

Audit Request Hearing Transcript

(2026-106 Orange County Board of Education - Public Administration Oversight)

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CHAIR JOHN HARABEDIAN:

Senator Umberg, you are our last presentation, and you will be presenting your audit request 2026-106 Orange County Board of Education - Public Administration Oversight. Good to see you, and you can begin whenever you're ready.

SENATOR TOM UMBERG:

Well, thank you, Chair Harabedian and members. I want to thank the JLAC consultant Tran Truong for the fine work done on this audit request. I'm here to request that an audit be performed in regard to the Orange County Board of Education.

The audit asks for a comprehensive review of the OCB's actions over the past five years, determine whether the Board complied with civil rights, transparency and other legal requirements concerning its decisions and how they may have affected student outcomes, complaint handling, protected student groups, and whether its use of public resources, litigation decisions and employee complaint or whistleblower processes were lawful, prudent or within its statutory authority.

The audit request includes a focused operational review of Orange County Board of Education's oversight and spending practices, determine whether its charter school authorization, monitoring, contracting and procurement, and legal counsel selection are in compliance with the law.

The reason for this are transparency concerns, specifically in March 2023, writ petition alleged Brown Act violations tied to the January 5, 2023, meeting including serial meetings. Public complaints also raised concerns that legal spending was not publicly available. Student impact complaint handling board actions, including reported firings of top administrators, how that may have affected school operations, and its consequent impact on students, political or ideological influence concerns concerning governance disputes centered on LGBTQ policies and curriculum, library content, and educator climate litigation costs.

Litigation costs in particular, as someone who may return to the full time practice of law next year, I suppose I shouldn't be so concerned about litigation costs. But over the last five years, eight either spent or projected to be spent \$8.7 million on litigation. Even for a litigator, that sounds like a lot of money and how those decisions were made and their

outcomes. Also, charter oversight concerns concerning charter oversight of those charters that have been approved. Contracting concerns at least six recent instances of unlawful contracting under the Education Code. An estimated half-a-million dollars or more, and potentially unlawful expenditures.

In addition, employee retaliation, whistleblower concerns, settlement involving a former communications officer, Seth Stevens, followed by reported Title VI retaliation complaint. All those issues and reasons are why I've asked for an audit in connection with the Orange County Board of Education. With me to testify is Lisa Hickman, president of Tustin Educators Association, and Mr. Andy Thorburn, the founder and CEO of Contemporary Policy Institute. I ask for an aye vote. Thank you.

CHAIR:

Thank you, Senator. Mr. Thorburn, Ms. Hickman, whenever you're ready.

ANDY THORBURN:

Thank you, Senator. Thank you to the committee. The senator mentioned \$8.7 million of legal expenditures. I'd like to mention that in the four years prior to that expenditure going up, for four years, the total expenditure for outside legal counsel was \$51,000. When this board came in with a majority and started to pursue various kinds of governance issues, that went up over five years to over \$8.7 million.

We think that an audit is the proper vehicle to look at three aspects of the activities of this board. One is when they approve or are functioning as the appellate body for denial of charter schools, they don't seem to ever apply the criteria that the state law asks them to apply. They simply come into it with the attitude that all charters should be approved. They've actually, I've been physically at meetings when they have approved charters, against the advice of the staff of the Department of Education, which has pointed out legal deficiencies in the application. And the governance issue, they actually handed in a budget that was illegal under state law and received a letter from the Board of Education here in Sacramento from the State Board stating that it was not illegal, and they sued under that issue. That's part of the \$8.7 million.

So, from the issue of charter school approvals, which they do not do in an even-handed manner, from the issue of governance in which they appear to have violated the state law at least on two occasions and are suing under that basis. And in addition to which they use an outside counsel, possibly in violation of the law requiring them to use a counsel that was already available to the state, to the county board and to this county department of education. That's also a matter of litigation, both because of charter schools and governance issues, which lead to this extraordinary expenditure for which we do not have full insight. We don't have full transparency. We believe that an audit of this board would shed light that the public needs to see, and that the regulatory bodies here in Sacramento need to see, to find out if this board is operating in the public interest or pursuing some other private partizan agenda. Thank you.

LISA HICKMAN:

Good afternoon, chair, vice chair and members of the committee. Thank you for the opportunity to address you today. My name is Lisa Hickman, and I am the president of the Tustin Educators Association. I am here representing the California Teachers Association in support of Senator Umberg's request to audit the Orange County Board of Education's public administration practices. I am here not just on behalf of CTA, but on behalf of educators and students all across 28 school districts in Orange County.

The County Board of Education plays a critical role. They oversee inter-district transfers and expulsion appeals, and are responsible for approving district budgets and providing fiscal oversight. These responsibilities are significant as the Board ultimately determines how effectively schools prepare youth for future success, and they demand transparency, accountability and a commitment to serving students above all else. Every one of our 28 districts must open their books to the Board for audit and approval. It is only right that the same transparency be applied to the Board itself.

While they are tasked with overseeing how local districts spend their funds, they have redirected significant public education dollars towards lawsuits challenging California law. Funds that should be directed towards students and classrooms. We are also seeing an alarming trend of the Board authorizing charter schools that bypass local school boards entirely. The proposed audit would shine a light on the legality of these approvals, and whether there are potential conflicts of interest or political influences in these decisions.

Public education must remain equitable, transparent and free from political agendas. As teachers, we are taught to always bring the truth forward. And as I tell my second graders, if you're not doing anything wrong, you should have nothing to hide. This audit is not about politics. It is about accountability. It is about ensuring that public funds are used responsibly, the decisions are made transparently, and that the Orange County Board of Education is operating in the best interest of the students and the communities it serves. I respectfully urge you to approve the audit request. Thank you for your time and your commitment to public education.

CHAIR:

Thank you, Mr. Parks, one minute. Madam secretary, could you call roll so we could establish a quorum?

MADAM SECRETARY:

Assemblymember Harabedian. Here. Tamayo. Here. Fong. Here. Hart. Hoover. Here. Quirk-Silva. Ransom. Senator Cabaldon. Here. Ashby. Becker. Here. Cervantes. Ortiz. Dahle. Valladares. We have a quorum.

CHAIR:

We did it. We should all be very, very proud of the fact that we just established quorum. So thank you very much. We did. Mr. Parks, please.

STATE AUDITOR GRANT PARKS:

Thank you. Senator Umberg's request has my office address six primary audit objectives shown as objectives two through seven in your materials. Objective two has us evaluate the Board's compliance with open meeting and transparency laws, such as the Ralph M. Brown Act, the Public Records Act, and the Political Reform Act. Objective three has us determine whether or not the Board used its public resources in a manner consistent with applicable law, grant requirements, and program goals. Objective four has this evaluate the Board's procurement and contracting practices to determine, for example, whether the Board's policies mirror best practices and were consistently followed, such as engaging in competitive bidding and following policies to identify potential conflicts of interest and also whether or not the Board monitored contractor performance and actually obtained expected deliverables from contractors. Objective five has this quantify the litigation costs and the settlement costs associated with the Board's activity. Objective six has us evaluate the Board's process for approving charter schools and also exercising oversight of the performance of the charter schools that it approves. And objective seven has this focus on the Board's whistleblower program and how it handles complaints of employee retaliation. I estimate this audit would take 4200 hours to complete.

CHAIR:

Thank you very much, Mr. Thorburn and Miss Hickman. If you could, please. Sure, absolutely you can. You can go. But why would we do that? If we can bring up the County Board of Education. Take your seat. Go ahead, Mr. Vice Chair.

VICE CHAIR CHRISTOPHER CABALDON:

Yeah, thank you. So I wanted to turn specifically to the charter school provisions, because I'm trying to understand what the specific what the specific issue is at stake here. So, the testimony was largely it sounded like, what is a typical disagreement that exists in maybe 110% of all the school districts and counties across the state, which is that the districts and their collective bargaining agents all believe that the county over approves typically. Is there something specific about what's going on in Orange County that you could describe that we're focusing here because that that that that that broader issue is a major policy question. It's one the legislature started to grapple with. Well, has been grappling with for years, but especially last year. But it's not clear to me that an audit of one of, you know, one exemplar county office in the entire state is the right way to get to the general topic. But if there are there specific issues about how Orange County is is dealing with charter school authorizers, both the authorizing and the review of authorizers subsequently. That is that is at issue here.

SEN. UMBERG:

So let me start with an answer. Then I'll ask my witnesses to correct me. So the difference here is you're right, there are many disputes with respect to authorization between local school districts, and for example, the Board of Education. It is a bit unique in that it's where the Board of Education's own staff points out deficiencies, where there are clear omissions, there are clear deficiencies, and they are either ignored or overridden. That creates the the larger issue. So when there are policy differences between, you know, for example, the the local school board that says, you know, we don't need another charter school for whatever reason versus where the staff itself says this application is deficient. That's item one. And item two is after it's approved, is where there are allegations of misconduct, where there are allegations of misspending. It's then the Board's responsibility to engage in some sort of investigation. It's not just whether or not their investigation was adequate, whether or not it even existed at all. So let me now turn to my witnesses and see what I said that was wrong.

THORBURN:

So, well, I don't think anything was wrong, but we could probably add some color to it. I think the point that we would make is that the evaluation at this appellate division by this Board is not appear to be on the merits of the case. I've been at a meeting of the Anaheim City Council, er, the Anaheim Board of Education, for example, where an applicant was so sure that the County Board would approve them if they were denied that they didn't even show up at the Board of Education meeting in Anaheim to defend their application, knowing that they could get approved at the county level because the county, it's a totally pro forma process. There's no investigation, and even when the staff says that they don't meet the legal requirements financially or don't have qualified teachers, I have been in meetings where the Board will overrule that. So I don't know if that goes on in the rest of the state. If it does, maybe we have to do more than one audit. But I do think it goes beyond the policy problems that you alluded to, which I think are generally statewide. I think this board has a very unusual pro forma approach to the whole process.

VICE CHAIR:

All right, I appreciate that. I mean, I think that as we if it moves forward, I'm supportive of it, is that we that the audit that that's what we're asking the auditor is not is—is this the our best, our best case example of what a board should do? As opposed to—is this board in the is it in the, you know, within two, two percentiles of the median or something? Is it a normal board in what is a universal controversy? Of course, if there, if there are other, you know, issues, you know, legal issues, we'd want to surface them. But I do think that I think you mentioned shine a light on the on the bigger challenge. That's a that's more work than the auditor, I think can handle in this in this audit. I think the more precise focus on the on irregularities and bias and that sort of thing in this particular agency would be more useful narrowing.

SEN. UMBERG:

So to be clear, I'm quite proud of some of the charter schools in in Orange County. The School of the Arts is a nationally known school. The Samueli Academy is a nationally known school. So this is not part of the charter, anti-charter fight.

CHAIR:

I appreciate that. I'm going to pause here. And while we kind of transition witnesses, I'm going to take up or at least ask for a motion on previous audits. We're going to continue this discussion. But while we have members here, could I get a motion on the consent calendar?

[Portion of proceedings omitted: committee consideration and voting on consent calendar items.]

And we now have our witnesses from the Orange County Board of Education. So please, gentlemen, when you're ready.

GREG ROLAN:

Honorable members of the committee, my name is Greg Rolan. I represent the Orange County Board of Education. Senator Umberg's audit request lacks any factual predicate whatsoever. We prepared a comprehensive legal review for the committee, including every possible allegation raised in the letter, including the mechanisms for resolution and multiple declarations under penalty of perjury.

Here are the facts. There has been no formal complaints against the Orange County Board of Education in the last five years—none. Going in order of Senator Umberg's concerns, there have been no Title VI, Title IX or IDEA complaints filed against the board. There's been no Brown Act cure and correct demands. There have been no Public Records Act litigation, and there have been no Political Reform Act complaints against the Board. There's been no taxpayer actions. There's been no criminal referrals. There has been no whistleblower or retaliation cases brought against the Board. Regarding charter school oversight, in the last five years, the Board has rendered 33 decisions on charter schools and only one has been challenged. And in that case, the State Board of Education ruled unanimously in the Board's favor. There have been no complaints alleging violations of the Public Contracts code.

All board members have their required ethics training, and the Board has ruled on over 100 interdistrict transfer appeals or expulsion appeals in the last five years—that's their primary statutory responsibility. And yet there's been no challenge from either a parent or school district in that regard.

Litigation. Yes. The Board has participated in litigation in accordance with state law. And if their participation was impermissible or improper, the courts would have so ruled—they did not. And much like this legislature, the Board is immune from acts taken in the course and scope of their employment.

Some of Senator Umberg's more subjective concerns, such as ideological influence or fiscal prudence, there is no legal recourse. But there is recourse at the ballot box, and the Board's trustees have won eight of the last elections, losing none. So on behalf of the Board, we ask if there's no complaints, where there's multiple statutory enforcement mechanisms available yet none were ever invoked, and the voters have spoken and will continue to speak—what justifies this audit? And why now? Why now is this committee being asked to do something it's never been asked to do in the history of this committee, which is audit a county board of education. And while considering that, please keep in mind that we're asking the auditor not only to second guess the decisions of an elected body for which they're immune, but also we're asking the auditor to second guess multiple rulings by the court and our own State Board of Education and for issues that the statute has lapsed years ago.

CHAIR:

Thirty seconds. Thank you.

ROLEN:

That's it.

TOM SHEEHY:

Thank you Mr. Chairman. Tom Sheehy, representing the Orange County Board of Education. I've represented them for the last four years. Three times, Mr. Chairman, in the last four years, members of Mr. Umberg's caucus have introduced bills, all with the same intent, explicit to change the way in which the trustees on that board are elected. Why? Because they haven't been able to beat them at the ballot box, and they don't like the fact that my client supports charter schools and parental rights.

Three times there have been bills introduced, it's failed all three times. Senator Minh, four years ago, his bill failed in the assembly. Senator Newman, two years later, his bill made it to the governor, but the governor vetoed his bill, saying it stomped on local control. It would be very expensive because of the state mandate, and he didn't see any problems with the board that would justify reconfiguring it and change how they get elected.

Not to be deterred by any of that, despite the fact that Senator Umberg lives down in the district, he's never been to a single board meeting. He's never talked to a single one of my client trustees. Never, okay? He's never sent them a letter, put anything on the record, and then he introduces SB 249 last year, and it fails in the legislature. Not to be deterred on his mission to change this board through some method other than the voters, he now comes to you with what is a purely political request.

CHAIR:

I'm just going to just pause you. I'm just going to pause you really quickly. Just, not to impugn anyone's motives as to why certain.

SHEEHY:

Okay, okay.

CHAIR:

Just stay on. Stay on point. Thank you.

SHEEHY:

Sure. Fair enough. I'm almost done. It appears to me and others that the request here on this audit is because they couldn't get their bills through. They couldn't beat my client at the ballot box. They don't like their pro-charter school or pro-parent stance. And now here they are asking what we think is a fishing expedition, that the auditor come in be the first time ever the state is directing the auditor to go audit a county board of education.

What's going to happen next? Are you going to have a city council whose decision you don't like? I don't mean you personally, sir, but a member of the legislature can have a city council that they don't like the decision, they're going to have the auditor come in and audit that? It's a misuse of scarce auditing resources. As prior witnesses said, and prior, not just Mr. Umberg's matter, but other matters that have come here today—the auditor's resources are scarce. They have limited time, limited resources. Why are we having them audit a function that is clearly working so well? No complaints in the last 83 agenda items over the last five years. None. Not one.

CHAIR:

Thank you very much to both of you. I'm going to let Senator Umberg respond to some of those points. But before that, do any members here—actually, Senator, let me let me just go to you. I usually don't do that, but given the tenor of that testimony, I'm just going to let you respond.

SEN. UMBERG:

Let me just—apparently, Mr. Sheehy doesn't like me, but, number one. Number two is that some of his allegations with respect to me.

CHAIR:

It's the microphone. If you just make sure the microphone is in front of you.

SEN. UMBERG:

Basically, interacting with board members are simply factually not true. But let me just let me just go through some of the facts here. These are indisputable. Here are the seven lawsuits that are the predicate to this action. Just separate and apart from not engaging in the role that the Board of Education is supposed to engage in with respect to oversight, with respect to compliance with the law concerning charter applications, compliance with the

law concerning whistleblower allegations, and I'll let my witnesses also respond. But here, budget authority lawsuit number one. Each side engaged in litigation as between the Board of Education and the Superintendent of Education, which lasted six years. Budget level dispute with California Education, uh, Board of Education, that's lawsuit number two. Legal counsel, authority lawsuit, that's number three. Number four, the COVID law school, excuse me, covid school closure lawsuit against Governor Newsom. That's number four. Number five is the mask mandate lawsuit. Number six is the education mandate challenges lawsuit. Number seven is the parental notification lawsuit. So, this is turned into be basically a litigation machine. I understand that we had indicated that \$8.7 million has been spent by the Board of Education. The cost to the state and the cost to the courts have not been estimated here. And just for those reasons alone, I would ask that we take a good, strong look at the Board of Education and their practices.

CHAIR:

Thank you. And I know there are other questions. So, Mr. DeMaio.

ASSEMBLYMEMBER CARL DEMAIO:

Thank you.

SEN. UMBERG:

Mr. Chair, one second. I understand there were handouts that were provided to members of the committee. If we could see those as well, that would be, I think, helpful.

CHAIR:

Great. We will make sure you have them. Mr. DeMaio, we do only have 20 more minutes with this room. So I do want the questions from the members to be able to be entertained. So thank you.

ASM. DEMAIO:

Understood. And, you know, senator, if someone disagrees with your proposal, it's not that they dislike you. They dislike the proposal that you brought forward. I'm just going to cut to the chase because we are limited time, and I think Mr. Sheehy made a good overview of why this is not warranted.

I am, I'm appalled at the audit because it is politics. When one of the tests of witnesses and provides in testimony that this audit is not about politics—that, my dear, is when it is about politics. I've looked at your board of directors—all union. The other group completely union democrat activists. The senator did point out this seems to be a policy disagreement. And if we as legislators decide to issue an audit, when when the community gets to decide policy in elections, then we're going to be wasting the precious resources and the bandwidth of our auditor, and it sets a very dangerous precedent.

A year ago, we were here with a school district in Riverside that has a laundry list of corruption and mismanagement and ethics violations and financial transgressions. But because a powerful senator said that they did not want to have an audit, the audit was killed. Now we are here with a school board, a board of education that has a pretty darn good record, a stellar record. Their only their only demerit is a allegedly are approving too many charter schools, that they haven't always caved into the union—which there's a lot of democrat run school districts around the state of California that don't always agree with their unions. And of course, they've sued the state of California for bills that infringe upon parental rights.

Oh my goodness. So if you stand up and challenge a decision of Sacramento and take them to court and win, there's no apology from the legislature that we screwed up on the bill. The courts smacked us. Instead, we're going to weaponize our auditor to go and try to find and investigate every nook and cranny. What a chilling of constitutionally protected rights. When there are lawsuits, it's because—and the board has won many of those lawsuits—when there are lawsuits, it's because we have violated people's constitutional rights, or we broke the law. And we should not be weaponizing the auditor to punish people who bring valid claims to court. If they're not valid, the judges will decide they're not valid. And if they continue to litigate and waste money and lose court cases, then the voters ultimately, I think, would be persuaded that we have a bunch of sue happy trustees that need to be replaced.

I hope my colleagues see this for what it is. I think you do see it for what it is. I don't want us to set a precedent here, though, because then every single group that is unhappy with their board of education or school district will be marching up and asking us to order an audit. And that is just an abuse of this function. I urge you—cooler heads need to prevail. Let's not accept the audit and vote against it.

CHAIR:

Senator Hoover. And I'm just going to—we do have a time check here. We have 15 minutes. And so absolutely want to get your points across though. Go ahead.

SENATOR HOOVER:

So, you know, I have to align myself with my colleague. This this appears to me as a very clear—first of all, it is terrible precedent. Second of all, it is a very clear weaponization of this committee for political purposes—there's no doubt of that. We can deny that all day, but that is exactly what is happening here. I think my first question would be for the auditor is—how many audits has your office, obviously not necessarily you as auditor, but your office, in the history of the State Auditor, audited a county board of education? I'm actually just curious, for the record, just because I don't know the answer.

AUDITOR:

To be honest—to be honest, I can't think off the top of my head what that number is. But if we have, I would imagine it's very small.

SEN. HOOVER:

Has it have there been any during your time as auditor? I guess that would be—

AUDITOR:

No.

SEN. HOOVER:

Okay. Thank you. And, and it would be interesting to get that information, obviously, but my guess is that the number would be very small. And I think it really goes to show that the type of precedent that we would be setting with this audit. You know, what has been described today by the proponents of this audit has essentially been what goes on at every single county board of education in the entire state. Every single month, at every single hearing, which is using outside counsel—not something that's against the law, not something that is problematic. It's something that every school district in the state of California does. Approving charter school applications—that is quite literally one of the main roles of a county board of education in state law. So, the idea that what has been described here is that—oh, and I think this is the one that really bothered me the most—going against a staff recommendation to approve a charter school. This happens every single month in California, because very often the staff of an education board is very anti-charter while the board members are very pro-charter. So, so the idea that somehow overruling an administrative staff decision is somehow problematic is not evidence of wrongdoing. I think the opponents of this audit that spoke in favor of the Board of Education here, County Board of Education, made it very clear there are no legal concerns that have been raised. And, Senator, I want to ask you a question, because, you know, you're raising concerns about the amount that the Board of Education is suing the state. I'm pretty sure—do you know how many lawsuits that Attorney General Rob Bonta has filed against the President of the United States in just this term of the Trump presidency?

SEN. UMBERG:

I don't know.

SEN. HOOVER:

Yes, well, the answer is 44 lawsuits at a cost of, I believe, this legislature actually passed a bill creating a pot of money for about \$50 million that—I'm not going to, I don't know the voting record on that bill. I would expect that many of the people in this room supported that—supported taxpayer dollars going to sue the federal administration. Now, I don't want to get into the merits of that. I don't think anyone wants to get into the merits of that. I think the question is, is that when there is disagreement, it is often appropriate to take legal action. And, you know, what's interesting in the facts that you read on the seven lawsuits

that have been cited, it's just amazing to me, you know, sort of some of the, the examples that you used. So, you know, suing the state government for the longest school shutdowns in the entire country, that in retrospect we now have evidence were detrimental to the outcomes and the health of our children. That is a lawsuit I would 100% get behind, and that is a lawsuit that they absolutely were right to bring forward. Suing over a mask mandate that went on longer than any other mask mandate in the entire country. I was on a board of education during the pandemic. We literally had a law, an ordinance passed at the county level that said, I, as a board member, could sit in my board of education chambers and not wear a mask while every student in every classroom in my district had to continue to mask. It was one of the most, I would say the worst examples, of good government. And it was it was an absolute terrible time, I think, in our state, when it came to the amount of mandates and the amount of, of over, you know, just mandates that were coming down from the state. Those were absolutely lawsuits that should have been put. And then the Supreme Court just recently ruled in favor of a lawsuit that came out of California that supported parental rights. So, you know, I think one of the really frustrating things to me is a lot of these lawsuits that you mentioned as evidence here actually were the right thing to do. And finally, to the point, as my colleague brought up about this not being about politics—I think it's absolutely clear that this isn't about nothing but politics. That's why we've had this history of bills that have been directed exactly at this board of education for the last few years that have been unsuccessful. This is now just the latest attempt to simply silence a board of education that some members of this legislature disagree with. I think it's terrible precedent. I think we absolutely are weaponizing the audit committee with this, and I encourage my colleagues to vote no.

CHAIR:

Vice Chair, and then we're going to open it up for public comment. Great.

VICE CHAIR:

Right after the Gold Rush, when the Orange County Board of Education and the other 57 boards of education came together to form the State of California—oh, wait, wait, that never happened. The county boards of education are purely instrumentalities of the state. This analogy of the sovereign State of California—being one of the states that is the basis of our federal system in a constitutional democracy—that that is the same as the Orange County Board of Education or the Davis Cemetery District, or any other local government entity set up by the by the State of California—this is patently and constitutionally false. And, in fact, here we're talking about not even general taxpayer dollars.

The Orange County Board of Education, like all other county boards of education, derives most of its revenues from property taxes and from us—from Proposition 98. So, these are funds that are for the education of young people. And although it can be enticing and seductive to say, I want to be on a board that can control money that I can divert away from kids in the classroom and special needs kids and work job training programs, and instead divert it to litigation—that is absolutely a question that's of concern to the State of

California. And so, I do think this is an appropriate audit in this case to try to root out this question.

And I'd also note just although this is my first meeting of actual business meeting of this committee, I've seen enough of the audit requests—I guess they're all they're all confidential other than the ones that are on our agenda—but this is not groundbreaking. The Casablanca notion that nobody's ever seen anything political in this process before is kind of ridiculous. And this one isn't that. This is trying to make sure that the dollars that we're appropriating for under Proposition 98, to support the education of children and job training programs in Orange County are being appropriately expended in that way. And so, I appreciate the focus of the audit.

I appreciate the county's, the county board's vigorous defense. But this this narrow question about the use of these resources to generate what's what the sponsors described as a litigation machine isn't entirely appropriate one. It's messy and is uncomfortable and as public as it might be, and if the other questions result in if there have never been anything filed, then great. The auditor will be able to spend virtually no time on some of the other questions that are in the request. But the core question of the litigation machine diverting resources from kids and from job training is a perfectly legitimate one. And I'm also pleased to recommend, and I vote on this on the senate side as well.

CHAIR:

Thank you, Mr. Vice chair. We're going to open this up for quick public comment, and then we're going to have a close, and then we're going to vote.

BRYANT MIRAMONTEZ:

Chair, Vice Chair, committee members. Bryant Miramontez, California Teachers Association in strong support. Appreciate the author for bringing this forward. Thank you.

CASSIE MANCINI:

Cassie Mancini, on behalf of the California School Employees Association in support.

CHAIR:

Thank you. Senator, please close.

SEN UMBERG:

Well, thank you very much. I have great confidence in our State Auditor. I have great confidence that the examination will reveal exactly what has happened and what is happening with the Orange County Board of Education. If the auditor determines that this is just a political fight—I don't think that's the case—but if the auditor makes that determination, so be it. If the auditor finds that the money was spent appropriately, so be it. If the auditor finds that they've basically adhered to state law, so be it. That's the purpose of

the audit. And so, with that, I'll simply ask for this committee to authorize the State Auditor to look at the practices, the procedures of the Orange County Board of Education, and let the chips fall where they may. Thank you, Mr. Chair.

CHAIR:

Thank you, Senator. I believe this is a bona fide audit request. I do have an aye recommendation. I will entertain a motion at this moment. I have a motion. Do I have a second? And I have a second. Madam Secretary, I'm sorry.

MADAM SECRETARY:

[Inaudible]

CHAIR:

Sure. So, we will need a majority in both the assembly and the senate. So, the members here, you would need four from the Senate and then four from the Assembly. Madam Secretary, please call the roll.

MADAM SECRETARY WITH MEMBERS RESPONDING:

2026-106 Orange County Board of Education - Public Administration Oversight by Senator Umberg. Assembly Member Harabedian. Aye. Harabedian, aye. DeMaio. No. DeMaio. No. Fong. Aye. Fong, aye. Hart. Hart, aye. Hoover. No. Hoover. No. Quirk-Silva. Quirk-Silva, aye. Ransom. Ransom, aye. Senator Baldwin. Aye. Baldwin, aye. Ashby. Becker. Cervantes. Aye. Cervantes, aye. Cortese. Aye. Cortese, aye. Dahle. No. Dahle no. Valladares. Valladares, no.

CHAIR:

That's going to be on call, I believe. Okay. While Senator Cortese is here—thank you for being here. We're going to go back to the audit that remains on call. And that is Cervantes' 2026-134 California Fusion Centers.

[Portion of proceedings omitted: committee voting on Audit No. 2026-134 and proposed consent calendar items.]

We're going to leave the Senator Umberg audit request on call. And we—Senator Becker, I believe, needs to come back. Okay. I think Senator Valladares has voted on everything. So, I don't believe I voted on file the. Yes. Okay, yes, I did. Okay. Thank you. And everyone here I think is on. Thank you very much. Appreciate you guys. We made it. And we will wait for Senator Becker. We'll leave this open for a few more minutes. Thank you all.

[Brief recess in proceedings.]

So, we're going to reopen the role on any audit request that is on call.

MADAM SECRETARY:

2026-106 Orange County Board of Education - Public Administration Oversight by Senator Umberg. We have Senator Ashby, Senator Becker. Aye. Becker, aye. That's approved.

CHAIR:

And that audit is approved. Thank you.