

Transcript of the February 7, 2024, Orange County Board of Education Meeting

SHAW: Hello, and welcome to the February 7, 2024, regular meeting of the Orange County Board of Education. We are hereby called into order. Darou, will you please call roll?

SISAVATH: Trustee Valdes?

VALDES: Present.

SISAVATH: Trustee Sparks?

SPARKS: Here.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Williams?

WILLIAMS: Present.

SISAVATH: Trustee Barke?

BARKE: Here.

SHAW: We will move on to the adoption of the Agenda for the regular meeting of February 7.

BARKE: So moved.

SPARKS: Second.

SHAW: Will the clerk call—oh, all in favor?

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

SHAW: Passes unanimously. The Minutes from the regular meeting of January 10, 2024.

BARKE: So moved.

SPARKS: Second.

SHAW: All in favor?

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

SHAW: Five-0, again. Public comments, Renee, are there public comments related to closed session items?

HENDRICK: No. There are none. Thank you.

SHAW: Thank you. The Board will now go into closed session to conduct closed session items one through three. The meeting will resume at approximately 4:15 PM with an open expulsion hearing. We will come back at that time. Thank you.

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

SHAW: We will reconvene. We are going to proceed with item number one, an expulsion appeal hearing involving the Saddleback Valley Unified School District. Mr. Ochoa, welcome.

OCHOA: Thank you. Good afternoon, President Shaw, members of the Board, and Deputy Superintendent Renee Hendrick. My name is Dr. Daniel Ochoa, director of Integrative Student Supports. The purpose of the hearing is to review the expulsion of Samir Daniels from Saddleback Valley Unified School District in accordance with the Education Code commencing with Section 48919. The date is Wednesday, February 7, 2024, and it is 4:17 PM. The hearing is open to the public. The expulsion appeal application, the transcript of the district expulsion hearing, the background of the case, and the other relevant documents were sent to each of you, as well as the parents and the school district.

The Orange County Board of Education has reviewed the package of materials that both parties submitted. The circumstances of the expulsion are as follows, Samir Daniels was a seventh grader in the 22-23 school year when the incident occurred. The student was attending Serrano Intermediate School in the Saddleback Valley Unified School District when the incident happened and was charged with a violation of California Education Code 48900.4. “A pupil enrolled in any grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil was intentionally engaged in harassment, threats or intimidation directed against school district personnel or pupils.”

On December 14, 2023, the Saddleback Valley Unified School District Board of Education took action and upheld the decision of the administrative hearing panel held on November 2, 2023, to expel Samir Daniels for an incident that originally took place on March 31, 2023. Saddleback Valley Unified School District Board of Education voted to expel Samir Daniels from the Saddleback Valley Unified School District for the 2023-24 school year. To all participants and the presenters during the hearing, I remind you that any students discussed are to be referred as Student 1, Student 2, et cetera, rather than their names for their safety and security as this is a confidential matter. At this time, I would like to introduce the participants of this hearing. Representing Samir Daniels is Dominique Daniels, parent and guardian. Representing the Saddleback Valley Unified School District, Justin Stanfield, director of Student Services, Saddleback Valley Unified School District. Also in attendance are Jeff Riel, general counsel, Orange County Department of Education; Gregory Rolen, legal counsel, Orange County Board of Education; Darou Sisavath, executive secretary, Orange County Board of Education; Andrea

Foster, administrator, Integrated Student Supports; and the Media team who will be facilitating the audio/visual platform and recording today's hearing.

Per California Education Code 48922, the review of the appeal by the county board is limited to the following. Whether the governing board acted with or in excess of its jurisdiction, whether there was a fair hearing before the governing board, whether there was a prejudicial abuse of discretion in the hearing, whether there is relevant and material evidence, which in the exercise of reasonable diligence could not have been produced or which improperly excluded at the hearing before the governing board. The county board has reviewed the packet of documentation that the parent and district submitted during the expulsion. Each party will be allotted up to 10 minutes to clarify their position to the Board. Then each party will be allotted an additional two minutes for closing remarks. The time will be monitored by a light timer which is located on the dias. The green light means you will begin speaking. Yellow light means you will have one minute remaining. Red light means you should finish your sentence; stop, as your time for speaking has ended.

Once both parties have completed their closing statements, the Board may then ask questions directly to either party. This hearing is being recorded; therefore, I request that you address the Board when you identify yourself by name. Thank you very much. At this time, we will begin the formal hearing. Daniels family, you may now address the Board for up to 10 minutes.

DANIELS: My name is Ms. Daniels, and I'm the parent of Samir Daniels. I just want to make it clear that the Saddleback Valley Unified School District and this board does not have jurisdiction to hear this matter from the first expulsion hearing, even the second one. My child was not expelled, or allegedly expelled, or accused of violating any of the acts under California Ed. Code section 48900, 48900.4, or California Ed. Code section 48915. The Saddleback Valley Unified School District, as I brought to this board's attention at the previous appeals hearing, they failed to hold the expulsion hearing in a timely manner. That is in violation of Ed. Code 48919. Also, as far as this board here, at the last expulsion hearing, each and every one of you guys have a legal obligation to comply with the Ed. Code, Constitutional rights, and even your own policy. In which, you guys knowingly and intentionally violated.

According to Ed. Code 48922, this board was required to make a determination off of each and every ground for appeals. You guys violated my son's 14th Amendment right of the Constitution. Also his right under Article 1, Section 7, of the California Constitution. You guys did not address every matter that is in this appeal. Also, under California Ed. Code 48923, this board, what you guys did was you guys remanded the first appeal back. You didn't meet the requirements to remand. The grounds for remand is only if you guys found that relevant and material evidence existed in the exercise of reasonable diligence could not have been produced or which was improperly excluded at the hearing before the governing board. You guys violated Ed. Code 48923, because you remanded it. There is nothing on the record stating that you made a finding of diligence or that any evidence was improperly excluded, so the remand was invalid.

Also, according to Ed. Code 48923, section (b), even though this board did not remand it for that purpose, it is not supposed to lead into another hearing. The Saddleback School District conducted a whole new hearing. They didn't give the child his procedure due process rights to

notice. Then they also presented Deborah Cordero as an alleged witness. You guys can't come almost a year later and have a second hearing and bring someone in to testify that was available and could have testified at the initial hearing. This shouldn't have resulted in a second hearing. It is violation, after violation, after violation of my son's due process rights. You guys are clearly aware of it.

Also, the Saddleback School District violated my child's rights under Ed. Code 48911 for suspending him more than five consecutive days. Then they also failed to hold an informal conference. It appears now when you look at the transcripts, first they said my son took an Easter egg from another student. In this most recent hearing, they said he took it off the ground. Which one is it? It is a lie. Ms. Cardero didn't testify in the original hearing that she saw my son push another student, but now she is saying it at a second hearing. You guys are engaging in conspiracy to expel and violate my son's rights and deny him an education. Each and every one of you guys are aware of that.

I'm looking you straight in your face because you know exactly what you are doing. You are failing to uphold the law. Your failing in bad faith and intentionally refusing to do your duty. You are engaging in conspiracy with the Saddleback School District to deprive my child of his Constitutional rights, his educational rights, and a fair and impartial hearing. That is exactly what you guys are doing here.

Lastly, the record is not even clear on exactly why my child has been expelled. First they say he is getting expelled because he took an Easter egg from a kid, like I just said. Now they are providing inconsistent testimony that he took an Easter egg off the ground, and then I don't know if they even expelled him for allegedly pushing another student. If so, they was required to put that down. There is nothing in the school district's evidence, at this hearing or the previous hearing, that said he is getting expelled for pushing someone. They are expelling for him for that allegation. He has a right to have a formal conference from that. He has a right to be put on notice. All of this stuff, it is unlawful. His expulsion and his suspensions are unlawful. I need the Board to hold the school district accountable while we are on the record. Make them make the record clear on exactly what he is being expelled for.

When you look at this suspension letter and the recommendation for expulsion, it boiled down to the Easter egg. In that one, they said he took it from the kid. Then the Principal Teri Ramirez, testified that my son took the Easter egg off the ground and said, "I got my Easter egg back." Are you kidding me? Are you guys going to sit here and don't protect my child's rights when he is being expelled for a non-expellable offense? If Samir is, like I said, if he is being expelled for allegedly pushing another student, where is the documentation saying that is what he is expelled for?

We need to make the record clear. It is vague right now. I need to know so I could properly advocate for my child. The school district did not give my son any notice to say he was expelled for allegedly pushing another student. This is something that they made up over six months later. I'm done at this time.

OCHOA: Thank you, Ms. Daniels. We will now here the presentation from Saddleback Valley Unified representatives. You may now address the Board for up to 10 minutes.

STANFIELD: Good afternoon, this is Justin Stanfield, director of Student Services for the Saddleback Valley Unified School District. Thank you for allowing me the time to share with you our process of the expulsion hearing that was held on November 2, 2023. At the original appeal hearing on October 4, 2023, as you remember, the Orange County Board of Education remanded the expulsion hearing back to the school district for a second hearing. Abiding by the rulings of the Orange County Board of Education, we scheduled the second hearing to be held. Our office communicated the time, date, and location of the second hearing to Ms. Daniels in an email dated October 23, 2023, which can be found on page 65 of the document. Then a second email was sent by myself to Ms. Daniels on October 25 reiterating the hearing date, which can be found on page 67 of the document as well.

I just want to kind of address and go through point by point Ms. Daniel's appeal here in going through some of the things that she has stated in here. For the hearing itself, in an effort to ensure that the student and the family felt that they were heard and they were being afforded a fair hearing and in lieu of our typical practice of having expulsion panel members consisting of Saddleback Valley Unified administrators, the district constructed a panel of three administrators from outside of the Saddleback Valley Unified School District. They are current administrators from Tustin Unified, Orange Unified, and Capistrano Unified School Districts. These three individuals had no prior knowledge of the student, his history, and the offense in question, other than the information that was presented to them at the hearing.

At the conclusion of the hearing and presentation, all Saddleback Valley Unified School District employees left the room and were not involved in the deliberation process that the panel went through. Ultimately, their decision was not based on prior knowledge or prejudice, but rather the facts that were presented to them in the expulsion hearing. To further ensure a fair hearing, the district relocated the hearing to the offices of the Orange County Department of Education. The only Saddleback Valley Unified School District employees present at the hearing were myself as the facilitator and non-voting member, Mrs. Teri Ramirez, who is the school administrator at Serrano Intermediate. She was the presenter, also a non-voting member; then, Mrs. Debbie Cordero who was an attendance clerk and was a witness to the event, a non-voting member as well. Finally, also present at the hearing was Carl Piper from Orange County Department of Ed. Legal Services who assisted in overseeing the proceedings and to further ensure all proper measures were taken. Thank you.

OCHOA: Thank you. Daniels family, you have an additional two minutes for closing statements.

DANIELS: Okay. Yes. As far as the second hearing notice, it is irrelevant because the second hearing is not allowed by the Ed. Code. The email is not proper notice. Second of all, your panel was unfair and not impartial. They didn't even ask one question. This is a serious matter. It is an expulsion. It is denying a kid a right to an education. The panel members did not ask not one question but still decided to recommend expulsion of my child. Also during the hearing, when you look at the transcripts, it is clear that they treated my child's expulsion hearing as a court

proceeding. Carl Piper was administering oath to witnesses. You have Justin Stanfield who was cross-examining witnesses and guiding their testimony. That is what happened here.

It was a second hearing to cover up their intentional violation of my child's rights. That is exactly what happened. Mr. Stanfield did more than facilitate. He was cross-examining the witnesses. He wasn't just sitting there. It is a conflict of interest. That is it.

OCHOA: That concludes the presentation for the student. Saddleback Valley Unified representative, you may have an additional two minutes for your closing statements.

STANFIELD: Okay, thank you. The reason for Ms. Cordero being there was, during the first hearing, hearsay was mentioned as a potential issue. We wanted to make sure that we had a witness there. As far as the proceeding itself, it was a standard expulsion hearing. I did ask Ms. Cordero one question about what she witnessed, and she provided her testimony. As far as the expulsion proceeding itself, it was a pretty standard expulsion hearing as far as line of questioning and procedure that we usually participate in. That is all for my time. Thank you.

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

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

Where the county board determines that the governing board's decision is not supported by findings required to be made by Education Code 48915, but evidence supporting such findings exists in the record of the proceedings, the county board shall remand the matter to the local governing board for adoption and inclusion of the required findings.

In all other cases, the county board shall either affirm or reverse the decision of the local governing board. In accordance with California Education Code 48923, if the county board reverses a governing board's decision, the county board may direct the governing board to expunge all references to the expulsion action from the districts and students records. The expulsion shall be deemed not to have occurred.”

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

SHAW: Thank you. Do any of my colleagues have any questions or comments? Dr. Williams?

WILLIAMS: President Shaw, if we can, I would like to ask some questions with our attorney in closed session, then come out and announce our decision if that is okay.

SHAW: Very good.

WILLIAMS: Is there a consensus for that?

SHAW: The Board will convene to closed session. Thank you.

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

SHAW: The Board has come out of closed session having considered this item in this case. Having carefully reviewed the materials, we are all very familiar with this situation and hoping the best for this student and family involved. With that, I would entertain a motion.

WILLIAMS: I make a motion to affirm the decision by this district.

VALDES: I second.

SHAW: Okay. All in favor?

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

SHAW: Any opposed?

OCHOA: The decision of the Orange County Board of Education is to affirm the decision of the local governing board. Thank you. This concludes the hearing.

SHAW: Okay, so the Board is going to reconvene to closed session. We will try to come back, hopefully by 5:00 PM.

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

SHAW: Good evening, everyone. Sorry we are starting a few minutes late. We were just finishing up our closed session, so great to see so many friendly faces out there. To begin, we are going to start as always with an invocation. Dr. Williams would like to introduce our invocator. Is that the right word?

WILLIAMS: I don't know if it is the right word. Dr. Martin Eaton, who is a very valuable community member, who has been a part of Orange County for at least, going on two and a half-three decades. He is a bio university graduate, received his Ph.D. at USC, and is an ordained pastor. Is, I think, in private practice now practicing in Anaheim Hills and Tustin. He has been a part of this very important endeavor in helping our adolescents who are engaged in behavior and thoughts that put them at risk for suicide and mental health disorders. He has an organization, that we have had presentation before, that diagnosis children who are at risk for suicide. He plays a very valuable role in our community. On a personal note, he is my shrink.

BARKE: Gosh knows he needs one.

WILLIAMS: Yeah. Yeah. On a personal note, Dr. Eaton is a wonderful, wonderful human being. If you have any problems, if you have any questions, you can just tell by the kindness and grace that he gives in his responses about his love for humanity and for each and every one of us here. Dr. Eaton, we are going to ask you to come up. By consensus of the Board, we are going to allow you to have a little bit of a words before and then bless us with an invocation.

EATON: Thank you. I appreciate that. Servants of the Orange County Board of Education, President Shaw, Superintendent Hendrick, Superintendent Dr. Miramontes, esteemed educators, honored guests, my name is Martin Eaton. Before I have the privilege to give the invocation, I would like to share with you the request that Moses pleaded to God that he penned about 3,500 years ago. In Psalm 90:12, he said, teach us to number our days that we may gain a heart of wisdom. A reminder of the brevity of our time on this earth as it encourages us to be intentional about the legacy we leave behind. I was reminded of this fact just recently.

One of my best friends of 55 years from the third grade where I grew up in the San Joaquin Valley, George Rodriguez, was recently called home. Like yourself, he was a wonderful public servant that positively impacted Fresno County. As stewards of education, you have the power to illuminate minds, inspire hearts, foster an environment where students can discover their God-given potential. As I pray that you deliberate and make decisions that shape the educational landscape in Orange County, that both the way you treat one another as you make decisions will contribute to the development of resilient, compassionate, and wise students who themselves will make a positive impact for eternity. Would you please bow your heads with me and join me in prayer? Let's pray together.

Dear Heavenly Father, we come to you acknowledging the brevity of our days here on earth. As we gather at the Orange County Board of Education meeting, we seek your wisdom. Teach us, Lord, to number our days that we may gain a heart of wisdom. We recognize that our time here is about a fleeting moment. We ask that you would bless each member of the Board, their families, their children, and especially we pray for little Kenny. We ask that you would illuminate the hearts and the minds of our parents in Orange County. Give them wisdom and enable them to love, protect, and inspire their children to develop a heart of wisdom. We especially pray for Superintendent Dr. Al Mijares. We ask that you would give him a full recovery. We ask that he would experience your grace, your mercy, and your comfort. That he may experience, that you would really minister to his soul.

Lord, we pray that you would bless our schools, may they be havens of learning growth and spiritual wisdom. May you protect our campuses and reach into the hearts of students and their families who experience physical and mental health challenges that when they feel they are in darkness, may your light of hope shine bright and bring the mercy, comfort, and deliverance. May your presence be felt in every corner of our educational institutions. May your grace guide our leaders with wisdom, understanding, and compassion. It is in the name and for the glory of our Lord and Savior Jesus Christ that we pray. Amen.

SHAW: Amen. Thank you. Thank you, Dr. Eaton. That was beautiful. To lead us now in the Pledge of Allegiance, we have asked one of our great leaders of a charter school here in Orange County, Kapil Mathur to come forward to lead us. Kapil.

KAPIL: Could I get maybe a couple of OCASA students to come up here with me? Come on, Jay Jay. 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.

SHAW: I am sorry? I got it. We will do it later. We will just go. Okay. I appreciate the staff making sure I don't mess anything up. Renee, do we have any introductions this evening?

HENDRICK: We have none this evening.

SHAW: We are going to go ahead then and proceed to public comments. We have a number of them. Dr. Sparks?

SPARKS: Yes, we have about 20. We decided we are going to give each of you two minutes to speak. We start with Windi Eklund and on deck is Nikki Nickila. Actually, we have more. We have 25 now.

WINDI: It says number eight, but I guess I'm number one.

SPARKS: I guess so. You are on the top of my list.

WINDI: Thank you. Okay, I made my notes, because I get so nervous. Good evening. I'm Windi Eklund, director of homeschool at Suncoast Preparatory Academy and a dedicated homeschool mom of three. I'm grateful for the opportunity to speak tonight and express my sincere appreciation to the Orange County Board of Education. Your steadfast commitment to defending parents' rights and advocating for alternative education models is commendable and deeply appreciated. By authorizing multiple charter schools, the Board has demonstrated a profound dedication to ensuring that every child, regardless of their background or needs, has access to diverse and innovative educational opportunities.

This commitment to supporting alternative education models aligns closely with the values we uphold at Suncoast Preparatory Academy further reinforcing the importance of empowering families to make the best educational decision for their children. In a time where educational options are more critical than ever, you not only benefit individual families but strengthen our entire community. I applaud the Board for their efforts and in champion the rights of parents and students alike. I'm confident that your continued leadership will pave the way for a brighter future for all children in Orange County. Thank you.

SPARKS: Thank you. Windi, I didn't want to interrupt you. But we actually have our public comment set up on the podium back there.

WINDI: Oh, do I have to go do it again?

SHAW: You didn't know. It is all right.

SPARKS: If the others could set up there. Thank you.

WINDI: I'm so used to doing it here.

SPARKS: I know. No worries, no worries. Nikki Nickila is up and on deck is Parker Allen.

NIKKI: Hi. I'm also nervous. This is my first time. My name is Nikki Nickila, and I am the community engagement coordinator at Suncoast Prep Academy. I just wanted to thank you, too for your support on behalf of our families. Thank you.

SPARKS: Thank you. Parker Allen is up, and Heidi Langraf is on deck.

PARKER: Hi, good evening. Another first time board meeting attendee. My name is Parker Allen. I'm also from Suncoast Preparatory Academy. I just wanted to also express my thanks and appreciation to the Board for authorizing our school. I was a homeschooled student myself, and I was also a member of a charter school. I understand firsthand what the kind of opportunities and support that our school can provide means to our families and our students. I'm feeling very grateful to be involved in giving back to those same students that were like me. Again, I appreciate all of your support and your authorization. Thank you very much.

SPARKS: Thank you. Heidi is up. On deck is Bill Joe Wright.

HEIDI: Hi. I am also here on behalf of Suncoast Prep Academy. This is my second time actually though being part of this. I was here when we were possibly going to lose our charter. I just wanted to also express my gratitude for being a part of Suncoast and just basically relaying that we have grown tremendously in the last three years. It has been pretty amazing to see that this growth has continued and just really appreciate everything that you have done for us as a charter. Thank you.

SPARKS: Thank you. Bill Joe, and on deck is Lynne Riddle.

LYNNE: Mr. Wright is delayed I understand. (Inaudible).

SPARKS: Okay. Yeah, so go ahead. Lynne Riddle is up, and then on deck is Lexie La Scala.

LYNNE: Good evening, I am Lynne Riddle. At the last meeting, a public commenter made harsh, cruel, condemning words and gestures directed specifically at another person in the audience. The speaker further made spiteful accusations leveled at teachers' organizations, as well as making defamatory statements aimed at a local and a national provider of reproductive and women's basic health care. Worse, that hideous, personal attack was directed toward an active candidate running to serve on your very board. In my view, and hopefully yours too, such conduct has no place here. In fact, state law and your own public policies prohibit such uncivil hatefulness. It is your duty under the law and policies to insist to make a cease and desist command towards such conduct during public comment.

Our Government Code and your own policies are crystal clear. During meetings, this board, and I quote, "Shall provide an opportunity for members of the public to directly address this body on any item of interest to the public that is within the subject matter jurisdiction of this body." That

is public comments hereby law can be about anything of interest. But, if and only if, such comments are within the statutorily defined subject matter jurisdiction of your county board.

Each of you and likely every one of us here has an interest in the March election candidates. Yet, and with all due respect, that election, the candidates running, the outcomes are not within your subject matter jurisdiction as an elected board. Accordingly, in my legal view, your duty requires that you never permit and that the president must stop any and all positive/negative electioneering made during public comment and even from the dias. Thank you.

SPARKS: Thank you. Lexie La Scala is up, and on deck is—I'm going to mess—Diyana Huerta.

DIANA: Oh, Diyanara Huerta. She is with me.

SPARKS: Okay.

DIANA: Good evening, President Shaw and Board members. My name is Lexie La Scala, and I am the community liaison at Orange County Workforce Innovation High School. I'm here today with two of our students who will be sharing their experience at our school. I would like to thank the Board for the opportunity to speak today and for your support that gives us the opportunity to serve our students and our community. Orange County Workforce Innovation High School is a nonprofit public high school in Anaheim that serves students ages 14 to 24. Students who enroll with us graduate with a high school diploma. We serve a variety of student demographics, including those who are parents, students encountering social/emotional difficulties, and those balancing work responsibilities while supporting themselves and their families. They are able to find success in our school because of the personalized learning model and flexible schedules we provide.

Students come to school two times a week for two hours minimum, which allows them to balance school and their personal schedule. Our school is WASC accredited and our fully credentialed teachers have a caseload of 30 to 40 students. This allows students to receive one-on-one attention. In addition, students receive tutoring, social/ emotional support through our counselor and social worker, college and career readiness, career technical education, dual enrollment opportunities and international field trips, all at no cost. We also provide linkage to community resources to eliminate any barriers students and their families may be facing. Thank you again for your support. We greatly appreciate it.

SPARKS: Thank you. Diyanara Huerta is up, and then on deck is Mercedes Corona.

DIYANARA: Can you hear me? Oh, okay. Good evening, President Shaw and Board members. My name is Diyanara Huerta, and I want to share my story on why I chose Innovation High School. I'm a former public high school student, and I struggled with my education. I came from a dysfunctional family and rose from poverty. I initially wanted to go to public school with the intent of improving my mental health and intelligence because Covid really set me back on certain subjects. I was in the ninth grade and everything was all new to me. It was extremely

overwhelming. I failed all my classes and had to deal with mental health issues. It took a toll on my whole life.

I switched to Innovation High School to improve my grades, increase my knowledge, and just find who I am. I learned so much. I had the ability to work at my own pace. The flexible schedule also allows me to work a part-time job where I can support myself and my family. While at Innovation High School, I worked on my mental health. I met wonderful teachers and had the chance to really explore my career options. My school even offers free transportation since I live in Westminster. The school provided me with so many resources and made me fall in love with the idea of learning. I absolutely appreciate and value my education.

Some resources that are provided by our school consists of mental health groups, medical training courses, small group instruction classes, dual enrollment, and international and distant field trips, which introduces excellent information on diversity. In the past, I would struggle to get to school simply because of mental health issues and a ridiculous belief that we are all limited to something. But I want to share with you all today that we are not limited to anything. We have no limits, and our opportunities are enormous beyond belief. We are all absolutely more capable than we can imagine. The difference between my traditional school and innovation high school is that I had more flexibility, more attention, and one-on-one support to help me be successful. We live based on a belief in society that we must take on any job—

SPARKS: Thank you.

DIYANARA: —for the sake of—

SPARKS: Your time is up. Thank you. Your time is up.

DIYANARA: Oh, thank you very much.

SHAW: Good job.

SPARKS: Thank you so much. Nice job. Mercedes Corona is up and on deck is Elizabeth Anauld.

MERCEDES: Good evening, President Shaw and Board members. Hello, my name is Mercedes Corona, and I'm currently a junior in Innovation High school. I would like to share my experience. After graduating from middle school during COVID-19, my parents and I found Innovation High School very intriguing. The school provided a unique opportunity for dual enrollment, a scarcity among other high schools. In addition, they offered a flexible schedule that allowed me to go to school and balanced my work schedule. My sister and I eagerly enrolled and have now been attending for three years. Thanks to this arrangement, I have been able to stay at home, make progress with my credits, while also caring for my younger siblings, while my family maintains a demanding work schedule.

Innovation High School has provided me with a variety of programs that have geared towards improving my future opportunities. Some of the programs included workforce training and dual

enrollment, among others. As of now, I have successfully completed three college courses while in high school. I'm in the process of registering for another one. With the guidance of support of my school counselors and teachers, I was able to navigate and balance my high school and college credits. During my initial year at Innovation High School, I had the opportunity to embark on college tours, discovered my intended major, and attended college fairs. They offered me an opportunity to explore different careers like crime scene investigation in Las Vegas. This allowed me to immerse myself in a career I was interested in pursuing.

Since then, I have diligently managed my credits and have the reassuring support from my designated teacher who regularly checks in with me to ensure I have the necessary support to succeed. If I encounter any hurdles in my coursework, I can always turn to small group instructions for personalized assistance. A month ago, I recognized I needed to enhance my resume. I wanted to acquire new skills before graduating. Coincidentally, I enrolled in WIOA, a program offered by Innovation High School as a part of a federal Workforce Innovation Opportunity Act. This program allowed me to work and generate income while enhancing my careers. Additionally, this opportunity enabled me to provide financial support to my family. I can confidently say that Innovation High School has provided me the best—it is the best school for me.

SPARKS: Thank you. Thank you so much.

MERCEDES: Thank you.

SPARKS: Elizabeth Anauld, and on deck is Tisi Whitko.

ELIZABETH: Good evening, Orange County Board of Education, teachers, parents, and students. My name is Elizabeth Anauld. I have been a teacher at JSerra and Sage Hill for the last 20 years. I'm here to speak on behalf and in connection with Skyview School. Currently, I'm an English teacher and the ninth grade dean at Sage Hill School. In my role as ninth grade dean, I have been honored to work alongside the teachers and students at Skyview for the last five years. In our deep community partnership, we have seen how important Skyview is to us. At Sage Hill, our ninth graders explore place-based history throughout Orange County to engage in meaningful service learning. In our partnership with Skyview, students work alongside the teachers and students. Students are able to engage in meaningful connection, partnership, to extend their learning on both sides.

Through this partnership with Skyview, I have been able to witness the amazing educators Diane, Barbara, and Tisi, who you will hear from, who support and cultivate their students' sense of community and develop a deep love of learning. Through my visits with Skyview, I have been able to witness students from kindergarten through eighth grade connect and uplift one another. It is more than a school. Recently, we were visiting a young first grader who was upset. Her older brother and his friend came by to help console him. Time and time again, I get to bear witness to the students of all grades engaging, connecting, and growing. This school is clearly not a group of individuals, but fueled by incredible educators and students who feel safe and empowered to care for one another. This is a community that I'm grateful to work with and learn from.

Five years ago we had freshmen come to Skyview for a visit. Because of the impact of that one day, we had a student who came back, and back, and back again through her four years at Sage. She brought donations, tutored, wrote cards. She even visited the Skyview students upon their eighth grade promotion. The work done at Skyview in its current model is successful in supporting student needs, and the impact that Skyview has on our greater community is immeasurable. Thank you for your time.

SPARKS: Thank you. Tisi Whitko, and on deck is Barbara Blasco.

TISI: Good evening, Orange County Board of Education. My name is Tisi Whitko, and I teach kindergarten through second grade at Skyview Elementary and Middle School. Last month, Skyview staff, some parents and students, as well as some of our community partners attended the board meeting to discuss our concerns regarding the impending move that would separate Skyview Elementary from our middle school. Unfortunately, Dr. Miramontes was unable to attend the meeting where our concerns were expressed due to illness. However, he did come to Skyview the following week, which we very much appreciated. He spoke with the teachers that were available and expressed his desire to communicate better and for that we are appreciative and hopeful.

He also communicated with our families and our staff via written letter, that after careful consideration, he decided to put a pause on the move. He also stated that he looks forward to improving communication and transparency with all and that his focus will be to collaboratively and carefully work together to develop a comprehensive plan that ensures a suitable learning environment for our students. No new information from Dr. Miramontes has come to us since that day. But our hope is that he will stay true to his word. That, while the move is put on pause, that he will work collaboratively and carefully with our Skyview staff through in-person meetings where our ideas and concerns are heard and decisions are made together. Skyview Elementary and Middle School is an outstanding K-8 program that should be upheld and modeled, not dismantled and changed. Thank you for your time.

SPARKS: Thank you. Barbara Blasco, and on deck is Diane Estill.

BARBARA: Good evening, Orange County Board of Education. My name is Barbara Blasco. I teach third through fifth at Skyview. I would like to share a little more about the Skyview program. While Skyview is not a large program, we do move students in and out throughout the year. As students are ready, we transition them back to their district of residence. Likewise, as students struggle in their DOR, districts refer to us today. For example, Ms. Whitko welcomed a new kindergarten student to the Skyview community, and I have a few fifth graders enrolling in our program in the next few weeks. We have our Annual Open House for our district partners to visit and learn more about our community on February 15 from 9 to 11. We invite all of you to attend if you are available.

We wanted to share that, like you, we serve students from Orange County districts who come to us for guidance and placement of students they feel need our program. With the abundance of support we offer, districts rely on us to work with the students who have the greatest needs. The referring school must sign a community school referral form in order for us to enroll their

students. At no time do we ever enroll a student without a community referral. This suggests to us that districts have seen our K-8 model of success over the last 35 years and feel confident in referring their students to Skyview.

We are sure that Dr. Miramontes and the recent administrative managers he has hired will also grow to see our programs success and our value placed in the community as they get to know us. Thank you.

SPARKS: Thank you. Diane Estill, followed by Sarah Bach.

DIANE: Good evening to our board and everyone. My name is Diane Estill. As you may remember, I am a teacher at Skyview Elementary and Middle School. I am here to speak out against the dismantling of Skyview. As you know, Skyview is the only K-8, county-operated program of its kind and plays a vital role by supporting families in dire need throughout our county. Tonight I would like to discuss the meaning of two words, the word dismantle and the word compromise. Last month, a cabinet member stated during the board meeting that Skyview would not be dismantled but then immediately went on to say that the elementary program would be moved to Orange Grove Elementary run by Anaheim City School District. While Skyview's Middle School program would remain on the Harbor Learning North site.

I was perplexed as those two statements seemed contradictory, so I looked up the word dismantle in the dictionary and found the word was defined as "to take a hole into pieces." The following sentence was given as an example of how the word can be used. "The engine was dismantled and the parts were piled into a heap." I saw it fitting. As an engine dismantled certainly cannot function as an intact engine. Just as Skyview will not function in its entirety or potential once it is dismantled and taken into pieces.

Further, I would like to discuss the word compromise. Compromise is defined as "the settlement of a dispute that is reached by each side making concessions." Multiple trustees used the word compromise last month during their comments to the item at hand, the dismantling of Skyview Elementary and Middle School. It seemed they believed, as do we, that a compromise can be reached that perhaps both parties can be happy with. Our staff has attempted to generate ideas of concessions that we could make, including vacating the current space we occupy to make room for other ACCESS programs who need the space, or extending our school day and including an afterschool care program if they see fit.

SPARKS: Thank you. Your time is up. Thank you. Sarah Bach followed by Cyndie Barcomn.

SARAH: Good evening, President Shaw, Board of Trustees, esteemed Superintendents, and everyone who has come out this evening. I see you have a full agenda as usual, and I have a general comment. I was also at the meeting last month and heard the pleas of the Skyview community. Being the executive director of a small charter school that is a TK-8, and we are co-located happily in a traditional public school campus, I know Skyview is currently also co-located. That is a concern to some. I can share that it does work, and I also recently attended the McKinney-Vento Orange County liaison meeting. I was happy to find a flyer in my packet for Skyview. I'm happy to know that that is a resource in our community for our school as well.

We know students are struggling in so many ways. In fact, we potentially have a community referral for your school. It is so important that our Orange County Board of Education exists as it does to offer school choice to families, students, teachers, and the community. Skyview is a perfect example of that, as is our school. I know on the agenda tonight is also OCASA, another wonderful school. In addition, I know that the Board is very fiscally responsible. You don't only offer the diverse charter school options and other options to the community like Skyview, but I know that you also allow for the inter-district transfers of so many families that need that for basically very simple reasons. It is often that a teacher works in a different school district, and they need their students to be able to travel with them to school. I just want to thank you for your service. Thank you.

SPARKS: Thank you very much. Cindie is up, and on deck is—

CYNDIE: Cyndie Borcomn.

SPARKS: On deck is Samantha Ellis.

CYNDIE: Hello. Good evening, the Board, and Superintendent Miramontes. Last month, it was the Grinch that stole Christmas. Miramontes told the Skyview parents that their children were going to be displaced. The pantry they depended on was no longer going to be—can you imagine that right before Christmas? That is the Grinch that stole Christmas. Plus, the Board didn't even know. They were not aware. That is not what a superintendent that is just temporary should ever do. Miramontes hired Superintendent Navarro from Newport-Mesa. Newport-Mesa Navarro had problems with the math program. He had problems having an annuity for \$300,000. He had them. He is a crony of him. He was with the Superintendent of Schools for Latino. He was a crony of his.

Then, Miramontes decided arbitrarily to take all the junior high school kids back to the school district. That is a big problem. You know why? Every student, I'm a teacher for five years, every student has an IEP. They have an educational plan. Some of these students have gang problems, problems like with their mental health. They should not all go back, and they all had to go back. This was a big problem for them, and it was a big problem that someone would arbitrarily ask them to do that. The teachers weren't behind it at all.

I just want to let you know, as a teacher for five years, I know we are done. I just want to say that many teachers have called me. They don't appreciate you, Miramontes, just arbitrarily making decisions without their approval and asking for them. Okay, that is my—

SPARKS: Thank you. Samantha Ellis, and on deck is Erica Norgaard.

SAMANTHA: Hi. Two minutes is really short, so I'm going to try to speed through this. Good evening. My name is Samantha Ellis, a parent of two students at Skyview. My children's father and I attended last month's board meeting. I want to clarify a few things from my perspective. Last month I didn't get to speak, so this is kind of my thoughts on I, what I have been thinking about. It is clear to me that Skyview parents unanimously do not want this move to happen. I

believe that Skyview should remain a K-8 program and should remain on its current campus with all existing services, supports, and pantry.

When I was initially informed of the move, I was in complete shock. I believe it was Ms. Hendrick who mentioned meetings were being held with parents. These meetings only happened after being told of the move and made because of the worries of the parents. I was given conflicting information regarding the purpose of the move. Mr. Burton said it was for our children to integrate with other children, but Dr. Miramontes stated that Skyview students would be the only students on campus. I recently was made aware there will be an estimated 600 other students there as well. Although each parent was able to speak at the meetings, our pleas were not heard. As we all stated, we were not in favor of this move. Yet, in the end, he stated that the move was still happening.

At this meeting we were told this was the betterment of our children. But with all due respect, how is someone to know what is best for my child if they do not know who I am or my family's situation? It was also mentioned the new campus would allow for a more robust and expanded learning opportunities at the end of the day. Skyview already offers an afterschool program connection with transportation for all families who opt to request it. I currently live in Tustin, and my children attend the Boys and Girls Club in this city. It is more helpful to me to have my children in a program closer to me so they may more easily be picked up in case of an emergency. But I do understand it is a hardship for families to have their children attend an afterschool program in Anaheim if they do not have a vehicle to pick them up. I wish Dr. Miramontes and his team had asked and listened to our stories. Then he would know that it is our priority to keep K-8 together as it is our current location—

SPARKS: Thank you. Your time is up.

SAMANTHA: Thank you.

SPARKS: Thank you so much. Erica Norgaard, and on Deck is Judy Mottl.

ERICA: Good evening. Hi, my name is Erica Norgaard, and I'm a special ed teacher. I have worked for OCDE a long time, about 20 years, and had heard about Skyview but never worked at Skyview site before until last year when I had the opportunity to spend about four months working with the Skyview students and Skyview's team. While I was there, I learned there is a lot of moving parts to Skyview's program, which I would have never known about unless I had actually spent time on their school campus. I observed that Skyview has a strong school culture, and I think that is because of how this team directly interacts, connects, and communicates with each other, the students, the families and community partnerships. The classes do not act separately. They are interconnected with each other. They support one another, and this is partly what makes Skyview a well-oiled machine.

What I experienced was a quite unique program, a model program serving our most vulnerable students. Skyview is successful because of its cohesiveness. In regards to the idea of splitting or dismantling, as Diane said, the middle school class and elementary classes to be at different campuses is something that I think that we really need to ask the question of - what impact is this

going to have on the Skyview students, and their families, and the culture of Skyview's program?
Thanks.

SPARKS: Thank you. Judy Mottl, and on deck is Bill Masters.

JUDY: Good evening. My name is Judy Mottl, and I currently serve as the National Charity League of Orange Villa Park liaison for Skyview Elementary and Middle School. The National Charity League is a mother-daughter philanthropy that partners with organizations throughout our community to provide service for specified needs for each organization we serve. Learning about Skyview, I jumped at the chance to be their liaison. I'm passionate to support underserved children. Throughout the summer months, our mother-daughter teams provide fun, recreational activities for the children of Skyview. We also work in the food pantry.

During the school year when our girls are in school, we prepare fresh fruits and vegetables to provide the children support in their nutritional growth. Through these volunteer opportunities, our daughters learn many valuable lessons, including nutrition. It should never be taken for granted that there are children in our community that need and deserve our support; but most importantly, the value of community and our own individual role to serve our community. Our girls have witnessed that trials and challenges can be overcome when a strong community is in place for the most vulnerable.

Skyview's community is solid and an essential part of the development of the students that they serve. To split this school into two campuses diminishes the power of this community and divides a powerful and essential intervention that has been in existence for decades. These children deserve more from this leadership. I ask in earnest that this decision be reconsidered. Please keep Skyview school together on one campus for the children who depend on this important community resource.

SPARKS: Thank you. Bill Masters is up, and on deck is Yvonne Martinez.

BILL: Good evening. My name is Bill Masters. Thank you, Board. You are doing a wonderful job. Keep up the great work. I need to bring up some things that keep coming across my desk. Parents, you are losing control of your kids and you don't even know it. This CRT stuff that they have got going on, people don't understand what CRT is. All you have to do is, do not use your phone as your information source. It is the devil in the black box. You want research, you want information, go out there and get it. Don't rely on social media. Social media is nothing but junk information that is going out there.

We have a president that sits around and he tells us the economy is wonderful, the gas prices are good, the interest rates are fine. I don't think there is one person in the room here that believes that. You have got people like Nancy, Nancy Watkins. She is pushing socialism and Marxism. If you don't know what it is, we all went to school. We all went to college. We know what it is. We also know that we don't want to repeat the same thing all over again. We can't have that. Socialism is not good. I wonder if Nancy flunked history, because she is missing the boat here.

You have got—here is something that was done. This is Cal State Fullerton. She is a professor. Okay, she is teaching teachers to be teachers. Yet when she puts them in an internship at Placentia-Yorba Linda School district, unless you teach CRT, guess what? You are finished, and she pulls them out. Is this the kind of person you want leading our community, leading the board here? I think not. This is not a good situation. Let's see. It is nothing but a power grab, and we don't need power grabs in teaching our children. We need our children to be taught.

SHAW: Your time has expired.

SPARKS: Thank you. Thank you.

BILL: Thank you.

SPARKS: Yvonne Martinez, and Linda Cone is on deck.

YVONNE: Good evening. My name is Yvonne Gonzalez, and three of my daughters currently attend Skyview Elementary and Middle School. The current model of the school meets our needs. It keeps my middle school girls young, and doesn't allow them to get in with the wrong crowd, or make bad decisions. They were negatively influenced by troubled kids. My girls love the school and the whole staff. We have never understood why they believed moving the elementary school to another campus will make Skyview better. Skyview is a wonderful school already, and change will do nothing but make it worse. Please don't change this program. It has been wonderful for my kids just the way it is, and it will continue to help families well into the future. Leave it exactly how it is. Keep the Skyview program together, please. Thank you.

SPARKS: Thank you. Linda Cone is up, and Lorrie Kaylor is on deck.

LINDA: Yes, my name is Linda Cone. I taught in public schools for 32 years and retired 27 years ago. I have been very busy since. As the Board knows, I have attended meetings fairly regularly since about 2012 and very regularly over the last four, or five, or six years. It is a pleasure to see this board seated and hearing the comments that you are hearing tonight. I think we are getting a real picture of your influence on the community in Orange County, and that needs to be heard.

I just want to add, as a very ordinary person who attends board meetings a lot over the last several years, I want to thank you for one more thing that has not even been mentioned tonight. That is the forums that you have been holding. The first one being—thank you. The first one being on Common Core. Ever since then, every few years we have these forums. These have been an incredible source of information for me as an educator retired. Researching legislation that comes out of Sacramento and issues that affect school systems, not only in Orange County but in many ways all over the nation. I have met national experts at these forums, most notably are James Milgram, professor emeritus, and writer of the highest math standards that were abandoned for Common Core. I met Sandra Stotsky whose highest standards in English language arts were abandoned for Common Core. There is a lot going on here in these forums.

I commend you for what you have done in the past, and I hope to see this continue. Thank you so much.

SPARKS: Thank you. Lorrie Kaylor is up, and on deck is Billie Joe Wright.

LORRIE: I'm Lorrie Kaylor. I'm also a teacher like my friend Linda Cone. She and I carpool here together and have done this for the last decade. She has been here even longer. It is such a joy to see this board work together to support all students and their families. It saddens me when people criticize you. Sometimes you are being criticized for things you didn't even know about. People say that you are not transparent, but the thing is OCDE is not transparent to you. People don't understand that the OCBE and the OCDE are separate entities. Unfortunately, they are not working together, which they should be for the betterment of our schools and our families.

I am so thankful for this board, the five of you up there. You all support parents' rights to choose what is best for their kids for educating their children. You are transparent to parents. You want to make sure that they know that they have the right to transfer, to go to a charter school, or whatever; that they have the right to know what the choices are out there. I saw how you had to fight to do that. Trustee Jorge Valdes would say, some of these families don't have computers at home. They are not going to see an email. Let's get some flyers sent out from the schools to these people. You have to fight for that. That is very sad to see that.

The Latino families, their values are faith, family, and freedom. I hear people criticizing you for engaging in cultural wars. What cultural wars - against faith, family, and freedom? Most people in this country have some kind of faith and believe in the freedom that this country stood for and for families where the parents love their children the most. Thank you so much, Board.

SPARKS: Thank you. I think some of those flyers are in the back. They are supposed to be in the back of all of our meetings by the way. That is all we have.

SHAW: Billie, wasn't there. Billie?

SPARKS: I don't think he is here.

SHAW: He didn't make it?

SPARKS: I didn't see— okay. Okay. That is all we have for general comments.

SHAW: Oh, okay. Always appreciate hearing from so many of you, taking notes, and enjoying that. I appreciate your thoughtful comments. I do want to acknowledge Judge Riddle's comments that we do ask our public commenters to direct their comments to the Board, not at anyone else and within the subject matter jurisdiction. She is correct. We will always try to keep it respectful and about education topics, so thank you.

I'm going to call an audible here and take item 11 next if we get the consensus of the Board. If we can move to item 11, board action on the Skyview resolution brought up by Dr. Williams and Trustee Valdes. Dr. Williams, do you have some comments here?

WILLIAMS: Yes. Since this is a resolution, I would like to make—or, Jorge, would you like to make the motion, and I will second it?

VALDES: For the benefit of the public, I just wanted to explain how we got to this point with this resolution. People may not be aware of what has happened over the last few months.

WILLIAMS: I will yield to you.

VALDES: Okay. For those of you who aren't aware, back in our January meeting we had a fair amount of parents and teachers showing up and telling us about the moving of, and the separation of, the Skyview school. I can tell you. I was not aware of that. I don't believe the other trustees were aware of that. The comments tonight about us not being aware were accurate. I did sort of a cross-examination in our February meeting to try and get to the bottom of what was happening. I think I did that, and I asked for this resolution. I asked Greg Rolon our board's attorney, and myself, and Dr. Williams have been working on this resolution. I think what has happened with respect to Skyview is kind of a victory for public comments. Without the public comments and the people coming down here, I would not have known that this was happening. I think that is unfortunate.

I don't think that is the way the Board and the Department should operate. I think I should have been notified of this. You are our constituents. I answer to you. That responsibility is very important to me. I can't answer to you if I don't know that something is happening and the first I hear about it is in public comments at a meeting. I want to thank Dr. Miramontes for putting a pause on this and listening to our constituents' concerns, particularly, the teachers who came down here. That means a lot to me. For them to come down here on behalf of their students, they are not talking about their own kids. They are talking about the kids that they serve. For them to say this is harmful to them, that means a lot to me. I appreciate you putting a pause on that and listening to that.

I guess, Dr. Miramontes, in the future, I just feel like, as one of the board members up here, I don't feel the need to be apprised of all the day-to-day happenings here. But something like this is something I should have known in advance. These are voters. These are people who are our constituents. I don't want to speak for my colleagues up here, but I feel like I should have known. I ask, please, to be notified of something like this before it happens in the future. That is all I have to say.

SHAW: Okay. Dr. Williams, did you?

WILLIAMS: Why don't we formally make the motion, second it, then we can begin the discussion. But thank you for the preamble there, Jorge. I will make the official motion to adopt this resolution.

VALDES: I second.

SHAW: Okay. Further discussion?

WILLIAMS: I will make some comments. Yes, thank you for everybody who has come forth and shared with us your concerns. I think in governance it is always very difficult. A board sits and sees perspectives that are different from the day-to-day management of the administration and staff. Certainly, no one up here wants to be involved in the day-to-day management of the schools. That is physically and pragmatically very difficult to do. We all have full-time jobs outside of here, and that is why we have paid staff to make those day-to-day decision making. Some of the bigger picture issues though that we are dealing with in this particular issue, it is not the first time that we have been faced with this. It is part of my concerns that I have had for 28 years being on this board. Part of the discussion about the bigger pictures of issues doesn't really come forward to us. I think this is another prime example and a good opportunity to talk about these things. The hopes that the administration and the Board can work together and understand each other's needs and that the staff can receive the input from the Board.

We are very close to our constituents. We are elected by the community, and we listen to the community very closely. That is why we have an elected government. That is why we have local control of education where you elect people from the community, and decisions are made at the local education level. I think out of this, hopefully, we can grow. We can become a better and stronger organization. We can be more amicable, and graceful, and loving towards one another. We live in a very divided age and time. I think it is good that we can talk with one another with grace, and candor, and with great charity. With that spirit, I think the resolution that we have here makes those points. Hopefully it is a bridge that we make for better decisions for our kids. That is my only public comment.

SHAW: Thank you, Dr. Williams. Dr. Sparks, did you have something to say?

SPARKS: Yeah, I just have a couple comments. I just want to thank the public for coming out and informing us. You all took the time and effort to come out and share your concerns from every angle possible. We are just so grateful that you took the time to do that. That helps us to support you in the best ways possible. Spread the word to your community members to get involved. Come and give public comment, and help to keep us informed on all of these issues and barriers that you may be facing in your districts, in your charter schools, wherever you are. Because we are here to help as much as we can. We just need to know what is going on, so I really thank you for coming out and taking time away from your families to inform us. Thank you so much.

SHAW: Trustee Barke?

BARKE: Yeah, I would also like to reiterate what Dr. Sparks said. It is wonderful to see so many families and people here, so many charter schools. We just love to see everyone come out. We wish you would come more often. We do appreciate you letting us know what is going on. As a result, Tim and I, Mr. Shaw and I, did visit Skyview. It just really touched our hearts. It is just nice to see what is happening and to see all of you again. Every time you are here, we enjoy it. Come every month. We love to have you here, and we appreciate you fighting for what is important for our kids. Nothing is more important than the future generation of the children. Thanks for coming tonight, everyone. We appreciate each and every one of you that are here tonight. Thank you.

SHAW: Yes, and I look forward to continue to hear great stuff about Skyview. It was very, very fun to visit your school. With that, we had a motion and a second. All in favor?

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

SHAW: Any opposed? Passes unanimously. Thank you. I took that one out of order. Dr. Williams is a little under the weather and is going to go rest. We wanted to take that item up while he was still here.

WILLIAMS: Thank you.

SHAW: With that, we will excuse Dr. Williams. I hope you feel better.

WILLIAMS: Thank you.

BARKE, SHAW: I hope you feel better.

SHAW: We will proceed now to item number nine, charter submissions. Aracely, is Aracely in the house? Ah, there she is.

HENDRICK: Tim, are you going to do the consent calendar?

SHAW: Oh, did I blow that? Oh, yeah. I did.

BARKE: I will make a motion to approve the consent calendar.

SPARKS: I will second.

SHAW: Thank you. I have thrown my audible. Okay, so all in favor?

VALDES, SPARKS, SHAW, BARKE: Aye.

SHAW: Any opposed? Seeing none, passes unanimously 4-0. Now, on to item nine. Thank you, Aracely.

BARKE: I didn't want to say anything.

CHASTAIN: We did have one charter submission since the last board meeting That is for Magnolia Science Academy Orange County. That public hearing will take place next month.

HENDRICK: Those binders were mailed to your home.

BARKE: Yup. Yup.

HENDRICK: We are trying to do it that way instead.

BARKE: Thank you.

HENDRICK: You should have received those already. Okay.

SHAW: Oh, I'm sorry. Now item number 10, charter public school hearing, Orange County Academy of Sciences and Arts III. Aracely?

CHASTAIN: Good evening, President Shaw and Trustees. Today the Board will hold a hearing to consider public input regarding the Orange County Academy of Sciences and Arts III. A countywide charter school petition submitted on December 18. OCASA III proposes to operate a classroom-based program serving students TK through grade 12 for an initial five-year charter term from 2024-2029 with the first year being a planning year. The charter school has notified four school districts of their intent to open school facilities, that is Irvine Unified, Saddleback Valley Unified—you know. I'm sorry, I only have two. Remind me, Kapil.

MATHUR: Tustin and Orange.

CHASTAIN: Tustin Unified and Orange Unified. Before public comments, representatives from the charter school are allotted 15 minutes to address the Board. I now call representatives from OCASA III to the podium.

BARKE: I need one of those buttons. Those are amazing.

SHAW: I don't know if I have ever seen a button that lights up quite like that.

BARKE: Thank you.

SPARKS: Wow. Cool.

BARKE: Love it.

MATHUR: I got one for you.

SPARKS: Thank you.

BARKE: That is great.

MATHUR: My next button is going to say "Charter schools are public schools." I ask you to imagine an institution where the students, their parents, and teachers come first. A place filled with authentic learning and academic rigor done the right way. A community focused on individual student growth, a school where students' growth and achievement outpaces those of traditional schools. That place exists, and it is called the Orange County Academy of Sciences and Arts. President Shaw, distinguished Trustees, Dr. Miramontes, county staff, and our community members, my name is Kapil Mathur. I'm the founder and executive director of OCASA. Tonight I am pleased to present to you OCASA's replication plan which will allow us to serve more students across our community.

OCASA is a mission-driven nonprofit organization, which currently operates two high-quality schools that are both fully accredited by the Western Association of Schools and Colleges. OCASA is a joy-filled, student-centered, collaborative community that inspires growth through a personalized learning experience. Now the purpose of this public hearing is to demonstrate community interest in the proposed charter school. We have a small subset of our supporters here tonight. We have more watching the live stream at home. I would ask, first, if you are a teacher, classified staff member, or administrator who believes in our mission and are here tonight to support the replication of OCASA, would you please stand?

VALDES: Wow.

MATHUR: I commend all of you for your dedication to the students. I was going to say let's recognize these people with a round of applause, but you did that on your own. Please keep standing. If you are one of our students or a community member who supports OCASA, will you please stand and join these fine educators. Thank you all for being a part of our community. Please take your seats.

Who are we? OCASA was founded in 2015 by a group of educators and parents who wanted a different approach to education. We incorporated as a 501(c)(3) nonprofit entity in 2015. It was eight years ago, almost to the day, that we were in this room where our first school was authorized by a unanimous decision of this board. We welcomed our first students in August of 2016, and our first petition was renewed by this board unanimously four years later. In the summer of 2020, our second school opened with a goal of expanding our program to 12th grade. Later this spring, OCASA will graduate its first high school class who are currently in the process of obtaining admissions to prestigious universities and colleges. That second school was approved unanimously at the local school district.

One thing that I think we can all agree upon is that we are fortunate to live in Orange County where we have multiple outstanding school options, both traditional public schools and charter schools. OCASA, however, is among the very best of these high quality schools. What I'm showing on the screen here is the data from the 2023 California School Dashboard. In English language arts, OCASA is the number one school for growth in the Capistrano Unified School District, and the number one school for achievement in the Capistrano Unified School District. Out of the four school districts that we are proposing to serve with OCASA III, only two schools with achievement levels of blue beat us in growth. Both of those are in Orange Unified School District. I'm happy to say that one of those is my alma mater, Canyon High School. Go Comanches.

If you compare us across the county, we are number four in growth, as compared to all schools in the county with a blue achievement level in ELA. For math, in CUSD, we are the number 10 school for growth. Out of all of the four districts that we are proposing to serve, OCASA III would be the 17th highest for growth of schools that also had blue or green achievement levels. It is the growth metric that I want to point your attention to. That is what demonstrates the efficacy of our program. How do we do this? We focus on only two main things as an organization. First, we maximize student growth by improving student performance and offering robust learning

experiences. In the next slide, I'm going to go into more detail on how we improve student performance.

Our second focus is being the school of choice for families, students, and teachers. We bring in new families to the organization through outreach, making sure that everyone knows that we are free, public, and open to all. We retain students and families by providing a high-quality program, offering strong opportunities for parent involvement. We also make sure that we are an excellent choice for our staff by first recruiting high-quality staff and then nurturing and supporting their needs through competitive compensation and benefits, a comprehensive professional development program, and providing a career path where they can stay within the organization to fulfill their professional goals. I'm proud to say that this year we were able to launch a teacher residency program where college educated individuals who want to become teachers can work at OCASA while obtaining their teaching credential. We have two residents, and they will both be fully credentialed by the end of the school year.

This was also the first year that we were able to recognize our first master teacher. She is in the audience, but I promised her that I wouldn't point her out. Our master teacher program is where top staff members, after working for us for a number of years and achieving goals that we set out, are eligible for a multi-year employment contract and increased compensation. Let me dive a little bit more into detail on how we improve student performance. We do this by using our personalized learning model. At OCASA III, this personalized learning model will be further enhanced from what we are doing by the ethical and prudent use of artificial intelligence. The personalized learning model starts with personalized assessments. There are multiple assessments that occur throughout the school year where we establish an understanding of what are the skills that the student currently has and what are their opportunities for growth. Then in consultation with the educational team, parents and students, a personalized learning plan is developed for each student identifying their goals and supports that we need to provide for them to be successful.

Finally, we supplement our core resources with personalized learning and resources, such as leveled readers and adaptive technology tools to target the specific areas of focus in the learning plan. That cycle continues semester after semester, and that is what is driving those growth numbers. Over the first few years of OCASA III, this process will be further enhanced with AI. An example of this is that we may be able to use AI to create custom level readers targeted to an individual student's Lexile score and the topic that they want to study. As an organization, OCASA is focused on operating with transparency and integrity. We have multiple organizations including this board and the Department of Education that provide general fiscal and programmatic oversight. We also have oversight from our SELPA and our second authorizer. In addition, there are other agencies that have oversight on specific programs, such as our CTE Pathways. Okay, I think I have 15 minutes. Okay.

Our CTE pathways and our ACEs afterschool grants, we go through independent financial audits each year, which are submitted to the state, our authorizers, and the SELPA. In our history, we have had seven independent audits. To date, we have not had a single audit requiring a restatement of our financials. Our board is compliant with the Brown Act, including the charter specific parts of the Brown Act, which require us to teleconference our meetings at each of our

school sites. We are also compliant with the Political Reform Act, Government Code section 1090, and our conflict of interest policy has been approved by the Orange County Board of Supervisors. We are active members with the California Charter Schools Association, the PTSA, including participation in our Fourth District PTSA, and the Western Association of Schools and Colleges, which has fully accredited both of our schools. Finally, we use world-class back office and legal support teams to make sure that we are compliant with the ever-changing and evolving fiscal, employment, special education, and Education Code changes.

Here is some quotes from our parents. “The teachers are not only experts in their field, but their empathy and leadership is felt consistently. OCASA charter is being operated more professionally and effectively than most of the educational programs that I have experienced. OCASA seems to be five steps ahead in all aspects of education. We need more schools like OCASA.” I’m going to leave you with this slide showing you pictures that really show our purpose, which is our students. I'm going to go left to right, down the rows.

The program is inquiry based and focused on student interest. Our students wanted to create a news program, so we got the green screen. We got the microphones. We got all the equipment for them. They produce the *Rocket News*, which goes on YouTube a couple times a year. We have a robust arts curriculum, both performing arts and visual arts. Our parents function as partners and work with us on special events and activities with their students. Our primary mode of instruction is small group, hands-on activities. We offer a wide variety of specialty classes.

We offer real-world learning opportunities through our field study program. STEM and STEAM projects are a large component of what we do where students can apply the knowledge that they are learning in their core classes. We have really fun campus events and assemblies. There is a tiny picture of a BMX biker jumping over six staff members. That was, I think, last month. Our teachers, I can't say enough about our teachers and staff. They are high quality, they are diverse, and they are committed to our students' individual success. Our academics are rigorous, and they are focused on being college preparatory. When our second school was authorized, that board asked me, “Are you really committing to preparing all students for college?” Yes, that is exactly what we do.

We focus on the whole child by offering opportunities for SEL growth. In this picture, students are participating in the Kindness Challenge, which is an initiative of the Department. Finally, we have a growing number of CTE and dual enrollment opportunities for students. I want to thank this board for their leadership. The landscape in Orange County over the 10 years that I have been coming here looks very different, and I appreciate what this board does. I also appreciate your fiscal prudence and your focus on students and families. I humbly request at your March board meeting for a unanimous approval with no conditions for the OCASA III charter school. Thank you.

I promised my families and my teachers who were at school all day and have to be at school, some of them at 7:20 tomorrow morning, that they would only be here until 6. You saw them. You saw the community support. If they need to leave, please give them some liberty. Thank you.

CHASTAIN: The hearing is now open for 15 minutes of public comments. Trustee Sparks, please call for the first speaker.

SPARKS: Okay, thank you. We have got about 10 to 12 comments here, starting with Jessica Newburn and on deck is Serdar Seyhun.

JESSICA: Good evening. Thank you for having us. My name is Jessica Newburn. I'm a proud board member of OCASA and currently serving as the board chair. I'm an Irvine resident, and an IUSD parent, and active in the PTA and community. In my prior roles as teacher and administrator, I have worked in district and charter schools. I'm currently the vice president of school quality at the California Charter Schools Association working with schools across the state on data use, continuous improvement, and charter renewal. Further, I'm on faculty at LMU currently coaching teachers in Long Beach and Orange County. In my roles, I have had the privilege of visiting and working with schools all across California. I can confidently attest that OCASA provides a uniquely engaging and effective program. When I walk into OCASA schools, I see students engaged in meaningful work. They get to experience special projects and have a variety of art, engineering, and science experiences every day. They are being supported at their level by the adults who are focused on their individual and collective growth, both academically and socio-emotionally.

Further, OCASA has extremely strong systems for school performance and management. They use data diligently to make decisions and monitor the compliance and success of critical elements of all their programs. I have full confidence in the OCASA team and the leadership they provide. As an Orange County parent, I know families in Orange County want schools that are the right fit for their students. OCASA offers a special program that will enhance the school offering for Orange County families, and I respectfully ask the Board to approve the expansion of OCASA in your March meeting.

SPARKS: Thank you, Serdar is up followed by Christina Casas.

SERDAR: Good evening, my name is Serdar Seyhun. I am the grandfather of Autumn. Autumn Rose, who is attending OCASA. I was born and raised in Istanbul, Turkey. I came here as a high school dropout. I didn't have the opportunity to have the schools like we have here. Over the past 30 years, through perseverance and trying to become a better person for the community and for the society, to educate myself, I have finished a couple of programs, one from MIT and another one from Harvard. I am here. That is not the point here.

The point I want to make here is, I am watching and seeing what is taking place day-to-day at OCASA. Both by the principal, the staff members, support staff, everything around the playground, in the classrooms around the school, it is my understanding and comprehension based on my limited knowledge in the education system, I believe what OCASA brings to our community and to our education system is something very profound. That is truly giving our children a level of self-awareness. The emotional intelligence besides just the academic stuff, that is mathematics and all the other important stuff that we need to have in order to get to college.

But what is really important is what was shared in the presentation earlier. That process of assessment and how the students are being taken to the next level through their self-awareness, and the emotional intelligence, and how they become a better person to make some decisions on their own within their elements of psychology, and wellbeing, and emotional intelligence. Thank you so much. Have a great evening. I ask for you to approve the expansion of this school in your very next meeting, please. I humbly ask you that. Thank you so much.

SPARKS: Thank you. Christina Casas is up, and Mibellal Serrano is on deck.

CHRISTINA: Hello, my name is Christina Casas. I'm the director of Student Services at OCASA. I started my career in education over 20 years ago as an instructional assistant while I was completing my multiple subject and education specialist credential programs through Chapman University. I then worked in a local school district as a classroom teacher, special day class teacher, and resource specialist until deciding to take some time off to spend raising my own children. Over the years I have worked part-time as an education specialist and special education coordinator at a few Orange County Charter schools, OCASA included, helping with case management, mentoring new teachers, and filling in gaps where there were staff shortages. As a firm believer in school choice, both as a parent and an educator, it was an amazing experience to get to work in so many different charter schools, all of which have had something unique to offer. But I was still looking for my home.

I want to tell you a story about how I knew OCASA was the right place for me. Last year we had just completed an assessment of a student who had some pretty extensive social, emotional, and academic needs. I was still fairly new to the organization at the time. I went to Mr. Mathur, our executive director, and relayed my concerns. Asking him, "What do you think we should do?" Without skipping a beat, his immediate response was, "Well, what is best for the student?" A lot of organizations may say things like "We put students first," but I can honestly say from the top down, OCASA follows through with this promise. When Mr. Mathur approached me at the end of last year with the opportunity to take the brand new role in the organization as a director of Student Services as well as join the executive team, I was thrilled.

In our clarification meeting last week, we were referred to by Department staff as rock stars. I'm humbled to say I'm part of this team of great leaders. Our leadership team is supportive of our teachers and staff, and makes collaborative decisions aligned with the mission of our school, and, as I said, always puts the students first. In addition to being in support of the expansion to include OCASA III, as an employee, I am also a parent and stepparent to five children who currently attend schools in the Tustin Unified School District. For me, the mark of an excellent school is if I can say yes when asked, would you send your kids here? That answer is a resounding yes. I urge the Board to vote to approve our petition as written to open OCASA III so that we can bring the OCASA experience to more staff, students, and families in our community. Thank you.

SPARKS: Thank you. Milbella Serrano and on deck is Emily Valverde.

MILBELLA: Hello, my name is Milbella Serrano. I'm 14 years old and in eighth grade. OCASA stands as an excellent school to attend. From when we step on campus, we feel like

family. From the fantastic students and staff members, everyone looks forward to coming another day. I enjoy this school a lot, because teachers do their best to prepare us for challenges beyond the classroom and point students in the right direction. Using a variety of educational platforms, they have helped us a lot in improving in weak spots that we needed to improve in. I'm looking forward to seeing more people attend OCASA. Thank you.

SPARKS: Thank you. Emily Valverde, and on deck is Martha Alicia something Diaz. Long name.

EMILY: Hello, good afternoon. My name is Emily Gazva. I'm 13 years old, and I am in eighth grade. In my three years of experience at OCASA, I have improved and benefited from this experience. OCASA has a positive environment, and teachers and classmates are super supportive. I have found so many good friends and made so many great memories. This school has been a complete game changer for my education. OCASA has many fun dances, field trips, and other inclusive activities. They have great clubs. Currently, I am an ASB officer in charge of service. I do the morning announcements, and I'm also a part of Art Club. Last year, we hosted a Valentine's Day dance. Two things that were really fun and lots of students enjoyed were that we had henna and face paint. In my personal experience, I would definitely recommend OCASA, because its education system and positivity is a great example of life. Thank you.

SPARKS: Thank you. Martha Alica Casarrubias-Diaz, on deck is Gina Johnson.

MARTHA: (Spoken in Spanish.) Good afternoon, ladies and gentleman, members of OCASA, Orange County Department of Education, and to all of you who are here with us. It is an honor for me to share with you of my experiences while serving at OCASA. My name is Martha Alicia Casarrubias-Diaz. That is my name.

SPARKS: I got it the second time. I got it better the second time.

MARTHA: I have three children. They are all grown up now, but I wish I had OCASA because we struggle so much with their individual special needs. I am lucky to be part of it now to assist and serve those that are in need as my children were. I have a degree in foods and nutrition. I am a classified employee. I support students with the nutritional services, where the students have the opportunity to learn every-day life skills as well as practice what they learn. That has led us to develop a cooking club. This is a petition from the students where students have fun while they also learn. It is a privilege being part of it. That way we can motivate them to do well and they do. We only have a capacity for 12 in that cooking club, and we have a waiting list of 17 children.

A must is for them to get along and be caring with each other. It is not a choice. It is a must. We help them develop their social skills. They don't get to choose who they want to be with. They got to get along with what they are assigned with. It is requested to improve their grades. They need to make an effort to be a part of the club. They do practice that. They put in practice their creativity. They learn that we all have an artist inside. We just need to let it come out.

SPARKS: Thank you. Your time is up. Thank you so much. Gina Johnson is up, followed by John Alpay.

GINA: Hello, my name is Gina Johnson, and I have one son in seventh grade at OCASA. I am the PTSA president. I'm a PTSA member of Fourth District PTSA as well. We collaborate and participate with PTA with other public schools. As a mom, my involvement includes first and foremost being able to speak with teachers easily and openly about my son's assignments and grades. Working together is needed to best help him thrive. This is most important. Parent involvement also consists of being a PTSA member and attending meetings, assisting in school drama performances, and other school functions. It includes just being a helping hand where needed at the school. Activities and support provided by PTSA are school dances, holiday events, and bowling activities. We also fundraise to provide the school additional support for events that bring the entire student body and staff together. OCASA provides support for students who had only limited success at their district school. I ask the Board to please approve the expansion during your March board meeting as written. Thank you very much.

SPARKS: Thank you. John Alpay, and on deck is our final speaker tonight, Shawn Ajakwe.

JOHN: Good evening, Mr. President, distinguished members of the Board. My name is John Alpay, and I'm here as a member of the board of trustees for OCASA, along with my colleague, Jessica. Unfortunately, I regret to report that I didn't have the opportunity to go to Harvard or MIT, but I think I have done okay. I have got 25-plus years of experience practicing law. I spent the last eight years of educating in the actual classroom. CASBO certified me with the CBO designation, and I have had the distinct honor and privilege serving as an elected trustee for two LEAs here in Orange County.

What all that means is I, like you, I have had the opportunity to review and approve multiple charter school applications, so I know what you see. I know what you review, and I understand what it is like to be on your side of the dias. I will respectfully submit to you that as you are aware, the criteria for approval is articulated and set forth in the Education Code. It is very prescriptive. I will respectfully submit to you that this application is probably one of the strongest that I have ever seen. It not only meets the requirements, but exceeds the requirements. One thing that in my two years as a trustee for OCASA that I focused on personally has been corporate governance. That said, it has been very easy; not much for me to do. OCASA exemplifies best practices and focuses on transparency and maintaining adequate internal controls from all perspectives, not just financial but also adherence to the Brown Act.

Given Kapil's comments about, we make our board meetings available not in just one location, but at all of our sites. For OCASA III, it is not going to be a problem. It is just the scalability already built in. In the interest of brevity, I will leave my comments there. Thank you for your service. I know what it is like. I know what it is like to be tarred and feathered by the public. I'm glad it is you and not me. I have done my time. You are doing yours. Much appreciated. Thank you for allowing me to speak tonight, and I look forward to listening your deliberations at the next meeting. Thank you.

SPARKS: Thank you very much. Shawn, you are on deck. You are our last speaker tonight.

SHAWN: We have a joy-filled organization. Good evening, honorable officers and esteemed board members, educators, community members, and most importantly our students - the reason that we are all here. My name is Shawna Ajakwe, and I have been a member of OCASA's family for the past four years. As a resident of the Irvine Unified School District (Irvine), I began my career as a substitute teacher at OCASA before securing a full-time teaching position. Under the leadership of our Executive Director Mr. Kapil Mathur and our school Principal Dr. Alicia Bailey. I have been afforded the opportunity to work in a highly supportive and structured environment. The experience that I have gained has been critical to my professional growth, first as a teacher and in my present role as director of activities and special projects, working closely with all key stakeholders, including our school leadership, my fellow teachers, our school support team, and our awesome parents.

OCASA truly embraces the tenant that the academic and social advancement of our students is our first priority. Creating memorable learning experiences for our students is what we strive to accomplish on a daily basis. From building robots, to competition, competing in regional competitions by a nationally recognized organization, Poetry Out Loud, on a Tony Award-winning stage. We tailor robust, engaging learning experiences that suit every need, every student, every parent. I'm proud to say that I'm a part of an organization who has teachers, educators, leadership that are always available to their students, parents and community. We don't just say student-centric as a buzzword. We mean it, and we live it. I humbly ask you in your next meeting, please approve the expansion during the March board meeting as written. Thank you so much for your time and consideration.

SPARKS: Thank you. That is all.

CHASTAIN: The public hearing is now concluded. I want to point out that the Board has received some additional pages for this charter petition. What the Board will be reviewing and voting on is the complete charter with these additional pages included. The Orange County Board of Education Staff Recommendations, including recommended findings, will be published by February 20. At the March 6 meeting, the Board will conduct a public hearing and take action to grant or deny the countywide charter petition. President Shaw, I now close the public hearing and return the meeting back over to you.

SHAW: Thank you. Well, you guys all did a terrific job in your comments. You really did. I especially want to commend the students. What a great job you did. I think you summed it up. You are clearly a very fun group. I think that is great. I will go to questions. Maybe I will start with my left. Trustee Barke, any questions for them?

BARKE: I don't have any questions. I just want to thank you for expanding the wonderful thing you are doing at OCASA. It warms my heart to know that we will be able to accommodate more students through your program. I'm just thrilled to see all of you here. It certainly is a great testament to your school that so many people came out tonight. We love having you here, so come back next month to make sure we vote the right way. It is really important.

SHAW: We have got to keep our eye on Ken. He didn't get this. Trustee Valdes?

VALDES: Mr. Mathur, I have a few questions for you. First of all, great presentation. Really, I have to say that, and I have seen several at this point. Yours was extremely good. Love the energy of your students and your staff that came down here. That was really great to see. I wanted to ask you about the personal learning program that you guys mentioned in your presentation. You do that for every single student that you have. How many students do you have right now?

MATHUR: We have approximately 250 at the elementary level and 105 at the secondary.

VALDES: Okay. You have this meeting with every student at the beginning of the year and set goals for the entire year. How does that work?

MATHUR: It is different at different grade levels. At the elementary grade level, it happens two times a year. This week is actually the second time of the school year where the students, the teacher, and the parents meet. People are now comfortable doing it over Zoom. It is a little bit easier for everyone. It can be in person or online. What that actual process looks like—oh, and then at the secondary level, the goal setting happens once every two weeks. Students meet one-on-one with their assigned mentor teacher, and they outline their goals for the next two weeks. That is all put onto an online platform where parents have access to it. As the kids are going through the grade levels and getting closer and closer to college, the students are taking more ownership. Whereas, at the elementary level, it is more being driven by the parents.

How this happens is three times a year students take a standardized test that is nationally normed, peer reviewed. We are currently using the NWEA Map Growth Assessment. It is a computer adaptive test. You basically continue to answer questions until you get them wrong. The software creates what is called a writ score. The writ score is broken down into different domains for each subject. In the reporting that comes out of this assessment platform, it identifies what are those standards where the student has met them, and what are the next standards that are high value targets for them. We take all that data. Then humans, the teachers, and the parents, and the students look at it and create those goals. At the elementary level, those goals are created twice a year. Then at the secondary level, it is much more frequent. It is definitely one of the most difficult portions of our program. It is very traditional for, especially elementary students, to have a progress report or a mid-semester sort of progress meeting, parent-teacher conference.

When we first started many, many years ago, people thought, oh yeah, this is just the conference. No, it is something totally different.

VALDES: I think I got the gist. There is two locations now?

MATHUR: Correct.

VALDES: If we approve the countywide third campus, do you have any idea where it will be?

MATHUR: Yes. As part of the process in November, we had to notify the school districts that we would like to locate in. I sent letters to the superintendents of Orange, Tustin, Irvine, and Saddleback Valley. We are doing things a little bit differently with the third school than we did

for the first two schools. With the first two schools, we were only focused on areas where parents are interested. We are now also looking at facility availability. I'm a data person. We have for the last nine, 10 years, every single parent who has ever contacted us inquiring about our program for their student that is over 6,000 families in Orange County. We have that all mapped out. We were able to identify where are our areas of interest. Then while we reserve the right to obtain facilities under the Prop 39 process, it is our strong desire to control our own destiny by having privately owned facilities.

We are working not only with a school development company, but we are also working with a real estate broker who focuses on schools and colleges. We have gone through an analysis of the zoning regulations and identified where there are opportunities for facilities. The marrying of those two is how we came up with where.

VALDES: Right now, you don't have a facility actually picked out though. You think it is going to be Tustin, or Irvine, or the other two school districts?

MATHUR: Yeah, I cannot say anything definitive.

VALDES: Okay.

MATHUR: We are in negotiations on property currently, but I don't have anything definitive to tell you.

VALDES: Is entry into the school based on a lottery?

MATHUR: Yes, it would be.

VALDES: Right now, do you have a wait list on your lottery on entry?

MATHUR: When we go into the start of the school year, we have a wait list. What happens is if a seat becomes available, then we call people off the wait list. Then we stop enrolling new students in January, so the wait list goes away. We are currently in the open enrollment period for the next school year. We are accepting applications until the end of February. We will do a lottery in March, and then anybody who is not accommodated through the lottery will go on a wait list.

VALDES: How many kids do you anticipate serving on this third campus? I think you said the first one is 250. The second one is, I think you said—

MATHUR: One hundred five.

VALDES: One hundred five. We are about 355-ish total. How many kids do you plan to serve on campus number three?

MATHUR: In year one, zero. Year one we have planning year. In the second year, we plan to open with TK through eighth grade. I would have to look up the exact number, but I believe it is

around 600 that we have put in. I have previously come and spoken to this board on facilities issues. The reason why we don't currently have more students is because even though we are the number one in growth and the number one in achievement, we are zero in facilities. We are at the mercy of our local school district. Both of our facilities are the absolute worst facilities out of the entire district. Lots of people are interested. Our tours are packed, but they see the facility. They say, "I don't know if this is for me." That is why we are taking a facilities-first approach to the third school.

VALDES: Do you plan on expanding the cooking program?

MATHUR: The limiting factor is we have a one in a million person here with Martha.

VALDES: I listen to what you guys say.

MATHUR: It is hard to find.

VALDES: All right, and I guess the last—

MATHUR: She has a cooking program with no kitchen.

BARKE: Wow, that is impressive.

MATHUR: Our kitchen is on wheels and under tents. We wheel it out every day, and we wheel it back in. On rainy weeks, like this week, everything is flooded.

VALDES: Talk to me just a little bit about how you serve TK all the way up through high school. Is that all going to be on one campus?

MATHUR: The countywide petition provides us with a lot of flexibility. For what we have written in the petition and our budget assumptions is a very simple growth plan of going from TK to eighth and then adding grades. The reality is we have a lot of flexibility depending on facility availability. That is why we have the planning year. So that as we find facilities, there may be some facilities that could only accommodate high school but not a middle or elementary school. This is part of the flexibility and part of the rationale for why we needed a countywide petition.

VALDES: Last question, I promise. This might be the hardest one.

MATHUR: Uh-oh.

VALDES: Six hundred kids, my critics who say I approve charter schools too easily are going to say, "Well, 600 kids are coming out of the public schools." Why should I not offer this option to Orange County kids?

MATHUR: You should.

VALDES: I told you it was tough.

MATHUR: Okay, I love the question. Some of my talking points are going to come out. Number one, it is a public school. If anybody says, why charter school over public school? They are missing the framing of the question. A lot of times the question is framed over funding issues. Somehow charter schools are defunding public education. When the city of Irvine opens a new neighborhood, and they open a new school and families from around Orange County move to that neighborhood and enroll in that school, nobody is saying, that school shouldn't exist because that kid used to go to this school. Now that school is losing funding. It is the exact same argument.

Then the last thing is, the proof is in the pudding. The data is the California data that is the reporting tool for all schools in the state. I just downloaded it off the California website and sorted it. It is black and white. The idea that a high-quality school that is moving the needle for students shouldn't be authorized makes no sense. I didn't actually go into the subgroup data, but our students with disabilities outperform our general education students. That is unheard of.

VALDES: Mr. Mathur, I don't have any more questions, but I will say you are very impressive.

MATHUR: Thank you.

SHAW: All right, boy, these are tough acts to follow. Vice President, Sparks.

SPARKS: Well, I will just make a couple comments. I mean, I have followed you over the years. I'm just so continually impressed with all the hurdles that you all push through and the work you are doing is just unbelievable. We notice. We are so proud of you for just keep thinking about putting students first, students first, students first. It was so fun hearing from you students tonight. You did such a great job. You did. It almost brings tears to my eyes just how hard you all are working. I know you are doing everything you can to help our community and help our families. I commend you.

MATHUR: Thank you, Dr. Sparks.

SHAW: Thank you.

BARKE: Lisa, do you remember when we were running for office? That was the first charter we visited.

SPARKS: Yeah.

BARKE: Do you remember that?

SPARKS: Absolutely.

BARKE: How impressed we were. You were my first introduction to a charter school back when I was running in 2018.

SPARKS: Yup.

BARKE: I think the same for years.

SPARKS: Yeah.

BARKE: It has been a lot of fun to watch.

MATHUR: Thank you very much.

SHAW: Much of what I had planned on asking and saying has been said by my great colleagues. In the spirit of kind of dispelling misunderstandings about charter schools, I was going to ask you about serving students with special needs. I think sometimes there is a suggestion that charter schools will just cherry pick the best students and not take in other students that might be more challenging; but of course, that is not true. I was going to ask you about both English learners and others. You got a little jargony. You did a great job. But when you say SELPA, I don't know that everyone understands that.

MATHUR: SELPA is, essentially it is a school district for special education.

SHAW: Okay. I don't know that most people out there understand.

MATHUR: Yeah, it stands for special education local planning area.

SHAW: Yeah.

MATHUR: Charter schools have two options. They have to join a SELPA. They can either be part of the authorizing school district SELPA, or there are some county offices of education who have created charter-specific SELPAs. LACOE has a charter-specific SELPA. We chose to go with El Dorado County Charter SELPA, and someday I hope that Orange County will have their own charter SELPA.

SHAW: Okay.

MATHUR: I want to tell you a little more data. EL reclassification rates, when you look at our student enrollment, we end up having very few EL students because they all get reclassified. As far as students with disabilities, we have significantly higher and by far the highest unduplicated counts of any school in Capistrano Unified School District. I can tell you the number. For those of you who are familiar with more densely populated areas, it is not going to sound like a lot. But for south Orange County, having a 45% unduplicated count is really high.

SHAW: All right, well we look forward to seeing you guys next month, and we will take it up then. I assume most of you will be back. We look forward to it.

MATHUR: Thank you very much.

SPARKS: Thank you all.

SHAW: Good job. All right, we will proceed then to item number 12.

SPARKS: Yes.

SHAW: Board action on Senate Bill 907. I asked that we agendaize this item, so I will move that we approve.

SPARKS: I will second that.

SHAW: Seconded by Dr. Sparks. A little comment here. I will pause as you guys leave.

SPARKS: Thank you.

SHAW: We are not in recess. We will see you next month, though. Okay.

AUDIENCE MEMBER: How can I talk with you at all?

BARKE: You can wait until the end of the meeting.

AUDIENCE MEMBER: Okay.

BARKE: Or before the next meeting. Okay?

SHAW: Okay. Some people out there may not know. In California there is 58 counties. Some are very big, like Los Angeles County. Some are very small up there by the Oregon border. There is really tiny counties. Out of the 58 counties in California, our dear friends in the Legislature have a bill that will change the county board of education only in Orange County. Moving us from five trustees to seven trustees and moving the election from the primary to the November election. That is what our Legislature is up to. I haven't heard reasons articulated for this bill. I think we are going to hear something about needing more trustees to bring democracy to the county board of education. I don't know what they are going to say, but perhaps it is something like that. I'm trying to keep a straight face, because there is this little county to the north of us called Los Angeles County that has a county board of education that is not elected at all, actually. They are appointed.

There is no democracy that exists in the LA County Board of Education. They get appointed by the Board of Supervisors. It is frankly laughable, as far as I'm concerned, that we need to bring democracy to the Orange County Board of Education when the five of us get elected by our districts on a regular basis. This is obviously a bill that is a solution in search of a problem. I will be formally asking that we adopt this resolution to oppose Senate Bill 907. Dr. Sparks has seconded. Are there any other comments?

BARKE: I would just make a comment. You speak about Los Angeles. If you look to the south of us to San Diego, they are actually a larger city than us. They only have five board members,

and nobody wants to mess with that board. Why are they messing with our board? It makes me wonder. Yes, thank you. I think somebody just doesn't like this great work that we are doing, exemplified by all the people tonight in the Board Room.

SHAW: Okay. Dr. Sparks, did you have any comments?

SPARKS: Well, I would just say on the face of it, if anyone is paying any attention, they can see this makes no sense whatsoever.

SHAW: Very good. Trustee Valdes?

VALDES: It is just a political hit job. It is just nothing more than that. Shame on you, Josh Newman.

SHAW: Very good. We have had a motion and a second. All in favor?

VALDES, SPARKS, SHAW, BARKE: Aye.

SHAW: Any opposed? With Dr. Williams being absent, it will be 4-0. Thank you. We will go to, let's see, information items, mid-year update on the 2023-2024 OCDE Connections Local Control and Accountability Plan.

HENDRICK: You do have those in your packet. It is just an update to show the amount of expenditures been spent today. This is a new legislative endeavor by the state to say we must give you an update. They haven't really given us a format for it yet, so this is kind of what most people are using. You do have that in your packet. It is not something that you vote on. It should have come in your Friday packet, hopefully. Yeah, it is in your booklet, actually, page 64. If you have specific questions, Dr. Miramontes can answer those.

SPARKS: Well, how do you anticipate this multi-billion dollar deficit we are anticipating in education? How are we going to deal with that?

HENDRICK: Actually, Dave is going to talk to you about that in just a few minutes, Giordano. Luckily for us, the school funding isn't actually impacted the same way. That is the good news, but I won't steal all his thunder. He does have just a quick presentation for you.

SPARKS: Okay. Thank you.

HENDRICK: This is just the update. You will see the LCAP again in June. That will be the full plan. I believe they are changing the format again if I remember correctly, yes. This is an update from last year's plan.

SHAW: Great. We will go to the mid-year update of the 2023-2024 CCPA Local Control and Accountability Plan.

HENDRICK: As a reminder, this is a charter that the Board has approved for us. College and Career Preparatory Academy is the same thing. It is just an update on the expenditures.

SHAW: Okay. Questions from the Board on that? Seeing none, we will go to the announcements then from the Superintendent's Office.

HENDRICK: All right. First, I think Dr. Miramontes has a couple of announcements.

MIRAMONTES: President Shaw, members of the Board, guests in the audience, I just want to highlight a couple of things. This past weekend we had the OC Academic Decathlon celebrating 55 years. The Orange Academic Decathlon began on January 27. There were 500 students from across the county. This was founded in 1968 by former Orange County Superintendent Dr. Robert Peterson, who envisioned a decathlon of studies. Academic decathlons are now held all over the country. I want to thank all the teams that participated, and a special thank you to Kristin Rigby, the coordinator of the Academic Events.

In addition to that, today we held our Counselor Symposium. This is our 10th year. We are over 800 counselors attending from across the county, and our team did a fabulous job. Keynote speakers were fantastic. They focus on the three areas of social development, academic, and career and college readiness. I want to thank the staff there as well. From the programmatic side, which our Connections, and you are well aware that our special education program is now called Connections, correct?

BARKE: Mm-hmm.

MIRAMONTES: Yeah, so four Connections students at University High School, Deaf and Hard of Hearing, and two staff are traveling to New Mexico to compete in the Gallaudet University Western Regional DHH Academic Bowl starting tomorrow. Wish them a lot of luck. Then, 14 Connections students at University High School are attending the World Stride Student Leadership Conference at Disneyland today. This is the first time we have participated in that event. Then, this weekend four students from Venado, the middle school that feeds into the high school, are participating virtually in the National Technical Institute for Deaf Middle School Math Competition. We know they are going to make us proud, and I want to thank Analee for her leadership in that area. Thank you, Analee Kredel. I would like to also acknowledge the Connection's teachers and classified staff members for their dedication and their commitment.

Last, a shout out to our ACCESS staff. I will be sharing an infographic with them. The information I received has come from Mr. Burton and his staff. I think I have the information, and I will be passing this out so the Board can actually see this as well. I will be sharing this with our superintendents at our Superintendents Meeting. Basically, it has the data of our ACCESS staff for the first semester here. But again, I want to thank our ACCESS staff members, our teachers and classified staff members, for all the work that they do working with the most vulnerable kids across the county. Thank you. Any questions?

BARKE: No.

SPARKS: Thank you.

SHAW: Thank you, Dr. Miramontes.

HENDRICK: Before you get to the exciting news that Mr. Giordano is going to give you, I do have a couple reminders for you. The next board meeting is Wednesday, March 6. The submission deadline for that board meeting is February 21, and the board packet will be delivered on March 1. Our office is closed on Monday, February 12 for Lincoln's Day and Monday, February 19 for President's Day. Then, the invocation spots have been filled through June 2024. That is good news.

SHAW: Oh, terrific.

HENDRICK: Next, Mr. Giordano is going to give us the Esplanade report and then also a quick update for the budget.

GIORDANO: All right. Thank you and good evening. President Shaw, members of the Board. It would probably help if I stood in front of the microphone here. I wanted to give you just a couple of really quick updates tonight. One is a quick update on our Second Quarter Financial Report. This is for our Esplanade property, which is of course located just adjacent to our Kalmus site. This report covers the months of July through December of the current fiscal year for 23-24. The good news is that our occupancy rate still remains relatively high, actually very high. It is 96%. Both our operating revenues and our expenditures, we budget those conservatively, and they are coming in better than projected. We stand in a good financial position. That concludes the 23-24 Second Quarter Financial Report, unless there is any questions.

Okay. Let's go on to our quick update on our 24-25 State Budget Proposal. This proposal was released by the Governor. This was back on Wednesday, January 10. Here is a look at some of the key highlights contained in the proposal. First, the Governor is estimating a state budget shortfall of \$37.9 billion for next fiscal year 24-25. This is largely due to tax collections coming in well below estimates for last fiscal year. This is fiscal year 22-23, which were not known when the state developed its budget for the current fiscal year. Of course, this is directly related to the November tax extension. This is of course going to have a pretty big impact on development of the state budget for the coming year.

Good news is that the Governor's Proposal for next year aims to protect education funding from a significant drop in the Prop 98 Guarantee last fiscal year 22-23. That is due to those lower tax collections. The Governor is able to protect education funding through a series of budget balancing measures, including drawing down \$13.1 billion in state general fund reserves, and another \$5.7 billion from the state's Prop 98 reserve account along with other budget balancing proposals, including funding reductions in the non-Prop 98 side of the budget, proposed borrowing from other state funds, some funding delays in deferrals, and then the use of more optimistic revenue assumptions. We are going to talk about those assumptions next.

Here is a look at the Governor's Big Three Tax Revenue Estimates. This is as compared to the Legislative Analyst's Office estimates. You can see it covers the period 22-23 through the

budget year 24-25. As you can see from this chart, the Governor is estimating that personal income tax collections are going to come higher, by about \$9.1 billion in the current year 23-24; then, about an additional \$1.8 billion higher in the budget year 24-25. Then on a similar note, the Governor is estimating that Sales and Use Tax collections will come in higher by \$1.6 billion. This is higher in the current year and then \$2.3 billion higher in the budget year. Additionally, the Governor's Corporate Tax Revenue estimates are estimated to come in about \$400 million higher than the LAO's office. In total, the Governor's Big Three Tax Revenue Estimates are estimated to come in at roughly \$15.2 billion higher than the LAO's office, which of course poses some risk for the May Revise if those revenue collections don't come in as projected.

This chart just highlights the impact of the Governor's Revised Revenue Estimates on that Prop 98 Minimum Funding Guarantee for schools. Due to those lower revenue estimates, the guarantee has been revised down. This is since the state budget was adopted back in June by \$9.1 billion for last fiscal year. This is 22-23, and then by \$2.7 billion for the current year 23-24. This is for a combined downward adjustment of nearly \$12 billion just for those two fiscal years. Had the Governor used the LAO's office revenue estimates, Prop 98 Guarantee would be roughly \$4.5 million less in the estimates for the current year 23-24 and the budget year 24-25 combined. As a result, the use of the Governor's higher revenue estimates poses some significant risk to the state budget as we move forward.

If state revenues were to come in less than projected through April this year, it could have a significant impact on the May Revise Budget. And of course, we will be keeping a really close eye on those revenue collections all the way through the month-end of April. The good news is really what is not in the Education Budget. Despite that significant drop in the Prop 98 Minimum Guarantee for fiscal year 22-23, the Governor is proposing no cuts in overall Proposition 98 funding and no deferred payments to schools either. Additionally, the Governor is not proposing to sweep any of the unallocated program funds, at least at this time. Of course, we will keep a close eye on those revenue collections, because that could change come May Revise.

Here is a look at the state's Prop 98 Reserve Account. As you can see from this slide, the Governor is proposing to withdraw roughly \$5.7 billion in fiscal years 23-24 and 24-25 combined. This would leave roughly \$3.8 billion in the Prop 98 Reserve Account at the end of the budget year. Then, this slide just highlights some of the risks surrounding the Prop 98 funding as we move forward. First, the 0.76% estimated cost of living adjustment, it does not factor in the cost increases for government goods and services purchases for the last quarter of 2023, and then the first quarter of 2024, which is very, very unlikely. As a result, the COLA will likely come in higher at May Revise, and that will contribute to additional pressures on the state budget.

Second, the state is proposing to fund roughly \$5 billion in ongoing Prop 98 Funding out of one-time Prop 98 reserves. That is going to create some additional uncertainty in those out years. Then lastly, if state revenues were to fall short of the revenue projections, this will exacerbate the state budget in the coming year. This slide just highlights the use of the Governor's, one-time, Prop 98 Reserve Funds to support ongoing obligations under the Local Control Funding Formula. Of the Governor's proposed \$5.7 billion in Prop 98 reserve withdrawals, \$5 billion of that is allocated to support ongoing commitments under the LCFF. Again, it poses additional

risks to the state budget in those out years. This slide just highlights all those state categorical programs that are funded outside the Local Control Funding Formula. They are all slated to receive the estimated statutory COLA of 0.76% next year. The next step in the budget process is really for the Legislature to evaluate the Governor's Proposal. They will do that over the course of the next several weeks, several months during budget hearings. During this time, additional details of the Governor's Proposed Budget will be released through trailer bill language. In fact, it was this past Thursday, the Department of Finance released a portion of that expected trailer bill language. The remainder is expected in the coming days.

Of course, the LAO's office has already weighed in on the Governor's Proposal with concerns over the Governor's optimistic revenue assumptions and then the lack of a plan for implementing reductions to schools and community colleges. Then in mid-May the Governor is slated to release his May Revision Proposal. Again, it will include tax collections all the way through the end of April of this year. Then all these efforts are going to help the Legislature meet its Constitutional deadline of June 15 to pass the main budget bill. Then the Governor will have until the end of the month of June, June 30, to sign the final approved State Budget.

That is the presentation we wanted to share with you tonight. We will be ready to present the Department's Second Interim Financial Report for the Board next month. Of course, we will incorporate some of the key assumptions that were included as part of the State Budget proposal. That was the presentation. Any questions at all?

SHAW: Yes, I think I read the actual tax receipts through the end of January. Did this account for those numbers? I believe the little data we have so far for this year through January, the revenues came in well below what the Governor had been projecting. Right?

GIORDANO: It is a great point, yeah. I heard recently, too, that for the month of January, we actually came in several billion dollars below estimates. They are not trending in the right direction. That is correct.

SHAW: Can I just be reminded, and probably for the benefit of the audience as well—the process where my kids go to school, our district has just gone through a horror show of negotiations with the Teacher's Union there. I guess they have settled, but I know there seems to be concern that the district may not keep enough reserves to have their budget approved by the county department if they give the teachers the raise they were asking for. If you could remind me of that process? So, the 28 local districts submit their budgets to the county. The county will review. This is Dean? Is this your department? Okay.

HENDRICK: You can have Dean come up maybe if you want to walk him through that, the AB 1200 process. Just as a reminder, we go to the state for our budget. It goes directly to CDE. It doesn't go to a friendly county office to help us.

SHAW: Okay. Dean, I just want to make sure everyone understands how that works. The 28 districts show you the budget. Then what happens exactly?

WEST: We go through a review of their budget, so we are looking through that. We do it at adoption. We do it at first interim. We do it at second interim. Every time you approve a budget, every district is approving their budgets. All the district budgets come through us. We have a review team, a handful of people, five/six people. We do the review, looking at reserve levels. That is the statutory. But also we are looking at ongoing multi-year they have to do, two years, three years out. You have base year, one year, and two year, and additions.

SHAW: If you guys decide, hey, local district, you don't have any reserves two years from now.

WEST: Right.

SHAW: What do you do? You reject the budget and say, "You got to go back and sharpen your pencil somehow," or what happens?

WEST: Yeah, there is a process. We would call them if they were stating that they want to be positive. They can self-qualify, or we can change that from a positive to a qualified of its nature. Then we go into a relationship. There is certain actions that we can do. We have to do at least one of them. Whether it is we are requesting more documents for them, a plan, providing them a fiscal expert, there is several different options that we have to work with them. But the qualified status would give us that option to work with them during that period of time.

HENDRICK: Maybe, Dean, if you just explain—it would also depend on what year they were negative, so it could be different.

WEST: Yeah, right. Let's say we are in year 23-24. By 25-26, the third year out, they looked like they were doing—that is based on a lot of assumptions between now and then. Also, they may have some plans. They may plan to have a plan of reduction. If that is a solvency, that area that we may work with a statement with that board to make a commitment. They are going to make a reduction within the next year that may not have that plan together yet. But their plan on committing to that reduction would be one. If it is next year and we are already at March 15, which is the deadline for doing it, then that is a different story, right. That is immediately in the following year. Most of our districts are in a position that they do have reserve levels because of the pandemic, because of the one-time funding, pretty strong cash, and pretty strong levels.

The ability of the changing revenue stream happens over time. It will deplete those reserves. But there is an expectation that during the process of building up reserves, because you have carryover from one-time funding, that you need to use those reserves. You actually are going to spend more than your revenue coming in because you are spending out those prior one-time monies. Just deficit spending, which we call, where expenditures exceed revenue is not solely a determinant. We normally think of a balanced budget.

But what we really want to look at is ongoing revenue versus ongoing expenditures. The one-time money can play with the ending balance. Over time it builds, but then it goes away. If you have a deficit spending pattern of \$10 million, \$20 million and that keeps increasing, it becomes a problem. We are looking at that deficit spending pattern versus the reserve level. It gives them time to act. One of the different things we have now from the great recession period is you had

districts with a very low reserve level going into a very severe downturn with economic strain and reduced revenues. In this period, we have very strong districts with high reserve levels going into unwinding, one-time money. But we are still seeing an economy that is relatively strong.

Not having 20% of your personal income tax revenue doesn't sound good for the state. But in reality even the reserve levels at the state that they have, give them time to react. That is one of the best statements that we always talk to boards about in making that statement. If you have strength, if you have reserves, you have a lot more options. You have a lot more planning. We always try to state that you should have a very—we support a high reserve level, because it always puts you in the driver's seat as a board to be able to do what you need to do and gives you that safety net. There is not an immediate reaction. If the state has a downturn, you are not immediately in crisis mode.

SHAW: Did I recall reading one of the games they play? The fiscal year goes July 1 to June 30. They take all the state employees paycheck that should be coming in June, and they move it to July. All their pay for that fiscal year goes away, so they move billions of dollars into the next fiscal year. Does that sound familiar?

WEST: Yeah. They haven't used any deferrals at this period of time. What they are doing is the apportionment. They are playing with the state's role and the way that they deal with Prop 98. There are some things at the state level, but they haven't yet addressed anything in a proposal related to the local district level. Again, yeah, there is some games there over time.

SPARKS: Definitely. I have some comments.

SHAW: Oh yes, Dr. Sparks.

SPARKS: And then I will have questions. We have different numbers in our resolution. One of the numbers speaks to this in terms of how we are all—I know you guys are in a tough spot. I feel for you. But I'm going to point out some things that aren't so rosy. That is that we have had a net reduction in population in the last two years of almost 35,000, just in Orange County. Equivalent of more than the cities of Dana Point, Laguna Beach, Laguna Hills, Laguna Woods, La Palma, Los Alamitos, San Juan Capistrano, Seal Beach and Villa Park. I mean that is significant. If you look at let's say the average 2.5 kids per household, that is going to be significant loss to the numbers that you guys are going to be seeing. So, that is an issue.

Then the other thing is that I keep seeing in all the literature coming out of the Governor's office, and you guys are spinning it here, too. That is we know the budget deficit is very significant. Then we keep kind of buzz wording about the budget reserves saving us. Well, that is only going to go on for so long, guys. Come on. I know you guys are thinking about this, right? How are we going to get past—okay, we will get through the next year, maybe a year and a half, maybe two. Then what? I see this cautionary language, “Governor attempts to maintain funding.” That doesn't mean anything. Okay? “The Governor's focus is on students.” Well, of course we all are focusing on students, but where does the rubber meet the road here moneywise? “The Governor's budget uses less pessimistic revenue assumptions than the LAO's office.” Okay, well that is because he is trying to make things all rosy for everybody. Okay?

We are seeing through that. The population is seeing through all this rhetoric. We have got two years of learning loss when we, as a board, from early on, were pushing to reopen the schools. Okay. We were right as data shows. We have got all this learning loss, and kids and families are suffering with that learning loss. We are in a downturn situation. I'm just going to call it as it is. Prop 98, again, is only going to go on for so long as well. I think and I'm sure you guys are backdoor talking about this. There is something that Goffman talks about, our front stage self and our backstage self. All we are seeing is the front stage being presented here. But we need to start having some backstage conversations about what is really going on here, and how are we going to prepare, and how can the public really know what is going on? Right?

GIORDANO: Yeah.

SPARKS: I just want to call it as it is. How are we going to plan for cuts in three/four years that are going to start to happen and need to happen? We are not going to be able to rely on extra Covid funding, extra Prop 98. These little reserves here and there, which I'm glad we prepared as much as we have.

GIORDANO: Yeah.

SPARKS: But it is not sustainable.

GIORDANO: Yeah, thank you, Dr. Sparks. I think the comment about, "in a few years, cuts coming." I think the timing of that is probably not far off. I think one of the things we have been fortunate, and particularly in Orange County, and to have someone like Dean West overseeing all the AB 1200 stuff is just a real blessing. Over the last several years, we really have had a great economy. As a result of that, districts in the county have really built up the reserve levels to a very healthy level. We are really positioned well going into this next downturn. I think if you look at the state side, they are in really good position, too. I mean financially, in terms of reserve levels, probably better than they have been in many, many years. I think that is a good thing going in, so we have some time to plan. But we will look at all pieces of the budget. We always want to keep, obviously, if we do get in a situation of having to do cuts, we want to stay away from the classroom as much as possible. That is the last place we want to touch.

We will be looking at all pieces of the budget. We will be going through supply accounts. We will be going through services, equipment. We will be looking at potential freezes. There is a number of things that we could do, steps that we can take, and we will be looking very closely at that.

SPARKS: I know. I know you will be. I just worry that cuts are going to have to happen. Where and how? I think candy coating it for too long is not good for anyone. We need to really face the music and have plan A, plan B. We are in plan A right now. But we need to have plan B, plan C, plan D, plan F.

HENDRICK: Yeah. Actually, Dave has been working on multiple plans.

SPARKS: Yeah.

HENDRICK: One of the things that we have done is through attrition, or not filling positions.

SPARKS: Yeah.

HENDRICK: But we have been doing that. We have been telling you we have been doing that for a while.

SPARKS: Yes.

BARKE: Yeah.

HENDRICK: That is not new for us. One of the ways the Governor is saving some money is because of the declining enrollment in the state. He doesn't have to pay as much in Prop 98. And, because property taxes are higher, it also is taking the pressure off. He is actually saving money by schools declining. It is a very convoluted message, but we agree with you. Both, Mr. Giordano, and Mr. West and I have been around for a long time. We have lived through similar scenarios like this before. Unfortunately, they do tend to get worse before they get better. But the economy is stronger than we had in 2008. In 2008 if some of you remember, they said everything was fine and then passed this really rosy budget. Then in November, came back and said, "Oh my gosh, we are out of money. We are going to cut you off."

SPARKS: Well, and that is kind of the point that I'm kind of making.

HENDRICK: Yes.

SPARKS: I think you guys are well aware, and I think we couldn't be in better hands with you all. I have full confidence that you all have your plan A-F, through Z. But I think the public needs to understand it is not a rosy picture. I just want us to sort of face the music earlier than later so we are not in a position where we are in a kind of crisis mode. I think the crisis is kind of—

SHAW: Coming.

SPARKS: The rollercoaster is already going you know. Those are my comments, and I appreciate your answers to those comments.

SHAW: All right.

SPARKS: Thank you.

GIORDANO: Thank you.

SHAW: Okay.

VALDES: Hold on.

SHAW: Sure, Jorge.

VALDES: Dr. Sparks, earlier you said, “I think that the public knows.” I’m not sure that they know. I know that you know. You have a distinctly high skillset with respect to this, and that is just so much appreciated. I think that is basically what we are doing here. We are telling the public that this is coming. I can tell all of you that as we go into the next budget, I am really going to look very closely to make sure that, for example, teacher salaries are not impacted. What happens in the classroom needs to absolutely be the last thing that gets a cut if we go into that type of situation. With respect to COLAs for administration, I’m just going to look at that very closely as we go into this new budget year. If there is going to be cuts, it is going to come from administration, increases in salary, and that what happens in the classroom is not impacted. That is the absolute last thing that needs to get cut.

SPARKS: Okay.

SHAW: Terrific.

SPARKS: Thank you.

SHAW: We will go to legislative updates. Anyone have a legislative update?

BARKE: Nope.

SHAW: Okay. I think we probably took care of that earlier. Other committee reports, how is the website coming along? I forgot to look today. Did we make those changes?

HENDRICK: Yes, we made the changes already that you had asked for. If there is further ones—then, Dr. Williams did ask for an update to his bio that we did also.

SHAW: Great. Any other committee reports?

SPARKS: No. Do we need to go into closed session?

BARKE: I was just going to share comments. Is it board member comments yet?

SHAW: We will go to board member comments.

BARKE: Okay.

SHAW: Trustee Barke.

HENDRICK: We do have one public comment at the end.

BARKE: I guess a week or two ago, Tim and I went and visited another wonderful school. I think they were here earlier, but they are not anymore. Let them know. We went out to see Learn4Life, and we heard some students. They have a great program. Very impressive how they

are really changing students' lives and giving them a second chance in many cases. That was a great visit. Enjoyed that. Also, Suncoast was here earlier. I think they are gone. In addition to them visiting, I got an inbox full. I don't know if you guys did. Lots of great letters.

SPARKS: Yes.

BARKE: That started last week or a few days ago. Some just great exchanges with some people that are very happy about that. Thank you for being here, Sarah. It is nice to have your school represented. I think we had, let's see, tonight we had OCASA. We had Suncoast, Learn4Life. We had Skyview. We had Sycamore Creek.

AUDIENCE MEMBER: Magnolia.

BARKE: Magnolia. It is just so great to see school choice and so many things here. Something I just wanted to mention, I know that a lot of studies have been done. When these charter schools expand, it is really not a huge hit to the district. My understanding is a lot of those kids are coming out of homeschooling, and private schools, and other alternative schools. It is really not a big hit to the other public districts. It just provides opportunities for parents and children. I wanted to mention that. It is just lovely to see tonight so many students, parents, teachers, administrative, charter school leaders, charter school people, just great community members. I love to hear all your comments. Whether we agree or not, it is great that you have a forum to mention them.

Let's see. Something else I wanted to bring up, because I think we all got this email. I wanted to bring it up publicly. We have some constituents, I believe from the Newport area, asking us to do another CRT forum. They feel that the public really needs to be reeducated, or just have a brush up course. I would love to get that on the agenda, and I would be happy to be on the committee with somebody to set up a CRT forum. Maybe this time just one event instead of two, kind of a part three maybe. I just wanted to bring that up publicly. There seems to be a demand for that education. I think that is something that we love to do, is provide education. As a matter of fact, Linda Cone tonight commended us, I think. Was it you - for all the public education we have done? I would love to continue that, especially with having a request. I would love to get that out there. I think that is all. I had to make notes. I had so many things tonight, so I think we are good. Thank you. Appreciate it.

SHAW: All right, Trustee Valdes?

VALDES: I don't have any public comments.

SHAW: Okay. Vice President Sparks?

SPARKS: No, I will just echo. Yeah, I got a lot of those emails. I'm not volunteering to help organize that, because I organized the last one.

BARKE: Okay.

SPARKS: Hopefully someone else will volunteer. If there are no volunteers, I wouldn't let it slide away.

BARKE: Ken is not here. He left early. He did it with me last time, so I don't know. He has got a lot going on.

SHAW: I nominate Ken.

SPARKS: Yeah, yeah. Let's nominate the person not here.

BARKE: We will see how that goes. But I will definitely do it, and hopefully somebody will join me.

SPARKS: I will be a backup plan.

BARKE: Okay.

SPARKS: But since I organized the last one, I prefer to not take the lead on this one.

BARKE: All right.

VALDES: You know what, I do have a question for you guys, as long as we are in the board member comments. Every month we do the consent calendar and we approve diplomas. I wanted to ask Renee in particular. Do the kids that we certify their diplomas every month, do they have any type of a graduation ceremony?

HENDRICK: They do. We do graduation ceremonies, I think annually at least, some programs even more than that. Yeah, full cap and gown, everything. As those come up, you will be invited.

VALDES: I just wanted to make sure that—

HENDRICK: They may graduate in February, but the actual graduation may be in May or June.

SPARKS: May.

HENDRICK: So, yes, you would be invited to those. They are very touching, and they are a great opportunity. I know some of you have been to those.

VALDES: I just wanted to make sure that the kids that we certify those diplomas for every month—

HENDRICK: Yes, we do.

VALDES: —actually have a ceremony.

HENDRICK: We do.

VALDES: Thank you.

SHAW: All right, well I have several things I wanted to mention. I saw this in the *Sacramento Bee*, a ranking of the best public schools in California according to Niche. I'm not sure exactly what the criteria was, but they listed out some of the top elementary schools, middle schools, and high schools. I only saw Orange County schools in the high school list. No. 2 in the state of California, Troy High School in Fullerton; and No. 8, Orange County School of the Arts (OCSA). They were the two schools I saw that were Orange County schools.

SPARKS: That is national, right? I thought that was national.

SHAW: I think it says in California.

SPARKS: Oh, in California. Okay.

SHAW: At least this one. I don't know. But I wanted to take some pride in those. Obviously one of our charter schools, and a mighty school of the Fullerton Joint Union High School District, of which I am a resident of. Less happy news, we have got a lot of communication I believe about a Satan club that is coming up. I guess the stick here is you find a school that might have a Christian club or some kind of religious club, and then they show up and want to open a Satan club. Hoping someone will say, "No, you can't do that." Then of course, they can sue because you have got a Christian club. This is not the first time this has happened, and it is now coming back again. I believe it was in San Clemente, this effort to open another—

BARKE: I believe you are right, yes.

SHAW: —have a Satan club. I was contacted. I'm sure most of us were. I would just hope maybe our staff here can assist. If we have lived through this before, give as much advice as we can to the district and the school down here to help them navigate these waters such as the state of affairs out there. In other news, also, I got a call today, let me give this full disclosure. Once upon a time I was a staff member to Orange County Supervisor Janet Nguyen when she got elected to the County Board of Supervisors. She remains a dear friend of mine.

Now, State Senator Janet Nguyen called me today. She brought up a bill, which she has mentioned to me before. She authored a bill related to the teaching of the Vietnam War in schools. It got signed into law. It used to be you teach the Vietnam War from the perspective, I guess, of the United States and the Communists in Vietnam. She thought it was important to tell the story of the Republic of Vietnam and then a lot of the refugees, basically the good guys in Vietnam and their perspective and what happened with them and so forth. That was passed and that is now officially part of the state curriculum when we are teaching about the Vietnam War and stuff. I gather there is going to be a meeting now. She sent me this text message, "The Orange County Department of Education, Educational Services division is holding a meeting Saturday, February 17, at 3 o'clock in Garden Grove." I gather she wants to attend and felt like she was told, "No, you can't attend." I'm trying to figure out why. She was the author of the bill, and she does want to participate.

HENDRICK: Yeah. We would have to get back to you. We have shared the model curriculum. That is part of it. I know she has been involved in that, and they revised that. We can get back to you. If it is a regular public meeting, that would surprise me. Unless it was a different type of meeting, so we can find out for you and get back to you.

SHAW: Thank you.

BARKE: When is the meeting, Tim?

SHAW: Saturday, February 17, 3 PM.

BARKE: Oh, we better get back to her quickly.

SHAW: I didn't mean to spring this on you. Literally, she called me late this afternoon as I was—
—

HENDRICK: She has been very involved in the process. I know that. I am sure they wouldn't exclude her purposely. Let me just find out what that is, and we will get back to you.

SHAW: Very good. In other news, also, the Orange County Board of Education had a great legal victory here on January 16. The Court of Appeals ruled in favor of the Board on the budget litigation we unfortunately find ourselves in with the Superintendent and the State Superintendent. Because of this ruling, we are going to be proceeding with the issue in trial court and kind of finally getting adjudication on that. It had been dismissed previously, I believe, in the trial court on technicalities. But we got a win in the appeals court, so we are going to hopefully bring some clarity to that situation. We were excited to hear about that ruling in the Court of Appeals. With that, I'm going to call up Mr. Brenner to give a report out of closed session. Please correct the record if I misstated anything there about the appeals court.

BRENNER: Good evening, everybody, Mr. President, and the other members of the Board. Good to be with you, and the staff as well. That is all correct. I would just underscore the victory aspect of it. It was a nice win for the Board, and I think the correct decision by the Court of Appeals. In the closed sessions, this is the report out for closed sessions one, two, and three; the Board held a discussion with counsel, and no action was taken other than with respect to approval of Epstein Becker invoices. I will read those numbers for you, Ms. Hendrick, 1143741, 3742 and 3743, and 1147236, 7237, and 7238. The vote and approval was 5-0 by all trustees present. That is the report out for the closed sessions for this meeting. Thank you.

SHAW: Thank you, Mr. Brenner. With that, we have one last public comment. I believe it is Mr. Wright.

SPARKS: Yes, Billie Joe Wright, with us.

SHAW: Terrific.

SPARKS: Yes. Actually, we are having our public comments back at this other podium.

BILLIE: Thank you. Good evening. My name is Billi Joe Wright, a high school teacher and a proud union member. It is so interesting to hear how many political buzzwords that you use. But then I remember that there is an election going on, so you are trying to get as many into your comments as possible. I wanted to clarify just a few things. When people throw out the word “unions,” we are not a corporation. These are members' monies. People's dues led by actual members themselves, not people that are appointed or people that have personal agendas outside of staying student focused. Aside from us as teachers spending our money in the classroom on students and making sure our kids are taken care of, and being the people if there is ever a shooting at a school, being the ones that jump in front of the bullets. We gather together, collect our money, and advocate for public education. Just wanted to point that out.

Mr. Shaw, I find it really interesting how you on one hand are trying to make it sound like teachers unions in your district, where you didn't mention the name, are trying to take advantage of the budget and went into this whole diatribe about overspending in the reserves. Then later you did mention the name of the district when you mentioned about Troy High School and being No. 2 in the state. Correct? The people in the classroom with the students are the teachers from that union. Correct?

BILLIE: It would be nice—

SHAW: That is incorrect, but go ahead.

BILLIE: It is a rhetorical question.

SHAW: Right.

BILLIE: Right. It would be nice if you actually gave credit where credit is due. When contracts are negotiated, you are talking about superintendents getting the same thing, the secretary, the custodians, the nurses, the school police, the people that are actually out there. It would be interesting if you would state that stuff. Interesting about what you mentioned about expanding the Board. Remember that I'm the person that came. We had to push the people's map on you because you had a gerrymandered map so that you can get elected every March with less than 29% of the vote. You fought that, and we won.

If you are about democracy, then you want to democratize these elections and have more people on. If you don't agree with an appointed board like LA, then you should not agree with an appointed board for a charter school. If you do agree with it, then just say, “No, I'm okay with that.” It is not a big deal. We move to areas for people to be elected, because it brings it closer to the parents so that parents and community can be involved. I believe that you would all hope—oh, I hope you would be for that. Last thing is that you all had an Arts and Education Month declaration. You just mentioned Janet Nguyen. Again, a political year, so you wanted to get that on the record. You knew what you were doing by putting that out right now. As you are so concerned with that, it would be nice if this board would support Black History Month. Thank you.

SPARKS: Thank you.

SHAW: The next regular meeting of the Board will be on Wednesday, March 6, 2024, at 5:00 PM. The meeting will be held here at 200 Kalmus Drive in Costa Mesa or on YouTube. We will see you then.