff an email that was sent from someone named Patricia Lukeroth inside the school. I'm not sure what her position actually is. But she sent it to someone at the Restorative Equity Partnership company. For the benefit of the public, I want to read the email: "Yes, it does Candice." And Candice, I believe, works for REP. "I have tomorrow from 9-11 blocked off my calendar. I believe our Chief Academy Officer Stephanie Henry will be joining also. When the board of directors approved our contract with REP at the last board meeting, we had a parent show up to speak about how we shouldn't teach CRT or indoctrinate our children, just letting you know. He had looked at REP's website and made some assumptions. The board of directors asked me many questions and then approved the contract, which is why our language around relational pedagogy is so important."

Okay. So that is the email I'm asking you about. Now, when I read that email, it seems to me like Patricia Lukeroth was trying to get the school to agree to the contract and was trying to hide it from the parents. How do you interpret that email?

KERNAN: I believe that email—we had a public records request and so we did disseminate all of the information around REP. I believe that was after the board had approved the contract. They were speaking, and I don't want to speak for anyone, but I believe they were speaking about a meeting that they were having to make sure that they were sticking with the scope of what we were supposed to be doing when they were going to be working with our teachers. To make sure that the language around any of that restorative circles, the collaboration that they were doing remained focused.

VALDES: So you don't believe she was trying to hide this from the parents?

KERNAN: I don't believe she was trying to hide it from the parents.

VALDES: Have you spoken with her and gotten her position on that email?

KERNAN: Yes. We have spoken about everything that was disseminated through the public records request.

VALDES: Would you tell the public what Ms. Lukeroth told you?

KERNAN: I did not specifically say, "Were you trying to hide this from parents?" I did not believe that she was doing that, so I can't answer that specific question. But it was that she was trying to make sure that they were remaining focused on what they were supposed to be focusing after it was brought to our attention that this parent was concerned about what was on the website.

VALDES: Just to be clear, you don't believe it would be appropriate to hide something like this do you?

KERNAN: Of course not.

VALDES: Okay.

KERNAN: We believe very much in transparency. Since I have been at OPA over the last five years, that has been a huge piece of what we have tried to accomplish. Making sure that all of our community, our authorizers, everyone is aware of everything that we are doing. If you have been on our website, we basically, we post everything on there. We try to be as transparent as we possibly can. It is a huge piece of what my philosophy is as far as being a school.

VALDES: Let's talk about the procedures that you have for parent complaints.

KERNAN: Mm-hmm.

VALDES: Okay. Because I asked the staff to get involved and to ask, and I got a letter about what your procedures are. When Mr. Jagodin objected to the REP contract, his emails seemed to indicate that he received no response.

KERNAN: I believe I responded to Mr. Jagodin multiple times, as well as Ms. Lukeroth.

VALDES: So it looks like there is a complaint form at your school.

KERNAN: We do have a complaint for uniform complaints, as well as general complaints.

VALDES: Was Mr. Jagodin told that there is a uniform complaint form?

KERNAN: I don't believe that this would fall into the category of uniform complaint.

VALDES: Why not?

KERNAN: There is specific categories with uniform complaints. I responded to his email, answering the questions. It is available—those complaint forms are available all over our website. However, I had responded to his emails on multiple occasions.

VALDES: When Mr. Jagodin was here on August 17, he seemed to complain that there was no response to his communications. Do you remember that?

KERNAN: I do, and I had responded. I did respond to his emails.

VALDES: Okay. So let's call that a speed bump. How are we going to fix this in the future, something like this, so this father doesn't have to show up here from Orange County to show up in an Orange County Board Meeting in the future? What procedures do you now have in place or are going to tell the public that you are going to enforce so that this doesn't happen again?

KERNAN: We have placed our complaint procedures in more places on our websites, as well as on each one of our individual school websites so that they are more accessible to parents. We also, we will add them in to different communications to make sure that everyone is aware of those complaint procedures.

VALDES: Do you think it would be appropriate to train your staff that when a complaint like that comes in, that the parents should be told that there is a complaint process, even if it is a standard type of email?

KERNAN: We can provide parents with that. We can definitely add that in to our response.

VALDES: Because parents may not know that that is the procedure. Sometimes, at least in worker's compensation, the state of California goes very much out of its way to tell the injured worker, for example, of his or her rights in the process. I believe that that would be an appropriate remedy moving forward.

KERNAN: Mm-hmm. And we do provide that information to every parent at the beginning of the school year through our annual notice, as well as our parent/student handbook, but we can definitely add it.

VALDES: That is like—I got a handbook, too from El Sol Academy for my children, and I did glance at it. But if I had a complaint, it would be nice to be told, “There is a procedure in place. Here is what you need to do.” I would ask, just as a request, I'm not going to place that as a condition, but as a request, I think that would be appropriate in your protocol. That is all that I have tonight. I want to thank you. Again, let's call this a learning experience.

To the parents that complained, I want to thank you for coming up here. I can tell you that the trustee from District 1 is listening. Have a nice evening.

KERNAN: Thank you.

SPARKS: Thank you, Trustee Valdez. Trustee Shaw, do you have any questions?

SHAW: Just a couple comments. Thank you, Jorge for your great line of questioning and your attention to this matter. Thank you to all the parents, and employees and everyone who came out to speak. I enjoyed hearing from you. I just wanted to say, my previous job, I had a coworker who had a child at OPA. I heard about OPA every day from her. That was all she wanted to talk to me about it.

KERNAN: Our parents are very vocal about OPA.

SHAW: I feel like I had a kid at OPA practically. I was really drawn to page 4, the academic achievement numbers that really speak for themselves. What a terrific job OPA does in teaching. I was also looking at the parent involvement slide. And it looks like there is many meaningful ways for parents to be involved at the school. I just wanted to comment. I think that is great and I

commend you for that. These different opportunities, it looks like parents do have a number of avenues to be involved in, so that is great.

KERNAN: Thank you.

SPARKS: Thank you, Trustee Shaw. Trustee Williams?

WILLIAMS: Okay. To begin, thank you, Jorge for the line of questions. I thought that was very appropriate. I learned a lot and I agree this is a learning experience for everybody here. For transparency, we have been involved in many conversations in the past couple months because of controversies and concerns. I said a few pointed remarks at our first meeting in August about Critical Race Theory and its application in schools. The purpose of charter schools are to be extraordinary and different. I think OPA is an extraordinary school. I think the things you are doing are going to be good. I think you are listening to the parents, which I think is probably one of the greatest things that you have done and demonstrated to us in the last couple of months.

KERNAN: Thank you.

WILLIAMS: The fact that you listened to the concerns. We are human beings. We are fallible and we are going to make mistakes. We are not going to communicate properly. The choice of words that we use may not be entirely, equally seen and viewed as the same definition. We are different in many ways. I think a lot of grace and charity has to be given by each one of us to every other individual. I think that is how we communicate and we learn from each other.

A couple questions, in the letter that you gave to the Board and the same letter that you put on your website, I appreciate that, I think that shows a great amount of leadership on your part, you said that you are not teaching CRT or Marxism. I think that is important. I think that is very dear to my heart. And I think Trustee Valdes also iterated that. It says also that you do not teach gender pronouns to elementary students. Do you teach them, or do you plan to teach them in middle school, gender identity curriculum?

KERNAN: To the extent that is required by the California Healthy Youth Act, through our comprehensive sexual health education in eighth grade. All middle school is mandated to teach a comprehensive sexual health education class in middle school. Just sort of understanding different genders is part of that. As you said, we can all be misinterpreted. I wanted to make sure that there wasn't any misinterpretation that we were not teaching comprehensive sexual health education.

WILLIAMS: How are you going to teach that? How are you going to teach that?

KERNAN: Huh?

WILLIAMS: How are you going to teach gender identity, the concept, the theory?

KERNAN: It is just that there are different genders out there.

WILLIAMS: You mean five.

KERNAN: I don't teach the curriculum.

WILLIAMS: Okay. So this goes to my point.

KERNAN: I'm not claiming to be an expert.

WILLIAMS: You know where I'm going with this?

KERNAN: Mm-hmm.

WILLIAMS: Because this goes with a point of indoctrination that I made in the August meeting. And I can tell you there is a great deal of parents out there that don't want their kids knowing that there is something other than a boy and a girl. They don't want their children to be taught that they can be anything they want. And that is where you are going to get into a lot of problems, and complex relationships and dialogues with your parents.

KERNAN: And that is why we really just follow exactly what is required through Ed. Code.

WILLIAMS: What does it require? I'm not aware of that.

KERNAN: There is—that we do have different genders.

WILLIAMS: Does it say that actually in the law?

KERNAN: I don't know exactly what the law states.

WILLIAMS: I don't think it does. I don't think it does. I'm all for human sexuality in teaching the truth about human sexuality. I'm a physician. I talk about human sexuality at all times from a physiologic medical perspective. But the problem is, that in schools, and my point is that the purpose of charter schools are to be extraordinary, the indoctrination of gender identity is being taught at your local brick and mortar corner school. So, what separates OPA from that public school at the corner? And I hope that it is not going to be promoting wokeism, because you are going to get a lot of that flack, a lot of that criticism back to you. That is what I think we are concerned about.

KERNAN: That is why, again, we really just try, I know there is a broad spectrum of ways that things can be taught, we try to really just stick to what those different standards in Ed. Code requirements are.

WILLIAMS: How are you going to listen to your parents on this particular very complex issue?

KERNAN: Before we do teach that comprehensive sexual health education class, it is a class that any parent can opt out. We do have a parent information night where our teachers go through every single bit of the curriculum that they are teaching, all of the different lessons, have

parents able to ask questions, give parents information on opting out, whether they opt out of a particular lesson or opt out of the entire curriculum itself. We do definitely provide parents with that choice. We also provide them with the education of exactly what is going to be taught. They can look at the actual curriculum and be able to see copies of exactly what is going to be taught.

WILLIAMS: Okay. So you are going to teach that in the eighth grade in the new middle school?

KERNAN: We actually teach it, even now, we have decided—a lot of schools teach it in sixth or seventh grade. We have decided to push it all the way out to eighth grade. That is the last year. We have to teach it sometime between sixth and eighth grade. We have decided to wait until eighth grade just to make sure that the students are at their highest maturity level.

WILLIAMS: Yeah. I would challenge you to look at the letter of the law, because I don't think you are forced to teach that kids can be multiple genders and they can be whatever—how many there are out there, what 50 or so that are maybe out there? Tell me this, changing up a little bit the nature of my questions, what is a restorative circle? I have heard that term quite a bit. I don't know what that means.

KERNAN: It is an instructional strategy where students, if they are having a conflict, can come together and communicate with each other and be able to sort of talk through that conflict. It is a long name for really having students be able to kind of communicate through any types of conflicts that they are having.

WILLIAMS: Right. And you know where all of this is coming from, is that contract you had?

KERNAN: Mm-hmm.

WILLIAMS: Is the restorative circles dependent upon any of that ideology, political indoctrination or anything like that?

KERNAN: No.

WILLIAMS: Where does it come from? What is the origins and the genesis of restorative circles?

KERNAN: I honestly, I'm not an expert. We are not trained yet.

WILLIAMS: Just generally. So you are not trained on these circles?

KERNAN: I am not, myself.

WILLIAMS: Who is capable of telling me? Dr. Henry, could you tell me?

KERNAN: You want to come up and—?

WILLIAMS: Okay. Come on up. Amy, you have done great by the way. Thank you. You are getting these hardball questions.

HENRY: I'm going to broaden the use of the word circles from just restorative circles to also community building circles. My understanding, I'm not really sure where it started, but I know that this was used heavily up in Oakland, actually internationally. One of the companies that I think really kind of spearheaded this is IIRP, which is the International Institute for Restorative Practices. We are looking at the restorative practices piece of community building circles and using circles for academics. Kind of like a Socratic Seminar is an instructional strategy. Circles can be used if, and I will use the technical language, "if harm has been done" then someone who is trained can come in and run a circle. Where students—you start really safe, "How are you feeling today, or what is something positive that you can say? Or, what word comes to your mind when you read this piece of literature?"

Again, it is an instructional strategy. That was our intent of possibly bringing the circles in. And it was only to have a few people trained in case we wanted to model the strategy.

WILLIAMS: So you are going to create a concept called restorative circles and the concept is based upon healing when someone is hurt and has emotional conflict within?

HENRY: That is like the bigger intent with restorative justice and restorative practices. But that is not really how most schools use it actually, because restorative justice is more for prisons, helping students to heal with bigger issues. For us, it is more building community and more of a tier-one level and using it as an academic strategy where all students are heard.

WILLIAMS: So what happens if a student says "I'm hurting inside. I have feelings that I don't understand." What happens if a student in these restorative circles—are they actually being done right now, these restorative circles?

HENRY: Not really. No. We have a teacher that uses Socratic seminar circles. These are well known strategies, research based. We have used, not restorative circles, but community building circles with our teachers for our professional learning on the way back. Again, restorative is if you have a harm that has been done. Using the bottom tier of community building is to build community and really creating that culture of everyone being involved in the class. That is where we use it right now. The training was if we needed a restorative circle. But again, we are not doing the training, so, no they are not happening.

WILLIAMS: How do you get the buy in for the parents for this? Because, there can be a lot of potential family issues that are going to be discussed in these restorative circles where a lot of personal information about parents will be divulged and given. I could see these potentially being a real negative for kids.

HENRY: They could be.

WILLIAMS: But you know, the girl 101 getting in with the principal, that can't be thrown out.

HENRY: That is why you would need somebody very trained in how to do restorative circles and that is why we do not conduct restorative circles. And usually when they are used, you do have parent permission and other things. It is usually an alternative to a suspension or something like that. But again, that is not how we are using them. That is how maybe they are used other places.

WILLIAMS: Amy, you said, “We don’t want our parents to feel uncomfortable at our school.” What happens if parents don’t feel comfortable with these restorative circles?

KERNAN: Just like Dr. Henry said, for the restorative circles, we are not really using those. We are using them as more of a way for students to all have a voice in the classroom. But if we were to have used them as restorative circles, then like Dr. Henry said, we would get that parent buy in first, our parent permission first to have their students participate in those.

WILLIAMS: Do you actually sit in a circle?

KERNAN: Hmm?

WILLIAMS: Do you actually sit in a circle?

KERNAN: You can.

HENRY: You usually stand.

KERNAN: You usually stand.

HENRY: It is short term, but yeah you can also sit.

KERNAN: If it is more for community building, it may be all of the students standing around and kind of throwing a ball back and forth talking about their answer to a particular question that is thrown out. Kind of a way to make sure that everyone is able to communicate.

WILLIAMS: Is there a political purpose for these restorative circles?

KERNAN: No.

WILLIAMS: It sounds like it when you start talking about justice type of things. That is all political, upper academic, university related curriculum. I mean, these are kids, right?

KERNAN: And that is why we wouldn’t use—?

WILLIAMS: They just worry about whether they won on tether ball.

KERNAN: Yeah.

WILLIAMS: Or whether they, you know, who is the foursquare king, right? Those are the main things that kids worry about.

HENRY: You had asked about where this came from or how it started, so that was more background information, I guess. But definitely not—we are looking at community building circles and instructional strategies to help our kids learn.

WILLIAMS: Okay. I'm done.

SPARKS: Okay. Just piggybacking off of that, I just want to clarify. The California Healthy Youth Act took effect in January 2016, requiring school districts throughout the state to provide students with comprehensive sexual health education, along with information about HIV prevention at least once in high school and once in middle school. The state legislation allows districts to offer age-appropriate sexual health education in earlier grades if they choose to do so. But parents can opt out of comprehensive sexual health education and local districts choose which curriculum and instructional resources including textbooks and worksheets they will use to teach comprehensive sexual health education to their students.

It has five primary purposes, and then I will stop because it goes on and on. So the goals of CHYA or the California Healthy Youth Act are five primary purposes. One, to provide pupils with the knowledge and skills necessary to protect their sexual and reproductive health from HIV and other sexually transmitted infections and from unintended pregnancy. Two, to provide pupils with the knowledge and skills they need to develop healthy attitudes concerning adolescent growth and development, body image, gender, sexual orientation, relationships, marriage and family. Three, to promote understanding of sexuality as a normal part of human development. Four, to ensure pupils receive integrated, comprehensive, accurate and unbiased sexual health and HIV prevention instruction, and provide educators with clear tools and guidance to accomplish that end. Five, to provide pupils with the knowledge and skills necessary to have healthy, positive and safe relationships and behaviors. So just keeping that in mind for the public who may not know the extent and purpose of CHYA of the California Health Youth Act and when it was enacted.

I'm impressed with so much of what you guys are doing at OPA and what you have been doing. I think you have really handled all of this situation with a lot of grace and I really appreciate the way you have handled everything very professionally and answering all the parent questions, learning from, a hiccup here and there, which we all are constantly learning and growing. And I appreciate that with some of the questioning that has gone on today. I appreciate that you will continue to provide and improve upon clear and explicit instructions for parent feedback. I think parents are being heard, but I think just making sure they are very clear instructions on how those parent voices are heard.

I know you are creating as many opportunities for that as you can think of. I think it shows in that parents and students keep coming back to your school. I have learned a lot about OPA the last several years as well, because I have a colleague here who many kids of hers go to OPA. So I have been learning and watching you all grow the last several years. Your test scores are

amazing. I think keep up the great work you are doing. Take the feedback that you are getting and, you know, carry on. So thank you.

KERNAN: Thank you so much for all of your support and feedback.

SPARKS: Of course. Any other questions before we move on to board action, which would be item number six?

WILLIAMS: I would like to make the motion to approve OPA without any conditions, based upon the petition itself.

SPARKS: So option one?

WILLIAMS: That is option one.

SPARKS: And I will second that.

VALDES: I second. I was going to second.

SPARKS: Okay. Sorry.

VALDES: I second it, because, Ms. Kernan, I do believe you are listening.

SPARKS: All right, we will take it to a vote. All in favor?

WILLIAMS, SPARKS, SHAW, VALDES: Aye.

SPARKS: All right, congratulations. Passes 4-0.

WILLIAMS: Can we take a five-minute break?

SPARKS: Yeah. At this point we will just take a five-minute break and we will be back in about five minutes. Thank you.

[Orange County Board of Education takes a five-minute recess.]

SPARKS: I will go ahead and move on with our meeting. Thank you all very much, and congratulations to OPA for your approval. At this time, I will call Aracely Chastain to the podium to facilitate the charter update.

CHASTAIN: So the Board has requested that Unity Middle College High School come and give an update on changes in their administration that have happened recently. Just a quick overview, we did learn about a week ago that the Principal, Jenny Salberg, had resigned and her last day would be September 16. We were instantly concerned. She was the only administrator on that campus. When we called to confirm, we did find out that there is an office manager and then there is teachers. We were concerned with, who was the administrator that was going to be on

site once the principal was no longer there. We were informed that they were looking to bring back the prior Executive Director/Principal Rashi Seth and were working on trying to get a contract in place for her. She did decline that position.

So then the board had a special board meeting on September 22, in which they approved ICON, who is their back office provider. They expanded that. They amended and expanded that contract at that meeting and modified the scope of services to include an interim executive director to provide support with school operations and school administration. So we sent a notice of concern on September 30, asking for additional information. We are concerned because ICON is a for-profit company. They do have, as is stated on their contract, they are now overseeing the operations of the school and they also continue to be the back office provider for them.

Looking at the contract, it lists the names of a few people who will be on site providing kind of that on school support. We were told by the board president that the board had approved Roy Kim as the interim executive director/principal for Unity. And that is some of what triggered this notice of concern. Under Education Code Section 47604, schools are prohibited from operating or being operated by a for-profit corporation. And that includes employing, supervising or dismissing employees of the charter school and managing the charter school's day-to-day operations. Here, ICON is responsible for managing the charter school's day-to-day operations as its administrative manager, according to the amended ICON agreement. Additionally, they are responsible for supervising employees of the charter school as indicated in that amended contract. ICON at this point would not report to a Unity employee; instead, ICON manages and supervises the administrative designee and reports directly to the board who has delegated authority to the overall administration of the charter school's operation to the executive director.

The notice of concern asked for them to provide us with information, and how they were going to correct any actions taken that may need remedy regarding anything that might be prohibited under Government Code Section 1090 in the Political Reform Act, as well as violation of Education code 47604. This is something I think you will probably hear, is, you know, ICON has done this before and this is something that they have done with Unity before, and they have. In 2019 when the, then Executive Director Erin Craig went on leave, they did appoint ICON. At that point, the role that he was given was chief operations officer, I believe. But there was an executive director/principal on campus that he was working under and supporting. ICON, as a for profit company, was not the operator of the school at that point. They were there in a support role only.

And when we sent a notice in 2019, that is what we received back, stating that they would not be employing/supervising employees or anything like that. They would not be managing the charters day-to-day operations, and they would not be in an administrative role. So those were the explanations we got in 2019 during those two months' time that he operated in this way. That is not the case this time around based on that contract.

As far as we know, Erin Craig has been on leave since November of 2021. Our understanding is that she has not resigned, so remains on leave at this time. And when we asked about compensation and what is happening there, we have verified that she is not receiving a salary, but we were told that up until August 2, 2022, she was receiving some form of compensation.

And we believe that that may have been medical benefits, so we are still probably going to ask a few more questions about that as well. We don't see anywhere in board minutes, we don't see an amended contract for Erin Craig allowing for her to continue to have received medical benefits for that nine month period of time. And it appears that they only stopped it once we started asking questions on that.

Currently, as of the sixth day enrollment numbers, they have 82 students. We are not aware of any active recruitments open right now for the school for an executive director or principal. And that is about where we are. We remain concerned about their finances as well. I don't know that that is anything. That is just something to give you guys a little bit of a heads up about. And as far as we know, they still owe a little over \$600,000 in outstanding loans.

SPARKS: What is the typical medical leave for employees that go on a medical leave in terms of coverage?

CHASTAIN: You know, that is not, I wouldn't know. Yeah, I'm not sure.

SPARKS: Okay. That is more of an HR question.

CHASTAIN: Yeah. Also, as we have been asking over the months that have gone by, status update on your executive director, status update on the executive director, still on leave, still on leave. And now it has just sort of become, we haven't heard anything. We don't know, but she has not officially resigned. The board has not officially removed her as an employee, and we just can't seem to get any further information than that.

SPARKS: Okay. Thank you. Would this be an appropriate time for us to ask some questions?

BOYD: Yes.

SPARKS: Okay.

BOYD: There are representatives here from—

SPARKS: Yes, I think first if you all could respond to Aracely's comments? That would be a good place to start and then we will have some board questions.

BOYD: So when you come up, just introduce yourself, please.

LOPEZ: Sure. Good evening. My name is Soraya Lopez and I am the current president of the board for Unity Middle College High School. I am here to give an update in regards to our Principal Jenny Salberg that resigned back on September 8. We were given a short notice to find another principal for our school. Also, we were in need of immediate support with administrative tasks and overseeing the school. When the board and myself found out about it, we reached out to one of our prior employees that used to be our special operations director. We offered her the principal/E.D. position. The board and myself started the process, and we, unfortunately, weren't able to hire her due to her schedule not allowing her to work on site.

As Aracely said, we needed someone on site. She was not able to do that for us. When that happened, we found out that ICON could help us temporarily with that role. That is when we decided, the board and I, to hire or do a temporary contract with ICON for Roy to be our interim principal/E.D. We are looking right now to find a permanent administrator, whether it is full-time or part-time. Then we are hoping to give you a more update in regards to that soon.

SPARKS: Okay. Can you answer the question related to the medical leave and the payment to Erin for the past nine months?

LOPEZ: Unfortunately, I cannot. I was not aware of this to be honest. Yes, we have not heard from her if she is either coming back or not from her medical leave. We can go ahead and follow up and give you an answer. Or, myself, as soon as I find out, I will notify the board.

SPARKS: Okay. Okay. Do you all have any information related to these issues?

KIM: Well, yeah. Dr. Erin Craig, we did reach out to her to see if her intention was to come back as executive director. She didn't respond to that email. That was about like, I think about three or four months ago. Because initially Jenny Salberg was hired as a principal while Dr. Erin Craig was still the executive director on paper, but she was still on medical leave. When we stopped hearing back from Dr. Craig about her intention to come back and her health update, the board had decided to change Jenny Salberg's position from principal to principal/executive director. So she has been serving in that role as of July 1, I believe.

SPARKS: Okay. Do my fellow board members have additional questions? Dr. Williams?

WILLIAMS: Yeah. Is Dennis Eastman still on the board?

KIM: No, he resigned, I believe about a year ago.

WILLIAMS: Okay. How many board members do you have?

KIM: We currently have four.

WILLIAMS: Four. Okay. And it is normally at what status, five?

KIM: Five.

WILLIAMS: Five. Okay. So are you recruiting for a board member?

KIM: Yeah. Do you want to speak to that?

LOPEZ: Go ahead. Go ahead.

KIM: Yeah. One of the board members, Natalie Reider, she was on the board for like four or five years.

LOPEZ: Yeah.

KIM: With her recent birth that she gave to her son, she wanted to resign from the board. We were trying to fill that void. Actually, Rashi Seth who the board was going to hire as the Interim E.D, she showed interest in the board position first. So we were trying to either hire her, or bring her on as the fifth board member or hire her as the executive director.

WILLIAMS: Okay. And you are at 82 students now, is that correct?

KIM: We have 83.

LOPEZ: Yeah, 83.

WILLIAMS: Eighty three. Where were you at the end of last year?

KIM: We were at 101.

WILLIAMS: So you made your budget off of that for this year, so you are behind, right?

KIM: We are very behind.

WILLIAMS: Yes. Yeah. And the \$600,000 loan, as I recall, and please help me, that was going to be taken care of, or at least brought down quite a bit by the local community grant? What happened to that grant?

KIM: From the \$600,000 loan, it consists of a private loan that is \$200,000 and \$400,000. I think it is \$450,000 consists of a loan from Orange County Community Foundation. One of them is not interest bearing, the other one is interest bearing. Our plan was actually for us this year, was to have 120 students. We were looking to grow by 20 students and we had a lot of marketing efforts put into May, and June and July. I mean, we just tried everything. We passed out 1,000 flyers in the local communities. I know Jenny Salberg, she went to many community events. She tried reaching out to local radio, newspapers, magazines, OC Register. She just tried everything. And at the end of the day, we only had 83 students, unfortunately, on the first day of school.

So that was the first conversation that I had with her, that there is a budget gap now, close to about \$400,000 because we over projected by 40 students. We are definitely aware of that. If we had reached our goal of 120 students, we were going to be able to pay off about \$150,000 of the loan this year and tried to shave off of that each year. But with the current enrollment, now we are trying to see how we are going to deal with the deficit that we are going to have.

WILLIAMS: What capacity does your facility have?

KIM: There are two floors to the building. The first floor is where we are currently located. We have about 12 classrooms currently and they are not nearly full. We are able to house another 100 students pretty easily. The second floor of the building is actually available as well. We have been talking to the landlord because he wants to fill the second floor of the building. So we have

been talking to him about possibly bringing in another school so that maybe we can create a feeder school for Unity.

WILLIAMS: So what are you going to do with the \$400,000 gap that you just told us about?

KIM: That is something that I'm working on.

WILLIAMS: And you are going to have to cut, right?

KIM: We did make one—and it was kind of inadvertent because one of the teachers, Spanish teacher, was looking to move to Mexico and he was paid as a full-time teacher. So we are trying to find a part-time Spanish teacher. He was only teaching two classes. We are trying to make a cut that way. There is another teacher that decided to come on as 80% because he said he would be fine working part-time, so we did make a couple of adjustments that way.

Obviously, Jenny Salberg no longer is being paid as interim, I'm sorry, as executive director. Our contract is about one-third of what she was getting paid. So we are also making a little bit of progress that way. Not a huge amount, but—

WILLIAMS: Right. But we were just told that you can't be the executor director because you are for-profit and do the back office.

KIM: Right.

WILLIAMS: What are you going to do about that dilemma?

KIM: Yeah, so we are trying to work with Janelle to see how we can amend the contract. I think our main goal would be to hire a part-time executive director that can be on site where I can just support that person.

WILLIAMS: Let's think outside of the box. I put a lot of emotional payment towards this.

KIM: Yeah.

WILLIAMS: When did Erin start, probably eight years ago? And it was a wall that she hit each and every time.

KIM: Sure.

WILLIAMS: And finally she broke through and she did it. She is an incredible woman. But I'm really, really concerned about Unity right now. You have the debt, the loan, you have this \$400,000 deficit in your budget. Thinking outside the box, there is a charter school out in Orange that has a waiting list of 2,000 kids. You know what that charter school's name is?

KIM: Yes, I do.

WILLIAMS: Take a guess.

KIM: Orange County Classical Academy.

WILLIAMS: That is right. They have 2,000 kids that want to get into that school. They are looking for space. Hopefully, the lights are going on. What makes charter schools different? They are innovators, right?

KIM: Right.

WILLIAMS: This is an innovative moment and you have to make just tough decisions here.

KIM: Actually, we are looking at—

WILLIAMS: Janelle, you took notes?

SPARKS: Good.

KIM: We are actually looking at possibly two organizations that can either partner with Unity or merge with Unity. I mean now it will be three potential organizations. My only reservation about OCCA is that they are also a pretty new organization. They don't have a lot of reserves even though they have 2,000 students on the waiting list.

WILLIAMS: I don't see it exactly how you said it there, Mr. Kim. But I think this is an opportunity.

SPARKS: I think if you do some math, that could be an opportunity.

WILLIAMS: Yeah.

SPARKS: So it would definitely be worth a conversation.

KIM: Yes.

SPARKS: Trustee Valdes?

VALDES: I'm concerned that you engaged in full marketing efforts, you couldn't meet a 40 student net goal. You are at 82 or 83, you are already running at a deficit. That is a problematic situation. I'm not sure how you are going to fix that if you can't put 40 students through those doors. I guess it is a testament to the Orange County Classical Academy that they have 2,000 people on a waiting list.

KIM: I mean—

SPARKS: Trustee Shaw? Oh, go ahead.

KIM: Do you want me to?

SPARKS: No, go ahead.

KIM: That is definitely a trend that we are seeing in charter schools and probably in districts as well. There are only a few exceptions that we have seen and I think OCCA is one of them, where they have a huge amount of waiting list. But overall, even in charter schools this current year, we are seeing a lot of drop in enrollment. When I say drop in enrollment, it could be that they were projecting an increase and they haven't had the increase that they were projecting. But I think, especially charter high schools are suffering.

SPARKS: Okay. I would just echo the concerns. I think we definitely need to be thinking out of the box and having these conversations to save your school. Because right now it looks like you are plugging some holes and the ship is sinking. I'm very concerned, and we want you to be successful. I encourage you to have some of those conversations, find ways of creatively potentially merging. If they are looking for space, which I know they are, and you have got a second floor that could be developed and there is students on a waiting list; there might be something there that could really sort of save you from the situation.

KIM: Right. Right. Yeah. I think the only potential drawback with OCCA would be—I know their current campus fairly well. For their secondary education, they are looking for a campus where they can promote a sports program. Unity's building unfortunately cannot, we don't have any outdoor space right now. I mean, we have a big parking lot that can maybe, a small part of it can be converted to some sort of field space, but that was kind of my reservation about it.

SPARKS: Yeah. I think it warrants a conversation.

KIM: Yeah, yeah. Definitely.

SPARKS: For sure. Janelle, do you have anything to add to the mix here from a legal perspective?

RULEY: Good evening, Janelle Ruley with Young, Minney, & Corr. I would just say that everybody is on it. Everybody wants to do the right thing, and make this work and to plug all of the holes that you have identified. Everybody wants this ship to continue to sail. A merger may be in the future.

SPARKS: Okay. Yeah. Thank you all very much.

VALDES: Aracely?

RULEY: Thank you.

SPARKS: Thank you.

VALDES: Is this going to be a monthly update on what is going on with this school?

CHASTAIN: Yes.

VALDES: When is the next update?

CHASTAIN: We don't schedule updates, so it is whenever the Board requests an update from a school.

SPARKS: I think we should have monthly updates.

WILLIAMS: I think we should.

VALDES: I think this is a monthly update situation.

CHASTAIN: They have until October 7 to respond to our notice of concern. Hopefully, we will have a little bit more information there and some sort of resolution by the November meeting. So we will invite the school back to speak. Okay?

SPARKS: Thank you all. Thank you. Okay, so that brings us to our action or item number eight, the Board action on Policy 400-4 that Trustee Williams brought forth.

WILLIAMS: Yes, thank you. I would like to make a motion to adopt this new board policy for Section 400. It would be replacing the existing board policy.

SHAW: Dr. Williams, we do have three speaker cards. I don't know when that is appropriate?

WILLIAMS: Probably now. Yeah.

SPARKS: Yeah.

SHAW: Okay. So we will take the—I will read a name and then the on deck person, Lorrie, followed by Brenda. And we will do three minutes. Is that right?

BOYD: Just give her just a moment because we have to reset the clock.

LORRIE: Lorrie Kaylor. CRT and BLM is not acceptable in our schools. In the Orange Unified School District, the 10th grade history curriculum, it states that full racial equality is elusive. Increasing charges of police brutality, even though the DOJ data does not support that. BLM arose to draw attention to the rise in police violence and it promotes BLM as a good social media tactic. There is no material that counters the claims of these books. When a mom asked if there was, she was told “No, only what is approved by the state.”

One of the state approved activities is to play a clip of the song, “F the Police.” The clip is heavily edited due to the song containing numerous amounts of foul language and speech about violence. The students are to answer discussion prompts after listening. The police lesson plan guides the students into thinking that police are in the wrong and that contact with police is negative. In the Orange Unified School District, students who have a parent who is a police

officer have been harassed by other students. One student even received graphic pictures of police officers being killed and was told, “I hope this happens to your dad.”

This is tragic. Not only for the children who were emotionally damaged by the bullying, but for the offending students who have been indoctrinated to hate police and become bullies. Critical Race Theory directly opposes the message and efforts of Martin Luther King Jr. One of King's closest friends and advisors, Dr. Wyatt T. Walker explicitly rejected CRT. Walker was a legend in the American Civil Rights Movement. The cover of *Ebony Magazine* called Walker, “The man behind Martin Luther King.” No one could have known the thoughts or have been closer to Dr. King than this man.

In 2015, Dr. Walker co-authored an essay on education reform and race relations, which states, “Today too many ‘remedies’ such as Critical Race Theory, the increasingly fashionable post-Marxist/postmodernist approach that analyzes society as institutional group power structures, rather than on a spiritual, or one-to-one human level, are taking us to the in the wrong direction: separating even elementary school children into explicit racial groups and emphasizing differences instead of similarities.” I support the Board's policy on educational materials and curricula. Thank you.

SPARKS: Thank you.

SHAW: Thank you. We will now hear from Brenda, followed by Linda.

BRENDA: You said it is two minutes or three minutes?

SHAW: I think we said three, right? Okay.

BRENDA: Okay. Then I will give my three-minute version. On your mark, set, go. Okay. Well, greetings. I want to thank you all for submitting this resolution concerning Critical Race Theory. First of all, as a public school teacher and state delegate of the National Education Association Convention this past July, I would like to clear up some misinformation. I heard Tony Thurmond, our State Superintendent, and Toby Boyd, our California Teachers Association President, both say in speeches in April 2022, that CRT is only taught in higher education. That is not true. NEA passed a business item in 2021 saying that CRT should be taught in grades K-12. I have the QR codes here that you can reference.

Isn't it strange that our state superintendent who is endorsed by the Teachers Union and the CTA president would not know this? Don't be fooled. They know it. However, if you say a lie long enough, people believe it. And I wonder what else they blatantly lie to the public about. As a teacher in Sant Ana Unified, we now have books in our elementary schools that teach kindergartners that gender changes like the weather, based on their feelings and that there are infinite pronouns to choose from.

Well, you might ask, what does this have to do with Critical Race Theory? Well, radical gender ideology has a lot to do with Critical Race Theory because nonconforming genders are oppressed

minorities and those who identify as their biological genders, which are called cis genders, are considered privileged oppressors.

Can you see the social manipulation here? CRT incentivizes impressionable children to identify as another gender outside of their biological gender. I mean, after all, who wants to be a mean oppressor? Plus, the California School Board Association says that race like gender—where is my time? Where is my timer? Oh, I wanted my numbers—is not based in biological reality, but is only a social construct. In fact, sexual harassment, non-discrimination policies in our staff bathrooms say that students are protected of harassment and bullying based on actual or perceived gender, race, skin color, pregnancy, et cetera. I sent a question to the Board President Linda Darling Hammond, asking her, “How can skin color, race, and pregnancy be based only on perception?” I guess if gender can, then skin color, race and pregnancy can too. Anyways, Facebook says there is over 50 genders and our iPhones now have emojis with pregnant men, so society is becoming Alice in Wonderland.

On another note, our suicide hotlines are betraying parental trust. They survey kids, giving kids 11 genders to choose from. And here is a list I'm going to give to you. You can read it for yourself. They recommend kids to explore their genders with random unvetted adults in TrevorSpace where they offer a lot of different clubs. I'm going to give you pictures of those clubs, the Witchcraft Clubs, the non-Binary Pals, Gay Men's Club. It says their motto is, “Let's talk about boys.” Schools are literally putting kids in harm's way of sexual predators through these crisis hotlines. I'm sure these hotlines are in the juvenile justice schools that OCDE overseas. My question is: When will parents be told what is going on behind their backs?

SHAW: Thank you, Brenda. We will now hear from Linda.

LINDA: Good evening. This resolution is very much needed. It is past due. We have to take a stand against what is going on in our public schools. A couple of quick thoughts. Parents in the community are understanding the full brunt of what CRT is. They understand that it is race Marxism. And once that understanding is reached, then it behooves us to really take that strong stand. I applaud this resolution. I thank you for it. It is very, very much needed. As an example of what we face in Placentia-Yorba Linda, we passed a similar resolution. Cal State Fullerton has notified us that they will no longer send student teachers to our district to teach because we do not support CRT.

Let's talk about Dr. King. I was 21 years old when he gave his “I Have a Dream” speech. It is indelibly etched in my memory. As far as I'm concerned, I will continue to live by Dr. King's edict that, “I am to be judged by the content of my character and not the color of my skin.” I have lived that my entire life. I look back to the mid '60s and my students embrace that concept. They memorized Dr. King's speech. They understood the evils of racism.

Restorative justice, now called restorative circles. I strongly commend Mr. Valdes for asking exactly the kind of questions that needed to be asked about this issue. And Dr. Williams, you asked further questions about the psychological privacy implications of these restorative justice circles. One of the biggest concerns at the MTSS Conference last July, and by the way three of us in the room attended that conference, was this concept of replacing the idea of discipline in

our schools. Which, by the way, is racist. So it must go and it must be replaced with restorative circles.

I learned a lot about restorative justice way back in 2019. I was told that this is exactly what the inner city schools needed. Get the cops out of the campus and have restorative circles. When you go into some of these schools that have fully embraced this philosophy, it is a train wreck. And I have teachers now calling me saying, we have got to do something to save our schools. We are inundated and completely enveloped by CRT, by comprehensive sexual education, and our social justice system through restorative circles is a mess. You are doing the right kind of thing. Again, I commend you. I will stand with you and do whatever I can in my own backyard to make sure that we turn public education around.

SPARKS: Thank you.

SHAW: Thank you, Linda. If I could just quickly, for the benefit of Dr. Williams, there was a number of speakers at the beginning of the meeting who spoke actually in opposition to this item. But it was before you arrived, so I just wanted you to be aware of that.

SPARKS: Yes.

WILLIAMS: Okay. So now I will make the official motion then if I may do that?

SPARKS: Motion to discuss or motion to—?

WILLIAMS: Actually, our parliamentary procedures, we have to bring it up and second it, then we discuss it. We kind of did the public comments, so I'm going to make the motion to—by the way this is a policy. It is not a resolution. It is a board policy that impacts all of the ACCESS schools, as well as any school that we have oversight and responsibility for teaching the kids. I would like to formally make this motion to replace the current Board Policy 400-4 with this new language, so that is my motion.

SHAW: I wanted to speak to the idea of it being a board policy. I'm not sure I'm prepared to second it.

WILLIAMS: Then you can't speak on it.

SHAW: Then I can't speak on it. Okay.

WILLIAMS: Parliamentary.

VALDES: I—

WILLIAMS: It has to be seconded.

VALDES: For the benefit of the public, we don't get to talk much. The Brown Act prohibits us from having any discussion whatsoever. I really would like to talk about this in a public forum.

Is there any way we can do that without voting on it? Because we genuinely do not get to talk about this.

BOYD: One of you can second the motion for the benefit of discussion. And then if it fails on the vote, then it doesn't move forward. But somebody would have to second it for you all to have discussion about the item.

VALDES: Okay.

BOYD: And you can preface it that you are seconding it for the benefit of discussion, which is done by some of the board members on items.

VALDES: I second for the purpose of discussion.

SPARKS: Okay.

VALDES: Dr. Williams, I know the spirit of what you want to do here, and I agree with you to some extent that some policy is necessary. I really do believe that. I think what has been created here is a little bit too long for me. It is too much of a laundry list for me. I think some of the things like classroom displays, as I mentioned in my prior public comments tonight, I think they should be collaborative. I don't think a teacher has a right to put up whatever he or she wants in a classroom in a K-12 setting. I think that could be said in a public policy following the state curriculum, disfavoring non curriculum items brought in by teachers. We could talk about it that way. Districts should be more centralized. Schools should not be decentralized. I think there is a lot of things that could be said here that doesn't create a list of 14 plus shall notes.

I agree that Orange County needs some type of an affirmative statement on this. I just don't think this is the statement. That is—

SHAW: If I could jump in? Thank you for those comments, Trustee Valdes. I want to thank, Dr. Williams for, as usual, working very hard and saying what is on your mind. Advancing things as you see them. But I was thinking this was a board policy. Might it be—maybe I'm not understanding. I understand that board policies are things that govern us. I believe maybe the spirit of what we are doing here is more of a—would it be more appropriate to make it a resolution, rather than a board policy? Maybe I'm misunderstanding the differences between the two.

But my understanding of board policies is how we operate ourselves as a board. But this is really more of a statement about things outside of our County Board of Education's direct control, things that are happening in K-12 classrooms across the county. One thing that kind caught my eye. I'm reading about on page 3, you have the idea of flags. I remember I was a student at La Habra High School back in the early '90s. Mr. Thompson, I had a government class. He walked in and he had almost every inch of the walls in his classroom, he had decorated it with flags. It was flags from around the world. I don't remember for sure, but this was during the Soviet Union era. I bet there was a Soviet flag. I don't feel that he was trying to indoctrinate us to embracing

communism or something. But things like that, you know, it was kind of actually a very cool visual to walk in and just see the flags of the world around there.

I understand what your intent is. I'm not sure I agree with that. It is not necessarily indoctrination to maybe have some of those displays up. With respect, I think it might be also appropriate if we perhaps held off on a final vote on this until Trustee Barke was here. I think that might be appropriate to have all five board members here.

SPARKS: And our attorney as well.

SHAW: As well as Mr. Rolen I was going to say, who might advise us on some of the legal questions. I don't know that there is tremendous urgency to this, and perhaps it would be appropriate to put this off a meeting or two allowing our full board and Mr. Rolen here. And perhaps, I think I heard Trustee Valdez volunteer to edit this. Did I hear you correctly? Or, give it some thoughts and maybe make some friendly amendments, so those are my comments.

SPARKS: Okay. Yeah, I would like to get some clarification from our attorney, particularly, who couldn't be here tonight due to a personal matter, around our role in terms of the way we supervise or not, aspects of curricula. Certainly, if there is unsound curricula, that is one thing, but that does not mean that we can create curriculum or dictate curriculum for even the bodies that we oversee. I think what we really try to do as a board, that I think we do a pretty good job of, is highlighting and sun shining issues for parents. And parents are really involved in collaborating with their schools, and their teachers and their principals in terms of what curriculum exists in the district and what their kids are being exposed to.

I'm about—more dialogue is always better. The parents of Orange County have stood up and have shown to be paying attention, very involved. And I thank you, all your parents out there. I'm a parent myself, so there is some questions that I have related to, yeah the 14 points and some of the detail. But the spirit of—and I know that Trustee Williams has worked very hard on this. What you are proposing here is—I understand, especially given what we have heard from many parents here at our board meetings. So yeah, I would definitely not want to make any decision tonight for the two reasons you said as well, Trustee Shaw; for Trustee Barke being here, but also our attorney giving us sound advice, sound legal advice because this is not a simple three pages for sure. So that is all I have to say for the moment. Dr. Williams?

WILLIAMS: Okay. Very good. I agree with Jorge. This is a public conversation that we don't get to have.

VALDES: That is the problem.

WILLIAMS: Yeah.

VALDES: Or not the problem, but the public gets to see exactly what we are thinking right now. And we don't get to talk about this, so that is why I wanted to have this discussion.

WILLIAMS: Yeah.

SPARKS: Yeah.

WILLIAMS: So we didn't get here today. None of you won because we sat back and didn't do anything. We took an active role and led this county in many different things. From California Healthy Youth Act, the ethnic curriculum and the CRT that was all involved in there. We had the public forum on that. We had the opening the schools in August of 2020. This board took a strong role in saying that that is going to hurt kids. And we were against all these mandates, and we fought the Clayton Chau conspiracy with shutting down our schools and all the loss in the last two years that we now have all this incredible data to support. This board didn't sit back on the laurels and watch this happen. We took an active role. I'm a little sad that I'm hearing now a little fear being expressed out here.

Regarding the classroom display, Jorge that is very critical. Just like we heard here in OPA. What is displayed in the classroom should be a reflective of the curriculum. Regarding, Tim what you said, "This is out of our control." You don't understand what we do if you are asking that question, because we do have—Ed. Code is quite clear that we have a lot of say so in curricula and what is taught. There may be some differences of opinion on what is, but we have a lot. And Lisa, you are right to some degree. We don't dictate curricula because we leave that up to the micromanagement of the teachers. But when something bad happens like this darkness, and the sin of CRT and everything that comes with it, dammit, we should take a role and not sit back and be cowards about it. I really feel that way and I'm disappointed in seeing this.

I have no problems with putting this off a week, or excuse me, a month to the next meeting. But let's have another conversation, talk to the legal counsel. Talk to the people of your community. Do they really want to have pornography being taught in our schools and showing inappropriate display of sexuality that is against community guidelines and practices? Don't we want to talk about that Marxism that we are seeing being promoted? Not on the classic Marxism like they did in Russia where it was all based upon class. But now it is based upon gender and the color of your skin. That is what is happening there.

Do we want to talk about unproven and controversial curriculum or pedagogical practices that should be taught in the university setting? K-12, as Jorge said rightly, it is mandated. We do have an oversight of that. What happens in the university setting, that is not mandated. People can choose to opt in or opt out, or whatever class, or whatever curriculum or whatever university. I think Martin Luther King's vision of America, that Americans should not be judged by the color of our skin, but by the content of our character, I think is a theme that is wrapped up in this board policy. We need to take a strong stand up against all this c r a p that is happening out in this world and in this community. And I hope that we are going to stick to what we have done in the past in being brave and stood up to it.

With that, what I like to do is to make a motion that we put this on, this is a subsidiary motion, that we put this and lay it on the table to bring it back to the next meeting.

SHAW: I will second that.

SPARKS: Okay. All in favor?

WILLIAMS, SPARKS, SHAW, VALDES: Aye.

SPARKS: Four to zero, we will table the issue until our next board meeting. Okay. So I will move on to item number nine. This is approving the board president's reimbursement for travel to Washington, D.C. to meet with lobbyist and legislators. If there is a motion, then I can discuss what I did.

WILLIAMS: I will make the motion to approve this.

VALDES: I second.

SPARKS: Okay. Thank you. So I would just like to discuss what I did for the public. We approved David Turch Associates as lobbyists to have ears on the ground in Washington, D.C., related to issues that we are concerned about. They set up a number of meetings with various legislators from Senator Feinstein's office, to Congress people, Levin's Office, Lowenthal Office, as well as Young Kim's Office and Michelle Steel's Office. I was able to talk about how we are a pro-charter school board, discussing any kind of ways that could be helped. We are one of the leading counties in the nation in terms of charter school approvals for quality charter schools, so I wanted to just introduce myself to these folks, which I did.

I brainstormed I think a pretty innovative idea that they seemed very excited about, which is how do we use the innovation and flexibility of charter schools in ways that can help foster youth and homeless youth that attend these charter schools. And that stemmed from a couple of our model charter schools in Orange County that are really paving the way for these youth. And the test scores are just off the charts when they don't have to worry in terms of Maslow's Hierarchy of Needs. You know, they don't have to worry about their safety and security needs being met. They know where they are going to get their next meal. They know where they are going to lay their head on a bed at night, and so they can focus on learning. So those were some of the conversations that I had in terms of getting their help either legislatively or finding pockets of the monies that are lying around. Not only in the education funds, such as the CARES Act and things like that, and the COVID monies that are sitting there, because I don't know how that all works, so I was having some initial conversations about, is there legislation where we could really pave the way and do a model effort in this regard and build upon the momentum that we have?

So, productive initial meetings and this is an issue that really could help kids. We can't solve all of California's problems. This is what I said, that we can't solve all of the homeless problems. We can't solve all of the problems of California, of all the things that are not working. But this is something we could actually do. We could really help these kids that fall into this specific category through the innovation and flexibility that charter schools have. So that is what I was doing during that time, and I will keep you posted on the progress that David Turch and Associates are able to make. They worked very hard and I thank them for setting up all of those meetings, so they have already done a lot of great work for us. Any other questions?

SHAW: Good job, Madam President.

SPARKS: Thank you. So do I call this for a vote because it is about me? Okay. So I will call it for a vote for approval.

SHAW, VALDES: Aye.

SPARKS: Ken?

BOYD: He acknowledged.

SPARKS: Oh, do I vote or do I abstain?

BOYD: Four-zero.

SPARKS: Oh, okay, 4-0.

BOYD: Just for the record.

SPARKS: Yes.

BOYD: For Board travel, it should be done in advance. Lisa and I talked about the fact that this was something that came up and so she traveled and so forth, so it is a reimbursement. But normally, if you all have things that you are wanting to do, then we would put them up on the agenda for you all in advance so that you all can discuss it and so forth. Because there may be more than one of you that would be participating, or conferences, that type of thing, so I just want to make sure to remind the Board that we would put it on the agenda so that we could get approval in advance. Certainly something may come up where it is not timely. It is in between because you only meet once a month.

SPARKS: Sure.

BOYD: But those are exceptions similar to what this is.

SPARKS: And it happened quickly because of the rhythm of when—

BOYD: Right.

SPARKS: —the legislators are in session. Okay. Thank you. So we will move on then to information items. The first one is proposing a December 22 board date change from December 7th to December 14th, the following Wednesday, as I have an obligation for my work in West Virginia that week. If that is possible with your schedules, that would be helpful.

SHAW: The 14th works for me.

VALDES: That is fine with me.

SPARKS: Okay. Can we put that to a vote then? Or, do we need to put it to a vote?

BOYD: Don't need to vote.

SPARKS: Don't need to vote.

BOYD: Just polling the Board so that we can put it on the agenda for—

SPARKS: Wednesday, December 14.

BOYD: —approval at the next meeting.

SPARKS: Oh, okay.

BOYD: And then we will change the date on the website so that people know.

SPARKS: Okay. Thank you. Thank you. I appreciate that. And then related to that, I would like to discuss approval for early deadline and delivery of our January 4th board packet because the office is going to be going on holiday. I know that Trustee Shaw and I, I guess would be the main ones to be concerned with this. Are you comfortable with that? What would the deadline be then?

BOYD: You all would have a meeting on December 14, but we would be preparing the January 4 agenda by the 22nd.

SPARKS: Okay.

BOYD: For it to go out to you all and so forth, so any items would need to be on by the 16th.

SHAW: Okay.

SPARKS: Okay. Is that all right with you guys?

SHAW: Yeah.

VALDES: It is fine with me.

SPARKS: Ken, any comments? Okay.

BOYD: We will remind the Board, but we wanted to have the discussion early so we didn't run into time issues and also not having to change that date.

SPARKS: Okay. Yeah. Sounds good. And then, Nina do you have something to announce about charter school parent complaint process?

BOYD: Yes. I had several board members asking about complaint protocol and how charter school parent complaints were handled. Not only by staff here in our Charter Unit, but also—oh, I'm sorry. I had some dental work done. I think my temporary just—

SPARKS: Do you want me to move to—?

BOYD: I can still talk.

SPARKS: Are you sure? I can move to another item if you want a break?

BOYD: Yeah. No, it is not going to help. Internally, the question in terms of when we have received mail on behalf of the Board, complaints, inquiries, so forth, concerns that are raised by the public, we forward those to you all individually. We don't do anything with them other than forward them. If we get complaints that come, where oftentimes our team will get something directly. You heard a lot from Irvine International. You heard a lot from ISSAC in the past. You have heard a lot from a multitude of the schools and so forth. We do not investigate individual parent complaints from parents. We refer them back to their school because that would be appropriate for that school, whatever charter school it is to do the investigation. Now, if there are legal or regulatory, health safety concerns, then certainly we do check into those and we contact the principal/executive director, that type of thing because we want to make sure that kids are safe. But if they are general concerns that the parents are asking about, we always refer them back.

And once we have dialoged with the principal or the executive director in case there is a safety concern, we ask them to contact that parent. We don't do any follow up back to the parent because we don't want to start a dialogue that we can't continue. I did go and work with my staff to identify every single charter, that this board has approved, does have a uniform complaint process located on their website, with the exception of Orange County Classical Academy, and uniform complaint procedure is required by Government Code/Ed. Code. We have been dialoging with them and given them some templates and so forth. I'm sure they will have one, but not sure when theirs will be completed.

In terms of their general complaints, six of the charter schools that have been authorized by this board also have general complaint protocols identified on their website, which are different than the formal uniform complaint process. And then two charter schools use the same. They use their uniform complaint process for both, even though the uniform complaint procedure is very specific in code with regards to what type of complaints can be filed under a uniform complaint. And so I can certainly get information to the Board if you are interested in what that looks like. I can pull the information in the code sections and so forth, for you related to that. But the general concern, I think was more, if a parent calls, how is that handled? And, what is your staff, team doing and what are they not doing?

And then the other was, is this information available to the general public and to parents? And in all cases, I found that parents of all of the charters that are authorized by this board have been made aware. Now, whether they follow the protocol or process is something else. We also have found that oftentimes when we are talking, we ask the question "Did you talk to the school? Or, did you follow the protocol?" They will say, "No, I just want the Board aware of this." So sometimes they are going directly to you all because they want you to be aware of it, and then they may or may not still work with the school directly.

VALDES: Could I ask you a question, Ms. Boyd?

BOYD: You can.

VALDES: What if the staff finds that a school has a protocol and the school is simply disregarding it? So essentially a hypothetical, the facts are the school has a protocol and they are disregarding it.

BOYD: If there is a general complaint and they are disregarding it, I mean there is really nothing that we can do. It is really up to the governing board of that charter school. So from that standpoint, if the parents are still reaching out to us, then we will ask them “Have you dialoged with the governing board? Have you made them aware of your concern that you feel that your needs are not being met, or the protocols not being followed?” And then it would be up to that governing board to respond to the parent?

SPARKS: You mean like the board of directors of the school?

BOYD: Yes.

SPARKS: Yes. Okay.

BOYD: Yes. Because they are the ones who have approved the process and the policy of that particular school.

SPARKS: Okay.

BOYD: So if it is not being followed, then that board can correct it and they are the only ones who can correct that.

SPARKS: Okay.

VALDES: So what you are saying is the staff has no enforcement protocol? There is no enforcement ability on behalf of the Department of Ed?

BOYD: Correct. We don't have an enforcement. What we do is if we feel that there is a violation that is substantial and there is no corrective action taking place, then we do bring that back to this board and have the conversation with you all. You all are the only ones who can issue a notice of violation. We issue notices of concern because we try to help them correct whatever the situation is. If they don't correct it or can't correct it in the timeframe that we have identified, and often times the timeframe that we have identified we have given them additional extensions, so it is not where it is a drop dead date. We try to work with all of the schools and give them additional time to correct. And then if they still haven't corrected, or if it is at a level that we believe there is some legality involved that could potentially harm this board, we bring that to you earlier than later.

For instance, what you heard tonight with regards to Unity. We have conversation with the Executive Committee with regards to the concerns of ICON now acting on behalf of the executive director and principal. That one we didn't feel could wait. They have been talking about correcting that for several weeks, but we felt that that needed to come to the Board sooner than later.

VALDES: So the process is a notice of concern would go out from the staff?

BOYD: Staff.

VALDES: From the staff. And then if you still felt that the concern was essentially not being acted upon or was being disregarded, then we would get alerted to vote on a notice of violation. That is the way it would work?

BOYD: Well, it is not necessarily—you all could determine that you are going to do a notice of violation, but that is not necessarily where you have to go. You may, just as you did, you may have the charter school come and dialogue with you with regards to what is happening? And then violations, there is also clarity in code with regards to what would justify a notice of violation. A parent being concerned about curriculum would not be a notice of violation unless it is violating the petition, the curriculum they identified in the petition. The clarity is there. And so from the standpoint, it is not everything that comes to you.

It is very rare that this board would get to the point where it is a notice of violation. And notices of violation are, again, for correction. You would establish a timeline for them to correct. And then if they corrected within that timeframe, or you gave them additional extension time, then you could certainly do that too.

VALDES: So what you just said was that we would have the authority to bring the charter school here and dialogue with them?

BOYD: Yes. Just as we put it on the agenda, and we would ask them to come. Yes.

VALDES: Oh, I like that. Okay. I like that. I like dialoging.

BOYD: And this board has done that.

SPARKS: Yeah.

BOYD: They have a history of doing that. We have brought in many of the schools for different things and so forth. Some are things they are actively working on. They just haven't been able to get to a solution. And then, you know, with dialogue with you all, then sometimes there have been other resources or other partnerships that other people have heard, so they step up to the plate. We have not had any school that has just blatantly disregarded anything. I mean all of our schools have really worked hard to meet the parameters of law, one. Then two, anything that staff is working with them, we want them to be successful and so we are trying to dialogue with them and give them ways that they can succeed.

VALDES: Thank you for explaining that to me.

SPARKS: Perfect. Thank you. Okay, we will move on to the Professional Development Resolution. Trustee Shaw, do you want to speak to that?

SHAW: Well, I know, Mr. Rolen had kind of drafted a resolution. I don't know if there was more to say about it, because I thought we had decide we were to put that off to the—

BOYD: So the Professional Development Resolution draft is in the red folder.

SHAW: Right.

BOYD: And what I remember from our conversation with the Executive Committee was that you wanted your fellow board members to take a look at it. And if there were any edits or things that they saw, they could let me know that. But this would come back at your November board meeting.

SHAW: Okay, so it is this one, right?

SPARKS: Yeah. The draft, yeah.

SHAW: Yeah. So it is dated October 5th, 2022.

VALDES: I don't have one.

SPARKS: It is in your red folder.

VALDES: It is in my red folder.

SPARKS: It should be.

VALDES: It is not in my red folder.

SHAW: So we will not be voting on it tonight, but the idea is that—oh, you have an extra one?

SPARKS: No.

SHAW: But basically the idea of kind of an opportunity for continuing education for Board members. That was something I brought up, and I thought what was appropriate for us to look at. Anyway, I guess we will just let everyone noodle on this. Is there a way to get this to Trustee Barke? Can we do that before the next—is that appropriate?

BOYD: Yeah, we will email her tomorrow.

SHAW: You will send it to her tomorrow? Great. All right, so we will just see this at the November meeting?

BOYD: It will be on the agenda in November.

SHAW: Terrific.

SPARKS: Okay. Excellent. All right. Now, Renee, you are up with the Rancho Sonado update.

HENDRICK: I just wanted to give you an update based on—we did do interviews with architect firms and we have selected a firm, but the scope is really confusing for us. I need to come back to you and say, this is how much we need to spend on the project. But because it is so complicated, we have asked for them to do a feasibility study for us, to give us a scope and then we can bring that back to you. And we have asked them to show it in phases in case it is something we can't afford to do all at one time. We were hoping not to go that route, but it is very voluminous. Utilities are very damaged up there. And so trying to say, what will we need to do to get started?

I have given them the notes from some of the comments I have heard from President Sparks and from you, Dr. Williams about wanting it to be really a community event and wanting it to look like things that the public can use, besides just some of the school things. They do have a lot of thoughts about terracing the landscaping, workstations and stuff. We would like to bring that back to you when the feasibility study is completed. We are looking at a very short timeline for that, but I just want to give you an update of where we are at this point. And if you had any other suggestions, if you can email me, that would be great that I can point them to that also.

SPARKS: Yeah, I like it. Thank you. Perfect. Any announcements? Well, Dr. Mijares is not here. Do you have any announcements?

BOYD: I do have an announcement and a flyer for the Board. There has been a lot of discussion about fentanyl and how it is affecting our communities and so forth. So, the Department has been working closely with the Orange County Sheriff's Department to make sure educators and families have the tools and resources needed to help combat what is occurring. On November 4th, both agencies are going to be joined by Orange County Superior Court Judge Maria Hernandez for a fentanyl forum to cover a range of topics including fentanyl's impacts, how to talk to young people, how to respond to drug overdoses and poisonings.

Two major factors make this synthetic opiate exceedingly dangerous. First, fentanyl is incredibly lethal at roughly 50 times stronger than heroin, and about 100 times more powerful than morphine. And second, many of fentanyl's users don't even know they are taking a drug because it is often hidden in counterfeit pills made to look like common prescription opioids or other medications. We have had a number of our youth impacted in our communities. Some, they have been able to revive and others have passed away. We really have to intervene, and make sure that parents have tools and understand what is going on.

Dr. Mijares wanted to make sure that you all were aware of the November 4th event. It will be at the Sheriff's Regional Training Academy, right off of Red Hill. Darou, can you hand these to each of them? And then we will send one to Mari. This is being designed so that it naturally has

an RSVP on there, but it also has a targeted audience because of the capacity at the sheriff's training facility. But, we really hope that this is something that you all can make.

SPARKS: Can you send that to our email as well?

BOYD: Mm-hmm. Most definitely.

SPARKS: Great.

VALDES: Nina, can you further describe for us what kind of problem we have in Orange County with this? I mean, I know you said it is impacted, but could you describe as a county—

BOYD: What our percentage is?

VALDES: How significant is this problem?

BOYD: Christine.

BOYD: Christine leads our Crisis Response Team, which goes out to many of our districts whenever there has been a death or a negative impact. So, Christine.

OLMSTEAD: I'm not going to give you an exact number because I don't want to misquote it, but I do know we have had a couple of deaths from fentanyl this year, or last school year and this school year.

VALDES: Like two?

OLMSTEAD: I'm going to say I know two, but I think we have a couple more than that. But it is significantly going around. Specifically, most of it is in South County where we are seeing the highest usage of fentanyl. You can use fentanyl without dying. And that is the problem is that kids are starting to use fentanyl as a way to deal with stress. And it is becoming more and more used, but kids don't know that the extreme effects of what is happening to them by taking it. And so we are seeing overdoses and things like that.

SPARKS: Are they taking it intentionally or is it being slipped to them?

OLMSTEAD: Both.

SPARKS: Okay. Yeah.

OLMSTEAD: Some take it intentionally. Some take it—they think they are taking another type of drug, maybe an opioid and they don't know it is cut with fentanyl.

SPARKS: Okay.

OLMSTEAD: And so there is drugs being cut with fentanyl because fentanyl is so easy to produce. They might think they are taking something for back pain or something like that, and it is cut.

VALDES: What are we doing as a department to notify or alarm students that this is a—I don't want to say it is a significant health issue. I mean, you could die. So what are we doing to notify our student population?

OLMSTEAD: We have put out workshops, we have done trainings, we have done parent information nights for parents to understand what the issues are around this. Schools are doing their own drug awareness. And part of drug awareness, they are talking about fentanyl and the use of fentanyl. So it is definitely being talked about in schools, and we are providing a ton of resources. Department of Public Health just put out resources last week, more stuff on fentanyl. It is just a lot of training that we are doing. We have seven regional mental health coordinators that go out and help with our districts. They are localized across the county, and so they will work specifically with local districts to make sure that they are up on that news and what we are doing with that.

SPARKS: Thank you for all your hard work around that.

OLMSTEAD: You are welcome.

SPARKS: Okay.

BOYD: And just as a reminder, submission deadline for the November 2nd board meeting would be October 19th, and we will deliver packets Friday, October 28th to all board members. That is all I have for you.

SPARKS: That is kind of early. Okay. Alright, do we have any legislative updates from any of our board members? Any legislative updates? CSBA, CCBE, NSBA? I gave my update already. Anything, Dr. Williams? No?

SHAW: The Governor is done signing all the bills, I know, signing or vetoing. Right? So we are done until January, the Legislature reconvenes. I think he had, it was something like a 14% veto rate I think I read. I forget the exact numbers. But when it was all said and done, he signed about 85% of the bills and vetoed about 15, something like that.

SPARKS: Thank you. Okay. As we are wrapping up, we have committee report and then board member comments.

WILLIAMS: I will do website. So Tim and I talked about the future for our social media. We thought we would get first started with videos of each and every one of the board members. It would be something that Ian would be involved in. I have had a conversation/dialogue with Dr. Mijares already about this. The idea that Tim and I were thinking about is that there would be like a short three-minute video, and I would leave that up to Ian and the creative staff on what you would want to do. But it would be nothing political. It would just be a nice short video on

our hobbies, our interests, what we do, our families, our education, our passions, our advocacy, those type of things. I would leave that up to you, Ian and your staff to create how you would do that. But that is our first thought we would do. I know that is a big task to do. I don't know if Dr. Mijares has talked with you about it. Has he talked with you about it?

BOYD: Dr. Mijares has talked to myself and Ian, our team. So, Ian and his team have already started having some discussions to pull some things together. So we will coordinate schedules through my office with you all, once they have all of that footprint together.

SPARKS: Okay.

SHAW: That was a great idea.

SPARKS: Yeah.

SHAW: Dr. Williams, I thank you for that and I look forward to producing those and other good content for our new and improved website, so thank you.

SPARKS: Any other comments?

VALDES: Just a quick comment. I had a really great meeting with Gabriela Mafi, who is the superintendent of the Garden Grove School District. Our half hour meeting turned into an hour and a half. Boy, she is just doing a fantastic job in Garden Grove. Just some statistics here, they have 38,000 kids. They are spread over five different cities, part of Santa Ana, part of Fountain Valley. Eighty percent of their kids have a free/reduced lunch; 94.5% students of Color, 85% of their families do not speak English; 56% Latino, 30% Asian, mostly Vietnamese; second highest rate of poverty in the county. Yet with all of the challenges that they have, they always beat the state averages, and they always beat the Orange County averages with respect to test scores.

She is really just no nonsense. She runs a centralized school district. She has had some issues with teachers, in her public schools, that may want to run rogue with curriculum. And she told me that those efforts are squashed immediately once she hears it, to the point where she will actually go out to the school and address that with the teacher specifically. She sticks to the curriculum. I just couldn't say any more nicer things about the job that I think she is doing. And she's also, from what I can tell, a very nice person as well. So I just wanted to mention that I had that really, really great meeting with Gabriela Mafi.

SPARKS: Well, that sounds like the markings of a great educational leader, so thank you for sharing that story. Okay. I think that it is a wrap. We will adjourn the meeting and see you all next week.

WILLIAMS: I got one more thing.

SPARKS: Oh, yeah.

WILLIAMS: Yeah, yeah, yeah.

SPARKS: Oh, sorry.

WILLIAMS: An update on my wife's pregnancy. She is now entering the second trimester. She is 13 weeks and she is still sick, unfortunately. A lot of morning sickness type of things, but she is hanging in there and we are extremely happy. April 2023, is the expected date of birth.

SPARKS: Best wishes with that, lots of soup, and crackers and ice cream. All right, well with that, any, anybody else before we wrap up? All right. We will see you all next month, and I adjourn the meeting. Thank you.