

Transcript of the March 1, 2023, Orange County Board of Education Meeting

SPARKS: All right, we will call the meeting to order. Darou, can we have a roll call?

SISAVATH: Trustee Valdes?

VALDES: Here.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Sparks?

SPARKS: Here.

SISAVATH: Trustee Williams?

WILLIAMS: Present.

SISAVATH: Trustee Barke?

BARKE: Here.

SPARKS: Okay. Can I call for adoption of the regular meeting of March 1, 2023?

BARKE: So moved.

SHAW: Second.

SPARKS: Second, all in favor?

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

SPARKS: Okay. Thank you. Then, approval of the Minutes of the regular meeting of February 1, 2023.

BARKE: I will make a motion for approval.

WILLIAMS: Second.

SPARKS: All in favor?

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

SPARKS: Okay. Nina, do we have any comment cards for closed session items?

BOYD: Not related to closed session.

SPARKS: Okay. We will now take a recess and go into closed session. We will see you in an hour.

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

SPARKS: All right. We will call the meeting back to order. Welcome, everybody to the Orange County Board of Education. All right, Mr. Rolen do we have a report out for closed session, please?

ROLEN: President Sparks, Vice President Shaw, members of the Board, members of the public, the Board did not hold a closed session on items one through four. There was no action taken.

SPARKS: Thank you. Next, I will call Nelson Cook from the Coaches of Influence to the podium.

NELSON: Thank you very much, President Sparks, Board of Education, wonderful fans, sports fans. I'm, looking around and I don't see anybody with my haircut. That is discouraging. I want you to know I'm a very valuable man because God does not put marble tops on cheap furniture, so don't forget that.

SHAW: That is good.

NELSON: It is a pleasure to share with you. I will pray in just a moment. But it also talked about some encouraging words. I'm also representing a group called Ambassadors of Compassion. Our kids in schools need a fresh wind and Ambassador of Compassion provides a fresh approach to developing leadership, resiliency, compassion, and action for junior high, high school, and colleges. Over 70,000 kids have gone through the program with a goal of 1 million this year.

High powered people all around the country are investing in this because they see the value as kids deal with labor, what it means to work for your goals and dreams. Influence, that you become like those you associate with. Forgiveness, which is a huge thing. I will talk about that in just a second. Where is my time that I need to watch? Is it somewhere where I need to keep an eye on? Well, you are fine, Darou. You are fine. If you put it up there too quick, I'm going to take an offering. But forgiveness, and the last is experience. Don't let negative experiences affect you pursuing your goals and your dreams.

At Segerstrom High School for example, Nick Canzone who is the athletic director said the kids are having conversations, that have gone through this program, that they are not having at home and they are not having in school, in classes, that they are talking to one another. It is effective because it affects their hearts. As we know, the heart of the matter is a matter of the heart. A head coach, when talking about forgiveness, what we have is little videos we show and then the kids break up into small groups and they just talk about what they saw and some questions.

One of the leaders said, “Is there anyone here that needs to ask forgiveness of someone?” The interesting thing was the head coach at that school stood and he said, “I do. I need to ask my mother to forgive me for abandoning my little sister and I when we were little kids.” Because of that, because he did that, boom, boom, boom, all of his athletes started saying, I need to ask forgiveness for this or that. It has just been a wonderful, wonderful program.

I just want to encourage the Board to consider that. I would like to present that and the one that put it together at some point if I may. So, having said that, I just want to say—I don't understand that. As long as I'm green, I'm okay? Oh, okay.

SISAVATH: Green, yellow, you are okay.

NELSON: All right.

SPARKS: It will start beeping at you.

NELSON: Yeah. Okay, anyway. You know in our culture today, we are so negative. You know a lot of times when people say, how are you? What is our typical answer? Fine, how are you? We are not even paying attention. I know when I was coaching and teaching, I would walk the hallway and kids would come up, “Coach, how are you?” And I said, I'm going to check and see if they are paying attention. I said, “I'm dying of cancer.” They said, “Great, Coach have a good day.” It is kind of, we either don't pay attention or we don't care, right? What I have started to do is when someone comes up to me and says, “How are you, Nelson?” I look them right in the eye because I care, and I say, “I am better now that I have seen you. Doesn't that change things? It has for everybody that I have done it with. I am better.

When I say, I'm better now that I have seen you. Doesn't that make you feel better? I didn't even pay them. Then from there I go, well isn't it about the big two? And everybody says, what are the big two? Well, love God with all your heart, soul, mind, and strength and love your neighbor as yourself. Are you my neighbor?

AUDIENCE: I am.

NELSON: Okay. See, we are already starting to get into something positive, aren't we? That is what we need today. We need a little more positivity going. Does that mean I'm done?

SHAW: That is it.

NELSON: I didn't even see yellow. Alright, I'm going to make my prayer short then. If we may do that? May I have an extra 40 seconds? Okay. Father in heaven, I thank you so much for the Board. I thank you for the people that are here to share with the Board. I thank you for your love for all of us. I ask that you would give us a divine experience tonight. That it would not be same old, same old for the Board or for the people coming to share with the Board. But that each one of us would have a fervency of compassion, and care, and love, and concern for one another. I pray that you give the Board wisdom, knowledge, understanding, and discernment. That we would have a joy unspeakable and full of glory in all that we do because we represent you. There

is nobody in any position of authority that has not been allowed to be there for one reason or another, so may we just encourage one another and build one another up as a result of this meeting. I ask it in Jesus' name, amen.

AUDIENCE: Amen.

NELSON: Thank you very much.

SPARKS: Thank you.

NELSON: I will pass the offering plate now.

SPARKS: Thank you so much. And now for the Pledge of Allegiance, we will have Dr. Stefan Bean.

STEFAN: All right, please rise. Put your right hand over your heart. Ready? Begin. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all. Thank you.

AUDIENCE: Am I supposed to sing Star-Spangled Banner?

BARKE: Please.

SPARKS: Thank you, Dr. Bean. Nina, do we have introductions?

BOYD: There are no introductions at this meeting.

SPARKS: And public comments?

SHAW: Yes. We have a number of public comments. What I'm going to do is I will read a name, followed by whoever is on deck. If you want to prepare yourself and come on down so we can move right along? I will call off the first name, Lynne, who will be followed by Charlotte.

LYNNE: Before I begin, board members may I please ask if you have received the two page-document that I had placed before you? I asked Ms. Boyd to place them, there are two pages.

SPARKS: We have them.

LYNNE: Thank you very much. Does everyone have a copy?

BARKE: Mm-hmm.

LYNNE: Alright, thank you. I will start. I'm Lynne Riddle and I'm addressing agenda items five and six, Mr. Rolen's invoices for legal services. When approved, those invoices will be paid from funds over which you are obligated to act as fiduciaries. By law as trustees, you have a legally imposed fiduciary duty to protect state education funds, monies you hold in trust for a very

specific state purpose, to educate the children under your authority. I ask again, will you with items five and six attentively pour over the Rolen invoices to assure that every dime spent directly serves your duty to put the education of the county's neediest children before your own personal missions?

Here is why I ask. The 2022 fees chart that I have given to you has just been updated. With the chart in hand, please look at the far right column. That column shows a measure of your past critical invoice overview. Specifically, it shows just how many invoiced questions you asked Mr. Rolen before each of you voted to pay them in full; \$360,000 in 2022 fees agendized over 12 monthly meetings and reviewed in open sessions. The transcripts show zero. You ask zero questions.

Now recall with me if you will, your August 17 meeting where Trustee Shaw during candidate Jorge Valdes interview asked Mr. Valdes to explain what special skills he would bring to the Board if he were chosen to serve. Valdes answered, and I quote, "My legal background would be my greatest asset to the Board." Adding, and I quote, "I can tell when a lawyer is minimizing something that is not a minimal issue. I can see where a lawyer may be overbilling the Orange County Board of Education for services they are providing. Clearly, I think that is my strongest asset," unquote, from Mr. Valdes. That said, Trustee Valdes has never raised a single question in six months since he has served, while voting every time to pay the Rolen invoices in full. That is true of each of you who bear no less personal liability.

On item six this evening, the \$57,000 Rolen invoice, I hope to hear why there are no documents, none whatsoever, posted to support reimbursement claims for out of pocket travel expenses. Regarding that same invoice, I'm also hoping to hear about the \$9,000 listed on page two that I have given you for reimbursement of expert fees. No notification or documentation were attached to the Agenda to explain or support payment of that claim. Realizing that you can't answer me now, I will listen for your answer later. Thank you.

SPARKS: Thank you.

SHAW: Charlotte will be followed by Amy.

CHARLOTTE: Hi, my name is Charlotte Finklea and I'm here today as a representative of WAVE, Women for American Values and Ethics. WAVE was founded a decade ago to hold our elected officials accountable for fulfilling the duties of their office with American values and ethics that Orange County's residents deserve. When they don't, WAVE and its 2,000 plus volunteers mobilize to elect those who do. I want to acknowledge and thank the Board for taking a first step into implementing an investigation into the allegations of sexual misconduct at the Orange County School of the Arts. However, WAVE does not find that directing the Superintendent and his staff to conduct this investigation is sufficient enough. WAVE continues to request an adequate outside investigation with an oversight committee that will report back to the Board of Education.

I want to reiterate that a properly conducted investigation will help to maintain the historically excellent reputation of the Orange County School of the Arts. That the investigation will hold

accountable those who have participated in the sexual misconduct while clearing the school of the cloud that hangs over its unique place in educating the students of Orange County. It is your higher obligation to follow through on the request of current students, alumni, parents, and the community to conduct an outside investigation. Thank you.

SPARKS: Thank you.

SHAW: Amy will be followed by Nomi.

AMY: Good evening, Trustees. I'm Amy Luna Capelle. I'm here tonight to follow up on the public comment that I made at last month's meeting, echoing the requests from community members and alumni survivors to launch an investigation into the allegations of sexual misconduct and criticisms of a school culture that protects predators instead of students at OCSA. I was heartened to learn that you, the Board, after several months of hearing courageous survivors share their gut-wrenching stories, decided that it was finally time to stop protecting potential pedophiles and launch an investigation. Thank you for taking this much needed step toward inquiry and healing.

Yet, as I read about what this investigation entailed, I became concerned that what you have tasked Dr. Mijares to investigate might not be sufficient to understand what has happened over the years. More importantly, not enough to determine if the current practices and school culture continue to protect alleged predators and the school's reputation, rather than protect its current students. According to a recent OC Register article, and I quote, Mijares said, he is specifically taking steps to ensure policies and procedures are in alignment with legal requirements. As the protector and guardian of student safety, I would hope the Board would set the standard higher than being merely in alignment with legal requirements.

When protecting childhood innocence and bodily sovereignty, meeting a legal requirement should be the minimum bar. In May of 2022, this quote appeared in the student online newspaper: "The beginning of the year was quickly soured with multiple sexual assault allegations reported by students. Despite a long history of sexual assault and harassment at OCSA, many victims claim administration has not addressed this issue properly. I felt like administration was trying harder to protect my assaulters reputation than my own safety," said one student. My view is one case is too many and when we continue to take things so lightly, we continue to see how this is perpetrated, says an anonymous OCSA teacher.

These comments were made less than a year ago, pointing to a culture and administration that is currently blind to these types of complaints. As I mentioned last month, I serve as school board president for a thriving, arts-infused charter school. Our school has, for as long as I can remember, had several of our students matriculate to OCSA each year. My three sons each have friends who either went to, or currently attend OCSA and my concern runs deep on so many levels as a charter school board president, as a mother, and as an engaged citizen. I'm frankly shocked that the Board's concern stops at alignment with legal requirements. I encourage you to go beyond. Use your power to set the parameters of the investigation so that it is robust enough to ensure our children are safe.

These brave survivors who have spoken out deserve to have their stories mean something, to lead to action, to change things for the future. Use your power to create an oversight committee that includes the voices of these survivors, or ask that the district or state attorney general investigate. Our families deserve this and our children deserve this. It is your moral obligation to understand what is really happening at OCSA and how else will we know if anything is criminally involved, and how else will we know if the innocent can be exonerated from these persistent suspicions and complaints. Thank you.

SHAW: Thank you.

SPARKS: Thank you.

SHAW: Nomi will be followed by Ada.

NOMI: Hello again. First, I do want to thank you very much on taking a step that you have taken as a board to issue that third party investigation at OCSA. But we have some concrete recommendations that we are really encouraging you to embrace. First though, before I go into that, I just want to say that the responsibility to issue that investigation into these claims of sexual abuse at the Orange County School of the Arts, they were pushed onto the Superintendent. This investigation was never, ever the Superintendent's responsibility. You cannot throw him under the bus. You know that we have been here month after month addressing you, so let's put the responsibility where it belongs, which is this board.

We are demanding a few more steps, as I said. They are as follows. First, an independent oversight committee be created. After that independent oversight committee is created, then that oversight committee should establish the parameters of the investigation and hire the investigation team. We then request that all the findings of the investigation are turned over to the oversight committee who should then report to the Board of Education. If those terms that I just stated are not met, the public will forever question the true independence of this investigation. You, the Board of Education needs to take this into your own hands and ensure that this independent investigation has a credible oversight committee. I would recommend also that at least three survivors or parents, alumni from OCSA are part of that committee. It seems appropriate. OCSA is on fire. What steps are you going to take to stop it from burning down and protect the students and the school? Thank you.

SPARKS: Thank you.

SHAW: Ada will be followed by Katie.

ADA: Good evening, board members. My name is Ada Briceño, and I'm one of the many voices that has been standing with the survivors and asking you for an independent investigation of OCSA. I understand that this board finally moved forward with the independent investigation. I'm finally happy that we agree. I have reviewed your resolution. In order to move forward in the correct and meaningful way, we ask that an oversight committee be appointed. That this committee have the charge of selecting the parameters of the investigation, hire the investigation team, and oversee their work, as well as report it back to you.

This is the only way that the public, survivors, students, and parents will have trust in the process. We are asking you to add those parameters because survivors will not come forward unless there is validity in the process. That validity needs to start with this resolution. Thank you very much.

SPARKS: Thank you.

SHAW: Katie will be followed by Nancy.

KATIE: Good evening, board members. I want to begin by thanking you for the step that you took two weeks ago to ask the County Superintendent to investigate the sexual abuse allegations at OCSA. I truly appreciate that action. Moving forward, the only appropriate way to proceed is to appoint an independent investigation oversight committee. This committee should select the parameters of the investigation, which should include far more than the hiring, supervision, and safety set forth in the resolution. This is not only necessary, but is the only way for you to gain the trust and the confidence of these students, survivors, parents, and the entire community of Orange County.

This investigation must be done by a team that is well-equipped, fully supported, and willing to wade into the deep waters of OCSA's history of alleged sexual abuse. The launching of this investigation cannot be a mere pat on the back. We will not allow our traumas to be weaponized as a PR move by any of the parties involved, including OCSA. Taking a glance at the safety procedures at OCSA will not be enough. What is written on paper does nothing to actually protect these students. No matter how many times OCSA sends an email claiming that they follow proper reporting guidelines, there are literally hundreds of us who have experienced otherwise. Even one report of sexual abuse falling through the cracks is unacceptable.

The abuse I endured at OCSA was never addressed while I was there, despite reports directly to teachers and our then principal. My first appearance here before you in December was 21 years in the making. I don't want these students to wait 21 years, 21 months, or even 21 days. In that amount of time, your abuser might rise through the ranks of power at OCSA, as mine has. Our reports of abuse that are placed in a banker's box to collect dust if the reports were ever kept at all cause long-lasting and multi-layered trauma for the students who deserve nothing less than receptive listening, empathetic understanding, and a process that not only exists on paper, but one that is truly lasting, actionable, informed, and just.

I implore the Board to center survivor voices in this fight and build the oversight board around those voices. This is what will lead to change and reparation as well as justice in any and all of its forms as the full spectrum of the abuses uncovered at OCSA are finally brought to light. Thank you so much.

SPARKS: Thank you.

SHAW: Nancy, followed by Lyndsey.

NANCY: I feel like I need to exhale after that testimonial. Just a moment. Good evening. Public Schools Week brings together families, educators, and community members to focus on local public schools and the positive things happening nationwide in classrooms and in school buildings. There is a resolution tonight, Resolution 0523, to declare April 2023 Public Schools Month. The rationale for the resolution is from the Free Masons of California because they have promoted and sponsored this recognition. However, the Free Masons of California have declared September 2023 to be public schools month with a theme of fulfilling our obligation, which are contrary to the statements in tonight's resolution.

It is unclear to me why the language and the date in the resolution do not align with the organization that the board proclaims to be the impetus for the month. However, recognizing public schools is important. The Learning First Alliance declared this week, February 27 through March 3 as National Public Schools Week. This week is a great time to recognize the vital role the public education plays in the lives of students and in our democracy. Public schools educate nine of every 10 students and serve as a great equalizer in our society. Through public education, every child has access to the same education, no matter race, religion, or economic status. Ideally, public schools are inclusive environments where young people learn to appreciate their unique character and our national identity built on a foundation of diversity through different cultures and perspectives.

In addition, public education provides students with the skills that they need to be active and informed citizens. It teaches about history, government, and rights and responsibility as citizens. It develops critical thinking skills, and those are essential for participating in our democracy. Unfortunately, in recent years, public education has come under attack. There are attempts to limit meaningful access to information and to dismantle support and protection for children, especially marginalized youth. There is fiscal waste and mismanagement that are taking funds away from students. These efforts undermine the essential role that public education plays in our democracy.

The Orange County Board of Education serves over 2,000 public school students in their ACCESS program, the juvenile court schools, and the Orange County school. I encourage the Board to take opportunities to highlight the positive things that are happening in the county schools and focus on serving your public education students. Thank you.

SPARKS: Thank you

SHAW: Lyndsey followed by Lorrie.

LYNDSEY: Good evening, board members. Thank you for starting the process, which I hope will lead to some answers for a lot of people who have come speaking to you over the last several months about wanting justice. I hope that, like my colleagues have mentioned, centering survivors as part of this process. I hope you will really consider the importance of oversight and putting that body in a system of trust for the body of OCSA students, the faculty that teach there, and everybody who has been ignored through years of neglect. Thank you.

SPARKS: Thank you.

SHAW: Lorrie, followed by Kelly.

LORRIE: On the plannedparenthood.org website, on December 11, 2019, they boast, “Planned Parenthood Los Angeles announces landmark program and partnership of high-school based wellbeing centers across LA County. Today Planned Parenthood Los Angeles, along with officials from the county of Los Angeles, including the Board of Supervisors, the Departments of Public Health and Mental Health, the Los Angeles County Office of Education and the Los Angeles Unified School District announced a landmark program that will open 50 wellbeing centers in Los Angeles high schools to provide healthcare services, education, parent resources and support, and more to students on campus.” This is a first of its kind. Collaboration between local partners to address the social, emotional, and sexual health needs of young people throughout Los Angeles. We have heard of the plan of wellness centers opening in our Orange County schools.

We have been told that these wellness centers will not have medical procedures or pharmaceuticals administered. Yet we wonder if the counselors in these settings will be affirming confused young people into changing their gender and referring these youths to outside agencies for their medical care with or without parents' knowledge or consent. The young people who will be going into these wellness centers may be the most vulnerable emotionally. Is Planned Parenthood partnering up with schools to provide coloring books and yoga instruction to help children with their social, emotional needs. OUSD has 11 such wellness centers opening in Title I schools. Parents do not want these. Confusing and then confirming children in their confusion to change genders is child abuse. Keeping parents in the dark or lying to parents that their children will likely commit suicide if they don't confirm this, when in fact, the suicide rate of individuals who go through this process is high. Up to 85 to 90% of gender confusion in young children is resolved and biological sex is preferred. It is tragic.

The Pacific Justice Institute says, California school districts' crisis hotlines link kids to sexual predators. I urge Superintendent Al Mijares and the trustees on this board to be very cautious of the conversion of our children quietly and subtly. Please do your due diligence to not allow our children to be confused and affirmed into chemical and/or surgical mutilation of their bodies. Thank you.

SPARKS: Thank you.

SHAW: Kelly, followed by Libby.

KELLY: Good evening everyone. I like to come and give positive messages. Sometimes I wake up and I see a lot of negative press. This week I saw a lot of negative press by Judge Riddle who likes to come in every month, speak really negative things, and waste colossal amounts of time. I saw that she filed a lawsuit against a board member and it was really, really disturbing that she can't spend her retired judge years focusing on investigations that deserve investigations like wellness centers that parents and children don't need, instead of focusing on your jobs. Your jobs are amazing, and I want to encourage you guys to stay positive among some really dark, stupid wastes of money that are going on right now in Orange County as a retaliation against your hard work.

You guys do put kids first and parents do appreciate that. It is not easy to be in your position. Last month you guys passed a parental rights resolution and we are all really grateful. Every day we see districts that are not putting kids first and we appreciate your efforts, and I want you guys to stay positive. Thank you.

SPARKS: Thank you.

SHAW: Last but not least, Libby.

LIBBY: I want to start with, I concur with some of the previous comments asking that you please do have an independent committee do the oversight of what is happening at OCSA so that everybody can be confident in the results of that investigation. But what I prepared to bring for today, is I saw on the Agenda that Dr. Williams wants to add the Cochrane review of mask mandate studies to the record for this board. Even though the link in the Agenda doesn't work, I'm familiar with the Cochrane meta-study. This is not a new study, but a review of many other studies. To quote, Michael Hiltzik of the LA Times, "Of the 78 studies compiled in the Cochrane paper, only six concerned the COVID-19 pandemic, and only two of those studied Covid and mask mandates. Those didn't actually examine mask wearing, but only whether mask mandates were in place.

Nevertheless, they found that mask mandates helped to suppress Covid. In one, a massive study of more than 340,000 residents of rural Bangladesh, the study found that the mask programs that promoted but didn't mandate masks increased mask usage and reduced symptomatic Covid infections. Demonstrating that promoting community mask wearing can improve public health. Masking tripled among the test group. The second study involving about 6,000 Dans, found a modest difference between mask wearers and non-wearers. But the study was small and underpowered in statistical terms. It was designed to test for 50% reduction infection rates and took place in a setting where Covid infections were very, very low. Federal Centers for Disease Control and Prevention compilation of studies of mask efficacy shows that most have found appreciable gains from masking. Among them is a study of an outbreak aboard the US Aircraft Carrier Theodore Roosevelt, where sailors lived and worked in close quarters, which found that mask produced a 70% reduction in infection or a reduced risk of infection.

Another study of 33,000 pupils and eight school districts in Massachusetts found an infection rate of 11.7% for unmasked, and only 1.7% for masked children. During the 2021 outbreak of the Delta strain of Covid, outbreaks were three and a half times more likely in schools without masking rules, compared with those that had mandates. Of all the studies that actually looked at mask wearing, confirmed that wearing masks work to reduce infection. For some anecdotal evidence, just last month at this meeting, I sat masked next to a woman who came down with Covid the next morning and I have yet to have Covid. Wearing masks, if you wear them properly, they do work. Thank you.

SPARKS: Thank you.

SHAW: Do we have more? No.

SPARKS: Okay. All right. Thank you. All right. Thank you everyone. Moving on to the consent calendar. Do I have a motion to approve, items one through six on the consent calendar?

WILLIAMS: So moved.

BARKE: Second.

SPARKS: All in favor?

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

SPARKS: Consent items passed 5-0. Nina, do we have charter submissions?

BOYD: It said that you wanted to speak at the end of the meeting? Do you want to speak now or you want to speak—

LINDA: Sorry. I wanted to speak at the end of this part, public comment.

BOYD: Ok. That is fine.

SPARKS: We are happy to have you come speak.

LINDA: Okay.

SPARKS: Yeah, come on up. Yeah. Sorry for the confusion.

SHAW: Okay, we are going to hear from Linda.

LINDA: Sorry for the confusion, which I think is very dominant in the room. So many of the comments that you have just heard seem to be directed to the empty seat in the room. I'm also guilty of doing that because much of what I'm going to be telling you is going to be directed at Superintendent Dr. Mijares who has been here I think once in the last five meetings. But I have no recourse except to direct these comments to you. I want to alert you to something you already know. Yesterday at the Board of Supervisors meeting, there was a memorandum of understanding granting Al Mijares as Superintendent of Schools and the Orange County Department of Education for mental health student services, the sum of almost \$8 million, actually about \$7.5 million dollars.

For the next three years, my friend Lorrie already talked to you about these wellness centers all around us that are incorporating Planned Parenthood as part of their agenda. Of course, we know of the close association between Planned Parenthood and CHOC and that concerns us. If these wellness centers were simply wellness centers to make kids comfortable and reduce their anxiety, we would have no problem with that. But there is an agenda here and it is an agenda that has been well documented. I would like to add even further documentation. Just two months ago, CTA passed a new business item, this was in January, to hire an LGBTQ plus liaison in every school in the state of California so that schools will be a safe place.

Now, where are these liaisons going to be? Out on the soccer field? I doubt it. They are going to be in these wellness centers. They are going to be talking to these kids, and we have already documented all over the state and the nation where a willing and devoted counselor to this particular agenda will encourage these kids to seek gender transitioning. So we have laid the groundwork and the pathway for them, and that is what concerns us. I know you as a board do not have the staff and the money to investigate all of this going on. But I would ask you to urge Dr. Mijares to come before us and explain how he can set up these wellness centers and guarantee parents that they will not be conduits to CHOC services. If he can do that, we will support this agenda. But if he cannot do that, then will be speaking often here, as well as at our local boards.

I just want to reiterate something Lorrie mentioned. Orange Unified parents found out that these wellness centers have been instituted at 11 Title I schools and they are very upset. They want to know who made this decision, when it was made, and now how do we get rid of these wellness centers that potentially are going to be preying on their kids? Thank you.

SPARKS: Thank you. I think I asked if there were charter submissions?

BOYD: You did and there are none.

SPARKS: Okay. Item seven, we will move to item eight and I will call Aracely Chastain to the podium.

CHASTAIN: Good evening, President Sparks, members of the Board. Today the Board will hold a hearing to grant or deny the Irvine International Academy amended petition and requested material revisions. On December 13, 2022, Irvine International Academy submitted material revision requests to add grade seven and eight and remove the set number of required minutes for physical education in the charter petition. On January 24, the charter school submitted an amendment revising the original charter petition to reduce, not remove, the number of physical education minutes to a minimum 50 minutes per week. The Board held a public hearing on January 4 to consider the level of support for the material revisions.

As legally required, the revised petition has been reviewed according to California Education Code and you have been provided the Orange County Department of Education Staff Report that offers recommendations for consideration by the Board. Orange County Department of Education staff recommend that the Board approve both the Irvine International Academy's material revisions to add grade seven and eight and the revision to the original petition, reducing the number of physical education minutes for all students to a minimum of 50 minutes per week.

The revised Irvine International Academy charter petition meets the standards outlined in Education Code 47605. The California Assessment of Student Performance and Progress, or CAASPP data for 2021-22 shows Irvine International Academy students are performing higher than the state and meeting grade level standards. On the English language arts, 44.7 points above standard and mathematics, 64.6 points above standard. The 2022 California School Dashboard status levels are classified as high for English language arts and very high for mathematics.

Additionally, the proposed material revisions will allow the school to grow its enrollment and allow additional flexibility in course scheduling, while providing a minimum number of physical education minutes each week for all students. Prior to public comments, representatives from Irvine International Academy shall have equal time or 10 minutes, whichever is greater, to present evidence and testimony responsive to the Orange County Department of Education Staff Recommendations and Findings published on February 14, 2023. I now invite representatives from Irvine International Academy to the podium.

BEAN: Hi, good afternoon. My name is Dr. Stefan Bean. I'm the Executive Director for Irvine International. I don't have much to say other than I do want to compliment the Board on overseeing a very collaborative charter school division, led by Aracely, Maureen, who is our coordinator, and Nina. They were very cooperative during this process. It has been a very smooth process and we are very happy with the recommendation that they provided this evening. I just ask you guys to accept the recommendation and approve the material revision that we submitted. Thank you very much.

SPARKS: Thank you.

CHASTAIN: The hearing is now open for 15 minutes of public comments. Deputy Superintendent Boyd, are there any public comments for this agenda item?

BOYD: Not related to this agenda item.

CHASTAIN: This concludes the public hearing for Irvine International Academy. The Board has four options for action regarding the charter petition material revisions. Option one, approve both of the material revisions. Option two, approve one, but not all of the material revisions. Option three, approve one or both of the material revisions with conditions; or option four, deny both of the material revisions. President Sparks, I now close the public hearing and turn the meeting back over to you.

SPARKS: Thank you very much, Aracely. Okay. Board members, do we have any questions? I will start to my right. Mr. Valdes?

VALDES: I don't have any questions, but I just wanted to go over those numbers again. Dr. Bean, 44.7% above standard in math. That is just off the charts. Did I hear 66.6% over standard in English? Is that what I heard, Aracely?

CHASTAIN: 64.6.

VALDES: Sixty four. It is really easy to get a yes vote when you are coming back with numbers like that.

SHAW: I don't have any new questions. We talked a lot last time, so I appreciate you being here.

SPARKS: Trustee Barke?

BARKE: I would like to just make a motion to go ahead and approve both.

SPARKS: Okay. Do I have a second?

SHAW, VALDES: Second. Second.

SPARKS: All in favor?

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

SPARKS: Passes 5-0. Congratulations. Thank you for your wonderful work.

BEAN: (Inaudible).

SHAW: Good news.

SPARKS: Fantastic. We are so proud of you guys. I will call Aracely up to the podium again.

CHASTAIN: The Board will now hold a hearing to grant or deny the Sycamore Creek Community Charter School amended petition and requested material revisions. On December 16, 2022, the charter school submitted material revisions requesting to become a countywide charter school at high school grade levels 9-12, open an additional school site in the city of Cypress, and change enrollment preferences to add a preference for students who reside in Orange County, add a preference for pupils who attend the public elementary school where 55% or more of the pupil enrollment is eligible for free and reduced price meals for the purposes of the Charter School Facilities Grant, and remove the preference for students who reside within the attendance area of Ocean View School District where the school is currently located.

On January 31, 2023, Orange County Department of Education staff met with charter school representatives to better understand and clarify information in the material revision requests. As delineated in the Staff Report published on February 14, 2023, OCDE staff cannot provide a recommendation regarding the conversion to a countywide charter school, as the Education Code does not provide a specific process for how a charter school denied by a school district and approved by a county board of education under Education Code section 47605 obtains countywide status via a material revision. We recommend that the charter schools submit a new countywide charter school petition for consideration by the Board that meets all requirements for submission, including the gathering of signatures and appropriate notification to impacted school districts.

OCDE staff recommend denial of the request to add high school grade levels 9-12. Currently, available academic performance data does not indicate that the charter school presents a sound educational program for the students currently being served. California Assessment of Student Performance and Progress (CAASPP) data for 2021-22, shows that overall, Sycamore students are performing significantly lower than the state in meeting or exceeding grade level standards. On the English language arts, 46.1 points below standard, and mathematics, 80.8 points below

standard assessments. The 2022 California Dashboard status levels for Sycamore Creek are classified as low for English language arts and low for mathematics.

Charter school operators have described the challenges they have had in the past two years, and we recommend that the school put all resources and attention to immediately implementing a robust intervention plan that results in significant improvement in students' academic performance across all grade levels in the coming years, or the charter may be at risk. OCDE staff recommend denial of the request to open an additional facility within the boundaries of the city of Cypress. Education Code sections 47605 and 47605.1, do not allow for a district-denied county approved charter school to open a site outside of the geographic boundaries of the district that originally denied the charter school.

Additionally, we have recently been made aware that the charter school may not have appropriately notified the affected school districts of their plan to open within district boundaries. Cypress School District has stated that the proposed location is within their district boundaries for elementary school and within the Anaheim Union High School District boundaries for the middle and high school. The charter school provided notification to Los Alamitos Unified School District and Ocean View School Districts only. We have notified the lead petitioner of this information. OCDE staff recommend approval of the additional enrollment preferences for students who reside in Orange County and for pupils who attend the elementary school where the charter school locates for the purposes of the Charter School Facilities Grant and recommend denial of the request to remove the preference for students who reside in the attendance area of Ocean View School District where the school is currently located per Education Code section 47605 (e)(2)(B).

Prior to public comments, charter school representatives shall have equal time or 10 minutes, whichever is longer, to present evidence and testimony responsive to the Orange County Department of Education Staff Report published on February 14, 2023. I now call representatives from Sycamore Creek Community Charter School to the podium.

BROUILLETTE: Hello, my name is Liane Brouillette and I'm a professor in the School of Education at UC Irvine. What I'm going to do is simply give a very brief introduction that clarifies the context of this discussion. When a new charter school, and your charter school opened in the year 2019-2020. As you all remember, that is when the pandemic started, so it did not facilitate the absolutely best start and yet, well, let's go on. When a new charter school opens, families whose children have already settled into a local school and made friends, are hesitant, usually, to change schools. When families move a child to a new school, it is usually because the child was not thriving at their current school. Even when the new school is a better fit, students who struggled at their former, former school take a while to catch up and this has an impact on the charter school's standardized test scores.

Sycamore Creek faced an additional challenge in that it started the first year of the pandemic. When Sycamore Creek students took the CAASPP for the first time in 2021-2022, no data was available from earlier tests to show whether students had been catching up or falling farther behind. Some people argued that the lower scores were the fault of the school, but the many enthusiastic Sycamore Creek parents who attended the February public hearing with the Orange

County Board of Education were clearly convinced that their children were thriving and advancing. I'm going to go ahead and let Sarah explain.

BACH: Thank you. My name is Sarah Bach, executive director of Sycamore Creek Community Charter. Thank you, Board of trustees, President Sparks, staff, and audience. This evening, I am pleased to be here and address these concerns that have been brought up by staff. I would like to start with this slide and I want to show you here, these are the raw scores of our nine eighth graders from last year who took the CAASPP 21-22 for ELA, math, and science. I want to draw your attention to the scores that are highlighted with an asterisk because those scores, for instance, the bottom one in the middle column of 2,566 points is one point away from the cutoff of meeting the standard. It is 0.0004% away from meeting the standard.

At the last meeting, you may recall that I talked about how when you have a very small class size, one student is more heavily weighted if they don't perform as well as a school or a class size of 30, or a district of hundreds of students. I just want to ask us tonight to consider, are we here to talk about how our students are doing? If we are, then let's look at their scores and think about how they are actually doing pretty well.

[Presentation is displayed].

In this graph, I want to show you that the blue bar is Sycamore Creeks nine, eighth graders. When we allow those few students who are within 0.004 or 0.002% away from meeting the standard, our students actually outperform in all categories of math, ELA, and in science. I want to mention that those are the actual raw scores. If you notice in the previous slide on the right, those were the science scores and there was no highlights, so those are the actual scores. The yellow bar is LAUSD and the green bar is the state. I just want to point out that Sycamore has about 55% of its eighth graders meeting or exceeding the science standards; whereas, LAUSD has a little more than 20% of its eighth grade students meeting or exceeding the science standards. Again, Sycamore students outperform in all categories.

All right, this slide is a little different. This slide shows the opposite. We actually want less here. Less is better here. We will first start to the right, the science scores. These, again, these are our nine, eighth graders compared to the entire state and the entire district of LA Unified. In science, there is no purple. Sycamore is purple. That is because 0% of our eighth grade students fell into the category of not meeting the standard, being in that lowest bucket, basically failing, not meeting at all. Whereas, you can see LAUSD, it is more than 20% completely failed if you want to look at it that way, and did not meet the standard and somewhere maybe around 17 or 18% for the state. And it is the same trend across in math and in language arts. In fact, more than 50% of LAUSD students did not meet the standard at all in math. Around 32% of our eighth graders didn't.

I just realized I failed to mention that these scores include our SPED students, which is about 22%, which is actually much higher than most districts, percentages of special education students. If you include our 504 students, it is even higher. It is 33%. You might remember this chart from our last hearing where we showed the recent research by Dr. Kimberly Telfer-Radzat where she looked at schools across California. She looked at Waldorf Charter schools in

particular and found that over time, as students progressed through the grades, Waldorf Charter School students by eighth grade are outperforming all other schools. In fact, this is the language arts graph. She found that just over 19% more students in the treatment group were meeting or exceeding state ELA standards by eighth grade, versus 2.8% more in the control group.

I just want to mention that when we look at our nine eighth graders from last year, 14% were above LAUSD and 9% were above the state.

BROUILLETTE: Yes. I was just going to just put one small comment in. Some people here may not realize that Waldorf schools start teaching reading at the age of six, as opposed to in kindergarten. That is why it is useful to talk about catching up because actually they are jumping.

BACH: Yeah, developmentally, yes. Thank you, Dr. Brouillette. Here is the chart for math, which has the same outcome. In this figure, we can see that on average over 16% more students in the public Waldorf charter school treatment groups were meeting or exceeding math state standards by eighth grade. And by contrast, the control group, 12.5% fewer students were meeting or exceeding the math state standards by eighth grade. When we look at our nine, eighth graders, Sycamore is 21% above LAUSD and 15% above the state.

In closing, thank you, Orange County Board of Trustees. But in closing, just to echo what Professor Brouillette mentioned, despite the hardships of Omicron last year that we described at the last hearing where we lost almost 20% of our instruction throughout the year, as well as it being our very first year of state testing. And of course there is always proctor anomalies your first year. There is always going to be difficulties. It is your very first year proctoring such a big exam. Our eighth grade students, we believe they did well all in all and we do expect them to continue to do better and better. Thank you.

SPARKS: Thank you. Aracely, we will call you back up. Sorry, I was looking at you.

CHASTAIN: The hearing is now open for 15 minutes of public comments. Deputy Superintendent Boyd, are there any public comments for this agenda item?

BOYD: There are.

SHAW: Alright, so we will do the same thing. I will call a name followed by who is on deck. We will start with Andrew, followed by Chris.

ANDREW: Good evening. My name is Andrew Pulver, proud superintendent of Los Alamitos Unified School District. I'm pleased to be able to speak to all of you tonight. I'm here to urge the County Board to follow the recommendation of its staff and deny Sycamore's request for a material revision. Additionally, district legal counsel has submitted correspondence to you explaining that Sycamore has failed to follow the specific process in Education Code for obtaining countywide status; thus, there is no legal basis for any of you to approve this material revision as submitted. Simply stated, this charter cannot legally request to locate a facility within our district, within Anaheim, within Cypress, sounds like we don't know, through a material vision.

Obviously, you approved a material vision just prior and those were the appropriate grounds. Your own staff recommended that. As far as the data that you just shared, I think as soon as you take away data from certain students, of course data is going to improve. But just because the bar graph shows, that doesn't mean it is accurate. The state data is clearly there.

Sycamore as you already had heard, is restricted to locating only within its geographic boundaries of Ocean View School District. The Sycamore charter has incorrectly asked the County Board to allow it to operate throughout Orange County. Again, not appropriate use of material revision and the charter has failed to follow the heightened standards of expanding its geographic limits. The public's concern with the charter's unbridled operation without geographic limits need not be explained. The Legislature has specifically plotted the standards in Education Code 47605.6, that a charter must meet in order to grant permission to operate a countywide. They have simply failed to do so. The Sycamore petitioners are mistaken if they believe that the law allows them to convert into a countywide charter simply through a material revision. They have failed to follow that specific process. They needed to have gained, as you heard your own staff recommend to you, gained signatures of parents or teachers in the county with current meaningful interest in the school, but they have flatly sidestepped this threshold requirement.

It is our hope and expectation that you deny Sycamore's request and you follow the recommendation of the county staff just like you did prior for the previous material revision, as you are clearly advised of your legal roadblocks of why Sycamore's requests cannot be approved. I heard some of your comments about praising the previous charter school and how they have improved and have exceeded beyond the state's academic performance. Clearly you have seen that Sycamore has not. We would request that you deny and encourage them to continue to invest in those students and make sure they are focusing on all students, not just the ones that they want to report on a bar graph. Thank you.

SPARKS: Thank you.

SHAW: Chris will be followed by Liane.

CHRIS: Good evening. My name is Chris Forehan and I'm the very proud president of the Los Alamitos Unified School District Board of Education. We, at the district, strongly agree with the county's Staff Report to you that Sycamore Creek Community Charter School's expansion at this time, as it is not in the best interest of children. Our district is not aware of any local interest in Sycamore's proposal to offer grades nine through 12. Based on the thorough report by your county staff, Sycamore has limited students interested to even support this expansion. It currently has only 13 students in eighth grade, and it does not appear that the school has enough students to adequately feed into the ninth and tenth grade levels based on enrollment projections for the 24-25 school year. This lack of interest could be because Sycamore is currently performing well below the state's average in core subjects. Sycamore is also performing the lowest in mathematics compared to each school in the district in which it currently operates, Ocean View School District, according to the California State School Dashboard.

In 2018, county staff had concerns that the petitioner's implementation of the Waldorf educational model would result in lower academic performance. The petitioners then assured you

that Sycamore students would meet or exceed the performance standards by eighth grade. Yet, according to the county Staff Report, Sycamore has no publicly available data for eighth grade due to the low enrollment, and the data petitioners made available only confirmed that nearly none of their small eighth grade population was meeting statewide performance standards. As a board of education, we simply lack confidence in the charter's proposal to expand before addressing its low academic performance. We urge the County Board to deny Sycamore's material revision request. Thank you.

SPARKS: Thank you.

SHAW: Liane will be followed by Alisha.

LIANE: Hello. I just want to address what was just said about Waldorf schools. I actually started my career in Germany as a teacher. Waldorf schools follow a European model. It is something that some people might like. Some parents do, some don't. It is not like we are saying that everybody in a certain area, or that they become the neighborhood school. But one of the things that has been associated with a switch in the United States, the United States used to teach reading in first grade. Now it is nationally normal to start teaching reading in kindergarten. The problem is that young boys and young girls actually, what would you say, develop in different ways. There is actually, and I'm more than happy to give you that evidence, there is evidence that young boys can take six years longer than young girls to actually mature as far as their ability to really talk, to read. They tend to have more of a focus on physical, on spatial awareness. I won't bore you with that. But if anyone wants to talk to me about it, I'm more than happy to do so.

The problem is that in the last few decades, there have been fewer boys graduating from college, for example. It has actually been getting worse. Now, there is evidence, it can be proven that if those boys had perhaps started reading, started some of the academic things that are currently being asked of children simply because the United States wants to be globally competitive. But sometimes globally competitive actually reverses the child's ability because they are being asked to do something when they are not ready to do it. Therefore, I hope that the two superintendents who I think are perhaps aware of what I'm saying, will at least think about that. We are not wanting to take any of your prerogatives away from you. We are trying to reach out to those families who perhaps would do much better in this particular model of education.

SHAW: Thank you very much.

LIANE: Thank you.

SHAW: All right. We will have Alisha followed by Stephen.

ALISHA: Good evening. Thank you all for hearing us today. I had the privilege of meeting with charter staff for our oversight visit at Sycamore Creek. I am the board president and a mom of three children currently attending Sycamore. I am also a small business owner, and my day job is an attorney. By night, I am all about Waldorf. I enjoy it so much that I started the teacher training program three years ago and I'm still doing it even though it is quite a commitment.

While at Sycamore this afternoon, we walked out of one of the classrooms and were faced with snow. I'm not sure where you were at about 2:30 this afternoon, but my kids swear it was snowing. It was hail that was fluffy and white, powder white, and it was really something. Everybody in this room faced that in order to get here today, so I think that is quite a testament, right? Southern California snow. Education is incredibly important to my family and I have the student loans to prove it. As you heard at our last meeting here, we have a school filled with educators who are sending their children to our school. We believe in this model so much that we are willing to take that leap of faith. We are doing something very different than what many other schools are offering. But they are learning and they are learning incredible skills. There was a comment in a local newspaper, while the Sycamore kids are learning to sew, other kids are inputting data. And the rebuttal was, sewing is an important skill that surgeons need, that we are losing our dexterity. Because we have lost that ability to work with our hands. We are so removed from these skills that were once so fundamental to our survival.

Just a couple personal things, my son was the one that had the wiggles in kindergarten and that is how I began my Waldorf journey. That wasn't going to work for our family. He wanted to color the bear rainbow, not brown. He wanted to move his body. Now in fifth grade, he is reading at an eighth grade level and reciting Robert Frost poetry. My third grader is leaving me notes in cursive. I guarantee there will be one on my pillow tonight when I get home. My first grader is so excited about learning. She is constantly telling me the stories, things that I'm not sure I understand fully because I wasn't there to hear the beginning of the story. But she is so fired up that I'm right there with her. It is an incredible model. When you look at the test scores, it is really not apples to apples. We are asking for a chance to expand our school, and to really show up and show you what we have. We need that chance to do that. Thank you.

SHAW: Well, now we will hear from Stephen, number 18.

STEPHEN: Thank you for allowing me to speak. This is my first time coming to a meeting. A little bit about me, I live in Los Alamitos School District area. I have three children that attended the school district, two have their master's degree. I wasn't asked to be here by the school district. I simply saw an article in the local newspaper, decided to read up on the subject. I spent a career—37 years in business. I helped grow a company from two people to 1,500. It was a finance company. It had a billion dollars in outstanding when I joined, and 50 billion when I left. Since retirement, I have been a consultant. I served on a board of directors on a public company for seven years, so I have a lot of experience in business. I have a brother and a sister who are teachers. I have a son who is a teacher at a low to moderate income school district and I have three cousins who are teachers. I would say I came from a family of teachers and decided to get into business.

Early in my career, a vice president said to me that the final measurement of results of performance are your results. It was a period of time in my life where my area of responsibilities weren't doing that well. And at review time, I was hoping that he would overlook the performance of my area and give me a good review. Unfortunately, he told me that results are the final measurement of performance and my results weren't very good. There seems to be some confusion over how well the school did, Sycamore did, in their performance. The California results show you are not doing very well. I understand you have come up and said there is some

different ways of looking at it. But based on how the school looks at it or how California looks at it, they aren't very good.

As I looked at it as a business person, I saw poor test results and a very young school. To be moving into high school responsibilities and only nine students in your eighth grade that would be moving into ninth grade, it looked to me like with those kinds of results, at this point, it is a little early in your development to be expanding to the high school level. Having lived in Los Alamitos School District, I was concerned that you would do anything to harm that school district. Seems to me, if anything, you would want to learn from that school district and other high performing school districts. What are they doing so well and what can you do to improve and leverage what they are doing? In business, we talk about best practices. What are the best practices and how do we apply those? I would be very concerned as a parent of a grandchild who will be attending Los Alamitos School Districts, they would do anything to harm them.

I certainly appreciate enthusiasm. I appreciate those willing to strive and try new things. That is what we did in the organizations that I managed. From my perspective, it is a little early to be advancing and moving on to a higher level of teacher training. Thank you.

SHAW: Thank you.

SPARKS: Thank you.

SHAW: That will be it. Thank you.

CHASTAIN: This concludes the public hearing for Sycamore Creek Community Charter School. The Board has four options for action regarding charter petition material revisions. Option one, approve all of the material revisions. Option two, approve some, but not all of the material revisions. Option three, approve one or more of the material revisions with conditions. Option four, deny all of the material revisions. President Sparks, I now close the public hearing and turn the meeting back over to you.

SPARKS: Thank you, Aracely. Well, we have had a lot of public comments. Thank you for that information. I'm going to start with Board questions and I will start with my left. Trustee Barke, do you have any questions for either side?

BARKE: At this point, I don't have any questions.

SPARKS: Okay. Trustee Williams?

WILLIAMS: Yes, I do. Couple questions on a few issues, if you may come up, Sarah? I will ask Janelle to come up. My questions will deal with the academic component of the test scores, as well as the legal issues regarding opening up the charter school outside of the denying district. To begin with, I have had a few conversations with the good Dr. Brouillette from UCI Education School. Where is she? There she is. I so appreciate and respect your degree of expertise on the Waldorf School. The Waldorf system is a very impressive system. It does work nationwide. We see good test results, especially on the PISA. Which I think you made the case, Dr. Brouillette

that the PISA scores were exceptional for those countries that use the Waldorf approach to education.

The reasons that people are concerned are, of course, the scores that probably are not a fair representation for the period of time that you began, right before Covid. You came before this committee here, this board, we approved you because we believed in the vision. We believe in the Waldorf vision of excellence and how well the kids and the children have done in the past. Dr. Brouillette if I can get you up here to kind of elaborate more on the previous conversations we had, because this is very important to put into the public record. We had Stephen who just came up here. Thank you, sir, wherever you went. Thank you for coming up and speaking. You will love charter schools because they are different and they have a different approach.

When you have a typical public school that is a brick and mortar with the same curriculum, it is good for probably most of the kids in that district, but it is not good for everybody. That is what make charter schools different. That is what makes them exceptional. That is what this school does. As you showed last week, many of your kids have teachers who are parents. Why did they come there to Sycamore, and they are teachers? Because you offered something different for their kids. Maybe not every child in your area should go to a Waldorf school. I think getting back to Dr. Brouillette, thank you for coming, again. I certainly appreciate your expertise. Could you comment on these PISA scores and why they are important?

BROUILLETTE: Yes. How many people know what a PISA score is? Oh, okay. It is actually an international thing. I think there is 79 countries that are now participating. If you are in education, it is something that gives you a sense of how your country is doing compared to other countries. In recent years, the United States actually has been going down in comparisons. For example, the European countries, and that is not a good thing. The problem is, and I understand totally why you are talking because my husband happens to be a businessman. And he talks a great deal about the best way of doing things. The thing is, in education, children are very diverse. And some of them simply don't grow up as fast as some others. In fact, the same person who came up with the research that turned into nuclear weapons didn't speak until the age of six. That sort of thing just happens.

We have to not say that every child who isn't reading at the end of the fifth grade, is a child who for some reason is failing. That could easily be a child who later in their life will have—I don't mean to take up too much time. Waldorf gives children time. It seems like a little thing. But the fact that they don't have to read until the end of first grade as opposed to the end of kindergarten, allows those little boys to catch up. They don't start to think, oh, I can't do this. They don't turn against school. Those people who saw these parents when they were here last time and all the enthusiasm, it is because some of them did have children who were starting to give up because they were developing a little bit slower. But that didn't mean that those children weren't going to do very well.

What we are doing is we are arguing that this particular model of education, which gives the children one more year to get started on reading, which is such an important part of their development, allows them to succeed where they might not have otherwise. It is not a way of trying to take children away from any particular district. We are very happy when those children

do very well. I'm sure that you are just as happy when a child that wasn't doing well is able to get into a classroom or a school where they do do well, so I think we actually agree pretty much completely. This is just for those children and those parents who really feel that this is good for their child.

WILLIAMS: If I can, for the record, I need to put into this record, because there is a lot of people who may not be aware. I'm not picking on you Stephen. But if you are a businessman and you didn't get paid for what you are doing, would you do it? Probably not, huh?

STEPHEN: (Inaudible).

WILLIAMS: No, no, no, no. I'm just making a rhetorical point here and I'm picking on you. Sorry about that.

STEPHEN: Am I on the record or off the record?

WILLIAMS: You are off the record. I'm the actor now. I get to say what I want. I'm making a point because you made this business point. This is very important for the public record. This woman here did something that I probably wouldn't do as a businessman. I wouldn't hire somebody if I didn't have the money to do it. I wouldn't buy anything if I didn't have any money to do it. Do you know what Sarah did at Sycamore Creek? During the Covid crisis when she was not allowed by the state people in government, she was not allowed to take any more money. She took in how many kids, that you weren't paid for, that you educated for free? How many? What is that? I want this for the record.

BACH: We were allowed to take in 125 and we took in 129, so four more students.

WILLIAMS: You took in kids who wanted to come in and you didn't get?

BACH: We would have taken more, but then we also had the spacing constrictions. Everyone had to be six feet apart. As we all know, we were dealing with so many things and factors to work through. Yeah.

WILLIAMS: You took in kids that you weren't paid for. You wanted to go and take them all in, but the state didn't pay for it. You had restrictions that were put on by the state for the Covid and yet you did this because you wanted to help your community.

BACH: Because Waldorf education is so transformative. I think that is why it is the largest international social movement that is not denomination of sorts. There are thousands of Waldorf schools around the world. There are Waldorf schools in Communist China that aren't allowed to be there. Once you find it, as Dr. Brouillette is explaining and it resonates with you and your family, and your child, or your children, there is really no other option for that person, that family. For me, I agree. It is not perfect for everyone. I truly believe it serves the most students the best and that is not every student.

WILLIAMS: Could you also, for the record, we had a conversation about your scores. Could you give us your game plan going forward?

BACH: Our game plan is really to keep doing what we have been doing and have it start to show. When you really look at numbers, when you really get close to the data—I mentioned our nine eighth graders. Well, those were not the only students that tested. We had 60 or so students that tested. If you have nine eighth graders that are doing well or even very well, but then you have, as Dr. Brouillette mentioned, a slower developing, younger students not doing well, but many of them. That is going to pull the whole group downward. But we really truly believe as we come out of this pandemic, out of this cloud, and we get our footing, we keep working with the students because we offer the looping model, which is so important.

There was just an article that came out in Cal Matters I think. That Vermont for instance, over half of the schools in Vermont use the looping model where students stay with the same teacher for more than one year. They are finding that up to a month of instruction is gained through that model. When our students stay with the teacher, and because we just got opened, we need a little time for them to stay with that teacher. Additionally, another factor that I don't think has been mentioned is that we opened up through grade six. Those sixth graders, they weren't with us for those other sixth years with our curriculum, with our pedagogy, with the teacher. But by the time they got to eighth grade, I think if you look at it with a nuanced view, at actually how they are doing, that is pretty significant when you consider everything. As we are allowed to grow, as we are allowed to basically continue along our path so that we can see how it plays out.

Let's say we were coming up for renewal, which we are not, but we are expected to in 2026. Let's look at it then. I will be the first to say if our scores are not where they should be, then by all means and this is in the public record. I'm not going to stand up here, I don't think any of us would, and say that we should continue doing something that is not meeting the legal guidelines.

WILLIAMS: In other words, you are going to work hard to improve those scores.

BACH: Oh, yes. Oh, yes. We are working hard and we are seeing improvements. We think we are going to see large improvements this year coming up in just a couple of months.

WILLIAMS: Okay.

BACH: Yes.

BROUILLETTE: Something really quick. We were just talking about the international PISA scores, and we were talking about the age of 15. If I were you, that is when, and we are talking about Europeans who start at the age of six reading, et cetera., it is at 15 that they really start to show, so we would like to have that.

WILLIAMS: Okay.

BROUILLETTE: That year.

WILLIAMS: So you want the high school part of the request too, huh? Okay.

BROUILLETTE: Well, if you do, yeah.

WILLIAMS: Okay.

BROUILLETTE: Because it is just in the curve right now. (inaudible).

WILLIAMS: Okay. We will get into that. The next question is for Janelle here. Part of the appeal process that we heard, for the public record, we received very late Friday afternoon. Didn't have an opportunity to read it, review it until afterwards. But we received it Friday afternoon from Los Alamitos legal counsel, regarding this issue of opening outside of the denying district. Looking at the information, looking at the laws, there is a few laws that play a role in the analysis. To help us understand your perspective, could you give us your perspective on why that may or may not apply here?

RULEY: Yes, gladly. Good evening. Janelle Ruley with the Law Offices of Young, Minney and Corr. Thank you for the opportunity and certainly proud to be here with Sycamore Creek. As to the facility location, I will say unambiguously, a charter school that has been denied by a school district and is approved by the county board in its current configuration, is no longer allowed to have any locations outside of the district boundaries. That is not what Sycamore is trying to do. Sycamore is asking to become a countywide benefit charter school, which is under a different statute and has different rules for facility location.

This is new. This is new. This is novel. That is why there are a lot of opinions. It struck me that we heard from the district, both that Sycamore is doing the process wrong and that there is no process. I'm not sure how we have both of those at the same time. To the argument that a charter school can become a countywide benefit only by collecting signatures and sending notifications, first of all, Sycamore did send notifications. But the requirement to collect signatures is attached to an establishment charter school, so a new charter school. Sycamore is an existing charter school. It is not new. It is not proposing to be new. Further, there is an Education Code section that says whenever there is a material revision, we are confined to the standards and criteria of section 47605. That is the district denial or approval statute. A material revision to become a countywide benefit, we don't have to follow the requirements of the countywide benefit.

A couple other things I would say, there is another statute that allows a statewide benefit school, there is only one left. There were only two ever. Statewide benefit is longer allowed after AB 1505. There is a statute that says a statewide benefit, that at renewal, becomes authorized by the county, becomes a countywide benefit. So there is precedent in the law for a charter school to sort of change its stripes. And instead of being a statewide, can now become a countywide. That is there in law.

Then I guess the last thing I would say is there has been, I think, some derision around the idea that the Education Code is permissive, but this is a real thing. The Education Code is permissive. For school districts if something is not prohibited and it wouldn't be contrary to the job of the school district, they get to do it. Charter schools have what is called the mega waiver, so charter

schools are relieved from all of the legal requirements for school districts. Except some which seem to be adding on each year. There was a court case early on in the history of charter schools that says charter schools are supposed to be flexible and they have extra flexibility. For all of those reasons, I think on the facility location what I want to say is the idea of converting from a district denied charter school to a countywide benefit, relieves the jurisdictional issue if the Board chooses to approve that.

WILLIAMS: I will let my other board members ask questions.

SPARKS: Given that we are on the sort of lawyer side of things, I would like to call up Greg Rolan to sort of go through his take on this from a legal perspective.

WILLIAMS: Thank you, Janelle.

RULEY: Thank you.

ROLEN: President Sparks, members of the Board. My take on this is what you have seen before you this evening is very high-level lawyering in the charter school area. The Board action that you are going to have to take isn't necessarily a commentary on Sycamore Creek's dedication or the Waldorf model, it is bound, it is reflective of certain intricacies and complexities in the Charter School Act. It is not an easy Act. Now you have three charter school experts in this room, and me. We have come at this from a completely different perspective. Now, my job representing the Board is to try to reflect the ideological position of the Board to support school choice. At the same time, keep you in compliance with the law.

The Board also has an ideological predisposition towards following the law, so I approach this issue quite differently. Ms. Ruley is right. The permissive sections of the Education Code are real. In the Charter School Act, there is conditional, there is permissive, and there is limiting language. Unfortunately, in this particular circumstance, there is limiting language pertaining to the location of the site that she has acknowledged and there is limiting language about granting preferences. There is preference to students in the geographical location.

My perspective was that perhaps if we had an analysis that could justify making a countywide benefit charter, pursuant to the section, that perhaps we could get there by way of material revision if all of the criteria were met. We haven't. We don't have that analysis before us. My recommendation to this board is to go with option number three and to approve one or more of the material revisions with conditions. The material revisions that I would recommend is requesting to modify enrollment preferences in the way that Sycamore Creek requests. Its reasonable and laudable to include references for school districts from 55% or more free and reduced lunch. I'm sure that that is their intent. With the condition, that the preference for Ocean View students remains. That leaves us in compliance with the Charter School Act. If there are other material revisions, conditional material revisions that we can approve, I would recommend those as well.

WILLIAMS: Question for you, sir. We are talking about material revision versus the countywide charter. Those are two different processes.

ROLEN: Those are two different things entirely. Right.

WILLIAMS: And we are here just for material revision, which suggests that this may not be the right moment to create a countywide effect?

ROLEN: I agree with that. There is a method by which countywide benefit charters are usually sought. They just went about it a different way. That doesn't mean that their different way is wrong, but we didn't do the full analysis on whether it meets the conditions of a countywide benefit charter. Which are, "The educational services to be provided by the charter school will offer services to a student population that will benefit from those services and cannot be served as well by a charter school that operates in only one district in the county." We didn't get any analysis on that. There was simply a disagreement about whether they followed a process or whether they didn't. There was some discussion about what process they followed and whether it was legal. At this point, the conversion to a countywide benefit charter has not effectuated itself, so we are still bound by the limiting language of the Education Code.

WILLIAMS: Can we, looking at the memo from our Department here on page 69, it gives the four options there. I don't know if you are at that page, 69? But I'm thinking, and my question to you is, could we add the high school levels as long as they are within the denying district? Could we add that component to this as some of the options?

ROLEN: If the condition is that there are no new sites outside the Ocean View attendance area.

WILLIAMS: Okay. So they can have a high school with that condition.

ROLEN: Staff made a recommendation that their educational performance was not sufficient to justify that. I can't take a position on that one way or another. I was under the impression that Sycamore Creek was seeking grades nine through 12 in the Los Alamitos location. If they are not, then it is within the Board's discretion and jurisdiction to approve the grade level changes.

WILLIAMS: Okay. That is a very important issue for me. Sarah, can I get you up here for the record?

ROLEN: How far do you want me to go?

SPARKS: Just stay. Stay.

WILLIAMS: Take two steps back. Sarah, obviously we are getting into the real nitty gritty here and into the weeds. My question is to you, you heard our attorney in saying that the countywide charter may not be a green light for you. Would you though take your expansion to high school and keep it within the terms within the limit and the boundaries of the denying district? Could you live with that for now?

BACH: Yes.

WILLIAMS: Okay.

SPARKS: Would it be something like—now I want to get these questions from these guys. Would it be something like, I'm not making a motion, but I would like to make a motion after I hear your question. Something along the lines of approving option three, approving one or more material revisions with conditions, moving to approve material revision requesting modified enrollment preferences with the condition that the preference for Ocean View students remains. And—

WILLIAMS: Number two, adding the high school level.

SPARKS: Adding the high school potentially.

WILLIAMS: But I want to hear from these guys.

ROLEN: That is not outside the attendance area.

SPARKS: That is not outside the attendance area.

WILLIAMS: Right. Correct.

SPARKS: But I haven't made that motion yet, but that is what I'm thinking. That is where my thinking is leading. Okay. Trustee Shaw?

SHAW: Okay. Thank you for your great work, Mr. Rolen in figuring out the law. For the millionth time I'm going to say I wish I would have gone to law school. I made some notes here. At 2:30 this afternoon, I was in Anaheim and it was snowing there. It was kind of fun. I was smiling too when I heard about young boys learning about spatial awareness. I have six boys ages 15 to five. They study spatial awareness every evening playing football in my family room. It is kind of fun. As far as the academic achievement, I think your point was very well made with me about, you get a student and whatever has been going on with them up to now, but from day one, you get them and hopefully you are helping that student grow academically. But you can't control where they are at before you get them.

I teach at a community college in Los Angeles county. Quite a number of our students, English is not their first language. Community colleges are famously trying to play catch up in things like math and stuff. I'm just thinking to myself as I was listening to you, if you were to compare my college, the freshman class math score to the freshman class at MIT, we probably don't look that good. Does that mean we are doing a bad job at our college? I don't think so. I think it is just reflective of, that is where the students were when they showed up.

It always seemed to me that the fair way to assess a student's achievement is really to compare that student to themselves. Where do they start the academic year? Where do they end? How are they looking, versus just comparing this school to that school? Am I onto something, Sarah? Would you agree with that?

BACH: Absolutely. Absolutely. Like I mentioned earlier, we have two tests coming up. The MAPs test. We did some testing this fall and we will do that again here in another month or so.

That will show us how much our students have grown over the course of this year. That is helpful in seeing where we think they will be come CAASPP testing time, about a month after that. We will have that. We think this year has been a lot better. We haven't had the lapses in attendance that we had and were sort of all coming out of everything. I feel cautiously optimistic. I would say even a little bit more than that. This has forced me to really, really look at our scores more closely. I think all in all, I have very high hopes for all of our students. But to see that growth, like you are saying, compare them to each other, to themselves. I know the state, the Dashboard is working on this growth component as well. I think it is about another year or two out for us to start seeing that on the Dashboard. It will be good to see. It will be good to see where our students are at compared to themselves. And then see the CAASPP scores that come next and how they compare to last year. But we don't have those tonight.

SHAW: I'm sure convinced, that life is pretty unfair. I was thinking about how being a brand new school and you get hit with Covid. You are trying to get rolling and how profoundly unfair that whole situation was. I just appreciate the passion from the parents, the teachers. Obviously, Sarah is just an angel amongst us, so thank you for being here and all the great efforts you are putting in. Thank you.

BACH: Thank you, Trustee Shaw.

SPARKS: Stay up there. Trustee Valdes?

BACH: I'm not going. I know. I know.

VALDES: Hi, Sarah.

BACH: Hello.

VALDES: First, I want to thank you for the chart and really trying to break down those scores. If I am to interpret the chart correctly, what you were saying is that three of your students were so close to passing that if they, by hundreds of a percentage point, that if they were included in the passing rate, that your scores would be so much higher because you only had nine students in the grade. That was in effect what you were saying, correct?

BACH: Yes. Thank you. I'm glad that came across correctly. Thank you.

VALDES: I have been thinking a lot about this over the past month, because I did voice some concerns about that.

BACH: Yes. Thank you.

VALDES: Thank you for at least giving us some type of an explanation of that. It is always my opinion that whether I agree with something is not really that important. The parents agree with it and the parents believe that their children are thriving. I am of a belief that parents lead the way on education. I have made that statement very publicly many times. Then I get our legal opinion from our counsel, which is saying, this could lead to a lawsuit, potentially. This could

lead to a lawsuit against your school by Los Alamitos. That concerns me, because now I'm putting kids in harm's way—harm's way of a lawsuit I mean.

BACH: Yes.

VALDES: And the uncertainty of that.

BACH: Yes, I understand

VALDES: Now in the last five minutes, we are sort of talking about keeping the expansion within the same district. Our board's attorney is giving the green light on that, so now I have to think about this again. You said you are okay with that. Where would you expand to if we were to grant this tonight with that condition?

BACH: You mean within the district?

VALDES: Within the district.

BACH: That is yet to be known. We are in Orange County and we know the real estate market here for schools specifically, it is even more difficult. At this point, I don't have an address for you.

VALDES: Okay. But you are okay with that if we said yes to that?

BACH: Absolutely. We are—

VALDES: I just want you to understand.

BACH: Yeah.

VALDES: From my perspective, we were criticized just tonight for spending \$30,000 a month on Greg Rolan. He is telling us no, don't do this in the way that this is plotted out. My background is in the law and I have a lot of respect for Mr. Rolan. Having worked with him now for six months, he absolutely knows what he is talking about and he is worth every penny of those bills. I have to trust in his legal counsel. This issue is important to me. If you are okay with staying within the district, I would be much more positive on this tonight.

BACH: Thank you.

SPARKS: I have an additional question before I make a motion. From some of the public comment we heard about, is there capacity to have feeder students from the 13 to 15 and eighth grade that would likely be feeders into the high school? In terms of building those numbers, can you answer to that?

BACH: Yes, I can. We did spend a section describing a plan for that in the material revision. By looking at the proximal current independent Waldorf schools, those are the private schools and

then the few Waldorf charter schools that are there out there as well. Knowing as you know, the maps and the parents who said how they were driving an hour back and forth. Looking at the current numbers of students at those schools and their grade levels. Knowing there isn't high school for the high school options. A couple have high schools, privates do. Where could those students come from? Many of them come from there, as they do in Northern California with the two Waldorf charter high schools up there. That is what those feeder schools are for them. It is those other proximal Waldorf independent schools and Waldorf charter schools. When you look at those numbers and then you look how far away those schools are from where we are, then it does make sense.

Given the history of how far we know our families are currently driving, and it is mostly all word of mouth, every student that we have is coming because they know somebody who is already at our school. That trend would likely continue if we continue doing our very best job. Does that make sense?

WILLIAMS: One more call.

SPARKS: Okay. Trustee Williams, go ahead.

WILLIAMS: However we vote here, it may not be that you get the countywide nod or green light.

BACH: Yes.

WILLIAMS: I hope you sure come back with us with the proper methodology to get to that so you achieve your goal and that you put other Waldorf schools within this county. It is a remarkable process of learning for certain kids and you are a great leader. Thank you for your leadership.

BACH: Thank you, Trustee Williams.

SPARKS: Thank you. I would like to call Mr. Rolan up again to help with the second part of the motion that I'm about to make. I would like to move approval of option three, approving one or more material revisions with conditions. I move we approve the material revision requesting modified enrollment preferences with the condition that the preference for Ocean View students remains.

ROLEN: And the second part of the motion if I can read my own handwriting, is to grant the additional grades nine through 12 with the condition that it is within the Ocean View attendance area.

WILLIAMS: Correct.

SPARKS: Thank you.

WILLIAMS: Yeah.

SPARKS: Okay.

ROLEN: Deputy Superintendent, did you—?

BOYD: Yes. If the Board would go to page 73. I think what you are basically saying under staff recommendations, the option three. Then number two and number four, number two would include the language, it is within the current boundaries.

ROLEN: Correct. Correct. It is not unlike staff recommendation number four.

BOYD: Number two speaks to the high school. Right.

ROLEN: Okay.

SPARKS: What was that that you just said?

ROLEN: I said it is not unlike staff recommendation number four.

SPARKS: Right. Right.

WILLIAMS: So this is option number three?

BOYD: It is option number three.

ROLEN: It is option number three.

BOYD: Approve one or more of the material revisions with conditions. The conditions are number two and then number four. Number two is the request to add a high school. Not to deny it, but to add it.

WILLIAMS: Within—

BOYD: Within Ocean View boundaries, which are the current boundaries. I just said the current boundaries, because those are the current boundaries.

WILLIAMS: Okay.

BOYD: And then four, details the approval of the enrollment preferences and the inclusion where they don't change the preference for the Ocean View students.

ROLEN: That is correct.

WILLIAMS: Okay.

ROLEN: Somebody should make a motion.

SPARKS: Okay.

WILLIAMS: I will second that motion.

SPARKS: Do we have a second to the motion?

ROLEN: Do we even have a motion?

SPARKS: Yeah. Yeah. I made the motion.

ROLEN: She made the motion.

SPARKS: I made the motion and you added—

ROLEN: Nobody elected me to anything.

SPARKS: No, I know. But you added the second sentence, the language so that it would be correct.

ROLEN: Okay.

SPARKS: Which I adopt that language. And then—

BOYD: The motion was by Lisa and the second was by Ken, correct?

SPARKS: Yeah. And condition two and condition four.

WILLIAMS: Do we want to read it into the record again before we take the vote? Are we all clear on it? Is staff clear? I'm clear on it, but I just want to make sure before we make this vote.

BOYD: I will say what we have down and then you can correct me if I'm wrong. The Board has made a motion for option three, to approve one or more of the material revisions with conditions. The option is granted to add high school grade levels nine through 12 within the current boundaries. The Board is also approving the additional enrollment preference identified in number four, for students who reside in Orange County and within the boundaries of Ocean View currently. I'm sorry. I need to say that again. The Board is approving the additional enrollment preferences for students in Ocean View—

SHAW: Who reside in the current attendance area of Ocean View School District.

BOYD: There you go. Thank you. I'm trying to not take the rest of that language, but yes. Who reside in the attendance area of Ocean View.

VALDES: Madam President?

SPARKS: Yes.

VALDES: Sorry to interrupt. Do you think we should give maybe a break and give staff time to actually write it out? I'm just throwing out that option in case they actually want to put something down on paper and then read it when we come back?

BOYD: That would be good.

SPARKS: Okay. So let's take a seven-minute break.

WILLIAMS: Good suggestion.

SPARKS: And get the language down because I want to make sure that we are in alignment with the law.

BOYD: Thank you.

SPARKS: Thank you.

[The Orange County Board of Education exercises a recess.]

SPARKS: We are going to call the meeting to order again.

BARKE: What? Where are we going?

SPARKS: I'm glad everyone got a little break from all that lovely discussion, democracy in action. We are taking board action, number 11. Would you like to read the more precise motion, Nina?

BOYD: The Board has made a motion for option three, to approve one or more of the material revisions with conditions. The first is approve the request to add high school grade levels nine through 12 within the Ocean View boundaries. The second, approve additional enrollment preferences for students who reside in Orange County and for pupils who attend the public elementary school where the charter school locates for the Charter School Facilities Grant. And, keep preference for students who reside in the attendance area of Ocean View School District, where the school is currently located per Education Code section 47605 (e)(2)(B).

SPARKS: Nicely done. That sounds so much better. Thank you. Okay. We have a second from Ken. Now we will vote. All in favor?

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

SPARKS: Passes 5-0. Thank you so much. Congratulations. All right, I will move to item number 12, approving revisions to the annual budget in excess of \$25,000, as per Education Code section 1280, revisions have been included in the Second Interim Report that is certified positive by the County Superintendent. Do we have any discussion or questions for Renee?

BOYD: You have questions?

SPARKS: I'm asking the Board. Any questions for Renee?

WILLIAMS: This is an action, correct?

SPARKS: Correct.

WILLIAMS: We have to make a motion.

SPARKS: Right.

WILLIAMS: Bring it to the table for discussion, then second. Then we can ask questions, so I will make a motion.

SPARKS: Okay.

WILLIAMS: To bring it for discussion.

SPARKS: For discussion, okay. Second? I will second it. All right, open for discussion. I will start to my right this time. Jorge, do you have any questions or discussions for Renee?

VALDES: I will defer a second.

SPARKS: Okay. Trustee Shaw?

SHAW: No.

SPARKS: Trustee Barke?

BARKE: No.

SPARKS: And Trustee Williams?

WILLIAMS: Yes.

SPARKS: Perfect.

WILLIAMS: Okay. Let's go through same issues that we have had before regarding the contracts. Has there been any movement done to be more revealing and transformative on what is going on with these grants? We just heard today that there is a grant that was passed by the supervisors.

HENDRICK: The mental health one? Yes. That is a grant we have had for numerous years.

WILLIAMS: Right. Is that in here?

HENDRICK: No, because that was for the following years. But that grant is in here and has been here for multiple years.

WILLIAMS: Okay. Where is that grant on that appendix?

HENDRICK: If you look in—let me see if I can find the page.

WILLIAMS: Yeah, if you can give me a page.

SPARKS: B-134, is that right?

HENDRICK: I was looking at the grant section. It is on page B-144, K-12 school-based mental health services. Oops, I'm sorry, that is not the right one.

SPARKS: Yeah. There it is.

HENDRICK: Actually, it is on 145, Mental Health Student Services Act.

WILLIAMS: Okay.

HENDRICK: That \$8 million is over three years. You will see it. In this budget, it is obviously one year.

WILLIAMS: What page was that?

SPARKS: It is right here?

HENDRICK: Page 145, on the top of the page.

WILLIAMS: Okay. That is through the county, which we all are for helping those kids with emotional distress and mental health. As I have brought up in the past though, this is funds that are being accepted without Board approval.

HENDRICK: This is for coordination of services.

WILLIAMS: You are not providing professional services?

HENDRICK: We are providing coordination of services. This pays for the regional health coordinators, so they are not doing direct services to students. They are actually coordinating with the mental health people at each of the school sites and districts. They have seven regionally and they are helping train the district staff. They are not providing those services.

WILLIAMS: You are not identifying and training representatives?

HENDRICK: I'm sorry. I'm not sure I understood your question.

WILLIAMS: On page 4 of 14 with the document of the MOU that was passed, it goes into quite detail about what you are going to be doing here. A lot of what is stated in this MOU that you are going to be doing is actually in violation of many of the state Education Codes because no Board approval was given.

HENDRICK: I don't think that is a question I can answer, Dr. Williams.

WILLIAMS: I know. I know it isn't. I bring it up only because it is a recurring issue.

HENDRICK: And I think—

WILLIAMS: We are supposed to have—this is several months ago that we talked about that we would have coordination between staff and our attorney on which grants need Board approval. We have been over this in the past, and I'm just hoping that we can do that because technically—

HENDRICK: We are hoping for that also.

WILLIAMS: Pardon me?

HENDRICK: We are hoping for that also.

WILLIAMS: Okay. Why hasn't it come to pass then? That is what it comes down to. Certainly, like this grant here, which is over \$2 million, it is in violation of many of the Education Codes, 17150, 17151, 1703, 1260 (e). It is these types of technicalities. I don't think we would have anything against providing mental health services for kids that they are doing it. This is more of one that I don't think this meets the statute of the code. Again, this is a serious issue I brought it up in the past, and I will keep on bringing it up.

BOYD: Dr. Williams if I could? Maybe it is going to pick up without. Okay. My apologies. Staff has been trying to work with the Board's attorney. My understanding is the county attorney, Mr. Riel and Mr. Rolan are dialoguing. We have not finalized this issue. We have had some conversations several months ago, and then we were trying to coordinate additional meetings and other priorities for the Board as well as this office. When Renee says, we are hoping for that also. That is what she is alluding to.

It is not a matter that we are not interested in this. I think with Mr. Rolan and Mr. Riel, there is a disagreement. I shouldn't say a disagreement. There is a lack of clarity with regards to whether or not we are in agreement with all the applicable code sections that you just identified and where things fall. That is what we are trying to work through right now.

The Superintendent has discussed with us, looking at methodology so that for transparency purposes and the things that you have described. But we do believe that we are bringing things before this Board that are required to be brought before the Board. Now in the grant process, agencies will typically provide a grant. In this case, the Board of Supervisors has said that they are going to give a grant to this Department. It wouldn't come to you until after we had knowledge of that. It wouldn't come before this board beforehand. I would say we are not in

violation from the standpoint and I don't know the particulars for this one. That one is for three years out. It would be something that would be coming to the Board if it is required to come before the Board at a later date. It doesn't come before the approval. If we get something from state of California, it is coming after. It is not coming on the front end because we don't even know if we are eligible for the grant or the contract. But we hope that we will have a meeting scheduled in the very near future with the Board's counsel.

WILLIAMS: Very good.

SPARKS: Piggybacking off this operationalization of coordination, coordinators, who are these people? Where are they being—? What companies or nonprofits are they affiliated with?

HENDRICK: These are our employees.

SPARKS: These are our employees?

HENDRICK: We have hired them and they are working with the school districts. There is seven currently. In that grant, I believe there is three more positions. They are going to specialize in substance abuse. There is a couple other items in there also.

SPARKS: They are new hires?

HENDRICK: The seven obviously have been hired since we received it.

SPARKS: Right.

HENDRICK: The other three would be new.

SPARKS: But the seven—they were hired from within or they were already hired? Were they hired from the outside, or they were current employees, or we don't know.

HENDRICK: I can tell you they are currently employees now, but I actually don't know.

SPARKS: Okay. Okay.

HENDRICK: At one time we had recruitments for them, so I'm assuming at least part of them were new.

SPARKS: Okay. I know that the constituents are very interested in the backgrounds of these hires that are providing mental health services and how are those mental health services being operationalized and carried out?

HENDRICK: These are working with districts and giving them opportunities. The services that they are coordinating with are really up to the school districts'—

SPARKS: Yeah.

HENDRICK: —Governing board to set some of those guidelines. They are just giving them some opportunity and training resources.

SPARKS: Right.

HENDRICK: Here is the different methodologies that are available.

SPARKS: Sure, and I understand that.

HENDRICK: Right.

SPARKS: But for transparency—

HENDRICK: Right.

SPARKS: —Our constituents are going to want to know more, so it is important that we are asking these questions so that they can go ask questions at those districts about what is happening on the ground in each of those districts, in each of those special services.

WILLIAMS: This grant calls for the OCDE to identify regional resources and serve as a regional expert of mental health services. Are we capable of doing that?

HENDRICK: We have been doing that, yes.

WILLIAMS: The OCDE?

HENDRICK: Yes. They hired mental health professionals.

WILLIAMS: But a regional expert, who is designated as a regional expert?

HENDRICK: When they say regional, they have broken the county up into different regions so that their support is specifically to that region. That is what they are saying. Right? Because, obviously one person couldn't do that for 28 school districts, so they divided those districts up into regions. That is what it is when it talks about regionalized work.

WILLIAMS: Okay. We are going to be facilitating collaboration between service providers and the districts to develop referral pathways?

HENDRICK: Some of the districts may outsource some of their services to whatever agency, so that is who the district is telling us to work with. They may be so small that they don't have enough mental health coordinators by themselves.

WILLIAMS: These mental health services are going through the WellSpaces that are being created, the 21 or so?

HENDRICK: No.

WILLIAMS: No?

HENDRICK: Not necessarily.

WILLIAMS: Okay. In here, they mentioned the WellSpaces as a vehicle for implementing the mental health services.

HENDRICK: I don't think you were actually able to be here when there was a presentation on the WellSpace. But they did say in those WellSpaces, there may be a counselor sitting there if the student needed to be referred to them, so there may be.

WILLIAMS: When it says here that they are coordinating and providing mental health care, is not that providing mental health care?

HENDRICK: No, because it would be the counselor from the school district. What these people are doing is meeting with all of the school districts, all of their professionals, and giving them resources and training teachers and things like that. The counselor would be a district employee.

SPARKS: So it is like a train the trainers type of deal.

HENDRICK: Right.

SPARKS: Yeah.

HENDRICK: But that district may not have an individual employee, so they are contracting out.

SPARKS: Right.

HENDRICK: This coordinator would be working with the contractor.

WILLIAMS: Again, for the record, these WellSpaces are not providing general medical care, correct?

HENDRICK: Correct.

WILLIAMS: Okay. But you are providing psychiatric, psychological counseling from a higher level, doctorate level, or master's level?

HENDRICK: That would not be a question I can answer. I'm sorry, Dr. Williams.

WILLIAMS: Okay. Okay.

HENDRICK: I don't have that level of expertise.

WILLIAMS: I assume you are, that you are not just referring to lay counselors, that some of these high-risk kids will be going to experts.

HENDRICK: They would probably be referring them. I'm going to assume. Depending on the level of the concern.

WILLIAMS: Okay. Does that money follow that student into that provider's office?

HENDRICK: All the money does is provide for that coordination of services. It is not providing for the services.

WILLIAMS: Okay. If that high-risk kid who is suffering from whatever mental health ICD-9 diagnosis there is, he may get identified. But he may not get the money to receive the actual care. Is that correct?

HENDRICK: Not from us he wouldn't. No. That would either go through his health insurance or Medi-Cal.

WILLIAMS: Oh, okay.

HENDRICK: But that would be outside of us. That would be up to the doctor, the family, and everything else.

WILLIAMS: Okay. So this MOU is creating a system of referrals for these high-risk kids?

HENDRICK: Yeah. Without knowing the MOU—you know more about it than I do at this point.

WILLIAMS: I'm just trying to understand all this.

HENDRICK: Right.

WILLIAMS: This just came about last night from the Board of Supervisors, and the original contract is redlined tremendously. I'm just trying to get a grip for it because I am concerned about it and I think what this board is concerned about is that these kids receive the appropriate mental health care. I think we all are very concerned for these high-risk kids, the adjudicated incarcerated youth, the foster youth.

HENDRICK: Right.

WILLIAMS: The kids who suffer from gender dysphoria, these are the high-risk kids. The LGBT kids, all these kids need help and we want to make sure that they get the help.

HENDRICK: Right.

WILLIAMS: It sounds like then this grant sets up a system so it can funnel these kids to the appropriate mental healthcare provider. Correct?

HENDRICK: Right. I think that what we are hearing is, the concern from the school districts is, they don't have enough trained staff to help. That is what these coordinators are trying to help, to help the districts give guidelines, here is what you need to be looking for. For us, we have counselors. We have social service clinicians. We have different levels that are working in our schools, so it is going to be based on the needs of the students. They are helping the districts kind of understand those different needs.

WILLIAMS: What happens if a kid is in the foster system? He doesn't have private health insurance, doesn't have the systems of support, financial, emotionally, how do they get to the appropriate level of expertise?

HENDRICK: Right. Normally they are under Social Services Foster Care. They are going to probably be Medi-Cal eligible, so I'm assuming that Medi-Cal would take that. That is usually something—we have a liaison for social services. That is what they are going to work with them on.

WILLIAMS: Okay. If they work for a blue collared family, middle class, barely getting by on the budget, how does that kid if the family can't afford it? Psychological care is about \$250 an hour.

HENDRICK: Yeah. That is a great question, Dr. Williams. I probably can't answer that. That is not money that we are paying for. Right?

WILLIAMS: Right.

HENDRICK: But I think that is a big issue and I just think the availability of services is a big issue. It seems like there is not enough available services. I think that is what the county is trying to help with some of these services.

WILLIAMS: Okay. Again, the whole concept is we are not against any of these services. In fact, I fully support it. As a primary care physician who at one time I had one third of my practice psychiatry.

HENDRICK: Oh.

WILLIAMS: Yeah. Both from the spectrum from kids to adults, from depression to Axis II to Axis I diagnosis, a wide ride range, so I'm a big advocate of these kids getting to the right care.

HENDRICK: Right.

WILLIAMS: My big concern, again, is the legality. There is some things in here that I think transgress or violate Education Codes that I think this board could easily support. I think it is a simple thing if we just implement and get together and talk about it. No more questions.

SPARKS: Okay. Any other questions?

VALDES: Just briefly, Madam President?

SPARKS: Yes.

VALDES: A couple of months ago this issue came up because our constituents made public comments and I raised the issue. Christine Olmstead was the person who was identified by the staff as the person who would best know about these. She came up to the podium. I remember what she said. She said, this board would be very proud of the services that the Department is providing and that there is no medical type of services being provided. These are wellness, anxiety, psychological, counseling, which I won't object to. Christine is no longer here. I get a lot of emails from the Department, but at some point, I think it was Dr. Miramontes who was hired to replace her. Am I correct?

HENDRICK: Yes and no. He will start later this month in March, Monday actually.

VALDES: Okay, so he hasn't started?

HENDRICK: But he is not actually replacing Dr. Olmstead. He is coming on as a deputy superintendent over Instructional Programs. They are still assessing Christine's role and what the breadth of that was because she was doing a lot of things. There is an assessment going on right now on what is the appropriate position to oversee those things?

VALDES: Will Dr. Miramontes know what is on the ground like Christine knew about?

HENDRICK: Yeah, he is—

VALDES: Would he be knowledgeable of the on-the-ground services that are being provided?

HENDRICK: Yes. I think you might have met him or one of you did. He is the superintendent of Buena Park School District.

SHAW: He gave me a tour of the Buena Park School District including their Wellness Center in Buena Park.

HENDRICK: Yes. He will have knowledge. Dr. Olmstead, her team is still working diligently, doing all that work also. She has an amazing team.

BOYD: But he will be over that area along with our student programs. He is being hired same level as I am. I have the operational side of the house and he will have the instructional side.

VALDES: Wow. Okay.

SPARKS: Are there any members of her team here tonight?

BOYD: No.

HENDRICK: Well, yeah, there is not.

BOYD: No.

SPARKS: Okay. It might be helpful when we are talking about this kind of stuff if we had somebody from that team.

HENDRICK: Yes. I will just make a plugin. If you ask the questions just a little bit in advance, we could make sure of that.

SPARKS: Yeah.

HENDRICK: It is hard as you are asking them just right now to be able to formulate all of that.

SPARKS: Yeah. Yeah.

HENDRICK: It is helpful.

BOYD: That is typically how we have tried to work with the Board. If you send us the questions, we have the right people here and they can answer the question.

SPARKS: Okay. We try to do that. Just sometimes we don't know. I mean, we have a lot on our plate too.

BOYD: But we have a lot of employees.

SPARKS: I know.

BOYD: You know, having the right employee here.

SPARKS: We hear you and we will work harder on that.

BOYD: Right.

SPARKS: All right. Good. If we don't have any more questions, do I have a motion to approve these revisions?

WILLIAMS: Yep. We do have a motion and a second.

SPARKS: Item number 12. We have a second.

BOYD: Yeah. Ken made the motion and you made the second.

SPARKS: Okay.

BOYD: So you just need to—

SPARKS: We will take it to a vote. All in favor?

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

SPARKS: Okay. Passes 5-0.

WILLIAMS: I do have a question.

SPARKS: Yes.

WILLIAMS: Nina, earlier when we were with Sycamore.

SPARKS: Thank you.

WILLIAMS: It was brought up by the board president, they had a staff site visit today? Is that true?

BOYD: Oversight? Yes. They did have an oversight visit today. They scheduled those out at the beginning of the year, and the charter school chooses the date during the year that happened to fall on today's date. It was not something that they just did.

WILLIAMS: Okay.

BOYD: And it is typically over several days. It is not just a one day visit.

WILLIAMS: Okay. I would just say that probably today was not a good day to have staff visit, even though they may have approved it months in advance.

BOYD: It was scheduled, Ken. They could have moved it if they had wanted to. We work with the calendar. They choose the dates that they want us to come out, and then they work with us. We don't push it off.

WILLIAMS: I think sometimes because of the oversight that we have, they are afraid to say no.

BOYD: We have a lot who move their dates all year. I mean, they choose the dates at the beginning. Things come up or they anticipate, or people are out sick and so forth. We work with them. It is not where if they had called this morning and said they suddenly couldn't do it, we wouldn't have adjusted. It is not one of those where we are forcing the date down their throat. We work with the charter schools.

WILLIAMS: Yeah. I'm just suggesting that sometimes fear plays a role and they didn't want to say no. I would just probably not do a site visit the time that they are having a charter public hearing. That is all that I am—

BOYD: Duly noted.

WILLIAMS: The point I'm making.

SPARKS: Okay. Moving on to item number 13, approving transportation plan per Education Code per 39800.1. Can you explain that a little bit?

HENDRICK: This is the new item that you have seen. When we started LCFF in 2013-14, they capped our transportation funding that we received. In the Governor's Budget that was approved for 21-22, he added funding to the transportation. I will give an example. I don't know numbers off the top of my head. But we may get, we were getting 1.6 million of funding. But our cost is \$5 million, so we were underfunded for that. As part of the plans for us to get reimbursements for some of our costs, we have to have an approved plan by April 1. The state never released a template, so here is our best sample of the plan. It basically shows most of our transportation services are for our severely disabled students, so that is what you see the focus on.

ACCESS does use some bus passes and we are looking at some transportation needs for the future for that program, so by adopting the plan, it would allow us to apply for the additional funds.

SPARKS: Okay. Thank you. That was pretty clear to me. Any questions?

SHAW: Well, I do. I believe ACCESS is one of the more expensive ways to get transportation.

HENDRICK: Oh, ACCESS, meaning our program.

SHAW: Oh, not OCTA ACCESS?

HENDRICK: Yeah. Currently we get free bus passes by OCTA.

SHAW: Oh. Okay. Well, hard to beat that then.

HENDRICK: Yeah. It is not very expensive for us. You like that.

SHAW: I take it back.

WILLIAMS: So, do we have a motion?

SPARKS: No, we don't have a motion.

WILLIAMS: Okay. I make the motion.

SPARKS: I will second it.

WILLIAMS: Okay, more questions. Parliamentary procedures are we make the motion, second, then we talk about it.

SPARKS: All right, let's do it.

WILLIAMS: Okay. Anyway, this is new.

HENDRICK: Yes.

WILLIAMS: We haven't had it before.

HENDRICK: Right.

WILLIAMS: In my 28 years, I haven't seen this. This is a new Education Code starting this year. You did pretty good for just a short period of time.

HENDRICK: You will see it every year after, by April 1.

WILLIAMS: Okay.

HENDRICK: I don't know why they couldn't make it with the rest of the dates.

WILLIAMS: Okay.

HENDRICK: But April 1.

WILLIAMS: This passes the muster for the state template.

HENDRICK: They didn't give a template? We borrowed examples from some of our fellow colleagues.

WILLIAMS: Okay.

HENDRICK: Some of our districts have a lot of buses, so they obviously are very large. It does require us to meet with our stakeholders and things like that also.

WILLIAMS: Okay.

SHAW: I saw Whittier schools are in here. That is just because they—?

HENDRICK: They refer students to our Special Schools program.

SHAW: They are coming from Whittier into Orange County?

HENDRICK: Yes.

SHAW: I see.

HENDRICK: We have got them from Whittier. We have ABC Unified.

SHAW: Yeah. These are generally, these are students that are going to be in wheelchairs?

HENDRICK: They may not be in wheelchairs, but they may need an aid with them due to behavioral issues.

SHAW: Okay. All right.

HENDRICK: Yes, they are in a more localized—they are not in a large school bus. They are in a smaller school bus with probably an aid. We usually have multiple aides on a bus, sometimes, depending on the student. But they could be non-ambulatory.

WILLIAMS: Instead of being \$1.6 million in the red, we are going to be in the black?

HENDRICK: I'm not sure, because the state was very unclear on how much funding they are going to get. They are just going to give us more funding. We haven't received a cost of living increase on this funding since 13-14. At least we will now be eligible for the cost of living increase, which for the next year will be 8%, as it is right now. That at least is helpful, but we do believe that we will get a little more funding.

WILLIAMS: Okay. No more questions.

SPARKS: Any more questions or discussion? All right, we will take it to a vote. All in favor?

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

SPARKS: Passes 5-0. Okay. That brings us to our information items, any communication, information, or discussion? Do we have an OCSA update?

BOYD: You do not have an OCSA update at this time.

SPARKS: I guess it is a little soon anyway.

WILLIAMS: Is Al okay?

BOYD: I'm sorry?

WILLIAMS: Is Al okay?

BOYD: Yes, as far as I know.

WILLIAMS: Okay. He has just missed—

BOYD: Several meetings. Yes.

WILLIAMS: Several meetings, yes.

BOYD: Part of it is travel. Some of it is conflicting meetings. I spoke with him two days ago and he wasn't sure if he was going to be here. But figured if we started the meeting without him, he wasn't going to be here.

WILLIAMS: Okay. So he is fine. He is healthy.

BOYD: We have been working with him regularly.

WILLIAMS: Okay.

BOYD: It is just he has got a lot on his plate. Typically, you all have lots of questions for staff.

WILLIAMS: Very good.

SPARKS: Okay. Do we have any announcements from our missing Superintendent or Deputy Superintendent?

BOYD: Just a reminder that your next board meeting was changed. It is Wednesday, April 12, at 5 o'clock and the submission deadline is March 29. You will get your board packets on the seventh of April. Wanted to remind the Board again about the Memorial Day Essay Contest and make sure that that is still something that you all want to continue because this is the time we start working with our teachers and our students. For the benefit of Trustee Valdes, the Board has a Memorial Day Essay Contest for students in our programs. We have both our alternative ed as well as our special ed students who develop an essay. Or, for special needs students, last year was the first year they did pictures. We did a picture category for some of those who can't utilize language in the same way. We judge those. They are read.

Before, each board member has provided a financial contribution. It was extended to leadership to also contribute. We give out monetary cash and we give them a nice certificate at the May board meeting. The next six weeks, the teachers will be working with students to get the contributions towards either the essays or pictures. Then I just need to know which board members this year would want to help judge, two or three of you, along with some of our administrative staff. I will ask Darou to send out something to you all to check your schedules. It would be probably just before your next board meeting. We would be going through them because then we would want to make arrangements for the students to be able to be here. In the past we have asked for the winner to read their essay, or to be here, to be present to receive. We will do the first, second, and third place in most cases to recognize them. The Board takes pictures with them and typically their teacher or their family is here with them as well.

WILLIAMS: It is a very moving experience, the Jack Hammond Memorial Essay. Jack Hammond is a former mayor of Costa Mesa and is responsible for the veteran group here in Orange County. It is quite moving. We have Sunburst Academy, they come in, they present the flag. It is quite officious. What Nina didn't tell you is that the newest board member picks up the tab for us. I'm just kidding. Typically, I have donated \$200, and so I will make that. That goes to a fund that is not mixed with any of our other funds in the Department.

BOYD: Correct, 100% of what is contributed is dispersed to the awardees. The last two years we have had enough funding to give first, second, and third place. Then we bought gift cards for all of the students who put forth an essay or a picture, so we gave that to them along with a certificate just so that they were all recognized. The other thing that I didn't mention, because

you reminded me, Jack Hammond, it is named after him. We do invite the veterans at that meeting also. Typically, they are also here and we give them a few minutes on the agenda also to dialogue about what is happening and what they have been doing and so forth.

WILLIAMS: It is quite patriotic. And we are going to have the Memorial Day resolution?

BOYD: Yes.

WILLIAMS: Like we normally do?

BOYD: Yes. That would all be part of that.

WILLIAMS: Okay.

SHAW: Is this in May or June?

BOYD: May.

SPARKS: It is in May. Okay.

BOYD: Then the other question for you all is, June will be budget approval time again for next fiscal year. Renee is making herself available to do a budget study session, so I wanted to know if you want to schedule that at the April board meeting? Typically, the budget study session is an hour or two before the board meeting so that she can go over nuances in the budget, answer questions, see if there is anything in terms of what you have been seeing and getting that you would like to see differently so that as she and her staff are preparing the budget to be presented to the Board, they can make sure that they are also looking at the areas that the Board has identified.

SPARKS: Yeah, I think maybe if Renee could just be available an hour before that meeting, and then whoever wants to and is able to come for a study session. Okay.

BOYD: We will send out something just to make sure.

SPARKS: Yeah. Make sure that someone is going to show up.

BOYD: Yeah.

SPARKS: Yeah. Yeah, yeah, yeah.

BOYD: Because you would have the budget study session and then move into your—

SPARKS: Absolutely.

BOYD: Anytime there is more than three board members, it is a meeting. We want to make sure that we would calendar that and so forth.

SPARKS: Okay, perfect. So just send something out to us.

BOYD: For Brown Act purposes.

SPARKS: Yeah.

BOYD: Okay.

SPARKS: Okay.

BOYD: All right.

SPARKS: All right. In terms of Legislative updates, I will call Mr. Rolen up to talk about really the, I think, amazing work that we have been doing along these lines.

ROLEN: Yes. Members of the Board, this is not only a Legislative update, but also progress report on the work that David Turch and Associates have been doing in Washington, D.C. President Biden plans to submit his budget request to Congress on March 9. The submission of this document is the unofficial start of the budget season on Capitol Hill. The first Monday in February, according to the Congressional Budget Act of 1974, is the date when the President must submit his budget to Congress, but there is no penalty for missing this deadline and is often missed. The Republicans in the House planned to pass 12 appropriation bills separately this year before October 1, the start of the new fiscal year.

The last time all 12 bills were signed into law before October 1 was 1997, earmarks. Congressional Directed Spending is what the Senate refers to earmarks now. Community project funding is what the House calls them now. Senators' Feinstein and Padilla have issued calls for projects. Senator Padilla requires forms submitted by March 3. Senator Feinstein's office wants them by March 13.

The offices must submit requests to the Senate Appropriations Committee by the end of March. The House has not set deadlines yet. We expect them shortly. The House Appropriations Committee is discussing revisions for community project funding. It is rumored to be discussions that make projects to have more of a federal nexus and eliminate projects that serve as commemoration to members of Congress like a park or a museum. David Turch and Associates have been sending the Board information on the process since the end of January. We have had discussions with the Board on potential projects and processes. David Turch and Associates has reached out to Congressional offices of Correa, Porter, Kim Steele, Levin, and Sanchez to ask if they will be submitting projects for funding if they have deadlines and have asked to include us in any emails regarding the process and the dates.

On February 15, David Turch and Associates sent out a funding notice for the NewSchool's Venture Fund, which is a private organization that funds innovative schools. On February 1, we notified the Board that we, being David Turch and Associates, that this notice was coming soon. On January 31, DTA sent the Board a form David Turch and Associates created that summarizes

the questions that Congress has asked in the past regarding congressionally directed spending. We anticipate that Congress would begin to ask for these projects shortly.

So simply put, there is a process that every congressperson asks, but it is somewhat formalized. It is somewhat the same, but every congressperson has a different form to request to accept funding requests. That is what they provided us and we are working with that.

WILLIAMS: Do we have any projects or funding that we are actually going to be involved in?

ROLEN: We are submitting some funding requests by the March 3 deadline. They are still taking shape. That is how these things work. You have a mission statement, a budget, a specific ask, and you try to make it amenable to the specific senator or congressperson.

SPARKS: So we are basically working around the clock the next 72 hours.

ROLEN: The clock has started. Yes.

WILLIAMS: Who are we working with?

ROLEN: Me.

SPARKS: Me.

WILLIAMS: No, no, no. Which congressperson?

ROLEN: We are not sure yet.

WILLIAMS: Okay.

ROLEN: We are not sure yet.

WILLIAMS: Turch is working with you and he will direct you to the right Congress.

ROLEN: We are trying to get the right geographic location, the right ideology, and we have some good ideas.

WILLIAMS: Okay.

SPARKS: Pretty exciting stuff. More to be reported on next month. Okay. Committee reports, do we have any committee reports from anyone? I know a few of us are going to CCSA. Is that next week? Two weeks? Pretty soon.

BARKE: The week after.

SPARKS: Pretty soon. That leaves us to board member comments. I will start with Trustee Shaw. You look like you wanted to jump in there.

SHAW: I do. I just wanted to mention, I have to be in Sacramento the first week in May for work. I'm going to be up there all week, which includes May 3, the day we have our meeting. I'm heartbroken to think I won't be here for the essay event. Maybe we can talk afterwards if it is possible to have me beam in remotely, or can I be on the screen and do it that way? That is all. I want to participate if I can, but I will be in Sacramento that week.

SPARKS: It may be too late to move that meeting at this point.

WILLIAMS: I'm flexible.

SHAW: I'm in Washington, D.C., all the next week too.

SPARKS: All right. forget about you then.

SHAW: My stupid employer, it gets in the way sometimes.

SPARKS: Okay. Trustee Valdes, comments?

VALDES: Yeah, I wanted to respond to at least some of the public comments tonight. One was about the legal bills that we approve every month. I personally review every one of the legal bills. I can tell the public based on my expertise in the law, that Greg Rolen who is our board attorney, is a fantastic attorney in the educational community. He absolutely knows what he is doing. For the \$360,000 being discussed in the public comments, I would like to point out that this Department's annual budget is \$406 million. In essence, this Board has approved 0.0088% of the Department's budget for legal expenses with Mr. Rolen's office, which I don't think is a significant amount to protect the parents and students of Orange County.

There was another public comment about support of public schools. I just don't even know where this is coming from. I will speak for myself, I am pro charter. I take an actively pro-charter position, but I'm very pro public school. I have personally visited with the superintendents of the Tustin Unified School District, Santa Ana, and Garden Grove. I plan to meet with the superintendent of Anaheim. The thought that, I don't want to speak for my colleagues, but just for myself, that this is not a pro public school board is just simply false. I reject that entirely. Thank you.

SPARKS: I will echo those comments, by the way.

BARKE: I will especially echo them since charter schools are public schools, public free schools. I think we are all very pro-public free school. From my standpoint, I just don't want to see children trapped by their zip code. I want to make sure there is—

VALDES: That is exactly right.

BARKE: Equal opportunity for all the kids in our county. Especially those that are most vulnerable who are usually most affected and who are attending the charter schools.

VALDES: Trustee Barke if I may, Madam President?

SPARKS: Yeah.

VALDES: My district in particular has a lot of disadvantaged kids, and I do not want them trapped in a school that doesn't service them. I'm going to offer the parents an educational option. I believe that is the best way to service our kids. Anyone who thinks opposite just has another agenda. I'm here for the kids of Orange County.

SPARKS: And we all are. Yes. Dr. Williams?

WILLIAMS: Yeah. I think this is just campaign politics that is being brought into this board room here. I also want to address some of the issues that were brought up regarding legal bills as far as how they are reviewed under public comments. An individual talked about, that we never see them. If we look at our Board Policy 100-21, that is the process that we have been following. The Executive Committee approves legal counsel invoices. Then in closed session, because they are privileged information, they are reviewed by us and they can be reviewed any time by any of the board members with Mr. Rolan. Again, that is a board policy issue and it stems from way back in March 23. We have a statement on our board website about the general litigation counsel.

I'm looking at it right here. It is a very long and lengthy document, how we got to this point. It is seven pages. I can go into all the detail. It is probably, it is derogatory and disparaging against some people. I'm not going to even say it here in public. But if you are wanting to look at where the origins of all of this came from, it is there in the March 3, 2021, statement under the County Board of Education. I do have more.

SPARKS: Yeah. Go.

WILLIAMS: I'm just bringing that to the public record. I also want to bring to the public record because we held two years ago a public forum on opening schools safely during the August of 2020, during the initial part of the Covid pandemic. It was very scary times for this country. We didn't know what we were facing. We thought that it was from Wuhan and now we have confirmation that this virus came from the Chinese Communist Party Wuhan lab. We dealt with it because we saw potentially some of the negative effects. We saw kids that were being masked. We had hundreds of parents that came to our board meeting complaining about this public policy.

We came out in our white paper that was published that summer. Will Swaim helped me write it. I think we had the good Trustee Sparks with her oversight and making sure we used the right language, pronouns and adverbs, and proper placement of commas and periods. But we came out with very good and scientific-based conclusions. At the time, that brought a lot of controversy to this board. One of them was on the efficacy of face masks. Tonight we had Libbie who came and talked about face masks. I'm glad she didn't get Covid. God bless her for that. I didn't get Covid, although I was treating Covid patients. I did get my vaccine, but we now have something that I want to bring to this board because I think you will be happy to know that we are validated in our

conclusions by the Cochrane Library. There was some confusion regarding a URL link. Apparently, it might not have been right. I don't know how that happened. But the Cochrane Library, you can look it up on the physical interventions to interrupt or reduce the spread of respiratory viruses. It is close to 70 pages. It is very long. I'm just going to give you some of the highlights here.

This is a study that looks at randomized controlled trials. It is a multi-center analysis and they come here. Their conclusions are on page three. The pooled results of these randomized controlled studies did not show a clear reduction in respiratory viral infection with the use of medical surgical masks. That was one of our conclusions that got the biggest public criticism, so I just wanted to tell our board that we followed the science. There was a reference that I used in that dating to the earlier decade, which we had the same conclusions by a multi-center analysis. That is all I have to say and share to this board.

SPARKS: Okay. Thank you. I will just add, I want to just add a couple things related to some of the public comment around the resolution that we created and the special meeting that we had regarding OCSA, the Orange County School of the Arts. The troubles that have been going on there that are really hard to hear about. Our hearts go out to and continue to go out to all of the people that have been harmed by those in power and those who they trusted in their care at OCSA. We are doing everything in our ability as a board with the advice that we are getting from our counsel as well.

We called a special board meeting, as you know, in March, and we approved a resolution that is posted to our website to support the Superintendent and staff to investigate. I refer the public to that resolution and to read through it carefully. We end the resolution by saying—with all the irons that we have in the fire. “We are continuing to cooperate and organize and present a public school safety forum to inform students, parents, faculty, school employees, and members of the public as to best practices in recognizing, reporting, and preventing any sexual violence on campuses.” It is something that is very important to us. We are not taking any of it lightly. We are taking all of the comments very seriously and doing everything we possibly can to uncover what is alleged to have occurred.

WILLIAMS: A couple thoughts, I heard a couple comments from the public that came up that this has been an ongoing issue for decades. It is like, well, we weren't there in the early '90s when all this is happening.

SPARKS: Right.

WILLIAMS: When the litigation occurred, we only took oversight just a few years ago. We had nothing to do with that. It is very important for the public to know that if they are aware of any criminal activity to call the police. Don't come to us. Call the police because that is a criminal act subject to Penal Code violations, incarceration, and all that.

SPARKS: Absolutely.

WILLIAMS: We need to make that a big point.

SPARKS: Yeah. Thank you for that reminder to the public because we are going to highlight everything that we possibly can and do everything that we possibly can as a board. I wanted to say those comments. Any other final comments before we wrap up the meeting?

SHAW: Doctor, we have one more public comment.

SPARKS: We want to hear from Patty.

PATTY: I apologize for being late, but thank you for giving me the opportunity to speak. On February 28, the Orange County Board of Supervisors approved Agenda 24, approval of amendment II, to the memorandum of understanding with Orange County Superintendent of Schools, a.k.a., Orange County Department of Education, will continue to strengthen the partnerships between Orange County Healthcare Agency and educational entities with the goal of increasing access to behavioral health services and support for students and families. Starting March 1, 2023, through December 31, 2026.

In the agenda, it states that three specialized coordinators will include a WellSpace coordinator who will collaborate with existing OCDE and Children's Health of Orange County staff to plan, establish, and support the development of additional student wellness centers called WellSpaces in schools across Orange County. It describes wellness spaces as tranquil spaces, allowing students to decompress, learn mindfulness strategies, and develop self-regulation and coping skills. With this contract being approved, how much transparency will Superintendent Al Mijares have with the whole Board of Education and with the parents? It was unfortunate that the public wasn't aware of Superintendent Al Mijares previous acceptance of wellness spaces, a catalyst for equitable access for students, a grant for the sum of \$507,000.

How can the public obtain more information on who will be spending the money? Will it continue to be non-profits that have a political party preference or a nonprofit that is focused on gender identity? What kind of questions will be asked if the kids go to wellness spaces? Will children be given surveys if they go to one without a parent's consent? Will children be asked questions about their gender identity or pronouns?

Do you have concerns that these wellness spaces might open the door to CPS? Obviously, if a child is in danger, it is important to get them involved. But where will an adult in a wellness space draw the line? Will parents be reported for child abuse if they do not call their children, they, them, or demons, furies, or any other made up name from the child that they choose to create? Or will a parent be reported for child abuse if they refuse to acknowledge that their daughter is a boy or their son is a girl? Who gets to determine what is allowed in a wellness space? What are the legal guidelines for a wellness space? What kind of education or experience do you need to be a wellness space coordinator? As a mother, I'm just asking the Board to please be transparent with the public. Thank you.

SPARKS: Thank you. Okay. Thank you. At this point, we will adjourn the meeting. You all have a great evening and nice month. Remember, our next meeting is going to be Wednesday, April 12, at 5 o'clock. We will see you then.