

Orange County Board of Education Meeting – 7/13/16 – Transcript

Sound of voices – gavel-

Welcome and Call to Order

Lindholm: I'd like to welcome you to this Orange County Board of Education meeting. Regular meetings are held each month at 11:00 am unless otherwise noted. Any person wishing to address the board on any matter whether or not it appears on this agenda is required to complete a request to address the board card which is available at the table at the back of the room. And please submit the completed card to the Board recorder which is right here at the beginning of the board meeting. If the item is to be discussed, please note it on the agenda. Each individual will be allowed 3 minutes per person per meeting and may not give their time to extend for other speakers. Any materials submitted to the board will be kept for public review. All persons are reminded that this is a public meeting and attendees and speakers should be respectful of the board. Verbal outbursts and loud clapping is prohibited. Board agendas are posted online and can be reviewed at OCDE board pages. Want to welcome you all here today, thank you for coming. Um, today we will start with our invocation by the Reverend Dr. Mark Davis and our Pledge of Allegiance will be led by Trustee Jack Bedell.

Davis: Let's pray together. We are very thankful, we're thankful for the joy of learning, expanding our hearts and minds through reading, listening, writing, experimenting, memorizing, correcting, debating, leading to hours and hours of simply wondering what a job this gift of learning is. We're thankful for the community of learning...teachers who have prepared for years to teach students and not just lessons, administrators who attend the details the rest of us take for granted, curriculum developers respect the variety of ways we learn. Custodians who keep our buildings clean and functioning, librarians who introduce us to new worlds of research and literature. Food service who nurtures our bodies and clinicians who monitor our health and students who make it all worthwhile. What a gift this community is. We're thankful for the ambiance of learning, the ordered buildings and smooth schedules and friendly voices and smell of new pencils and music flowing from the band room and art displays, fields grown dusty from the grind of cleats. What a privilege we have in our education system. And we are thankful. With thankful hearts we ask for the wisdom and courage to stay focused. May the child with the least means find as many opportunities to thrive as children of great means. May children to every color, language, and ethnicity find acceptance and experience the security they need to blossom. May children who feel unattractive know the beauty that lies within is their greatest gift and revel in that knowledge. And may we have the patience for that child whose mind won't stay still and whose body follows suit. And in the web where the unthinkable actually happens we also finds ourselves with the tragic need of asking for safety. From micro aggressions to cyber-bullying to prejudicial tone of the voices to actual physical violence, we ask for the resurgence of the simple gift of respect for human dignity. And where we fail to give that respect we ask

forgiveness. And for hearts that can be enlarged toward one another. Facing both the joys and challenges this year brings, I thank you for this body that gathers here today. For their gifts of leadership and their passion for students, their sense of vocation, their dedication to hard work. May they have the grace to meet the challenges that lie before them and take the time to enjoy the gifts we share. Amen.

Many voices say Amen.

Bedell: Would you please join me as we salute our flag. *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 (many voices repeat the pledge of allegiance).*

Lindholm: That brings us to roll call. Madam clerk, can you give us roll call please?

Phouangvankham: Trustee Boyd?

D. Boyd: Here

Phouangvankham: Trustee Bedell?

Bedell: Here

Phouangvankham: Trustee Lindholm?

Lindholm: Here

Phouangvankham: Trustee Gomez?

Gomez: Present

Phouangvankham: Trustee Williams?

Williams: Here

Lindholm: And that brings us to introductions, we'll be doing that later but how will be proceed?

N. Boyd: We have no introductions of staff at this meeting.

Lindholm: Thank you. Um, we'll need to go on to the agenda where we're looking to adopt today's agenda

Williams: So moved.

D. Boyd: Second

Lindholm: And there's a correction on the agenda. A correction on backup materials for the consent calendar posted correctly and board member corrections are in the folders. Miss Nina will you explain that please?

N. Boyd: Yes. The students, the information related to student diplomas that the board will be approving today, the district of residence, we found that there were some errors where populated information, where the live as opposed to the district, and so that was corrected prior to the information being posted online so the posting has been correct. Because that information has confidentiality we do not post the student names and the listing online. So the public didn't see that but the board members in their packet did receive that on Friday morning, before we caught the error.

Lindholm: Thank you. Uh, so with that correction as posted, with a second to the motion can we agree to that?

Williams: Yes, absolutely. When it's posted officially, within the required time?

N. Boyd: Because of the fact that you had information we didn't want there to be confusion of what was actually in your packet versus what would be in the official record.

Williams: I accept that.

Lindholm: Alright, all in favor?

Several Ayes

Lindholm: Any opposed? Any abstentions? OK, that brings us to the minutes of the prior meeting.

Bedell: Move approval.

D. Boyd: Second.

Lindholm: This motion has a second for approval of the minutes, all in favor?

Several Ayes

Lindholm: Any opposed or abstentions?

Gomez: I will abstain.

Lindholm: That's fine. Welcome, though. So that passes and that brings us to our Organizational Meeting where we are going to turn it over briefly to Al Mijares, our superintendent of schools. And welcome our newest board member and our returning board members.

Mijares: Thank you madam president. I'd like to ask if our 3 board members, Beckie Gomez, Jack Bedell, and Ken Williams could come up here to the front so I can administer the oath of office. It's an honor for me to administer the oath to these individuals. They've been elected to serve another term, and we are grateful for their leadership. I also want to say that earlier, before this meeting commenced, we had a reception for outgoing board member Robert Hammond. They had time to thank him for his 4 years of services and he was accompanied by his wife, Donna. Thank you.

Most of you know that education is at the fore of human development. It largely determines the type of person an individual becomes. Therefore, it is sacred. There's a proverb that I like and it goes as follows: Train the child in the way he or she should go and when he or she is grown, he or she will not depart from it. So, I think it's critical that we understand the nature of education and the oath that these board members are going to take today, and that we be circumspect and understand the gravity of this work. The research tells us that if an individual has a bad experience in a classroom, the likelihood of them dropping out of school is enormous. There's almost a direct correlation with them dropping out because they didn't have a good experience in a classroom, particularly in two successive classroom experiences. And, the pastor, Pastor Davis who spoke, I thought in a very organic way he underscored the importance of diversity. So, we must meet the needs of all of our students and understand that our society is diverse. And every one of those individuals that comes into our classrooms, particularly in our ACCESS program, we must meet their needs. Without equivocation, without judgment, we must accept them and meet their needs. And I think this is the beauty of public education. It's the one thing that many have articulated, um, the one thing that preserves the democracy of this great nation. Before we take the oath, I want to call your attention to these paintings here on my left. These are paintings, they are original paintings through airbrush and paintbrushes, they were done by students in our alternative education programs, here at the county level. This is our alternative community and correctional schools and services. So frankly, that is the fundamental point of stewardship for the board. The students who are in our schools, that we meet the needs of daily. Now obviously, because they're elected officials they have an influence across the county. But the kids in ACCESS, and I want to tell you that under the inspiration of their marvelous teacher, Ruth Rosen, the kids painted these. These kids are in some cases are locked up for 10 months to 25

years, at tender ages. Unfortunately, they made a bad turn here or there, and it's our ability to, the superlative ability that we must have in order to meet their needs. To help them disengage this type of behavior. So I want the board to understand the magnitude of this office, and I want to thank them for their willingness to serve. So now, if you'll raise your right hand and repeat after me. And after the word I, you insert your name. *I.....voices.....do solemnly swear that I will support and defend the constitution of the United States, and the constitution of the State of California, against all enemies, foreign and domestic, that I will bear truth, faith, and allegiance, to the constitution of the United States, and the constitution of the state of California, that I take this obligation freely, without any mental reservation, or purpose of evasion, and that I will faithfully, discharge the duties, upon which I am about to enter.* Congratulations.

Applause

Lindholm: So with that, we have 1 new board member and we have 2 returning board members, so I want to welcome you and look forward to the upcoming year. Um, with that, we move to the election of officers and I will open that for nominations.

Williams: So moved. I (*inaudible*) our current vice president Linda Lindholm be nominated for president.

Bedell: Second.

Lindholm: Are there other nominations? Then move the nomination....

Bedell: So moved.

Lindholm: Second?

Williams: Second.

Lindholm: All in favor.

Several Ayes

Lindholm: Any abstentions? Thank you, thank you to my fellow board members. I'm looking forward to this year and I appreciate your support. And I promise to listen and be available whenever it's possible. Thank you for that. With that I would like to open it for nominations for the vice president.

D. Boyd: Yes, I'd like to nominate Dr. Jack Bedell.

Williams: Second.

Lindholm: Are there any further nominations for vice president? Hearing none, all in favor of Jack Bedell as vice president of the board?

Several Ayes

Lindholm: Any no votes or abstentions? And, you are officially vice president of the board and you have a lot of duties.

Bedell: Thank you.

Lindholm: Um, the next item we have is to nominate and approve board member assignments for the 2016 fiscal year that's item #3. With that we have, I believe one of the items if you're looking at the, this is for the trustees up here, Jack Bedell is appointed to a 2-year term on that one, executive committee will be changing to Lindholm and Bedell, and then the other ones are open for discussion. If we can, we can do it today, if not we can move it to the next meeting. Any discussions or interest in some of these items? Vice president Bedell would you like to explain some of these...?

Bedell: Sure. The CCBE is our statewide organization, it's the analog to the California School Boards Association. It represents the 57 or so counties we have in our state and it is part of CSBA administratively. And it's where we advocate for and learn about issues unique to county offices.

Lindholm: And I assume you would like to continue of as the CSBA delegate, as your term is to 2017.

Bedell: I would do the CCBE if that's ok and no one else wants to do that? I can do the 2nd one. Is that where you're at? The second one, CCBE?

Lindholm: Um, CCBE?

Bedell: Right, I can do that.

Lindholm: Looks like you have it back. And the CSBA delegate, are you continuing that?

Bedell: Right.

Lindholm: The political action group?

Williams: I'll do that.

Lindholm: Dr. Williams would like to do that, is that...?

Bedell: Fine.

D. Boyd: Fine.

Lindholm: OK. I think I hear a majority for that one, for Dr. Williams. OCSBA, Dr. Bedell, you've been doing that meeting...would you tell us about that?

Bedell: Right. That's where my favorite experience is, and I think it's good for somebody else to do it because it's a great opportunity to learn about the 27 other or whatever school districts members you have in the county. That is the county analog to the state analog, and I think it's a great, it's where I met a lot of school board members and a lot of friends who I have from school boards, that I've generated there. I think it would be a great opportunity for Trustee Gomez.

D. Boyd: I agree.

Laughter

D. Boyd: My first year on the board, I had that assignment, and it was very helpful in getting to know who's who in the county and what's going on in the county. Now, it does take some time so, if, I don't know how busy your schedule is going to be with the council and everything, so I understand. We could table this to next month....

Gomez: Do we know when it meets?

N. Boyd: In your red folder there is a pamphlet that says calendar of meetings for board member assignments. It is the second to last page, I believe, that has the 2016-17 proposed calendar.

Gomez: Do you know what days of the week those are?

Lindholm: I'm looking at Nina. I think we'll find the information. Thank you. That brings us to the item on the agenda where we have public comments.

N. Boyd: Actually, we're going to take a short recess before the public comments so that we can change*(inaudible)*...let people take pictures...so forth...

Lindholm: We're going to take a 10 minute recess and take some photos, that would be an opportunity for that and I'm sure people want to congratulate you.

Williams: Madam President, as a real quick comment, typically at this meeting we also get the 5 board members as part of the historical record.

Lindholm: All right, 10 minute recess. Thank you.

Sound of gavel

Lindholm: On to the public comments section, and um, before we did that I wanted to say just a little bit and all of the board members, we are so saddened by the passing of Marion Bergeson who was such a star in our community, from being in the senate, from being a supervisor, from the assembly, from being on the California State Board of Education, and we will be adjourning today, but many of you will not be here at that time, we'll be adjourning in her honor. And we will be sending to her family a certificate in recognition of her years of service. Fellow board members would you like to comment? Trustee Boyd?

D. Boyd: Yes, she was a real trooper. I first met her when the Samueli Academy was first, at the ground breaking, I think, and she was very helpful in my reelection 2 years ago and Al and I last saw her about 6 or 8 weeks ago at the El Sol fund raiser and, she had sharp interest until the end. She came up to me and goes, tell me about the election, I want to know. And this is at age 90 and she had accomplished everything a human could possible expect to accomplish. You know, it's a sad loss, but she had a wonderful life.

Lindholm: Yes. If any of the other board members would like to comment?

Bedell: Just briefly, I think we, well what comes to my mind about Marion is simply classy, classy. She showed you how to disagree, she could show you, you could disagree reasonably, you could come from different positions and be reasonable and civil. The last dinner, the annual....

D. Boyd: Yeah, the annual award for the school member of the year is named in her honor, and it is really a gold medal for whoever wins that is delighted.

Bedell: She was the first woman who served both in the assembly and the state...*(inaudible)* and I think that's to her credit.

Mijares: May I say one thing about Marion Bergeson? Um, my time with Marion dates back to when I was superintendent of the Bakersfield city schools and she was in the legislature and,

phenomenal individual as you have said. I don't know if you know this or not but Julie McCormick, her daughter is a principal, a school principal in the Newport Mesa School District and formerly she was in the Santa Ana schools. So, um, you know she was a trail blazer obviously but one who was committed to all students. She was always asking me about the kids in Santa Ana. Just a beautiful woman and we were all very stunned actually to learn of her death.

Lindholm: So, I would ask that we have a nice cover letter to accompany the certificate in memorium, if you'd write that for us? Any further comments on Marion? Thank you. So we will be sending that out probably today or tomorrow in recognition of her lifelong service to Orange County and to the state of California. That does bring us to public comments and each of the speakers will be allowed 3 minutes and our clerk will be giving you a timer and it will give you, kind of a buzz when it's time to wrap up, and she will be helping you with that. So with that, we will have Jared McLeod, if you would come up please. Welcome.

McLeod: Good afternoon, and congratulations Ms. Gomez for your new seat on the board. First I want to say on behalf of Oxford Preparatory Academy, thank you so much for taking a chance on us to open up our school this fall. I brought along with our current chancellor of our South Orange county campus along with our newly appointed chancellor of our Saddleback Valley campus. I just wanted to introduce them to you, and let them say a few words. We recently received the public schools start-up grant, so that's something that will be helping our students get off the ground. We've had great collaboration with the Saddleback Valley Unified School District to qualify for proposition 39 facilities for the fall. It's been a wonderful relationship and we'll be having full site for the next 3 years and it's something we're really appreciative of. So, I just want to turn the mic over to the team at this time and let them introduce themselves, and then they'd like to cordially invite you to their first day of school this fall.

Rich: Distinguished board, my name is Jeff Rich and I was the chancellor and principal at our south Orange County campus in Mission Viejo and I am going to be the principal at our Saddleback Valley campus and I do want to welcome everyone to our first day of school which will be September 6. We will have a big celebration on that day. We have all 595 accepted students now which is exciting in this transition time. We have our founding members which have been working all summer long. We are about to make that transition onto our campus, um, I believe tomorrow night is the board meeting, where the agenda for the (inaudible) to be approved, so I just want to introduce myself and welcome everybody to our campus on that day. Thank you.

Lindholm: Thank you.

Speaker: Hello distinguished board, my name is (inaudible) and I'm going to be the vice principal at our new Saddleback campus. I would like to take this opportunity to thank you for your support and again, like Rich said, welcome you to our campus anytime this upcoming year.

Pasco: Good afternoon board. I'm Denise Pasco and I'm the counselor at SOC, I've been involved in education in Orange County for about 25 years. Really excited for this next step and I'd like to welcome you to our first day of school August 24th. You're more than welcome anytime.

Lindholm: Thank you.

McLeod: and just in closing, we have a combined of the two campuses in Orange county about 1,500 students still on the waiting list. So something we're still seeing is a need out there and a want for the type of program...so in the next couple months I'd love to sit down with the board members and talk about maybe we could do a countywide to help meet that need. For specific areas we'd talk about diversity, students that definitely need this type of program with the high test scores, and we talked about that last time. We'd love to do the same program for all students of this wonderful county. Thank you so much for your time.

Lindholm: Thank you for coming. Um, our next speaker is Lynn Hatton Hodson. Welcome.

Hodson: Good afternoon superintendent Mijares, president Lindholm and trustees. I am a CUSD board member, but I'm not speaking on behalf of the board today, instead I'm speaking as an individual and a parent of two, one graduate who's going to Cal this fall and my son will be graduating this year, yet to be determined where he will go. I've been involved in education my whole life. So I often tell my friends that I'm going to write a book entitled How the Government Structure is Ruining Education. Sometimes you get luck and work with a group of individuals who put their politics aside and focus on doing what's best for kids. But, unfortunately, we at times the focus instead is on the elected's political beliefs and improving their own future. I stood in front of you a few months ago and experienced that myself. Sometimes I feel that I'm still in my youth and too emotionally vested. It was disheartening, it was disturbing. It was also a call to action. You see people are paying attention, people care. Today is a celebration and a win for kids and for public education. Thank you Beckie Gomez, trustee Gomez, for taking on this very difficult role, in advance, for all that you will do to put our kid's interests first. Your spark can become a flame, and change everything. Thank you.

Lindholm: Thank you. Gloria Pruyne?

Pruyne: Well, in 15 minutes it will be afternoon. Good morning superintendent Al Mijares and president Lindholm, I had you down on my list as president before you voted. And so, you had my vote too, and honored school board members, and I'd like to welcome Rebecca Gomez. I'm

Gloria Pruyne from Fountain Valley. I'm speaking on the article *Exiting the Public Schools* by Rod (inaudible). This article is about pastor Chad Davis from Bakersfield. He has been a school board member for 12 years and has announced that he is not running for reelection on the Kern High School District board. He says that California public schools are lost. Your children are being indoctrinated into radical secularism, taught how to have safe homosexual sex, how to obtain an abortion, and that gender does not correspond to biological sex. Today, he said that he sat in a meeting as our board voted to bring into our district policy the full spectrum of the LGBTQ agenda. He spoke out against the board voting for this. He called on them to realize that they will answer to god on this vote and they should fear him more than the state. I did not prevail he said. He says that after 12 years of sitting through meetings that public education means to indoctrinate your children in anti-Christian ideology. He says I do not believe this battle can be won at the school board level. It is lost. The state and federal governments have co-opted your local schools. They mean to indoctrinate your children in their radical secularism. They mean to cause your children and Christian teachers and administrators to bow to their sex gods. It is legally required to teach your children the LGBTQ sexual mores while simultaneously illegal to mention god. I can't and won't enforce their foolishness he says. I respectfully request that my comments be photocopied for each board member and I request that this document be included as an original meeting document for historic reference. Thank you. My heart cries that you will realize you don't answer to the union. You don't answer to the people who voted for you. You will stand before god one day and answer for how you vote and how it affects the children. I'm not trying to be condemning, I'm trying to speak from my heart. I've been here for 3 ½ years and I really care. (Sound of timer).

Lindholm: Thank you. That concludes the requests to speak under the public comments section. We do have a little bit of time before our scheduled lunch break. Would the board like to go on to the consent calendar?

Bedell: Moved.

Lindholm: Is there a second?

Williams: Second.

Lindholm: There's a motion and a second for item #5. All in favor?

Several Ayes.

Lindholm: Any opposed? Abstentions? #5 carries unanimously. Would you like to continue on with staff recommendations? Alright. That would bring us to item #6. Item #6 is to approve new

board meeting dates for 2016 – 2017. Comments and questions by our board members? These dates are looking good at this time.

D. Boyd: I have a conflict with the February 8th date. I would be available on either the 15th or the 22nd.

Williams: Which date?

D. Boyd: The 2017 date, I will be out of the country. I would be available for either the 15th or the 22nd.

Lindholm: I could do the 22nd? Do we need...does everybody have their calendars? Trustee Gomez do we know at this time? She's checking (laughter). Got to open that iPad. And Dr. Williams is also checking.....

Bedell: You want to make that the 22nd Trustee Boyd?

D. Boyd: Either the 15th or the 22nd is fine for me.

Lindholm: I cannot do the 15th, I can do the 22nd. I could have done the 8th.

Gomez: I can do the 22nd. \

Lindholm: Ok, we have a yes, and we also have a yes from Dr. Williams. So, with that change on Wednesday February 8th to Wednesday February 22nd, um, do we have approval for the remainder?

Bedell: You want a motion to approve as amended?

Lindholm: Yes, please.

Bedell: Moved to approve as amended.

D. Boyd: Second.

Lindholm: We have a motion and a second on this item to approve the board meeting dates. All in favor say Aye.

Several Ayes.

Lindholm: Any abstentions or no votes? OK we have that one. OK the next discussion item is to approve the start time of 10:00 o'clock. Currently the board is meeting at 11:00 o'clock. I believe this would be, Dr. Williams if you'd like to comment?

Williams: It sure would be helpful to start 1 hour early for my schedule.

Bedell: Move it to 9:00?

Lindholm: No!

Williams: No, to 10:00 from 11:00.

D. Boyd: 10:00 o'clock is fine as well.

Gomez: Yes, that will work for me.

Lindholm: OK, we have a motion, or we don't have a motion yet. Laughs. To change the start time to 10:00 am for the Orange County Board of Education meetings, starting at the next meeting.

D. Boyd: I'll make such a motion.

Williams: Second.

Lindholm: We have a motion and a second on that item. All in favor?

Several Ayes.

Lindholm: Any opposed or abstentions? That carries unanimously.

N. Boyd: Just wanted to make a note, um, when you took the motion on the board meeting dates and you discussed the January through June, there was a change on the established dates. We had polled the board because the change, October 5th was a religious holiday so, that motion will change that date to the October 12th date. So I just want to make sure that the Board members remember the fact that we changed it based on that.

Lindholm: I think that's fine. Um, again moving to Item #8. Item #8 is to approve the agreement between Orange County Academy of Sciences and Arts and the Orange County Board of Education, and allow the associate superintendent to sign this and this is staff saying that we should support this item. Is there a motion for #8? Or do you want any discussion?

Bedell: So moved.

Lindholm: There's a motion, is there a second?

D. Boyd: Second, and I have a comment, question actually.

Lindholm: OK, we have a motion and a second on Item #8.

D. Boyd: I'm not sure who to address this to? Um, but I'm wondering if the opening date the projected enrollment?

N. Boyd: Aracely.

Chastain: Hi, Aracely Chastain, coordinator for charter schools. I believe the opening date is October, I'm sorry, August 22nd, it's the same date as the Capo.

D. Boyd: OK, and projected enrollment? Do you know off the top of your head?

Chastain: I don't know off the top of my head, I apologize.

D. Boyd: OK, maybe you can get back to me on that?

Chastain: I will.

D. Boyd: On Item #7

N. Boyd: Trustee Boyd, there will be a charter update later in the meeting so some of that information will come up because Kelly will be doing an update so they'll be here as well.

D. Boyd: OK, appreciate that. On Item #7, insurance and liability, what's the amount of the coverage we're requesting?

Chastain: We are currently working on coming up with standard amounts that we want charter schools to hold and then from that point move on to, for those who might need extra coverage for whatever reason, whether they're meeting outside of the school campus or something like that, so that's something that we're currently working on. We currently don't have set numbers that we are using for that.

D. Boyd: OK.

Chastain: That's why there aren't any on the standard template, but we are hoping to add those soon.

D. Boyd: OK. Without a number though, um, from enforceability standpoint, it becomes a little dicey.

Chastain: Yes, and currently they're all different.

D. Boyd: OK, that's all for that.

Lindholm: OK, thank you for comments and discussion. Any further discussion on Item #8?

Gomez: I have one question. Just for clarification again, new kid on the block here, um, as far as the site visits go, do we have a list of criteria that we're looking for and who conducts those site visits?

N. Boyd: Our charter school team conducts the site visits and we are working to establish the information. We actually, in doing the update later, I'll mention now, that Kelly was going to tell you that we have a date scheduled in September that we'll be going through the protocol of site visits with all of the charters that have been authorized by the board. So, we'll be going through everything in terms of what we look for, what they should expect, what things they should have prepared, that type of thing, so that there are no surprises. We don't want them to feel like there are "I gotcha" that this is really a working relationship and the team is having ongoing conversations with each of them individually because they have unique differences within their petitions in terms of what they're going to be doing and where they're doing the education of the students. So, those things are coming up as we go along.

Gomez: OK, but there will be an established...

N. Boyd: Criteria. Yes, an established protocol. We use some of the things from the state because they have a charter school division at CDE and then we've worked with Counsel here to make sure that we are doing things that are within the parameters of oversight but at the same time to protect the board and also to protect the petitioner.

Gomez: OK, great, thank you.

Lindholm: Just to, thank you, um, Trustee Williams do you have a question?

Williams: No ma'am.

Lindholm: We have a motion and a second to approve this item. Questions, trustees? Further information at the conclusion of this meeting. Motion to approve the agreement, all in favor?

Several Ayes.

Lindholm: Any opposed abstentions? Motion carries. Item #9 is to approve the material revision to the College and Career Preparatory Academy. This is also recommended by staff for approval. Um, is there a motion?

Bedell: So moved.

D. Boyd: Second.

Lindholm: We have a motion and a second on Item #9. Are there any questions on this item? Yes?

Bedell: I would just like to say this is the graduation I went to, right?

N. Boyd: Yes.

Bedell: I was genuinely impressed and to show people, this is one of the credits to people in academic affairs the finance side, because there were kids there, who were 30, who had teenagers, some of them had only 1 unit that they had been missing to get a high school diploma. Some only needed 1 course that they were missing to get a high school diploma. It's because of the work of this staff and this department, to use that Jewish expression, kevelt, very proud! And it was an honor to be part of that group, and just to see it as one of the success stories of this department. I'd like to thank all the staff who did that because now they're high school graduates, and some of them are 30, some 19. Some of them were too embarrassed to come because they were so old. But, that didn't stop the others and so I think that shows a real need, Congratulations to the superintendent and your staff on this program.

Lindholm: OK, thank you vice president Bedell, that's very, very helpful. So we have a motion and a second on Item #9. All in favor?

Several Ayes.

Lindholm: Any opposed? Abstentions? So that motion carries unanimously. I think with that we should go to our board lunch break, as it's 12:00 o'clock. And we will continue on later. We will

be taking about a 30 minute lunch break. We will be reconvening at 12:30. Thank you. Thank you all for coming today.

Sound of gavel and voices.

Lindholm: Hi, I'd like to welcome you back to the Orange County Board of Education meeting. We are on agenda item for 12:30, a charter school initial presentation, Global Business Academy, and Miss Kelly Gaughran, will you start us off.

Gaughran: Good afternoon President Lindholm, members of the board and Superintendent Mijares. Today we will hold a hearing to consider public input regarding the Global Business Academy charter school petition, which was submitted at the June 8 Orange County Board of Education meeting following the March 23 action by the Capistrano Unified School District Board. Subsequent to today's meeting the charter school petition review team will meet with the petitioners to provide an opportunity for clarification and to address questions. For today's public hearing, Global Business Academy petitioners are allocated 15 minutes to summarize their position. Then the hearing will be opened for the purpose of public comments. For those interested in speaking, if you haven't already, please fill out and submit to me a speaker card located on the back table. Each speaker will be allotted 3 minutes, with a total of 30 minutes for public comments on this matter. In addition, the Board will consider all written information. Written testimony forms are also located on the back table and must be submitted by July 20. I now open the public hearing for Global Business Academy and call executive Director Catherine Sanchirico, Principal Michael Gotto, and Tom Nichols, School Business Specialist at Charter School Management Corporation, to the podium.

Sanchirico: Good afternoon madam president, members of the board, superintendent and Orange County staff. I'm going to tell you the story of how GBA got started. I came to this country in 1975 and I didn't speak any English. Like many immigrants, my parents were busy working to feed 6 people. They also didn't speak English, so you can imagine the jobs weren't very high paying and at one time my dad even had to take 3 jobs. I was also a special needs student. I was severely dyslexic but teachers thought I was just careless, and I was misdiagnosed and never got any help for it. I also grew up poor so thank goodness there were no computers back then, otherwise I wouldn't have had an opportunity to own one. I was bullied because I was different. I was told to go back to Vietnam, nobody wanted me, and that continued until I went to college. So, why do I want to start GBA? Because I relate to all these students. I was (inaudible) I was bullied, I was a special needs child, and I also grew up with a great educational experience because my school made it a point to give me the support that I needed to do well. And, I want to be able to do that for all of our students, whoever can come and attend our school. So that's how the story of GBA got started. The Mission and Vision of our school is we want to prepare our students to be UC or CSU eligible, or for a 4-year university. The graduates are globally

competitive, they are career and college ready. And we do something unique, an entrepreneur curriculum, and our classes are going to be taught by what's called the flipped classroom method and there's internship opportunities and also with concurrent enrollment at local community colleges, and integrating technology in all of our classes and subjects. Who will GBA serve? They serve basically all students, all academic levels including gifted and talented students, Special Ed, underperforming, students in the academic middle that sometimes don't get any attention whatsoever. Social economic status whether they're from low, middle or high income families, EL students including newcomers and longtime English learners, and a welcoming school for LGBTIQ and Foster Youth. We welcome all students of our rivals and we have a global and thorough and inclusive nature for all. GBA's instructional strategies I've listed them here, and our principal will go into detail about them, but basically, we want to prepare our students to have the skills necessary to be successful in the 21st century, using technological, project based learning, service based learning, flipped classroom and some of the items that I mentioned previously. We will have high technology that's integrated into each classroom, each classroom is going to have computers where students will have access, in case they don't have computers at home. Each student will be equipped with a tablet and we're also contracting with Kajeet to provide internet access to all students outside of the school who do not have access to the internet, and also providing a full computer lab on campus for those students who wish to view their lessons at school as well. This is a preview of our governance structure, and as you see it includes parents on there, from my experience just growing up parents and the community are very important to our school and we hope that they will be part of our planning stage. So, I'm going to turn it over to our principal, Mr. Michael Gotto at this point.

Gotto: Madam President and members of the board, superintendent Mijares, district staff, thank you so much for having us today. It's an honor to speak before you. I want to thank our families who are here today in support of Global Business Academy. As an educator of over 12 years, I um, I've watched how we try to become relevant and competitive. And personally, I think we've fallen short in many areas. And there are groups, such as those mentioned that often get left behind and, they are often left disengaged and eventually drop out. As a first generation college student, neither of my parents even graduated from high school and so, I depended on my teachers and my high school counselor to help me navigate the educational system. And, I'm so glad they did. I want you to picture the *Little House on the Prairie*, remember it? That's the model I think that many of our schools are still conducting business on. Teachers lecturing up front, students taking copious notes, trying to get everything down, so that they can go home and memorize it and regurgitate it on a quiz or an exam. At home, students have no way of asking for assistance unless their parents are there and can do so. Students rely on those good notes if they've taken them to study and prepare for those exams. But in the 21st century, we have students who are what we call Digital Natives. They've been born and brought up during the age of digital technology and they're familiar with the internet from an early age. They're used to being part of an experience-learning or gaming. They're used to being interactive and they want

instant feedback. You could also say instant gratification. The Flipped Classroom encompasses many different instructional tools that we'll be utilizing. It's sort of the umbrella for what we would implement at GBA. Project or problem based learning experiences, where students are in a setting where they collaborate with one another to answer a question, to seek understanding, to critically think to solve a problem. Service-based learning, where they're engaged in the community to truly grasp the content that they're learning. Teachers will be engaged in backwards lesson or planning design, where they will understand the key components of the objectives and goals for each class, and move backwards to ensure that every step of the way that the students are supported so that they can reach those in the end. Depth of knowledge, DOK, is aligned with Common Core State Standards, whereby we will work to increase the level of rigor with level 3 and 4 areas. And, technology will be infused in every classroom. We ensure that we prepare our students for success in the 21st Century and to become globally competitive. I ask this question, how do we expect our students to get ahead when our education system is often too many years behind. Special education students can be positively impacted by this type of environment. Right now only 62.7% of students with special needs graduate from high school. There are 7 million students in public education. 30% increase in special education is expected, which means that 81,900 more teachers are needed between now and 2018. Virtual communication can be a leverage point. Keyboard strokes for students to provide accommodations, E-readers to help facilitate the learning experience, voice adaptive software will be provided to support our students with special needs. It will be individualized based on their individualized education plan, IEP. Computers are more engaging in events than ever and increase students' motivation to learn. English language learners including long term English learners will also be supported through this environment. Several studies have been conducted that show that English learners tend to be disengaged because the learning experience of the traditional learning experiences, the house on the prairie learning experiences are not exactly what they need to acquire the English language effectively and to be able to communicate in written and verbal format. But, when in this environment they are show to surpass their peers who have been learning in traditional methods. They're excited about using computers and technology, they want to be engaged. They don't want to be pushed to the side, given different work, made to feel isolated. Most are excited and motivated when applying these technology skills to the content they are learning. So, Global Business Academy addresses the issue that not all students learn the same way and I learn very differently than my friends and my family members. And I wish that I had a choice like this to be involved in. And I have a 2-year old and a 4 month hold who will attend GBA, if you give us that opportunity. Since 2012 only 53% of graduates met the UC/CSU requirements and declining since then. So we're producing less college ready and globally competitive students, when in reality we should be producing more. The dropout rate has increased since 2012. However, there's a huge interest in charter school enrollment. It's almost tripled from 2010 to 2014, and there are waiting lists of thousands. We have several hundred who are ready to start Global Business Academy tomorrow. A recent article in Education Week shows that only 8% of graduates are college and career ready. As you

know, that's part of our state board of education accountability system to really determine, identify how students are learning, and being prepared not just for college but career, as we know that's where they will spend most of their lives. We need more entrepreneurs. Our communities thrive when our businesses are strong. But our businesses are only strong when the employees are educated and have 21st century skills of communication, critical thinking, and so forth, to be an asset to them. So we're going to offer a unique and individual program, this is unique, this is different, and proven to be effective. We're going to better serve ELLs, we're going to identify them upon enrollment, through a home language survey, and support their specific proficiency level along the road to reclassification so that they can acquire the English language. We're going to better serve special education students through adaptive learning technologies. Individualized is key. Our parents and community have a voice in our programs. And I've met with the family members and I am completely impressed at their level of support, their interest in getting involved and their focus on education for their kids. We are a financially viable entity using 21st century education strategies to implement our programs so that our students will leave GBA with global competitive skills, for a better society for our future.

Sanchirico: So as you see here some entrepreneurs that have shaped our world every day and I'm sure as we all sit here everybody's got a phone in their pocket or purse, right? Cellphone. We wanted to address some concerns that were brought up, or the elephant in the room. The GBA's instructional strategy is again our toolbox, and they're there so that we are able to work with all types of students. They're not all going to use the same class, the same day project. It's different projects on different days depending on what the subject is they are studying in. As you heard, Michael addressed the flipped classroom model, I talked about technology use for all the students, and also Special Ed and English language. Um, some other concerns are students are UC or 4-year university eligible. (Sound of timer) I'm just going to fast-forward because the last slide to me is the most important, we just wanted to thank all the parents who have taken the time to tell us what they wanted in the school. All the families who have supported us, all the letters of families who couldn't be here, I have copies to provide for all board members. Thank you for the county staff for helping us, 'cause I was telling Kelly how new we are at this and they've been wonderful throughout the process and lastly, thank you board members for giving us an opportunity today.

Lindholm: Thank you.

Gaughran: Capistrano Unified School District representative have indicated that the conditions listed in their board resolution, which is included in the charter school's appeal materials, represents their position. The hearing is now open for public comments. As a reminder, each individual will have 3 minutes to speak, with a total of 30 minutes allotted for public comments. President Lindholm, please call the first speaker.

Lindholm: Thank you. And thank you all for coming. It's always exciting to see a school's presentation and listen to the parents and to the students. I will give you a head's up that I think we have more speakers than the 30-minute time allows, so I will be taking them in the order they have arrived unless you have somebody, well, you can't give your time, just so you know, there will be more speakers than there is time allotted. Dr. Adam Ormond? Welcome.

Ormond: Thank you. Good afternoon county board members, superintendent and county staff. My name is Adam and I've been an educator for over 10 years. As a former university of California Irvine lecturer, I saw firsthand the need for students to be fully prepared when attending college. Global Business Academy seeks to prepare students to be globally competitive in an increasingly interconnected world. Not only to be eligible for a 4-year college or university, but also to be career ready. As we all know, having a college degree can mean the difference of double the income for an individual as opposed to having only a high school education. For those not wishing to attend college, the entrepreneurial curriculum is a great foundation for any career. As an educator, and a parent of a child entering the 6th grade this fall, I support the motion and vision GPA can accomplish and request that you consider allowing all students to have access to this school for the future of our children. Thank you very much.

Lindholm: Thank you. Denise Bader? Welcome.

Bader: So I've been to a traditional school for many years all except for last, it's really gone fast or too slow. Last year we tried home school which was good on the academics but I found myself missing my friends. So, online was good, but I think GBA would be the best of both worlds with having the online learning with friends and help at school if I do need it. I can move at my own pace for content online, but if I need to discuss or get help from anyone in the school or anything like that, I can do that. Um, it will probably free up time for more science or history which I really enjoy, but I would like to not do an English class. (Laughter) That concludes my speaking. Thank you.

Lindholm: Thank you. Amy Bush? Welcome.

Bush: Good afternoon Madam President, members of the board and superintendent Mijares. I'm here as a parent of two children and a supporter of charter schools. I've seen first-hand the difference they can make in students' learning. Currently in Capo and Saddleback district, there are no choices for parents of students who wish to continue with another charter school past the 8th grade. Every charter we know of and (inaudible). There's an important need for GBA, not only for providing a high school component for school choice families but their mission, their vision and instructional strategies are unique and currently not offered in our public school system. The district and others will you believe that everything GBA offers, as in the flipped classroom, project based learning, service based learning, game based learning, and even the

integrated entrepreneurial curriculum, that they're being offered in public schools now. But can they show you that it's being offered under 1 umbrella? 1 classroom or 1 school for all subjects? The answer is no, they can't. The GBA team has worked hard to establish partnerships with businesses, community leaders, and local universities. All these partnerships will enhance the learning of GBA students. Regardless of district attempts to sabotage some of these partnerships, parents and students know the truth. Instead of working with GBA to do what's best for students certain people and groups have chosen to use their position as a vehicle for hurting their very own students they were sworn in to protect. I urge you to look past these and protect the state mandated rights of our children to be educated and be prepared for college, and to be globally competitive, as GBA is proposing to do. Thank you so much for your time and your consideration of the GBA petition.

Lindholm: Thank you. Joel Nguyen? Good afternoon.

Nguyen: Thank you for having me here today. My name is Joel Nguyen and I've been a special education teacher for 24 years. I have a bachelor's and a master's degree in special education as well as an education specialist degree in administration. I am currently teaching at a local high school, but I'm here to tell you how very excited I am about what GBA will be doing for special education students and also being able to be part of the team. The number of students with varying degrees of disabilities were already talked about, um, excuse me, will only be increasing in the future as we see the need to provide more and more services in order to better suit their needs. GBA's philosophy of creating programs to fit the needs of special education students aligns with my personal belief based on my extensive years of experience. There have been many changes in state mandated requirements within the past couple of years in the field of special education. When I spoke about these changes in requirements with the team for GBA I was met with such positive feedback and questions as to how can we create, implement, programs that meet the requirements and better serve the special needs population? The GBA team is dedicated to providing the best education possible for special education students and I'm proud to be part of the team. I see positive and wonderful things that could happen for these students if given the chance to attend GBA. Thank you for considering their petition today.

Lindholm: Thank you. Alison Burggren? I got one. Laughter.

Burggren: Members of the Board and of the Orange County Department of Education community. Thank you for giving me this opportunity to speak today. My name is Alison Burggren. I have 4 children between the ages of 12 and 4 and I'm an associate professor in psychiatry department at UCLA. I'm here to speak to you today about the flipped classroom model. The idea of the flipped classroom model is this; students watch online lessons outside of the classroom, reserving classroom time for collaborative and hands on work. The content is engaging and interactive with students being prompted by a series of questions that will assess

their understanding immediately. Teachers, parents, and students are sent these post test scores so everyone involved in the child's education understands the level of understanding the child has before entering the classroom the next day. If the child is struggling in the previous night's lesson, the teacher already knows that child may need extra attention on the following day. Some students including English language learners do best when the style of learning allows them to have multiple reinforcements, meaning multiple exercises over and over to reiterate what they are learning. Lessons allow all students an opportunity to review this information over and over again when necessary or in studying for exams. The benefits of this method are numerous and they are rapidly gaining attention in education research. San Jose State professor David Parent, in the electrical engineering department, used lecture videos produced by MIT and found midterm scores were up by 10 to 11 points compared to 2 other San Jose State courses taught with conventional methods. A review article published in just April of this year in the International Review of Research in open and distributed learning assessed 20 separate articles that evaluated the flipped classroom model implemented in classrooms between 2013 and 2015 and found every single instance of the flipped classroom model resulted in higher exam scores compared to the controlled condition. One surprising note was that in surveys given to some of the students, many of the kids would recommend the flipped classroom to their friends. With GBA we want to bring this successfully proven method to our kids, to your kids. Teachers won't have to spend time preparing lectures for their following day but instead get to design a lab experience where students will be learning from an expert in India or an engineer in China the night before. Students at GBA will understand that we're all part of the global economy and in order to solve the problems we're facing in today's world, our students will need to work with and understand people from all over the globe. I ask for you to support GBA and understand that this education will not only be ground breaking but inspire educational programs around the world. Thank you.

Lindholm: Thank you. Gia Sanchirico? Welcome.

Sanchirico: Good afternoon madam president, members of the board and Mr. superintendent. Hi my name is Gia Sanchirico and I'll be in 6th grade next school year. I'm so excited about Global Business Academy and can't wait to attend it. Like many kids I know it's figuring out new gadgets and devices before my parents can. We like new games with a level of difficulty to keep us challenged and engaged. We like technology because learning it from what we can find online. We can find anything and learn from any expert in the world. That's why I love GBA will be using the flipped classroom model as our lessons can be from any expert around the world. What a great privilege to hear from an engineer in Africa who created water filtering for poor villages or a chances architect who designed a new type of bridge. We learn by doing projects the next day. I also like learning about being an entrepreneur as I always have great ideas. I can pursue those ideas and see what it's like to start my own business. Anyone of us can be a next Steve Jobs or Bill Gates entering the world. Global Business Academy will give us the opportunity to learn and equip us with the skills to succeed for our future. We have already lost a

year and many students were forced to go back to the public schools as all charter schools have a huge waiting list. I respectfully request that you give all the students like me the chance to attend Global Business Academy by approving this school next month. Thank you for your time.

Lindholm: Thank you. Dr. Claire Friend?

Friend: Good afternoon madam president, board members and superintendent. My name is Clarie Friend. I've been a child psychiatrist for over 30 years. I am a volunteer on the academic faculty at UCI and I have the privilege of being a member of the board of directors of Global Business Academy. There's been a lot of talk about the need for 21st century skills in the global market place. Global Business Academy offers an extraordinary opportunity for students to acquire just that. Rigor is missing in many classrooms in this country in public schools. I graduated second in my class in high school when I went to Barnard College I was 2 years behind the girls who graduated from Bronx High School of Science. That's even worse now. I worked as a literacy aide in elementary school. I am appalled by the content and the quality of the textbooks and of the rigors. Children cannot learn. Our students, our children at five years old tested the highest level around the world. By the 4th grade they have lost and are behind, by the 8th grade they are significantly behind, by the 12th grade our students rank 35th and 38th in international competition. This is appalling. We spend more money per student than almost any country in the world. Children deserve more. The constitution guarantees equal opportunity. Being forced to go to a folding poor school violates that right. Our children deserve better. The anti-trust laws in this country prohibit monopolies. Public education is a monopoly and that should change. Charter schools offer an extraordinary opportunity for children to do well. We have the potential. We should give the children the opportunity to use that potential and make something of our country, better than it is now. I thank you for the opportunity to speak and I plead the case for GBA to authorize their charter petition. Thank you.

Lindholm: Thank you. Olivia Blanchard?

Blanchard: Good afternoon madam president, members of the board, and Mr. Superintendent. Hi, my name is Olivia Blanchard and thank you for allowing me to speak today. My brother and I have been in private school for the last 6 years because my parents did not feel the public school is doing their job to educate us. Unfortunately, private school is not cheap and my parents have had to work very hard to pay for the tuition. If a school existed like Global Business Academy where my brother and I can get an education that prepares us for college and we are eligible to a UC or 4-year university, then my parents wouldn't have to work as hard to pay for our tuition. I'm very excited about what GBA will be offering because I learn differently than my brother although he's related to me. By having many learning tools for students, my brother and I can both excel at a school like GBA. He would love learning through game based and I would love the project. We both would love learning online the night before or on our way to

sports activities, with the flipped classroom. I also know that GBA stresses the importance of character traits such as integrity, honesty, confidence, and patience. My parents feel these traits are vital to shaping each one of us as we grow older and have our own lives. Please vote to approve GBA next month, so that all students like my brother and I can attend. Not all families can afford private school, but if GBA existed we would not need to go to a private school.

Lindholm: Thank you. Heidi Landgraff? Welcome. And I must say that our young people are excellent speakers.

Landgraff: Good afternoon. My name is Heidi Landgraff and I'm the owner of (*inaudible*). I'm also on the board of directors for GBA, and prior to starting my own business, I was and still am an educator for the last 15 years. I started my company because I believe in order for students to be successful in the 21st century they need to learn by having a combination of extensive experiences. This is, oh my gosh, I'm having such a hard time with this phone. Sorry. This is exactly what you get (*inaudible*) students. Not only when the students learn in a fun and engaging manner, but there will also (*inaudible*) will work entrepreneurial experiences with internships. Learning from community leaders (*inaudible*). Oh my gosh. These students will...I actually typed this up I apologize and I feel horrible I can't believe I'm having a hard time with this. These students will (*inaudible*) yeah, I need something. I'm sorry. Oh my gosh! Laughter. OK, guess I need glasses too. Not only will the students learn with fun and interesting engaged methods but they will get real work experience with internships. Learning from community leaders who come as guest speakers and ultimately giving back to their own communities with service based learning. These students will be well rounded and prepared for the challenges that lay ahead of them in college life and for work thereafter. These students will set an example of other graduates to come out of Capo district. Thank you for your time, and I apologize.....(laughter).

D. Boyd: All those students should get a pair of those glasses. Laughter.

Mijares: Dollar store, Dollar store. Laughter.

Lindholm: Emily Bush?

Bush: Good afternoon board members and Mr. Superintendent. My name is Emily Bush and thank you for allowing me to speak today in support of Global Business Academy. I can't wait to attend GBA as my dad owns his own business. I've always been interested in learning what it's like to be an entrepreneur. I know there are entrepreneurs in every field and learning about it will make me a better citizen if I want to invent something to help our world. I'm not sure I'll have my own business but I'll learn about it and that will give me another option for my future. GBA will also have me do an internship before I graduate. This will be a great opportunity for me to

learn about other professions and decide what I'd like to study for college and see what is needed to work in the real world. Lastly, GBA will prepare all the graduates to be able to apply for a UC or 4-year university and be college ready. It will be very difficult to get into a good college when I get older and schools need to be competitive to have that chance. Our world is changing and if we are not up to speed with it then I think it will pass me by. That's why I also like that GBA will be using high tech to teach their students so we are up to date with the changes and be competitive. There are many other aspects of what makes me excited to attend GBA but I only have 2 minutes so I'll end here. Laughter. Please give your approval for GBA when you vote next month so students like me can have a chance to be competitive in our changing world. Thank you for your time today.

Lindholm: Thank you. Jannie Kimble?

Kimble: Good afternoon. My name is Jannie Kimble and I live in Dana Point. I have 3 children ages 9, 6 and 3. The 6 and 9 year old attend (inaudible) elementary school in Laguna Niguel. I graduated from Dana Hills High School in 1998 and went on to receive a Bachelor's of Science degree in Zoology from Brigham Young University. I worked in the veterinary industry for 15 years and own a Magic Portrait photography company with my husband. I believe that Global Business Academy's flipped classroom model will provide a more interactive learning environment for my children that will permit them to better conceptualize subject material and allow them more fully to retain ideas and concepts that are being taught. This kind of learning will also help them understand how best they learn as individuals and give them the tools and encouragement to seek learning outside the classroom and inspire them to do their best in school and in life. As the mother of children who learn quickly and often get bored in school they excel in all subject areas. I'm confident that the flipped classroom model will engage them and the use of technology will also help them to be more engaged in learning. These teaching methods will allow for more real time of education and decrease the time necessary for classroom (inaudible) in control. I'm hoping that if my children have the opportunity to attend GBA that when I ask them how their day was at school I will get less answers of boring or fine and that instead I'll be greeted with Mom, guess what we did at school today. Additionally, by attending Global Business Academy my children will be more academically competitive with the high number of international students that are competing for spots in the UC and our nationwide university campuses. I want to give my children the best opportunity to excel beyond high school and even college and I feel the best way to do this is by giving them the opportunity to attend GBA. Thank you for your time and thank you for hearing our petition for our charter school.

Lindholm: Thank you. Hannah Hess?

Hess: Good afternoon. My name's Hannah Hess and I'm here on behalf of Congresswoman Mimi Walters who represents the 45th district of California in the U.S. House of Representatives.

Congresswoman Walters regrets that votes in Washington D.C. today prevent her from being here. She firmly believes that a strong education system is fundamental to the wellbeing of our children and the future of this nation. Charter schools have demonstrated their ability to play an important role in providing positive outcomes for students from all socioeconomic backgrounds. The previous national education system, No Child Left Behind, prioritized test scores over learning, hindered student success and limited the ability of teachers and parents to customize their student's educational experiences. Congresswoman Walters recognized this was a broken and ineffective system which is why over the last 18 months she has supported common sense education reforms to empower state and local government to make education related decisions. The Every Student Succeeds Act which was signed into law last year, expands education options by supporting the expansion of high performing charter schools. As a supporter of school choice Congresswoman Walters is hopeful that GBA and CUSD can reach an agreement that ensures that students in Orange County continue to have access to innovative and fulfilling educational choices. If you have any questions, or if we can be of assistance in any way, don't hesitate to contact us online at Walters.house.gov or at 949.263.8703, that's our district office number. Thank you so much again and have a good day.

Lindholm: Thank you. Blake Bader? I'll write duplicate. Blake Bush? Maybe, superintendent can help him with the mic? Or Kelly? Thank you.

Bush: Good afternoon board members and Mr. Superintendent. My name is Blake Bush. My friends and I are so excited about attending GBA. I told all my friends at school about it so they can tell their parents. I think what I like best about GBA is the chance to see my lessons online the night before being at school. Being at school is the funnest time I have with my friends. And now we get to do projects and games and activities together the next day instead of listening to a teacher lecture us. What I would normally do as homework will be done in the class with my friends and groups. Now when I'm stuck on homework, I will have my teacher there to ask questions.

Lindholm: Very good speaker. Um, because everybody has been speaking rather rapidly we're down to our last 2 speakers. I appreciate your being concise. Jennifer Beall?

Beall: You had to put me after him, huh, he was adorable. Laughter. Now I'm going to be tongue-tied you spoke so well. Um, it's my pleasure to be here in front of you today. My name is Jennifer Beall. I'm the district director for State Assemblyman Bill Brough, he serves the 73rd district, and I believe this charter school's petition is within that district and so we are very proud to support choice in education and Assemblyman Brough has already submitted a letter in behalf of supporting this school. I'll just paraphrase and read a little bit of it because you've given us some extra time here. It is with great pleasure that I write to support the charter petition for Global Business Academy. Global Business Academy will be an innovative school that will

focus on transforming the lives of children and providing them with university level education. It's my belief that charter schools like Global Business Academy will offer a unique learning experience that will be tailored to the needs of its students. And to conclude, Assemblyman Brough would also like to say, I support the Academy's effort to help parents transform the learning and growth of students regardless of their ability or socioeconomic background. I encourage a favorable vote for this petition in order to further fortify Orange County as a leader in forward thinking education and providing students with the greatest opportunity for success. I myself personally echo the Assemblyman's sentiments, and I hope to see you approve this charter and give these opportunities to the students in Capistrano Unified, and throughout Orange County. Thank you so much for letting me speak.

Lindholm: Thank you. And our final speaker is Miles Durfee.

Durfee: Good afternoon. Miles Durfee, I'm the managing regional director for the California Charter Schools Association. California charter schools association as you are, may know, a professional membership organization for the nearly 1200 charter schools and over 500,000 students, almost 600,000 students who are enrolled in California. My district, the southern California region represents Orange County, San Bernardino, Riverside, and San Diego County and Imperial County. There are 200 charter schools and 125,000 thousand students in schools in that region. I gave you that information because we interact with a lot of districts, and we interact with the charter school process with a number of these schools. Today I'm speaking in support of the Global Business Academy petition and the appeal in front of you today. Our organization has reviewed the petition and we believe it is not only legally compliant but we also believe that the Capistrano board should have approved the petition without condition. There's no provision in the law for a school district to impose conditions for approval of a charter petition. Capistrano Unified's attempt to impose 42 conditions is simply egregious. There are a number of things, what I would consider noise, and mistruths and gossip that I'm aware of in the community regarding this charter. And I would urge you as board members and encourage you to look at the facts and to make sure that the people you're talking to are backing up what they're saying with the facts. I also urge the petitioner that she should reach out and be available to you at any time for the staff and for the board members, if there's concerns or if there's any questions that she can provide information on. Any I know that she's reached out to board members and she will continue to be available, she's told me that she will do that. So, I hope that you will be able to look at this petition in a fair and reasonable manner just as the county board has looked at many of the petitions that have come before you. Thank you.

Lindholm: Thank you.

Gaughran: Thank you to all presenters. President Lindholm I now close the public hearing and turn the meeting back over to you.

Lindholm: Thank you. Just informationally, how this process works. What happens-one month the charter petitioner will submit the next month the charter petitioner gives us a presentation and then at the next meeting the board will make a deliberation and decision. So this brings us to the point in time where board members can ask questions of the representatives from Global Business Academy or from our staff. Um, Dr. Williams would you like to start on this one?

Williams: No.

Lindholm: Laughter. Vice president Bedell?

Bedell: Right. Thank you very much and thank everybody and especially the children, it's very impressive. I've heard more about this charter presentation than any other charter presentation we've had since I've been on the board and since we've been having charters. And the irony of this is they're all coming from a district that's not mine. OK. Which I find fascinating in and of itself. So, I will be looking forward to the staff's recommendation, particularly the relationship with UC Irvine and particularly, one of those I'm really big on is local control and I believe that the charter act was really for local involvement, Kelly. So I would be very interested in seeing facts and fictions that I think Mr. Miles made an excellent, excellent presentation, 'cause there's a lot in the air about this one. It's the most I've heard since we had the Einstein piece. And so, I would just like to, and I really appreciate Miles' comments 'cause they're right on. Because if you believe in local control you don't send something to Sacramento. Right? So that's where I'm really looking forward to a close working relationship with our staff. Because candidly, part of the stuff I've been told was that they didn't work closely with the staff in the district, rightly or wrongly, so let's kill that. That's fair. So we're looking forward to the next step and having this issue...'cause I like the flipped model. I support that intellectually. So, I would like to see we clear this, what Miles said.

Lindholm: OK, thank you. Um, I'm going to go to Trustee Boyd.

D. Boyd: Yes. This would be to leadership of the applicant...pick one. My questions are pretty general. If you all want to come up, fine, and whoever you think is most qualified....First of all, let me make an observation. Um, looking at your goals, entrepreneurial goals, introduction to business, financial literacy, personal money management, communications, interpersonal skills, finance and risk management marketing, business foundations, um, if it was up to me all of these would be in the basic curriculum for all schools, 'cause I think they're critically important. And I said years ago if I was ever to start or be involved in a charter school this is the type of thing I would like to see. Um, entrepreneurship, it is interesting. If you look at Bill Gates or Steve Jobs as you mentioned or Richard Branson, and I could probably go through half a dozen others, they all have one thing in common, they never graduated from college. Just think of how successful

they would have been if they had a college degree. OK, the flipped curriculum, also has my interest because I haven't seen it before so I'm hoping that the staff report will go into that in great detail and maybe give some examples of where its been applied in other districts or other schools. Looking at your page 88 of your application, this is marking concerns me a little, reading from the last paragraph, this is what a student is supposedly telling his parents or friends about how, you know you have to get it out, but this is quick, classes are the time I meet others on my team and we talk about projects we're doing, classes we can look forward to next year. One of the seniors from the (inaudible) is currently working an internship at Google. Now, how practical is it for a high school kid to get an internship at Google?

Sanchirico: Actually, it's very realistic. Google up in northern California basically set aside this huge portion of their parking lot just for a charter school. Because they believe that the high school kids should start getting the technology skills before they go to college. Companies like Google and other high tech companies have now set aside departments specifically for these types of internships and programs for charter schools.

D. Boyd: Alright, thank you.

Gotto: In addition, employers are hungry for better employees. They want their employees to have the 21st century skills needed to take their company to the next level and I've spoken with several company leaders who would welcome with open arms the partnership.

D. Boyd: OK. Then I guess my concern is, and this doesn't apply to you specifically, but in general. Make sure the parents understand realistically what they're getting and what the expectations really are. There is a Global Business Academy already in Orange County at Valley High School. According to our website they were established in 1990. Focus preparation is higher education careers in business. I don't know if that raises any legal issues or not, but it's something you might want to take a look at.

Sanchirico: Actually, we are not aware of that. When we did the name search to incorporate, that's news to us but thank you for pointing that out so we can look into it.

Gotto: It's at the high school?

D. Boyd: Valley High School.

Gotto: It's likely a pathway within....

D. Boyd: Assuming Santa Ana Unified? Right, Dr. Mijares?

Gotto: Every learning experience builds upon the next to reach that goal. So we'll be utilizing a professional learning community process where we analyze our approach with each unit, taking a look at the student outcomes and seeing where we can continually improve to ensure that each lesson is better than before.

Gomez: OK. So the use of technology um, that's throughout your application, throughout all your information, um, and you said students would have access to a tablet. What about a student who doesn't have internet access at home? You mention that they will have opportunities during their advisory period and then after school but, unless I missed it somewhere, I didn't really see what the capabilities were after school.

Sanchirico: We have spoken to a company called Kajeet which provides internet access on the go, basically and it would be kind of like a small box, like a hot spot, and the students will be able to take it home with them or in the car. There is a flyer in here and I will find the page, so that you can read about it. It's a very innovative company.

Gomez: OK, so after school, and then, one of the trustees brought up with the football friends, so I'm concerned if um, the after school aspect is going to get lost if they need some additional help if they're an athlete. Because they're either going to have practice or they're going to have a game. So now you're um, they're missing out on that opportunity.

Gotto: Upon enrollment we will be stressing the importance of this um, of the model and the commitment to it. And, providing opportunities within the school day if necessary to get kids on the right page. However, I, you know, with the traditional model of education, a lot of students are listening and taking notes throughout the day and going home and trying to apply it, if they have time with other resources to help. We talked about if a student comes in the next day with a lack of understanding their skill in the area then the teacher will be able to differentiate to bring those kids up to speed if necessary.

Gomez: OK.

Sanchirico: Trustee Gomez, that is an excellent question and very valid. And the purpose of us originally looking at the flipped classroom method is because sports and athletics are very important, we believe, to the student for their well-rounded experience at school. Right now there are kids going home after sports, 2 or 3 hours of sports, and doing 2 or 3 hours more of homework. I know 4th and 5th graders having to do 2 or 3 hours of homework. The intent of flipped classroom method is to minimize all that so that these children can go, these students can go home, have a family life, be able to get involved in sports, and still have time to relax and wind down. The video lessons are approximately 5 – 10 minutes, if there is a lesson that needs to

be viewed that night. So it dramatically cuts down on the time that the student would be utilizing for “homework” that they would have had to do before.

Gomez: So you’re saying they’re only going to get 5-10 minutes of video time for their online lessons every night?

Sanchirico: The lesson is set up where after 2 or 3 minutes there’s an interactive question to test if the student is so far understanding what they’ve just viewed. And the question will require them to respond in a way that lets them know that yes, this student understands the lesson, then the lesson could be over. If the student responds in a particular way that lets them see they haven’t mastered it, then additional video content should be shown. But usually they say the attention span is usually going to be about 10 minutes. So these videos are designed to be about 5 to 10 minutes. Like I said, for children, for students who can grasp it after 3 minutes, the lessons are done at that point.

Gomez: OK so there’s some sort of a trigger, if you will, where’s it’s dependent upon their mastery of the material?

Sanchirico: Correct. Yes.

Gomez: OK, then 2 more quick questions. I noticed that you had a Character Counts logo in this. Are you partnering with Character Counts?

Sanchirico: I have contacted them to find out some of the programs that we can implement at our school because character traits are one of the goals that we’d like to implement with our students. At this point, nothing has been finalized or established. It’s basically just a finding out if there’s a somewhere we can make it work for the students of our school for the character part.

Gomez: OK. I saw that it was in there so I was under the assumption that you had already done that. So that’s not quite there yet.

Sanchirico: Yes, there’s no MOU or contact at this point.

Gomez: OK.

Sanchirico: Before I forget, that Kajeet is under Element 3, attachment 1.

Gomez: OK.

Sanchirico: Exhibit 3.

Gomez: OK. And, my last question is can you give me just a few examples of service based learning that you are looking at doing with your students?

Gotto: Sure. So service based learning really targets the community. So, it's the teacher connecting with areas in the community that have a particular need. It could be a convalescent home. Could be a local nonprofit organization that the kids can be connected to. Um, and conduct a project in concert with them. And, grasp the content, the focus of the unit that the teacher is incorporating into the classroom. And so, in turn, so the kids are learning, and the kids are and in turn the community is benefitting.

Gomez: Right. I understand the concept of service based learning but what are the students planning on doing now? Do you have contacts already or are these going to be in process in the future, I'm not quite understanding.

Sanchirico: I started off by contacting local politicians, mayors, and city council people. Basically it's nothing in detail at this point, but we have expressed our interest of working with community leaders to find out if there is some service based projects that our students can do and I think one of the first questions they always ask is are you guys approved? When are you opening? So we kinda had to halt everything until then. I have reached out to quite a number of cities in Capo district.

Gomez: Alright. Thank you.

Lindholm: Thank you. Just informationally for you, I reviewed this petition the way I review all the petitions we're getting for charter schools and as Trustee Boyd says, it takes about 3 hours, or more, and I actually had to separate this one out because I think I was going to get a hernia, it was so much material. I like to look at it and mark things up a lot. So, that's how I reviewed this application and I looked at all the different things that our charter school team looks at, to see the completeness. And with that, I was pretty satisfied that you are looking at insurance, you're looking at disputes, you're looking at bell times, you're looking at every factor that a school needs to be able to start on day 1. Um, so that was one thing. I looked for completeness on this. It is very extensive and it does cover a lot of items. I do believe that every child is unique, every child learns differently, and I think this is an opportunity to provide those children who aren't the ones who can sit at a desk for 60 minutes at a time, and then another 60 minutes at a time, and then another 60 minutes at a time, um, to learn, to learn to the best of their ability. You're going to be situated in San Juan Capistrano, correct? Is that where the school, where's this school going to be located?

Sanchirico: We've identified 2 facilities at this point. However, we haven't been able to sign a lease because we aren't approved yet and we have to circle back with them to see if they will

hold the space for us for fall of 2017. But, one of the spaces is Mission Viejo and the other is Aliso Viejo.

Lindholm: OK. I think people have a misconception. There are schools within my neighborhood that my children attended where 2/3 of the children were on free lunch programs. There's a lot of things that happen at home when the parents are trying to work, trying to make ends meet. So when you look at South Orange County you think the kids are all in great shape. That's not necessarily the case. We did drives to get them backpacks, we did drives to get them pencils, so, with that, I think you're going to be giving them....I love our public schools. I think there's some fantastic public schools, and this gives them an option, it gives parents an option if they're working, my mom was a dish washer. I mean you get people who work at night, and you need different options and they learn differently so, I'm excited to see this. It will go to our review team. Please be very available. One thing that gives the board a lot of chagrin is if they hear, if we hear you're not being responsive. You're not answering the questions, you're not in a timely manner. So, please get back to them. Please meet with them when you need to. Um, so with that, I don't know that we have anything else at this time. I want to thank all the young speakers, they were absolutely fabulous. I wish I could speak like that. Very impressive. Take them out for ice cream or something. Laughter. Parents need to do that.

D. Boyd: I do have 1 follow-up question if I may? Um, it sounds like you will be using some licensed materials in your curriculum, which is very common, I mean my day job uses licensed material all the time. And, you'll be using a back office management. In light of what we saw this week with respect to the K-12 settlement. I would be very interested in seeing a projection on what percentage of your total revenue will be paid to either licensees or back office providers. Would anybody else be interested in seeing a sample lesson for maybe 10 minutes at the next meeting?

Discussion

Lindholm: I do think we'll be going through a lot of issues with them. So maybe, they could submit by paper?

D. Boyd: No, I'm talking about the technology part, the video.

Lindholm: Oh, the technology would be exciting.

D. Boyd: Could you do that? We'll allocate 10 or 15 minutes and you can go through a sample lesson?

Lindholm: You're not for profit, correct?

Sanchirico: Correct.

Lindholm: I think at this time we don't have any more questions and we thank you all for coming and maybe we'll take a short recess to let the room reassemble. Thank you for coming. So a short recess, 5 minutes.

Sound of the gavel.

Lindholm: We are on item #10. This is a board member item. Item #10 is brought by Trustee Boyd. Looking for outside approval for the board to obtain outside legal counsel to render a second opinion. Trustee Boyd?

D. Boyd: Yes, I'll move it, we need a second.

Bedell: I'll second for the purposes of discussion.

D. Boyd: OK. First of all, let me correct something that I wrote. Ron was on, Ron Wenkart our esteemed attorney, was on vacation last week, so I didn't get the chance to run this by him. Ron is one of the most respected education attorneys in the state and I'm not. So, when I cited the Wells case, I did it the quick way, I looked at Google and Google gave me the case and I didn't bother to run it through Lexus for WestLaw, and had I taken that additional step, the, it would have told me that the California Supreme Court overturned the decision of the appellate court with respect to the potential liability of a school district for a false claim act in this type of situation. So, that addresses part of my concerns, but it doesn't really address all of my concerns. I'm wondering if Ron, you should give us a little bit of the historical perspective on this, since Trustee Gomez has not had the benefit of.....?

Wenkart: Thank you very much. The packet that I sent the board yesterday by email included a copy of the Wells case. It also included my April 1st memo that I sent to the board on my concerns about jurisdiction over the Global Business Academy, and basically the essence of it was is that the statute the education code requires the governing board of the school district to deny a petition and then the petitioner can appeal to the county board of education. And in this case, the Capistrano board did not deny the petition, they approved it with conditions. And then there was a period of time when they discussed these conditions, they couldn't reach agreement. We asked the Capo board to go back and deny it if they were going to deny it. The board, the Capo board refused and so there was never a denial it was just an approval with conditions. Now their attorney, for the Capistrano board, wrote a letter saying that it was tantamount to denial because we couldn't reach agreement on the conditions. But, we didn't agree with that attorney's opinion, we still feel that there are concerns about jurisdiction. And that was discussed at a prior

board meeting and, I think at the last board meeting, if I remember correctly, on June 22nd, the board went ahead and accepted the petition, and then we had the public hearing today. So that's kind of the history behind it, still very concerned about the jurisdiction issues, it could open us up to a challenge. I don't think under the false claims act but possibly for other reasons or other causes of action. So that's kind of the history and I'll just open it up to questions.

D. Boyd: Yeah. First of all, let me say, I would like to act on this petition. I don't know whether to approve or deny it, but, I think, I don't think what the Capo board did was appropriate. On the other hand, under the law, we either have jurisdiction or we don't. And, the board, from my understanding has never acted contrary to the advice of their counsel, our counsel, without going to an outside opinion to give us something to hang our hat on. This is the oddest situation I've ever seen on my years on the board. But, I would find it very difficult to vote to approve this school without having an attorney representing us, that would tell us that we have jurisdiction or at least there's a high probability that we have jurisdiction. Um, are we going to have public comments on this?

Lindholm: We have 1 request to speak, yes.

D. Boyd: Is that from Jerry?

Lindholm: Yes, it is.

D. Boyd: Perhaps, would you like to speak now? Would that be ok?

Lindholm: I would like to speak also.

D. Boyd: Sure. Sure. I'm hoping he can shed some light on the...

Lindholm: That would be good. Um, but I wanted to read, and this does not have to do with Ron's, except for the note we had today and I didn't know if that was public record, the one you have on the Wells decision.....confidential?

Wenkart: The actual memo is probably confidential but, the general, you know, the case itself is public and on the front page of the case, it basically says you can't sue a public entity under the false claims act. So, I don't know that that's that confidential. And then, previously we talked about my memo and what I advised, so I think it's pretty much public. And I did have several conversations with Mr. Simmons and I had an earlier conversation today and kinda gave him a heads up on what our position was in advance. So, I don't feel that it's that confidential.

Lindholm: OK. And again, just for the members of the public, if you're looking at agendized item, that has to do with the Wells opinion and which you've already clarified to Trustee Boyd. But that's not applicable in this case.

Wenkart: Yeah, I don't think so.

Lindholm: I wanted to read because I found the attorney from Capo Unified. And the reason for that is why we voted at the last meeting on a 4-1, to accept the petition. And, um, I wanted to just read it word for word...this is coming from the Law Offices of Young, Minney, and Cott.

Basically, in their first paragraph of March 24th it says You explained that the district board of trustees on the record yesterday that if Global Business Academy does not agree to the 42 conditions in the resolution, then the GBA petition is deemed denied by the district. No ifs, ands or buts, I'm sorry, those are my words. It is deemed, just a moment, it is deemed denied by the district. We agree this is back to verbatim, that this is the outcome under the law when there is no mutual agreement between the parties, relating to the conditions for approval. Then it goes on to say some other items, um, let me see if this one is.... A March 25th letter, You have been advised that GBA will not accept the contingencies for acceptance of the charter as outlined by the board of trustees in resolution #1516-49, consequently, this shall confirm that GBA's charter petition is denied by the district pursuant to the board action taken on the resolution.

Wenkart: I don't think there's any dispute that Mr. Huff and Mr. Simmons are in agreement. The attorney for the petitioner for GBA and the attorney for Capistrano are in agreement.

Lindholm: The attorney for Capistrano unified, this is the attorney that represents Capistrano unified...

Wenkart: and they believe it's a denial. Yes.

Lindholm: So, that's my point.

Wenkart: I agree, you, they believe it's a denial. But, I disagree.

Lindholm: I understand that. I understand that you personally disagree.

Wenkart: Yeah.

Lindholm: OK.

Wenkart: Personally and professionally.

Lindholm: OK. But what I have in writing from the board's attorney, from Capistrano unified, says specifically, that it was denied. So, talking to any attorney, and I'm believing something coming from Capistrano's attorney that's a conundrum.

D. Boyd: What law firm were you...?

Lindholm: this is Y.M. and C.

D. Boyd: OK, but that's the petitioner's attorney.

Lindholm: No, to my knowledge this is Capistrano Unified's attorney.

Wenkart: I'm not sure what you're reading from but, there's no dispute that Mr. Huff, the attorney for Capistrano Unified, and Mr. Simmons, the attorney for the charter school, for GBA, are in agreement that they believe it's a denial.

Lindholm: OK.

Wenkart: Based on the fact that they couldn't reach an agreement on the conditions. Where our position is that there should be a denial, a motion by the Capistrano board, where they voted to deny the petition. And they never did that. And we asked them to do that, to clarify the record and they declined to do so.

Lindholm: And they further, just informationally, we delayed our decision to accept...

Wenkart: Right, we did.

Lindholm: Accept the petition an additional month...

Wenkart: Right.

Lindholm: Because we wanted Capistrano Unified, as a local school district, to try and resolve these issues.

Wenkart: Yes.

Lindholm: They actually came, GBA came and was at the podium to submit it, and we said please go back. Please ask again. For that additional month period.

Wenkart: Yes.

Lindholm: We asked Capo to work with them to see if they could resolve the issues. But I just wanted to give those as a background, as to how we got here. And then, if I may, call Jerry Simmons. Thank you, Ron.

Simmons: Yes, so for the record, Jerry Simmons, partner of Young, Minney, and Corr, and we represent Global Business Academy in this matter. So, uh, I think the record's clear that we agree with the Capistrano district, that this is a denial on this basis. However, um, to Trustee Boyd's point, um, although we don't think the false claims act is an issue, we do understand the concern under this unusual circumstances, and so, in talking with the petitioners, we had a suggestion to bring forward as an alternative. There is a procedure, under state law, by which you can conduct what's known as a validation proceeding, where we would go to court and we would ask a judge to declare that the government agency's action, in this case your action to approve the charter, was in fact valid. And, we could do that, after this board voted to approve the charter. We can't actually do it beforehand. We can't assume that what action you will take, but if you were to approve it, we could then ask for that validation proceeding in the context of the school's desire to, you know, an application for funding. So I think what we would suggest is that there is a path forward here to the extent that this is a significant concern to the county office. We're saying, look we're willing to work with you and to address it proactively. We tried obviously to work with the district to resolve these issues, that's why we took additional time. Went back, I personally appeared at their board meeting and asked them to please deny this. Which was very strange for me, to ask a district board to deny it, but we did that because we wanted to try to create a clean administrative record so there was no doubt that procedurally, this charter was appropriately before you. And so that, we'd only have the substance of did you agree or disagree substantively that this was a good petition. Right? And so, but we couldn't get that, they weren't willing to do that. But that doesn't mean that we're without options altogether. I think we have an option. So my suggestion was that if you feel the need to seek some sort of secondary opinion, I guess my suggestion and thought was perhaps you might consider modifying slightly your request, in terms of perhaps asking for an opinion about whether that validation proceeding would provide the county office of education sufficient clarity to address your concerns. That's just a suggestion.

D. Boyd: OK. And that could be included in the MOU that would go along with the approval?

Simmons: That would be my assumption.

D. Boyd: OK. That's all I have, thank you.

Lindholm: Vice president Bedell has some questions for Mr. Simmons.

Bedell: I wonder if you could help me with this. I'm intrigued by what you're suggesting. How long does something like that take?

Simmons: Not long. So there's actually a very short window of time after your action to seek an approval and it would require notice to a variety of parties as well as publication in a newspaper, so we would have to wait for that notice period to expire then the court would conduct a hearing and would sort of look around, is there anyone here to object? And if there's no objection then presumably the judge would deem the document valid. So, that would be the process that we would essentially go through if this was a concern. I don't feel that it's a concern, Capistrano district's attorney doesn't feel that it's a concern, but we're trying to be responsive.

Bedell: So follow up on that. That's helpful, thank you. If we were to adopt this motion of Mr. Boyd's and we were to say that the executive committee, or the president, would find independent legal authority, I think Ron is in a funny position because he's rendered an opinion, so we get our own attorney, as a board, to reflect on this and say do you have jurisdiction or not. You're saying that would have much less weight in a future litigation?

Simmons: I'm saying with the validation proceeding done, then we would have an argument that that matter was resolved fully and finally by a court of law. So then, I would think that would be an extraordinary hill to climb for someone to come up 3 years later, 5 years later, and to try to make an argument that...

Bedell: Are you a gambling man? The reason I ask you that where would Capistrano ... Capistrano is obviously not going to sue us, right, for jurisdiction, would they? Who would be likely to go after us? Just trying to wrap my hands around this. Whether we go with you or whether we go with a lower level issue...see what I'm saying?

Simmons: Right. Capistrano would be the district most interested and obviously they have a large geographic area it's likely under this scenario because of the large geographic area that they have and the large number of kids that district would be the district that would be financially impacted by a potential approval of this petition on appeal. Right, so I think they would be the party, you know, who would face that harm.

Bedell: So they deny it, we accept it and they sue us for accepting what they denied. Am I hearing that right?

D. Boyd: The argument would be they didn't deny it.

Gomez: They didn't deny it.

D. Boyd: They approved it with conditions.

Bedell: That's an interesting precedent.

D. Boyd: This is bizarre. It's hard to speculate as to what a person's motivations might be. And this is such an unusual situation.

Lindholm: Can we ask timely, the other thing that's occurred on this particular school which I find very very unfortunate, um, haven't had the opportunity and they did a great job at Capo, but they had the opportunity to either deny or approve this immediately. And when they didn't, it got drug out so the school lost a location, I believe, and the school additionally lost a grant funding and additionally they lost an additional year because they were going to start in the fall. So, when we talk about this process, um, as a taxpayer I get concerned about things that drag out. I don't think that's right and I don't think that's why people elected me. How long would this take, because then it has to go you have to get the identification number you will be hiring people, um, planning and getting the school site. Do you want to take...we're already in the second year, of this. So, how long would this process that you're talking about take about?

Simmons: So, it would depend on whether there was an objection filed and the nature of what that objection was and whether, you know, a party at that point wanted to appeal a decision, you know, right, so all of those would be factors that would influence...and it's really a question of, in our minds, when we went back to the district and asked them to deny the trustees on the record in open session said, we agree with what our legal counsel put in writing. So, it's not just that we have a letter from their legal counsel. Their legal counsel was there and board members on the record in open session, you know, said, we do think that fairly reflects our understanding of our prior action. And, their understanding was because during the initial approval meeting one of the trustees asked their counsel what happens if their, if we don't come to agreement on all of these conditions? They were advised at that time well then the petition is deemed denied. And on that basis the rest of the trustees thought that that's what they were voting for when they voted for that resolution they thought they were voting for a set of conditions under which they would approve it and that if there wasn't mutual agreement that it would be deemed denied. So...

D. Boyd: It's not quite that simple because if that's what the majority really believed then they would give us a denial now.

Simmons: Well, uh, yes, I agree with you and I asked them and you'll hear this on the tape, if you haven't listened to it. I asked them to please, if that is their position, why not just vote to deny it so that then there is no question, this matter can be resolved and you know, the school can move on, uh, and then they will have their right to be heard on appeal and have appropriate

due process you know which is what this appeal process is all about. It's about making sure that the petitioners have their due process rights respected.

Lindholm: Um, Mr. Wenkart, did you want to make a comment?

Wenkart: The only comment I would make is that just as I'm in an awkward position, Capistrano is in an awkward position. For them to now come back and sue us and say wait a minute, we didn't deny it when their attorney wrote and said it was deemed a denial so that would put them in an awkward position in front of a court and uh, I think that the chances of them suing are diminished. But there are other parties out there that could possibly sue...the teachers' union or some other interested party that's concerned. But, you know, you have to weigh the risk, I mean we've given the opinion Mr. Simmons and Mr. Huff have given their opinion, which was discussed earlier uh, I gave you my opinion and so now, as the board you're the policy maker, you're the decision maker, you have to decide do you want to take this risk? Do we want to go forward with this and take the risk that there might be a chance of somebody suing us and invalidating what we're doing or should we just go ahead and go to the merits of it. So it's really up to this board.

Lindholm: Vice president Bedell?

Bedell: Yes I just (inaudible) Ron, if we go forward and if we approve it, and if somebody subsequently challenges that jurisdiction and we lose, what are the implications for our department which to me should be besides the kids our prime interest, the kids and the department?

Wenkart: It's very difficult to say for sure because this is totally unprecedented. This has never happened before. So this would be the first time. So, you know there's a potential for liability for attorney's fees, having to return money, although the state ...

D. Boyd: Invalidate....

Wenkart: The state's going to be in an awkward position too because if you approve this, and they knowing all the facts of how this came about then they give the money to the charter school, it's going to be hard for them to say well, wait a minute, we didn't you know, we gave them the money and now it's your fault we want the money back. You know, they could have said wait a minute, you didn't have jurisdiction to approve this, they still have the ability to do that and say we're not going to give the charter school money because of these procedural defects and the state could say hey you need to go back and do this right. That's up to the state so, there's a lot of unanswered issues, a lot of complications because of this totally unprecedented, we've, you

know...typically you know, when we have these kinds of situations we fix them by having them just go back and deny it and then we don't have to worry about it, we can move on to the merits.

D. Boyd: Are you comfortable with the option that Mr. Simmons just laid out?

Wenkart: Um, well that also, you know, I mean, it's a viable option legally, you know, what we talk about, legal theories and legal causes of action. But it's never been done in the context of a charter school. So, it would be totally new to a court totally new to a judge. It's usually done in financial matters involving bond measures.....

D. Boyd: Assuming that the judge that if we went down this road, and the judge said, ok, this is a constructive denial, it seems to me that's the gold standard, I would rather have that opinion than the opinion of any other attorney we would retain.

Wenkart: Well, then we could move forward without having to worry, if the judge ruled that this

D. Boyd: That's what I'm concerned about and if that's the case I'll withdraw this and with the understanding that any MOU, assuming the board does approve it from an operational standpoint, that any MOU would include language that the petitioner is required to go through this process and receive a positive opinion from the judge within a period of time that you can set.

Lindholm: I would agree to that for several reasons. One, is we are in the month of July. This school has an entire 12 months...if the process you have...we're going to be reviewing it and um, that will have to stand on its own, whether it's approved, approved with conditions or denied, that's still an option. Um, but we have an entire year for this process to go forward and personally I like some attorneys in this room, I don't like to spend money on attorneys. So, if we did this process we vote in 1 month, up down or it can even be extended a month, I believe, uh, then we write it is and Ron can help us with the language that this would go forward in this process.

Wenkart: And are you saying that the GBA would cover the cost of the validation action?

Lindholm: I think they should in this particular case. So, how long, so we have almost a year, we have 12 months...we have the luxury of time, they have been bumped an entire year. How long...could we set a time frame like 3 months, 4 months?

Wenkart: Well as Mr. Simmons indicated it will depend on whether there's an objection. If there's no objections it will go pretty fast you know, maybe a month, 2 months and it will be done. If somebody objects and contests it then it could go, you know, indefinite.

Lindholm: But, isn't there a period of time when somebody has to object to it?

Wenkart: Yes, and I forget the exact...it's a fairly short time period...I think it's around 30 days.

Lindholm: OK. So we could go forward on the clock, we could get, and I appreciate very much Trustee Boyd, your concerns, I appreciate our attorney's concerns. I think that's a good resolution to this because they're not starting in September. If we had to start in September this would be a much bigger issue and maybe we'd have to go hire an attorney, spend another 30,000 or 40,000 dollars which I prefer not to. Um, would that solution work, would you make that motion?

D. Boyd: Yes, I'm fine with that. I don't know whether I simply have to withdraw this and we leave it up to the staff to address the details in the MOU, or procedurally how do you....?

Wenkart: We could bring it back at the next board meeting to approve an MOU with a validation action as part of the package, we can bring it back at the next meeting.

D. Boyd: OK.

Lindholm: Are we making that motion? OK, I will second that, I think we're going to have our attorney write it.

Wenkart: Yeah, we can do that.

Gomez: May I ask one question?

Lindholm: Yes, please.

Gomez: Um, just for purposes of my understanding, um, I am not a proponent of extra legal fees either, but, what would you estimate the, if we were to get an additional opinion, what it would cost? Ballpark?

Wenkart: I'd say about \$5,000, that ballpark.

Lindholm: I wish...because everything we've done lately has been \$30,000.

Wenkart: Um, well it could be more but, this is pretty straight forward.

Gomez: It's pretty narrow and...

Wenkart: Yeah, it's pretty narrow. The other issues were a little broader. So, ok maybe broaden that from 5,000 to 10,000 but I don't think it would be more than that.

Lindholm: Honestly I have not seen one under \$30,000 this year.

Wenkart: Yeah, we have....gone above that.

Gomez: Well, because you say this is unprecedented, and what stuck with me is that um, the fees may escalate just simply because additional research would be involved.

Wenkart: The interesting thing about it is unprecedented, and only so much research could be done on this issue because there's nothing more out there. So that's why I estimate 5,000 up to \$10,000 but, I, you know, if we get into a validation action then you know, it's hard to know what will happen at that point. But if the stipulation is in the MOU that GBA would cover that cost, then this board won't have to worry about the cost of the validation action.

D. Boyd: And if there is an objection to the validation, uh, it's actually better we hear that now, then hear it a year from now, 2 years from now.

Lindholm: I agree. Dr. Bedell?

Bedell: I don't want to belabor this, I know you always look at the time and I appreciate...

Lindholm: I know we have a board member who is a physician.

Bedell: OK. In the parochial sense, in the parochial sense what is in the best interest of this board and this department at this point in time?

Wenkart: In the best interest of the board is to take the safest option. And this option of the validation is a good safe option. If the court rules that this is a constructive denial and you can proceed, then that's safe. If they rule that it's not a denial and it has to go back to the Capo board, at least we know, and then we can stop at that point and it goes back to the Capistrano board and GBA can decide what their options are. So, that way we're not stuck in the situation later on where we've approved the charter school, the charter school is receiving state funds, is operating and now somebody challenges it and says, hey you never had the jurisdiction to do this in the first place, this was invalid and now we have to unravel what's already been done. So, I think this validation option is a viable option. How it would come out I couldn't predict because it's totally unprecedented.

Bedell: Do you have any information maybe we can ask GBA, do they have the money for this?
This is....

Wenkart: You'd have to ask Mr. Simmons that, I don't know.

Bedell: Maybe that's not our business but I mean if it is.....

Wenkart: The suggestion came from them so, I don't know....

Bedell: It might be a problem...

Wenkart: Yeah, you'd have to ask them if they can, you know, afford the cost.

Lindholm: And I'm not sure it's part of the...that's not typically...you know for planning, that's not usually part of the consideration. The consideration is this is the action and this is the appropriate action and then the cost is not, not usually our consideration. Except when it comes out of our pocket. I think we should move forward with this action, um, I see a...

Wenkart: We could bring this back to the August meeting and prepare the backup and the paperwork...

Lindholm: The MOU and you have 30 days to mull it over.

Wenkart: Yeah.

Lindholm: I think it's a good solution at this time. I like the, and for Vice President Bedell and for everyone that we have a known entity as we go forward. The school has a known solution we have a known solution. So, if I can I'm going to call for a vote on this so we can keep moving before we lose one of our board members.

D. Boyd: May I make a suggestion and see if Mr. Simmons has any additional comments? OK.

Lindholm: Yes, we call the motion. The motion is called; I'm so sorry Dr. Williams...

Williams: I've been ignored.

Lindholm: I'm sorry Dr. Williams.

Williams: Well, I think we're here because of politics and a concept of parental empowerment and they're battling one another here. We look at the Capo board, the Capo attorney, which has

stated the perspective that they denied this, the Capo board understood that it was a denial, um, 42 items are an onerous burden, the changing of the core curriculum, there's so much that's been said about this, uh, I like the concept of Trustee Boyd and what Mr. Simmons talked about the validation proceedings. I think that is reasonable, um to put on this charter just so everyone is covered. But, in essence this is a difference of public policy and putting the community and the families before politics so, I totally support GBA. I think it's a great charter petition it's very sound. So those are my comments.

Lindholm: Well, thank you. Well-spoken too. Can we go ahead with a vote on this? We have a motion by Trustee Boyd and a second by Vice president Bedell, I think.....

Gomez: Could we clarify the motion please?

D. Boyd: Yes, I was going to say exactly the same thing.

Lindholm: Um, Ron would you like to clarify the motion, please?

Wenkart: Well, I don't know that it's necessary to have a motion, to just give direction to bring it back to the next board meeting. We'll put it on the agenda with MOU with GBA if on the contingency that you vote to approve the charter that will include a validation proceeding brought by GBA to validate the process. So, with that direction I can bring it back to the next board meeting.

Lindholm: So you just need consensus from us, you don't have to..

Wenkart: Yeah. I think there seems to be consensus everybody seems to have ...

Williams: Parliamentary order and how we're going forward with this. We have the motion, the second. We went off on a huge tangent and dialogue here, good positive dialogue I think. Um, I think we can give direction without a vote. I think there's enough consensus here, but maybe for the motion we just withdraw.....

D. Boyd: Yeah, I can withdraw...

Wenkart: Thank you. I forgot that there was a motion pending...I think it would be good if you withdrew the second and the motion.

Lindholm: And you'll withdraw...

Bedell: Yes, I'm thinking about it, yes. (Laughter)

Lindholm: Thank you. So we have that motion withdrawn we know we've got a direction that we're going to hear back from our attorney at the next meeting, please everybody talk to everybody in the coming month and you will be getting a full review by our charter review team this coming month. I expect to hear wonderful things that you communicated. That concludes that item, item #10. So thank you. Uh that brings us to item #11 which is an item I put on for consideration by the board. This is a resolution in support of the bond measure that will be on this fall. There is a list of all the organizations that have supported it. It's a 2 page list in your red folder. It's very extensive. I do believe that we, thank you, there it is. Uh, if you have this one, very extensive of all the parties and I like it's a bipartisan support for this measure. We actually do have here at the Orange County Department of Education a project that we believe could be funded and Miss Nina would you be the one that could explain the project we're working on? Or, superintendent, would you like to? Renee?

Mijares: Renee. Renee could give you a 30 second.

Lindholm: Please explain one of the projects that we have that would be in this pipeline of support.

Hendrick: The board had previously purchased some property, it's on the 91 freeway at Harbor. And so we purchased the property we have our plans done, we have all the DSA approval. We're just waiting for funding to build the school.

Lindholm: And the purpose of the school?

Hendrick: The school is for the alternative education program and we currently only have 1 school, that's Harbor Learning Center. The area where this is located is one of our highest concentrations of students and so it would be well served for ACCESS students.

Lindholm: OK, so this is for consideration. Board member comments? I'm recommending support of it.

Bedell: So moved.

Lindholm: We have a motion and I second it. Discussion? Questions?

Bedell: I'd just like to say if you go visit with the school districts the construction, the need for construction, the needs for refurbishing, the need for compliance, all of it comes together. I think right now that one of the most pressing needs, especially if they're going to face the 4 billion

dollar cut if proposition 30 totally goes away. So I think that's a win, win, that piece. I totally support it.

Lindholm: OK. Thank you. Anything further?

Williams: I'm going to oppose this and it's based upon conversations and dialogue with our good state senator John Moorlach who is also opposing this as well as many elected conservatives. Um, you know usually free market and other issues can play a role, charter schools can help fill the role, um, but the 2 primary reasons why I'm not going to support this is the bond is going to require 500 million dollars per year in principal and interest payments. Where do those funds come from? It's not going to come from Prop 98 funds, so generally it's going to come from the state general funds which is going to take another big hit, especially with the minimum wage increase, and the pension contribution which is approaching a billion, plus. No, excuse me a trillion and 800 billion I think was what senator Moorlach was telling me. We just can't, the way our leadership is in Sacramento, we're not doing things right. So, to just throw more money, I think there's going to be a lot of waste.

Lindholm: Thank you.

Williams: Especially if they're going to allow it to be a union shop.

Lindholm: Thank you. Are there any further questions or comments on this item? We have a motion before us to support this measure. All in favor?

Several Ayes.

Lindholm: Opposed?

Williams: Opposed.

Lindholm: And abstentions? Ok, and I think you've got the vote on that one. That moves us to a new page. Following the agenda if I may. Board travel. Board travel, this is an item by I believe Jack Bedell.

Bedell: Well, I didn't make the motion....

Lindholm: He's going to be traveling representing the board, uh, are there any questions or comments on this items?

Williams: I'll move.

Lindholm: I'll second it.

Bedell: I've been asked to be on another task force. I will if you, if this could be delayed, I'm doing something on travel and something else so I just want to be sure.

N. Boyd: Any additional you would need for travel and so forth, you'd have to ask the board prior to running out of funds...

Bedell: Thank you.

Lindholm: So we have a motion and a second for this one and I think we are honored that Vice president Bedell will go on and represent us well on these. All in favor?

Several Ayes.

Lindholm: Any opposed? Abstentions? That item is concluded. Board memberships? I think it's self-explanatory. Is there a motion?

Bedell: So moved.

D. Boyd: Second.

Lindholm: A motion and a second on this. Any discussion? All in favor?

Several Ayes.

Lindholm: Abstentions? OK, that carries. Um, next item is registration and travel for board members and CCSA on there now which was on the website, um,

Bedell: Approved

Lindholm: You've approved is there a second?

D. Boyd: Second.

Lindholm: There's a second on this registration and travel for board members. Any discussion? All in favor?

Several Ayes.

Lindholm: Any opposed, abstentions? That carries. Cash advances for board members, sometimes it gets a little pricey out of pocket before you start. Motion on this item?

D. Boyd: I'll move.

Bedell: Second.

Lindholm: A motion and a second on that. All in favor?

Several Ayes.

Lindholm: Any no votes? I don't hear any. I believe that concludes our agenda. And that brings us to the superintendent's report.

Mijares: Yes, thank you madam president, members of the board. It's an honor for me to be with you today. And I do want to extend again my congratulations to Dr. Williams, Dr. Bedell, and Ms. Gomez. Thank you for the way you have stepped up to lead this great county. I also want to just acknowledge 2 things, especially because of the lateness of the day. One is on June 30th, we gave a salute and send off to Ellin Chariton who as you all know served as the executive director of our school and community services. And, you know, just to tell you Ellin worked for 33 years with the Orange County Department of Education and demonstrated an amazing work ethic and organizational skills were impeccable. She really had a decorum for doing things right in terms of you know respecting protocol. I thought that her communication style and strategies were right on target. Just a couple of quick things, you know, she kind of grabbed the horns of the inside the outdoors program and turned it into a state recognized program. Our teacher of the year celebration at the Disneyland Hotel is fantastic. It is amazing. Becky, we'd like to invite you the next time, I think you've all been at least once, but when you throw in Disneyland and Orange County, Disneyland Hotel, and Mickey and Minney, it's pretty hard to detract. So, we really do extoll our teachers. We praise them, we want them to feel special. It's like the academy awards for them. So, Ellin was behind all of that. She and her staff...then of course drug and alcohol interventions with Friday Night Live, the TUPE program and so forth. She did a lot of things, I just wanted to give that shout out to Ellin Chariton. And then lastly, on the 26th – 28th of June we hosted the California County Superintendents here, it's known as CCSESA. We did it at the Westin, South Coast Plaza for 2 days and we were the hosts, Orange County, and I want to thank Christine Olmstead and our instructional unit, Dr. Hittenberger as well, and all of our staff for the MTSS grant. The Multi-Tiered System of Support grant that we have to help build the framework, and I've mentioned this before in a board meeting, a framework across the state so that other county offices can help meet the needs of our most at risk students. So, it takes an approach that focuses on the academic attainment of students but also gets into their development in terms of reducing suspension rates and attendance rates, you know behavioral

strategies that can help our kids be successful in the classroom. So, we got accolades from most people that came in again. This county sells itself, right? So when they come to do it in Orange County we get good attendance. 58 county superintendents. We didn't have all 58 but we almost had all of them. That's it for my report. Thank you.

Lindholm: Thank you for that. Um, and that brings us to Ms. Boyd.

N. Boyd: Just as a reminder, our next meeting is on Wednesday, August 3rd and submission deadline is July 20th. The calendar should be in your red folder as a reminder for you to take home. And I'd like to bring up Renee to give an update on the Esplanade.

Hendrick: Next month we will actually have our new budget for Esplanade that you'll be seeing for the first time. So this is just kind of a refresher for you for the 3rd quarter of where we are and so, to refresh your memory, we actually refinanced the notes for the Esplanade project in December. You voted on that and so with that became a prepayment. And so, our occupancy rate through the 3rd quarter was at 89%. It is currently up to 94% occupancy so, we're just about out of all our industrial sizes. We have a few office spaces still left and so, we're still working on a budget plan that you will see in August, that incorporates some of the questions that you've had, adding any type of restructuring to those buildings, it's been a little more difficult than I anticipated so, we're working on that piece. You can see here the interest rate we do have it locked in at 3.5 % through for 4 years. And, our expenditures are already a little higher because of the prepayment and also for some tenant improvements we've had to do since the building is quite old.

Bedell: When you come in off Baker, they took all that down by the Tesla people.

Hendrick: Yeah.

Bedell: Do we get people interested in doing the same think back here?

Hendrick: Oh yes.

Bedell: If you had to guess, what do you think somebody would offer for that?

Hendrick: The pricing that I have heard is anywhere from 18 million to 21 million.

Bedell: And we paid?

Hendrick: I can't....Nina probably remembers what we paid, I can tell you what we still owe. Laughter. I think we actually paid about 17, and we financed up to 20 for improvements and things like that. So, we still owe the 15, actually now.

Bedell: So, if we had to move it in a dire situation its likely we could?

Hendrick: At this point the question will be, what they want it for is luxury lofts or some type of apartments. Since there are so many now going up on the Jamboree corridor and now we have them right off the 55 here, it will be interesting to see once they're up and selling if the demand would still be as high.

D. Boyd: Costa Mesa also has a slow growth initiative on the November ballot. Many developers are...

Hendrick: It could be why they are knocking down our doors trying to get some...the thing to remind you is that at this point, if we were to actually accept something like that, we would lose any type of state financing to build that school, because we are considered a financial hardship and said we would pay all that money back to the state that doesn't come to OCDE.

D. Boyd: So there's nothing in it for us?

Hendrick: There's nothing in it for us. In fact, we would lose money 'cause we no longer have the ability to purchase, to have the state help us in building the school. The property that the Whittier Law School occupies on Harbor Blvd. near the 405, is for sale and it's been appraised at 31 million dollars. Best offer they've gotten is 24 million because of the uncertainty of the slow growth initiative. And, I think that's interesting 'cause I think, you know as they tell us that they could really help us financially once we explain our financial hardship and stuff, the said oh well, we'll talk to you later. So I'm not really sure they could make it worth our while.

Bedell: Thank you.

Williams: Just real quick, historically for Trustee Gomez, this happened a long time ago like 18 years ago, I think?

Hendrick: In 2001, I think.

Williams: Was it 2001, well it was a long time ago. I was against it originally but then after several discussions looking at the price, and where we can go with putting our staff in there because at that time, in need of a lot of building, and not very much, so the long term growth and the agreement was that we would be occupying the majority of those buildings. It hasn't really

happened because then we hit this recession and we didn't need the space. So we're kind of in the same boat, and I've always knocked around the concept and I'll explain to our board here as whether or not we really should have that property. Because we're not really using it for our needs. Now, we're talking about we may lose money on it because of the state loaning us money, so it's a very interesting situation.

Hendrick: And we are actually starting to utilize a lot more space so, since we have actually started hiring employees in the last couple of years, we actually have incorporated probably about 5 additional suites, in the past year.

Williams: I think in May I brought up the idea of our charter schools, really needing some physical space and so I'd like us to even consider putting them in that building. I know that's hard, a lot of long term planning to be able to do that.

N. Boyd: Part of the challenge with putting a charter there is because we have a lot of small businesses there that, and in and out traffic, and so to have students on site where you have office suites where people are conducting business would be potentially challenging from that stand point. Anything could be entertained in terms of taking a look at it but I think just caution the board with regards to, you know, school site safety and that type of thing. That would probably be our biggest challenge.

Hendrick: An actually parking is our biggest issue right now. We've actually had to turn away a couple of tenants because we, they would impact our parking too much and so we have parking restrictions, we have a couple of companies that pay a premium to have more than the allotted spots, so parking is a real issue for us. In the past we were able to use the overflow for our conference center, which we no longer can do 'cause they're so full. Even the security company that's there, we've actually decreased the number of cars they can have parked there. So that is a big issue for us. And the city is very strict and we only have 1, you don't have any entrance or exit on Red Hill, which I think for a school site might be problematic, but that's a city zoning issue.

Lindholm: is the match between the money coming in, you said 94% occupancy?

Hendrick: Right now we're at 94%...

Lindholm: Excellent, but is that paying the debt?

Hendrick: It is. It's easily paying the debt but one of the biggest reasons for that is because of our low interest rate. Because we've been in a very good low interest rate environment. If the interest rate were at 10% it would be a different story.

Lindholm: And you're locked for 4 years?

Hendrick: We're locked for 4 years at this point.

Lindholm: OK, thank you. We have any other updates?

N. Boyd: Yes, we have Kelly Gaughran who is going to give us a charter school update. The board asked that we do an update on the charters that have been authorized by the board at least twice a year. So this will be the first update on the charters that have been authorized.

Gaughran: Thank you for this opportunity to give an update on charter schools authorized by the Orange County Board of Education. During the 2015-16 school year, along with Samueli Academy, we had two additional charter schools, Vista Heritage and College and Career Preparatory Academy, became operational and eight additional charter school petitions were authorized, bringing the total number of charter schools authorized to 11. All of our charter schools have maintained regular communication with us, and I believe we have established a positive working relationship with each of them and they've all been a pleasure to work with. Just to let you know that. So, I'd like to start with Samueli Academy. They were authorized in 2012 and began school in August of 2013. In 2015-16 they had full enrollment with a waiting list and for this upcoming school year they have over 500 students enrolled and they have met their projections for grades 9-12. This is a countywide charter school you might recall and the focus was on foster and at-risk youth. And right now they have 18 foster youth enrolled for this upcoming school year. This will be the first year that all grade levels will be served. When they started they enrolled just 9th grade, and then as those 9th graders moved along, they got another 9th grade group and so on. So this will be their first graduation and we're all very excited.

Vista Heritage Charter Middle School, they just completed their first year serving 6th – 8th grade students. 2015-16 they had 163 enrolled, and for the upcoming school year they have 274 enrolled. They have not met their projections, however they are continuing to enroll continuously until school starts. They had a change in leadership, their Executive Director/Chief Operating Officer are no longer with them, and last week they hired a new Executive Director.

Our affiliated charter school, College and Career Preparatory Academy just completed their first year. And as Dr. Bedell mentioned they had a graduation in June, which was wonderful. For 15-16 they had 200, at the end of the school year they had 278 students enrolled, which although did not meet projections, that's primarily because they were not able to begin instruction until late fall. They are now enrolling for the upcoming school year which begins July 1 and currently have five sites open with two more scheduled to open soon.

Moving on to our new schools we have eight scheduled to open this year, with one exception, Unity Middle College High School which I'll get to at the end of these schools. Starting with Ednovate-USC College Prep serving grades 9-12 students. They have 135 enrolled, they met

their projection. They are co-located with Scholarship Prep at the former Nova Charter School site in Santa Ana, for one year only. So that is their plan now and they plan to find a school for next year.

Scholarship Prep, serving TK-8th grades, like I said will be at the former Nova Charter School with USC College Prep. They have 437 enrolled, which is a little lower than their projection but they had to lower their projection due to having a smaller space because sharing site with Ednovate-USC College Prep. They will have the entire school site next year and will increase enrollment as a result. Just an FYI, we were notified this week that a claim has been filed involving a personnel related dispute, so there may be additional updates as more information becomes available on that topic.

Citrus Springs Charter School, serving TK-12th grades, they have a projection of 355 students. However, they were just approved, so they are working diligently to enroll students at their Santa Ana site.

Orange County Workforce Innovation High School which falls under the Learn for Life trademark, serving grades 9-12. They too like Citrus Springs, were just approved so they have a projection of 250, and enrollment is just beginning at their Anaheim, Garden Grove, and Santa Ana sites.

So now, as far as Unity Middle College High School is concerned, they informed us that they will be requesting a material revision to postpone opening by 1 year because they entered into a lease and that lease fell apart at the last minute. So they did not have time to find a new site and get a new lease and get everything up and running for opening. So, they will be here hopefully, next month for that material revision.

Additionally we are scheduling pre-opening site reviews for all of our new charter schools that open in 16-17 and we are putting together a Save the Date flyer for all of our charter school administrators for a late September professional development workshop. We'll cover topics like our expectations, oversight processes, time lines and any other charter school subjects. The California Charter Schools Association will be joining us at that meeting and giving updates as well.

So, in February the Orange County Academy of Sciences and Arts charter school petition was approved. And at that time the board requested that the lead petitioner give an update on his school at a subsequent meeting. So, Mr. Kapil Mathur is here to provide that update right now. So, I'd like to close by calling Mr. Mathur to the podium.

Lindholm: Thank you, Kelly.

Mathur: Good afternoon board of trustees, superintendent Mijares, and staff. Thank you for giving me the opportunity to provide you with a brief update on OCASA's activities. I'm happy to inform that we are on track to open our school on August 15th, 2016, there are no open issues that would prevent our school from opening. We have also addressed all of the concerns raised by staff, with their conditions they had recommended, they have all been satisfied at this point.

As far as facility goes, OCASA and the Capistrano Unified School District have signed an in lieu agreement to lease a portion of the former Crown Valley Elementary School. This was approved by the CUSD board in their May meeting. The district school that formerly occupied the site was closed by CUSD before OCASA submitted our charter petition to them. In keeping with what I promised in the beginning, OCASA is not displacing any students from any school site. We will be sharing with Community Roots Academy, who will also be moving to the site for their first school year. OCASA and Community Roots have a comprehensive shared use agreement which outlines the equitable use of the school site. We have agreed to stagger our start times to minimize traffic and safety concerns for students, families, and the surrounding community. Both schools are working with the city of Laguna Niguel on traffic and safety concerns. Laguna Niguel will be providing crossing guard services at drop off and pick up times and we are also working with other organizations who use the sports facilities that are adjacent to the school. Our campus is absolutely wonderful. Dedicated to OCASA are 9 classrooms. 3 with restrooms inside the classroom and sinks. We have 4 labs, we have office space, we have an additional restroom, we have dedicated playground black top and grass field area. We have an unstructured play area, 2 separate gardens, and janitorial facilities. The facilities are fully ADA compliant and fenced. In addition to our dedicated space we also have shared use of the extensive play spaces, the Carol Allen Auditorium, the library, lunch facilities and parking lot. CUSD has diligently been making infrastructure and safety upgrades to our campus including providing a new fiber backbone for data communications and multiple network drops in each classroom, fire extinguishers and first aid kits. All of the buildings have undergone a deep cleaning including all of the air conditioning duct work. In some of the buildings they are even providing us new carpet. Landscape renovations are in progress to reseed the grass areas, remove weeds and prune trees and shrubs. And CUSD will also be providing all the furniture for the classrooms. OCASA is in the process of purchasing the equipment and furnishing for the labs. Now on to our principal. OCASA has hired Ms. Doreen Fioretto to be our founding principal. Principal Fioretto is excited to be serving the communities and families in her home community. Crown Valley Elementary was her elementary school as a child. She's worked with charter schools over the last 8 years, most recently she has been the principal at Nova Academy in Santa Ana. Principal Fioretto graduated from Cal State University Fullerton with a BA in Psychology. She holds a Master's degree in educational psychology from Capella University, both a single subject credential in social science from CSU Long Beach and an Administrative credential from CSU Dominguez Hills. As far as our instructional staff, we have completed hiring all 9 of our founding teachers. We are providing them with a stipend over the summer so they are working essentially full time to prepare the school and have been for the past month. All of our teachers hold valid California teaching credentials. Several of them also hold Montessori teaching credentials and to our mission our staff brings diverse experiences to the school, including teachers who are fluent in both Spanish and Mandarin, those who have lived in other countries, those who have strong experiences with science. Technology, engineering, arts and mathematics. Our 9 teachers will be supported by a teaching assistant in each classroom. We're in the process of hiring those assistants. We've been able to readjust our budget so that we have the available funds for additional staff. We've obtained our OI number from the State of California and are in the process of completing all the live scan finger printing and TB testing requirements. As far as special education, OCASA has been accepted to join the El Dorado county charter SELPA. We have completed the on boarding training and we will participate in ongoing training through the school year. OCASA has hired a special education coordinator and we have begun the process of

reviewing students IEPs. We are in the process of hiring 2 paraeducators who will be onsite to assist students and also identifying contractors which we'll use for the DIS services. As far as technology for our school, OCASA has purchased and implemented a student information system from a company called School Pathways. Our registration process for parents is completely online and all the data flows directly into the student information system. We have also implemented integrations with Google Apps for education and Microsoft Office online and another application called Clever which will provide simple sign-on solutions for all the technology at the school and communicates with school pathways, so we don't have to do duplicate entry, data and it even has the ability that we can provide a barcode to log into the computer instead of a password for the younger kids. As far as our back office services and finance, OCASA has contracted with a company called EdTech to provide our back office services. We've established a bank account with Farmers and Merchants bank. Our budget is solid and our cash flow will be supplemented by receivable factoring. And we have obtained all the necessary insurance to open the school. I understand this morning there was some questions about our insurance. We requested from the county staff the insurance requirements and we sent those to our insurance carrier and that was the basis on which the policy was written, so we can provide additional information if you're interested in seeing that. As far as grants and fund raising goes, OCASA has been awarded over 1 million dollars in grants, including the public charter school start-up grant, the school finance authority revolving loan, and the after school education and safety grant. These funds will supplement our school to provide rich experience for the students. We have received our 501C3 public charter designation from the IRS. Our parents are fully engaged with the school and have already started to hold fundraisers and getting to know you activities going on over the summer. In closing, I'd like to once again thank you for the opportunity to provide you with an update. We'd like to specifically acknowledge the county charter school staff. We have met with them on a monthly basis and probably exchange emails on a daily basis. They have been instrumental in helping us meet all of the requirements and make sure that we're on track for starting. And I do want to invite all of you to our grand opening celebration which will be on August 12th, which is a Friday, which is the Friday before our school opens, August 15th. And we will follow up with a formal invitation with the time and location. Thank you very much.

Lindholm: Thank you for that update.

D. Boyd: Question, if I may?

Lindholm: Yes.

D. Boyd: What's the term of your lease?

Mathur: We, Capistrano Unified offered us 2 options. They said that we would give you a 5 year lease or a 1 year lease. The condition on the 5 year lease was that we had to agree to cap our student enrollment at 255 students. So we did not agree to the 5 year lease. We have signed a letter of intent with a private equity group who has agreed to provide between 11 to 15 million dollars to purchase a facility and lease it to us. They haven't identified the facility yet so right now it's a non-binding agreement. Our back-up plan will be to submit a Prop 39 request to Capistrano District for the 17-18 school year, that's due on November 1st. Our projected

enrollment for year 2 is 320 students and we currently have 800 signatures for our Prop 39 application which is not due until November. So we're hoping to submit with approximately 1000 signatures.

D. Boyd: OK. You mentioned receivable factoring. What receivables? Are these your grants that are coming in at a later date?

Mathur: The public charter school start-up grant they have not sent the money yet. We need to, it's a reimbursement grant. So we have to spend the money and then they reimburse us and because the state of California did not receive the grant for the next 5 years, all of the money has to be spent by July 1st. I'm sorry, July 30th of this year. So we have to between now and the end of this month, we have to spend \$575,000 which we don't have. So we are going to factor that grant, so that we have the funds and then we submit back to the state and when the funds come back the receivable company will get their money back. In round figures what's the cost associated with that factor? It's very expensive, it's um, it's approximately 14% effective interest rate.

D. Boyd: Alright. What if you need the cash?

Mathur: We'll lose, you know, several thousand dollars or we'll lose all of it.

D. Boyd: OK, got it.

Lindholm: I'm very familiar with Crown Valley Elementary School and it's a 50 year old building?

Mathur: They celebrated its 50th anniversary this past school year.

Lindholm: And the had an occupancy of 250 children, which is way down.

Mathur: The school site was originally built as a K-8 school for 1200 students. But they only had 280 students, so the school site was closed, not to provide facilities for charter schools but to just provide operational efficiency for CUSD.

Lindholm: That makes sense. That neighborhood got older as time went by. Do you know how long Roots' lease is for?

Mathur: They have signed a 5 year lease.

Lindholm: OK so they will be there. Alright, thank you, thank you very much for the update and make sure that traffic is under control. Thank you Kelly for that great update, greatly appreciated. Do we have anything else? The time is getting late.

D. Boyd: We just have the, my item, on board policy on public comments. There was a handout earlier, we don't really need to talk about it. Public comments go as they went today, we don't need to do anything. We'll see how it plays out over the next few months.

Lindholm: And just note, the request to speak form anytime they use a PowerPoint did you get a copy.

N. Boyd: It's written on...

Lindholm: Oh, is it written on the request to speak form?

N. Boyd: We sent out the information because the charter, it's coming with the charter petition.

Lindholm: I understand can we get some language on our request to speak form that if you have any kind of presentation we will be keeping a copy.

N. Boyd: OK.

Lindholm: Maybe we can shorten that language, while Ron is still here, but ...

N. Boyd: But I thought with public comments we, they only made comments...

Lindholm: If it's only comments ok, but if they have any kind of handouts we should keep a copy. So I'm counting on you for that.

Williams: Linda, I have a question. David, I missed you point was there something that was handed out.

D. Boyd: Yeah, at the start of the meeting, I'm sorry, I...

Lindholm: It's in the red folder.

D. Boyd: Here's an extra copy.

Williams: I did not get a copy.

Lindholm: He's just going to keep it for now, correct?

D. Boyd: Yeah.

Lindholm: So we're not...

D. Boyd: We don't need any discussion unless someone wants to comment.

Lindholm: OK, the hour. I have no further requests to speak under public comments, executive committee report we don't have one yet. If there is anything that happens we will send you a memo, I think that's a good way to communicate. Adjournment, we will be adjourning as we mentioned earlier in the meeting, in memory of Marion Bergeson in recognition of her lifelong

commitment to the education of children throughout California. And with that, we stand adjourned.