

## **Orange County Board of Education Meeting – 9/13/17 – Transcript**

*(Sound of voices – gavel)*

### **Welcome and Call to Order**

Bedell: Good morning and welcome to the Orange County Board of Education. Our regular meetings are held monthly at 10:00 am unless otherwise noted. Anyone wishing to address the board must complete a request to address the board card available at the table by the door. Please submit the completed card to the board recorder prior to the beginning of the board meeting or before the agenda item discussion if it is an agenda item. Each individual is allowed up to three minutes per person, per meeting and may not give his or her time to others. This is a public meeting and we must be respectful of each other and the board. Verbal outbursts and clapping are prohibited. Anyone deemed to be disruptive may be requested to leave pursuant to Penal Code Section 403. Board agendas are posted online and can be reviewed at [www.ocde.us/board/pages](http://www.ocde.us/board/pages). Agendas are available on the back table as well. Thank you for attending the board meeting today at the Orange County Department of Education. For the benefit of the record, this regular meeting of the Orange County Board of Education is called to order. We do not have an invocation. The Pledge of Allegiance today will be led for us by Associate Superintendent of Instructional Services, Christine Olmstead. Christine, come on down.

Olmstead: Place your right hand over your heart. Ready, begin.

Many voices: *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.*

Bedell: Thank you very much Dr. Olmstead. Roll Call please.

Sisavath: Trustee Lindholm?

Lindholm: Here.

Sisavath: Trustee Boyd?

D. Boyd: Here.

Sisavath: Trustee Bedell?

Bedell: Here.

Sisavath: Trustee Gomez?

Gomez: Present

Sisavath: Trustee Williams?

Silence.

Bedell: Do I have a motion to approve the agenda for today's meeting?

D. Boyd: I will move.

Gomez: Second.

Bedell: Moved by Boyd seconded by Gomez. Any discussion? All those in favor please say aye.

Several Ayes.

Bedell: Opposed? Passes. The minutes of the regular meeting of August 16<sup>th</sup> do I have a motion to approve those minutes? Thanks to the staff for their excellent job.

Lindholm: So moved.

Bedell: Moved by Lindholm seconded by Boyd. All those in favor of the minutes as submitted please say aye.

Several Ayes.

Bedell: Opposed? Passes unanimously. Public Comments?

D. Boyd: We have 3 public comments. One relates to an agenda item, the Unity Charter School's ...Susan you can either speak now or you can wait. Voice from audience. First up, Linda Cone.

Cone: Good morning. I hope all of you have in front of you a document I'm going to be referring to. It is an announcement of a workshop that is being held not only in Los Angeles County, a teacher training workshop but also in Orange County. I am here to urge that the Orange County board and department of education cancel this workshop. Its title is, Learning about Islam and the Arab World. Let me make one thing very clear to all of you, the history of Islam should be taught. It is a major historical movement. Islam and Islamic states play a vital role on today's

world stage. However, historical Islam absolutely must be taught accurately and honestly. Islam's history should not be vilified but Islam's history should not be glorified. This workshop, I firmly believe, will not accomplish the purpose of teaching teachers to teach Islam honestly and accurately. Not only do I believe that Islam will not be presented accurately, I'm concerned that U.S history will be presented in a very negative light. Let me tell you why I believe this. Consider number one the organization that is sponsoring this workshop. The Fellowship of Reconciliation, Los Angeles. If you have the piece of paper handout, you have the entire website of four Fellowship of Reconciliation. LA, in your hand. That is their entire local website. You are encouraged to go on for USA. I did so and basically what I learned in my opinion, this is a hard left organization. Their opening paragraph announces a close association with the movement, Black Lives Matter. Subsequent paragraphs talk about boycott, divest and sanction of Israel. There's an article about California Genocide and explains why this particular organization would be in favor of what is happening in early California education about the cancellation of information on the missions. Remember that little 3<sup>rd</sup>, 4<sup>th</sup> grade project where every kid builds a mission? They're seriously considering canceling that. And then the final one, White Supremacist Endless War. This is what this organization aligns itself with. And there are two words on the LA document, that I hope you will get a copy of. The words are Interfaith and Islamophobia. Both of those are in my opinion for me, red flags. The second concern that I have is the Interfaith Islamic connection. I have been to many, many lectures, workshops and all day conferences sponsored by the interfaith community and the Islamic community. There are a couple of positions that are taken in these workshops. First, we will say nothing what so ever that is negative about Islam. If it is negative, then it's not true. And secondly, we need to celebrate how much we have in common all our dominant faiths in this country have in common with Islam. It's not just our monotheism, it's that we all worship the same god. This leads me to a third point and that is the current generation of textbooks, the new generation of text that I have been reviewing since February. I've gone through 4 – 7<sup>th</sup> grade textbooks and specifically not specifically just the Islamic unit, but all of the units. My concern is that in the past (*sound of timer going off*) Islam was sanitized, the sanitization continues. I've run out of time, I urge the cancellation of this workshop.

D. Boyd: Thank you. Next up, David Whitley. Good morning.

Whitley: Good morning. It has been about 5 years I think when I first spoke here, which was on the issue of Islam in the textbooks, the middle school textbooks. At that time, my daughter was going through the 7<sup>th</sup> and 8<sup>th</sup> grade and that was a concern to me then. Since then, I've been here many times as you know, speaking out on Common Core and various other issues. So I'm back today for the same reason, for this workshop on Islam that I assume is either sponsored by or sanctioned by the superintendent or this board. Whether this workshop moves forward or not, what I think needs to happen is as Linda pointed out, that there needs to be balance to it. After 9-11, I became very interested in Islam, because I didn't understand it. All I knew was my sports

heroes like Muhammad Ali and Kareem Abdul-Jabbar, and to me those were Muslims and I enjoyed watching them and I enjoy watching reruns of them today. But after 9-11, something shook me and I started to focus on the middle east and on the problems that we see there with the Islamic faith. I've become somewhat of a self-educated scholar on the topic. While ironically, my youngest son has a really good friend who's a Muslim and who is welcome in our home, and my oldest daughter's best friend for the last 4 or 5 years is a Muslim girl. I know them just as anyone would know a co-worker or a friend or a neighbor who is Muslim. So this is not about people who are Muslim, this is about Islam and the Islamic text and the fact that those that are radicalized by it, get their radicalization not from something outside their faith, but actually directly from within their faith. So when we have workshops like this, we need a counter balance. We need someone who who's available to speak to those issues because we can't sanitize this. We can't just like with American history, we have to teach it, warts and all, and Islam needs to be taught warts and all as well. Otherwise we are all shrouded in a false narrative about why people become radicalized and why we have terrorism in the world. I did give a packet for each of you. Some of them contain articles from Time Magazine and the Atlantic, and place like that that would be considered controversial news sites. There's good information in there for you to read. My comments were about 8 or 10 minutes long so I didn't want to just read them. But I do want to point out a couple of passages from the Koran that would give you an idea of the reason this is concerning. We all hear that in Surah 22:56 it says that there's no compulsion in religion, (sound of timer going off), yet there are other passages that abrogate that where Mohammad talks about how he's been made victorious through terror and the fact that they are to subjugate and kill those that are non-believers. And those come from their scriptures and I think those...

N. Boyd: Your time is up.

Whitley: individuals need to know especially in these workshops.

Bedell: Thank you very much.

D. Boyd: Thank you, we will look at the documentation. Susan, do you want to go now?

Maas: Good morning, everyone. It's good to be back here, board members and superintendent Mijares. I'm Susan Maas, I'm the executive director of Charters OC and I'm representing both Charters OC this morning, 3 major funders, and the Orange County Community Foundation, all of whom strongly support Unity Middle College High School which, thank goodness, after almost two years is finally open. We are, I just want to tell you how thrilled we all are and it's been a long journey and I think even your staff is well aware. Dave Connor and all, he's wandering around Orange County trying to get schools open, so I think he's had some of the same experiences that we've had with Unity. As you know, Charters OC supports high quality

charter schools for Orange County students who do not have the choice of an excellent school. I've spoken before the board several times in support of Unity Middle College. This school is game changer for kids. As you know, just 11 percent of our low income students graduate from college and the Middle College and Early College model that a number of our schools are using is really a game changer. So we're such a strong supporter of what Unity is doing and look forward to your support in growing this school over the next 5 years. Thank you.

Lindholm: Mr. President?

Bedell: Yes?

Lindholm: We're not allowed to discuss items under public comments but I can make a personal comment. My personal comment is in regards to the Islam workshop. I was not aware of this, I did not vote for this, I have no idea who did and this is news to me that it exists. Secondly, if there is such a workshop then it should be, there should be many workshops equal to other religions and faith such as Christians, such as Jews. I find it troubling that there is a singular workshop being proposed, I'm not sure who put it out there, but it did not come from me.

Bedell: Thank you. We now will go to our next part of the agenda and that is I need a motion to recess the regular board meeting to conduct the meeting of the Orange County Department of Education Facilities Corporation.

D. Boyd: I'll move.

Lindholm: Second.

Bedell: Moved by Boyd, seconded by Lindholm. All those in favor of so doing?

Several Ayes.

Bedell: Opposed? It is done. We will now go into recess so that the Facilities Corporation can hold their meeting. Colleagues, you have an agenda for the September 13<sup>th</sup> meeting for the benefit of the record, this regular meeting of the Facilities Corporation is called to order. May I have a roll call please.

Sisavath: Trustee Lindholm?

Lindholm: Here.

Sisavath: Trustee Boyd?

D. Boyd: Here.

Sisavath: Trustee Bedell?

Bedell: Here.

Sisavath: Trustee Gomez?

Gomez: Present.

Sisavath: Trustee Williams?

Williams: Present.

Bedell: Thank you. Earlier you received the minutes from our meeting of August 16<sup>th</sup>. We're doing this a little bit differently, we're not waiting a whole year so they would be fresh in your mind. Do I have a motion to approve the minutes of the regular meeting of August 16?

Williams: So moved.

Bedell: Moved by Williams. Seconded by Boyd. Any comments about the minutes? All those in favor please say Aye.

Several Ayes.

Bedell: Opposed?

Gomez: I'm going to abstain since I wasn't there for the entire meeting.

Bedell: The record will show no.....(inaudible) thank you. At this time members of the public may address...All those in favor please say Aye.

Several Ayes.

Bedell: Opposed? OK. At this time members of the public may address the board of education regarding any agenda and or off agenda items within the subject jurisdiction of the board provided that no action may be taken on off agenda items unless authorized by law. Comments shall be limited to 3 minutes per person per meeting and 30 minutes for all comments. Do we have any public comments on this agenda item, Vice President Boyd?

D. Boyd: No, we do not.

Bedell: Ok. Do we have any special recommendations? Do we have a closed session?

N. Boyd: We do not.

Bedell: Ok. I request a motion and a second then a vote to return to the regular meeting of the Orange County Board of Education.

D. Boyd: We will adjourn the Facilities Meeting and return to the regular? OK, I'll move.

Bedell: Moved by Boyd seconded by Lindholm. All those in favor of adjourning and going back...all those in favor please say aye.

Several Ayes.

Bedell: Opposed? Passes unanimously.

D. Boyd: For all those in the audience trying to figure this out, this is just as confusing to us. But this is something we have to do once a year, due to some of the real estate that we own and this is the only forum we have to address these issues. There was a full discussion last time and the purpose of this is just to approve the minutes while it was relatively fresh in our minds.

Bedell: I couldn't have said it better myself. We now return to our regular meeting. Our regular meeting is now back in session. Our time certain is not here yet so we can go to the Consent Calendar.

Williams: I so move that we adopt the Consent Calendar with the exception of number 8 which I'd like to make a general board recommendation. Can we move that?

D. Boyd: Sure.

N. Boyd: Just 3?

Williams: My bad. Just forget whatever I just said.

Bedell: You know, Dr. Williams, it's always very hard to forget what you say. I'm hearing that Trustee Williams has made a quick recovery and is moving to approve the Consent Calendar.

Williams: That is correct.

Bedell: Seconded by Trustee Gomez?

Gomez: Yes.

Bedell: All those in favor of approving the consent please say Aye.

Several Ayes.

Bedell: That's one of the joyous things, thank you Trustees Williams and Gomez. These people are getting their diplomas. Excellent. I'm assuming we can't do 4 in three minutes?

N. Boyd: You can....

Bedell: These recommendations are big, could be substantive, right?

N. Boyd: Number 4 came to the board last month as a presentation. This is an action item for the board so unless you have questions.

Bedell: OK. Do I have a motion to adopt the Educator Effectiveness Plan?

Lindholm: So moved.

D. Boyd: Second.

Bedell: OK, any discussion?

Lindholm: I think a staff member would give us a report or no?

N. Boyd: You had the report last month so unless you need a recap?

Bedell: Are you ok Trustee Lindholm?

Lindholm: I am fine.

Bedell: All those in favor of number 4...

Several Ayes.

Bedell: Opposed? Passes unanimously. OK, do we have consent that the parties for the time certain...

N. Boyd: No. You can't do it before the time it's posted. You can continue with 5 and 6. 5 is the public hearing and we can ask...

Bedell: Ms. Strachan can you do this now? Thank you for being flexible and ready.

Strachan: Good morning president Bedell, Dr. Mijares and members of the board. At this time, I'd like to open the public hearing and invite any members of the public to comment on the College and Career Access Pathways (CCAP) Partnership and Agreement. Hearing no comments, this hearing is now closed.

Bedell: Thank you. Number 6? Do I have a motion to approve the partnership agreement?

Williams: So moved.

Bedell: Moved by Williams seconded by Lindholm.

Lindholm: Could we have a little detail on it? It's pretty exciting.

Bedell: Yes it is, thank you!

Strachan: This specific agreement is a partnership with Golden West and we will be working with them this semester to have one of their teacher's team teach with ours so our courses are articulated with their basic math course for our Sunburst students. This has opened up a collaboration pathway so we are working right now on something for the second semester so we can further partner and expand our partnerships with them and have dual enrollment.

Lindholm: Fantastic. Do they get credit?

Strachan: This one is not because it is basic math it is not a credit bearing course. We are looking at that. Because a lot of our students, actually state-wide, do not go into college being able to take the regular math, this will actually waive the basic math components so they can go straight into the math courses which we find to be a big indicator of success in college completion.

Bedell: Thank you.

Gomez: Beyond Sunburst do we look to do it with some other campuses?

Strachan: We are actually working on that right now. This will be our pilot and if we can make that work we will actually articulate that and go program-wide is what our hope is.

Gomez: Ok, great!

Bedell: Ok. That does not require a motion, correct?

N. Boyd: Yes, you need an action item on number 6 to approve that partnership agreement.

Bedell: We have that motion, correct?

N. Boyd: You have the motion you just need to...

Bedell: All those in favor please say aye.

Several Ayes.

Bedell: Opposed? I'd like to congratulate the staff, your team, whoever has been involved in that, this is huge for the populations that we serve. Thank you. Number 7? Do I have a motion to approve the material revision?

Williams: I so move.

Lindholm: Second.

Bedell: Moved by Williams seconded by Lindholm. Discussion? Do we have anybody making a presentation?

N. Boyd: We don't unless the board has questions.

Bedell: Does anyone have questions?

D. Boyd: This is in the normal course of business. They will have multiple sites throughout their history because of the way they operate.

N. Boyd: Correct. The way the petition is written and for any of our petitioners for the charters, as they open new sites or if they expand, they have to come back before the board for a material revision. Staff has no concerns with this.

D. Boyd: Ok, thank you.

Bedell: So, that has been moved and seconded. Colleagues, any questions?

Gomez: How many students do we expect to serve?

Bedell: I'm going to encourage my colleagues that if you have a chance to go to one of their graduations you can see how life changing this program is, and the dedication of these people.

N. Boyd: Dave, for the record would you please state your name?

Connor: Good morning. I'm Dave Connor, the principal at the College and Career Preparatory Academy. At this time, we have 217 students enrolled in this program. The expansions are in a partnership with Taller San Jose in their certificate programs. I'm very pleased that we're going down a path that is allowing students to be dual enrolled with us along with Taller San Jose and in their IT and Business Application programs they are on credit/non-credit certificate program for Santa Ana College at the same time. So, that is our pathway in that situation. The students that we are working with at those sites, they have 20 students. Right now we have identified 6 students in the business application program and 3 students in the IT program that we would work with for a high school diploma at the same time.

Bedell: And the internship program, those frequently lead to jobs, right?

Connor: Yes, we also try to meet with our community partners and provide jobs for the students when they get done with their program. That's part of that Taller San Jose program as well.

Lindholm: And what is the age range?

Connor: We service students 18 to 25. Taller San Jose services students 18 to 28.

Bedell: Jeff, I want to indicate you were one of the biggest supporters of this when it started and that should be noted that this is a huge success. They had no place to go and this was compelling.

Connor: Not only theirs, but their children as well.

Bedell: They're modeling the behavior they would want to see in their own children at this point. This is second and third generation at this point.

Connor: Yes, thank you.

Bedell: Now we have a motion, correct? All those in favor please say aye.

Several Ayes.

Bedell: Opposed? Ms. Boyd, one of the things now that we've taken care of that path, the notion of collaborating and talking to districts where they're going to open sites, I know that was one concern when I met with people from Anaheim, but why is something coming? For example, the high school by the freeway by the homeless camp. Just to be sure that we don't create dissention with our partners.

N. Boyd: Right. We are communicating with our districts and also with city council and local governance as well.

Bedell: The saving grace is that they're dealing with a population that the district is not likely to be serving anyway.

N. Boyd: It's also the student population within that demographic area and so we also want to remind them that we are taking care of the citizens within those areas.

Bedell: Excellent. Do I have a motion to approve Red Ribbon Week?

D. Boyd: I'll move.

Bedell: Moved by Boyd seconded by Gomez. Any discussion? How long have we been doing this? Ron, you've been around since this was created, right? Is this Nancy Reagan? All those in favor...

Williams: I'd say a few words.

Bedell: You may say more than a few words.

Williams: Hopefully I won't put my foot in my mouth this time. (Laughter). So, this did start from Nancy Reagan and just say no to drugs back in the 80's. It's continued on through this department. It's one of the programs that means a lot to me because we live in a society and a day and age where drug decriminalization has gone beyond what I think is reasonable and there's a lot of abuse of drugs. I think the message still needs to be said. As a sheriff deputy I go out into the field and I talk with kids and they think oh, it's ok to use marijuana. It's ok to use these other designer drugs as we refer to them. Somehow there's been a significant dilution of the message that drug and substance abuse is a major issue and serious problem in our society. For us to continue this means a lot. We're not going and bending down to political correctness, but we're actually stepping up and saying there are boundaries, there are rights and wrongs, and there is no

moral compromise on this issue. I want to thank this board for the past and in being very deliberate in support of all of this.

Bedell: Trustee Williams, would you be amenable to an amendment to the last clause, if you will, and send copies of this resolution to school districts and also local media?

Williams: I would not be opposed to that, just for clarification from an administrative perspective, do we need that or is that done automatically?

N. Boyd: It's done automatically. You direct us to share so it doesn't need to be in the document unless you want it to be.

Bedell: I just think the school districts, my local school, they put stuff on the fence so you know. I was appalled on holiday this summer listening to my two seventh grade grandsons chatting about drugs and how accessible it is; it was just an everyday conversation. I was appalled by that. If we could just add that, I would just as soon it goes to the media.

Williams: I think that's reasonable.

Bedell: Any discussion from my dear colleagues? It's always interesting to have Trustee Lindholm to my left.

Lindholm: Yes, that would be quite interesting. I think that with that, and thank you Trustee Williams for your comments, I totally agree with you and President Bedell. I think we should have a cover sheet by our communications department so not to just send this to the media, that's not how they read it. Say that the board had a discussion, the board is very supportive and has historically been supportive. So think the cover letter perhaps with a quote from our board president, even Trustee Williams would be appropriate to include and get it out as soon as possible. It is...when is the week? October 23<sup>rd</sup>, that would be very good.

Bedell: Ian does a great job.

D. Boyd: This would be in the form of a news release then?

Bedell: Yes. All those in favor please say aye.

Several Ayes.

Bedell: Opposed? And the record will also show that passed unanimously. OK, now my notes, I'll blame my eyes....

D. Boyd: We can go to time certain.

Bedell: Yes, thank you Trustee Boyd. We've done all the staff recommendations, right?

N. Boyd: Yes, you have.

Bedell: Boyd, you're so efficient today (laugh).

D. Boyd: Awake.

Bedell: Oh, you're awake. (laugh). So now we go to our time certain. I'm going to introduce Erin Craig, Executive Director of Unity Middle College. Welcome again.

Craig: Good morning president Bedell, members of the board, superintendent Mijares. My name is Dr. Erin Craig and I'm the founder and executive director of Unity Middle College High School. Before I talk about why I'm up here first of all I'd like to congratulate Orange County Department of Ed and the Sunburst Academy students on acquiring the CCAP agreement. It's great to see more dual enrollment, particularly in developmental math, an area I care so much about. So, I'm excited, grateful and humble to stand in front of you today to let you know that we have opened Unity Middle College High School on August 30<sup>th</sup>. Before I get into the logistics and the details on what the last few months have looked like for us, I'd like to remind everyone of our mission. The mission of Unity Middle College is to prepare all students, especially those that are at risk and underserved for four-year university success leading to professional careers through a blended high school and college curriculum. And how we achieve this is through college, career and community. So Unity Middle College has a formal partnership with Santiago Canyon College. When I say partnership, I mean an MOU outlining all of the facets which are very similar to a CCAP agreement but look a little different as a middle college world. Our Unity students will graduate with a high school diploma and many of them with significant college units. Through our MOU with Santiago, they absolutely have the opportunity if academically ready and willing to achieve that AA degree at no cost to them the same time they graduate from high school. Our students are learning and they're driving their own learning through career pathways of interest and talent. What that looks like is students are taking ownership over what they want to discover in certain areas which I'll get into in a second, so they are not receiving information, they are producers of information. We're currently serving students in grades 9 and 10 and I will address our facility and entitlement challenges because of course we wanted to start with between 75 and 100 students. But as I explained in one minute, the last sort of 3 months and the sequence of events we started our school with 42 students that I can proudly say are still enrolled. Not one student has dropped since the first day of school. So let's talk about the first day of school. We have 42 students coming from Orange, Santa Ana, Anaheim, Tustin and

Garden Grove. We have a total of 9 full and part time staff and we've got 5 board members. Our students are learning, they're accessing, prior and creating current knowledge and they're happy. We're proud that this is day one of year one of Unity Middle College which I would like to highlight is the very first charter high school in the City of Orange and the very first Middle College as well. Our students also experienced their first week of creation innovation lab which are inspired by Google's Genius Hour. What that means is every Friday for 2 hours, students are designing and exploring an area that they're interested in and that they want to construct their own knowledge. We have students learning Korean. We have students that are learning circuitry or the history of mixed martial arts. What we've found just within the two Fridays that students have been experiencing this they're excited. They're passionate, and they're making these connections from the Genius Hour where they're constructing their own learning and translating that into the core content areas where it's absolutely taking place. Students are going to showcase their Genius Hour output at the end of the semester and we will gladly invite the board and the Orange County Department of Education staff to come see what our students have constructed. It wouldn't be right if I didn't stand up here and share the sequence of events that many of you have already known. I'd like to provide some detail on the facility update for Unity. Originally for 2017-18 we were planning on being at 1310 E. Lincoln Ave., which is on the corner of Lincoln and Canal. This site was not zoned for a school and would require a conditional use permit. For eleven months, myself and my team as well as the City of Orange staff, and outside consultants worked tirelessly through studies, through collaboration, through meetings, to determine and conclude that 1310 E. Lincoln was absolutely appropriate on all fronts for a charter school to exist there. For 9 months I held community meetings, walked neighborhoods which I still do every single weekend, hold events, cook breakfast, building those relationships with all of the neighbors to ensure that everyone was on board. The city staff recommended for CUP approval to the planning commission which is where the decision lies. On July 19<sup>th</sup>, during the planning commission meeting, many individuals showed up, many of which who I had spent many months of building relationships with and sharing about the school and unfortunately resisted the conditional use permit. So, the outcome of that event on July 19<sup>th</sup>, was not an approval of the CUP to start our modular construction the next morning, and it was not a denial of the CUP so we could then appeal to the city council. It was a no action decision which increased the timeline to a denial in August, making it impossible for us to appeal to open by September 30<sup>th</sup>. From July 18<sup>th</sup> to August 30<sup>th</sup> we mobilized in true charter spirit, not giving up, searched every single church, every single facility in the entire district boundary and identified the one facility with an existing CUP for K-12 that had space for us and signed a facilities agreement. We are now co-located at 815 S. Esplanade Street with a very small private school that serves approximately 35 students. And when I say this, this co-location, this is our starter facility. We had to get open, our children deserve it. Was it challenging, of course. We went from having between 75 and 100 students to 42 live families that did not give up on us, that still believed that we could execute and we are grateful for those families. When I talk about priorities and next steps, increasing our student enrollment is absolutely our number one priority.

It's not just a thought that we hope for we are actively addressing it on all fronts. Parents, students, walking neighborhoods, you'll see a banner, Dr. Williams you'll see the banner hung in the Orange Circle again on Friday, ensuring that we can bring up our numbers to highlight and share to the community that Yes, we are open. There was a lot of misinformation out there as far as the press and sort of word of mouth after the July date and so we're actively making sure that people know that we absolutely are here and we are excited to serve our students. Again, the next step, right when I leave here, I'm going to meet with our facilities team. Facilities in Orange, I have found are the most challenging I have ever experienced in the last 15 years. We're going to aggressively and tirelessly continue to work to ensure that we can secure a facility next year and long term to support our student enrollment. We can't forget about the kids; the kids are why we're doing this. We're ensuring that students are learning they're exploring all of the things that I highlighted but also preparing them for this dual enrollment opportunity starting in spring. Dual enrollment starts spring 2018 for our students. Of the 42 that were alive and learning on the first day, I can say over 75 percent of them are eager, wanting, hungry for this dual enrollment opportunity and their academic readiness directly aligns with that. We will continue to build bridges and trust with the stakeholders in Orange. I value and love the tradition in the city of Orange and I am not just eager, it is my mission to break through that and show that we are not just a small school, we are not an outsider, we are a part of the community in Orange and the children in Orange deserve this dual enrollment opportunity. That also aligns with my last point, we are a formal city of Orange partner and we look forward to what this future looks like for Unity, for the students, and for being the very first charter high school opening in Orange. Finally, I'd like to invite the board and everyone in this room to our ribbon cutting which is occurring next Friday at our site at 815 S. Esplanade from 11:00 to 12:30 pm. You'll hear from Unity Middle College staff, leadership, students, parents, and we look forward to opening our doors and sharing our learning in action. Thank you very much.

Bedell: Does administration have anything they want to say?

N. Boyd: Not at this time. I think Erin's done a really good job of giving you an overview. We asked her to come before the board because, just as a reminder, the board granted them the option to open this year and not last year so they could work through some of the facility issues they were having a year ago. We've been dialoging with Erin for a couple of months, and staff, and she had been trying to work through some of the challenges that she's experienced. She has been doing a great job getting us information and providing answers. Our legal department, our staff, Erin, her attorney, and Susan Maas met earlier this week to kind of work through and also to make sure that we got clarification on some of the issues. We continue to have some questions with regards to the lease documents that they're in for the temporary location and we're trying to get answers related to that and they've been very responsive. We do know that it's a temporary site. The concerns are some of the particulars in the agreement and the commitments and I think both counsels are working through that at this point in time. Unless the board has questions of

staff, Aracely is here and she works closely with Erin and she would be prepared to answer questions that you may have for staff and or legal counsel if you have questions that are in more depth or detail.

Bedell: Colleagues? Trustee Lindholm comments?

Lindholm: Yes, just a quick comment, Dr. Craig. This is an exciting school and the concept for many children who want to go to college, not everyone does or needs to. To acquire college credits while they are still in high school gives them, just opens the door incredibly where they can pursue all their dreams, whatever major or career they want to do. I'd like to see most schools do that because there are students in high school that do know where they're going to go. They want to be doctors, they want to be physicians, they want to be an IT tech. It's a very exciting school. I know it's a challenge, it's a battle, I'm sorry the city is having come from a city, we usually were very, very, helpful and understanding, so it sounds kind of like they're coming around, I think your students will be very well served.

Bedell: Trustee Boyd?

D. Boyd: Yes, thank you for hanging in there, a year is a long time and it must have been very painful to go through this entire process. Two things. Was there organized opposition to your opening or...and I don't want to put you on the spot here if you don't feel comfortable politically, just pass on it but, if I recall you came to us on appeal, is that correct? So you were denied at the local district. Was there any push-back from the local district to discourage you from opening?

Craig: When I came for the appeal, it was also a very interesting unique situation. This is the fourth charter I've opened in my career. The appeal was interesting because there was no action. They'd approved me with conditions but they wanted to finalize it on a vote and there weren't enough board members present during my action item to finalize it. So, when we talk about the city council meeting, if you're asking about organized opposition, I can't state that as fact. What I do know is our team spent 11 months making it right. Hosting meetings, hosting breakfast, twice a week community meetings at the site and anyone who knows me knows every weekend we walk door-to-door. Every single weekend. During that meeting, which we were excited to move forward, we were ready. The construction was teed up to start that next day to drop those modulars and everyone was pumped up. To see individuals arrive that were the same individuals that we had built relationships with was sad for the students for the most part.

D. Boyd: With 42 students, that's significantly less than your projections. You're confident you have the financial resources to get you through this first year?

Craig: We had 42 students on the first day. Right now we have 44. Our goal is to get to, we have a budget for 46 students, 48 students, and everything above that. When I say competent, I will tell you this, I am the executive director, I am the founder, I am also the Unity Middle College math teacher at this point. So, getting these students the education that they deserve, this is what needs to happen. I'm a "whatever it takes" person and I know once we break through the glass ceiling and the community understands, we're open and this is an important program to the point, I'm on the California Coalition of Early and Middle Colleges and we're putting on a statewide conference at the end of this month that over 10 people in the local community are coming to our conference to learn from us. I know we'll get there. I know once the word is out and that there's understanding I know the middle college wait list and I lead the middle college work statewide. But this resistance and this challenge, believe me, I have never been so eager to move through something in my life so we can get past this and get to the good work that the kids deserve.

D. Boyd: There was some concern, I believe, we received a letter regarding the impact on traffic. You're addressing that with the neighbors, I hope?

Craig: Are you talking about the new site? Or the old site?

D. Boyd: The new site.

Craig: With the new site, what I am doing is once again, first of all I'll back it up. As far as drop off and pick up we are on point trained; cones, many different adults, because the last thing that I would ever want would be to have a negative relationship in a new environment that could be correlated to a perception in a prior potential facility. What I'm doing, the same thing I always do, I go door to door, I introduce myself as Erin Craig, not Dr. Craig, I'm human as a person, not as someone they don't know. My favorite thing to do because I understand any time there's something new in the city, especially a city built of beautiful tradition, there's resistance. I get that, I accept that. My favorite thing is to take that and everyone has a different threshold, have open and honest dialogue which has been the biggest challenge for me. Have open and honest dialogue on both sides. When the facts are out there and we talk about it, who doesn't want what's best for these children. Who doesn't want to increase their high school and college persistence, meeting A-G and graduating on that conveyor belt. It's my number one thing.

D. Boyd: OK, and you have a one-year agreement with your existing facility. Do you have a target date that you hope you will get all of the check marks out of the way with the city so you can announce to the public that come next September, we're going to be at this particular site? Has the city given you any indication as to how quickly they're willing to act on this?

Craig: You mean as far as...?

D. Boyd: A permanent location.

Craig: A permanent location you mean as far as getting a conditional use permit again?

D. Boyd: Right. Are you still planning on pursuing your original location?

Craig: No.

D. Boyd: OK, so that's off the table.

Craig: At this moment. That was a starter location as well. We had a 2-year lease at that location and so the biggest priority is to get into our home, to find our home. It was obvious that in that location based on the ecosystem, I'll say, it was not supportive for our students to be able to focus on learning, right? Because if we did fight that and we ended up being there the repercussions could impact the children. I'm not just relying on looking on one facility and pursuing it, believe me, my eyes have never been more wide open on what needs to happen and the timing that's required. It's full force facilities team search, conditional use permit, Prop. 39, everything because we have to get past this facilities challenge within this city. I have to, it's mandatory.

D. Boyd: OK, thank you, that's all.

Bedell: Thank you. Trustee Gomez?

Gomez: Yes, just a couple of clarifications. As far as the new lease agreement, is that still within your budget of what you had for the prior?

Craig: It's actually less. Less money, less students, and there is shared space whereas the first site we had exclusive space as the majority of the facility. Everything was exclusive, our classrooms and our offices. There's sharing of outside area and also classrooms although our two schools are separate and separately operated.

Gomez: So you're just operating in some classrooms in the other facility is in other classrooms.

Craig: There's a couple that are shared. There's some that during the day period 5 will be in this room for Unity and then...period 1 will be in the same room for the other organization. But no students from either school are attending a class from the other school. They're mutually exclusive enrolled.

Gomez: OK. As far as your Genius Hour goes, a very interesting concept. How do you determine what the topics or the subjects are for the students?

Craig: Outside of the Genius Hour, period 6, our students are in career pathway sampling this first semester. So they're getting access every few weeks to a little different area to spark their interest. Instead of them just thinking well you know, I'm good at this subject or I'm not really sure what I want to do, they have the opportunity to explore. On Friday, during the Genius Hour, we created, and they are grade level sort of bench marks on creating an appropriate goal. Backwards planning, reverse engineering it and it's free for the teachers, of course. So it's not just students (inaudible) it must be interesting to them, it must be appropriate and legal, it must be relevant to who they are as a human being, and then as we work through the first time we do this, every single week there's outcomes that the students have to achieve based on what they're learning and also reflect and then create next steps. So, it's not just a free-for-all for 120 minutes, it's very structured, I say structured chaos with benchmarks, and at the end of the semester students will be highlighting it to the community and parents.

Gomez: Ok.

Bedell: Trustee Williams?

Williams: Dr. Erin Craig. You are truly a most remarkable and respectable person. I got to know you a couple of years ago. I was very impressed then and I'm even more impressed now with your tenacity and just doing what you're doing achieving your goals. You are the perfect leader at the right time, Erin. Kudos to you.

Bedell: My understanding was, Erin, Dr. Craig, we were going to open with 100 students, right? We've got 44. So that's about 45 percent, right? Has the budget, I guess I'm going to go back to an earlier comment, how that impacts the budget, that's my first question. Do you have a sense of what the per child rate is for your student's relative to the per child rate for those other 30 students? Are you paying the same per child as that other renter is? See why that's relevant to me? Because it's the same facility we're sharing facilities. I just wonder is there a parody there?

Craig: Are we paying the same rate per student as the other facility? The short answer is no. And, as far as the budget, enrollment I am very clear. I understand that students, in seats, drives everything that we do. We absolutely have been; I'll use the word micromanaging the budget as far as what does this look like with 100 students. OK, what does this look like with 75, where are the cuts? When I met with the staff on Monday, when I arrived I had two budgets reflecting this. And I'm sure you'll see them at some point, you'll see my salary, but I will say this. When the cuts happened, when the honest conversation, everyone is so happy that we're open, we did not lose one teacher. Not one. Every staff member, every teacher, willing to take a percentage less

required to stay open because with less students, there's less adults. So, my short answer is am I comfortable with the 44, 46, 48 student budget? I'm open, but I will not stop until we get the number of students that make it so we are not under pressure for lack of a better word. I'll say this as well, the fact that we were able to get a facility in 12 days, I will take 44 over nothing. Proudly.

Bedell: Ron, if you, thank you Dr. Craig. I appreciate, Trustee Lindholm and Trustee Gomez are very up on this, I am not. On CUPs, cities basically have autonomy on CUPs, right? They would be responding to the voters as opposed to...they have autonomy, see what I'm saying? I'm just nervous about going out. Fast forward it's 6 months and we're in March now and you've exhausted the city, what does it mean for us, as the board?

Wenkart: I think in general we met on Monday, staff had some concerns about the facility, about the rent that's being paid, the number of students that are enrolled, and we expressed those to Dr. Craig. I think they're going to have to work with the city, convince the city to be more cooperative. The city denied the conditional use permit for the Lincoln site. Hopefully they'll find another site and they'll be able to get a conditional use permit. Staff is overseeing this, this concern, they did cut the budget by reducing the salaries of the employees to meet the cost, because that's a significant drop in students and a significant drop in income. So, we're concerned about the amount of rent that they're paying, we're concerned about the fees that are being paid to the private school and we're concerned about the loss of revenue due to the drop in enrollment. Staff has asked for more information from Dr. Craig and from Unity and so they're going to provide that information to us. We'll continually report to the board and let you know what progress that Unity is making on these budget adjustments.

Bedell: Appreciate that. Dr. Craig, what is the maximum number of students you could have there that the city would allow?

Craig: It's not the city, it's per our facilities agreement. It would be 80 this year. We will enroll until we get to 80.

Bedell: OK, I'm done.

Gomez: I have one more question. Ron, you raised something about fees. What fees are we talking about that we're paying to the other entity?

Wenkart: The way it's structured, the agreement that was provided to us, it's \$6,000 per month rent and \$4,000 flat fee to the private school. The private school then provides after school programs to the students at Unity. All of the students are eligible to enroll. But it's a flat fee. So our concern is if only 5 or 10 students take advantage of this enrichment program, that's pretty

exorbitant, \$4,000 per month. So those are some of the concerns that we discussed on Monday and some of the things that we raised with Dr. Craig.

Gomez: OK, because that is concerning with the budget and not having enough students, and like you say, if you have 3 students or 5 students as opposed to 38 of your 44, that's concerning.

Wenkart: So there may be a need to explore reducing those fees and reducing the rent, due to the lower number of students.

D. Boyd: If I recall, Ron, and correct me if I'm wrong it certainly wouldn't be the first time, under certain conditions a charter school can go outside of their authorized area if it's deemed that no facilities are available within that geographical area. Is that a possible option?

Wenkart: Yes, that's a possible option if they can't find a facility within the City of Orange and within the boundaries of Orange Unified School District.

D. Boyd: I would suggest that if you haven't already done so, you start to explore that option. I had another question but it's slipped my mind.

Bedell: I'll come back to you. Trustee Lindholm?

Lindholm: The facility that you're in now, what is it?

Craig: It is a church.

Lindholm: It's a church. So, it's zoning, just for board member's information, a church isn't going to bring any money, revenue, to a city. A school doesn't. But it's not zoned for residential. Residential is high in demand right now. A Costco is a \$500,000 a year tax revenue, but if it's zoned a church, their ability to renew your contract is much higher than if it was zoned R1, R2, or business. That's all good news, that's how I would put it to you. It won't be converted, they can do an overlay for a school and they're not going to lose any tax revenue which is usually what cities are looking at. That and traffic.

N. Boyd: But their challenge in their lease agreement is that two schools can't operate at that location beyond this one year, this first year. So when she's saying they can only be there temporarily for the one year, unless the other school closed....

Lindholm: But that's a made up condition, the city made that condition up. There's no reason a city would say you can't have two schools operating in the same facility. That's not a zoning issue, to my knowledge. That's something you could fight, I believe.

Wenkart: Well, it's something you could fight but you could get into a battle with the city.

Lindholm: You could. But that's an arbitrary condition that they've put on there. That's a stipulation.

Wenkart: The conditional use permit that's in effect has been there for many, many years. So, it's possible they could change the conditions of the conditional use permit and allow two schools.

Lindholm: It's not a deal breaker if you have somebody willing to understand.

Gomez: However, there's a maximum of 80, is what it sounds like.

Craig: For the agreement, not for the facility. The whole property is 4 acres.

Gomez: OK. So theoretically, if we were to get past this CUP issue, there is space for you to reach your capacity that you had anticipated.

Bedell: Anything else from staff on this? Anything else from my board? Anything from the presenter?

Williams: This is the right person to make it happen.

Craig: I just want to thank you guys for giving me your time and listening to the last six months. Believe me, I've been eager to share. Thank you.

Bedell: Ok, do we have anything else on this? We now go to the introduction of Dr. Christine Olmstead, Associate Superintendent. You're going to do a special presentation on MTSS. We want to thank Dr. Olmstead for her presentation at the CCBE meetings last week in Monterey. She represented the board and the institution well. Dr. Olmstead, MTSS if you'll give us whatever you're going to do.

Background conversation about projector not working properly.

Bedell: While he's leaving, I'd like to acknowledge former Board Member Trustee Hammond. Welcome. Best to your family.

Olmstead: Good afternoon Trustee Bedell and members of the board. Our presentation today is just to give you an update on the SUMS initiative that the OCDE is in charge of for the state of

California, and give you a little bit of background on MTSS as well if you're not familiar with that acronym in education these days. Just a little bit of background, the OCDE was awarded in 2015 and 2016, 30 million dollars by the California Department of Education through a Senate Bill to establish and align school-wide, data-driven needs of California's diverse learners in the most inclusive environment. We were asked to Scale-Up this work over the next three years with statewide resources and technical assistance for local education agencies and districts. So, I'll start with a video that our Communications office put together to kind of explain what is California Scale-Up statewide or you might hear it called the SUMS Grant as well.

(Video is played, music and talking begin)

*Education in California is moving in a new direction. One where every student will be given the support and opportunity to thrive in the most inclusive learning environment. We have an amazing opportunity to transform our current educational landscape into one cohesive system that aligns all of our existing work on students' academic, behavioral, and social-emotional needs along with new and innovative strategies to form a system that supports the Whole Child. The work of building a multi-tiered system of support needs to be grounded in a framework that engages our families and communities, empowers strong and engaged leaders, integrates our educational programs so that all students participate in the curriculum and activities of their peers and promotes inclusive policies and practices.*

*In March of 2016, the State of California created a grant with just this purpose, the California SUMS Initiative is designed to catapult this work forward and Scale-Up MTSS efforts in districts and schools throughout California. To reach this incredible goal we all need to get involved and find ways to make MTSS work for us. So make it personal in your school, in your district, and in your communities. You are the architects and master planners that will make this a reality for California. There's no time to waste. How will you help build MTSS?*

Olmstead: So I'll just kind of give you a brief overview of what a multi-tiered system of support is. When we look at a general education classroom or any classroom actually, you look at giving core access to all students with universal supports. When we look at universal planning we're looking at universal design for learning, a term you may have heard differentiated instruction as well as how do we integrate content and our service delivery systems. All students should be provided with universal supports within the core education classroom with grade level peers. Some students you'll find, if they can't access core materials or core instruction need supplemental supports and some students need few supports. This is in alignment with all of their academic and behavior instruction that they might need. So, it's an integrated attempt to make sure that all students' needs are being met at a first level of support, so that prevention is happening on the onset and interventions don't have to happen later on. So, it's a preventative measure where all systems are aligned, all resources at your school site within your district are

aligned to make sure that students' needs are being met before interventions have to take place. You may have heard terms RTI<sup>2</sup> or PBIS, and those both fit under the umbrella of MTSS. So, RTI and PBIS are both multi-tiered systems of support. You may have heard for a while that the Orange County Department of Education and one of the reasons we were granted the funds to do this work is because we've had a strong professional development and positive intervention supports for the past 20 years. And we've been a leader in the state in providing those interventions. RTI<sup>2</sup> is on the academic side when students are struggling with academics we have tiered interventions of supports for them to meet their needs. In a multi-tiered system of support, you're combining academics and behavior together and you're making sure that if students are struggling with behavior, you're also addressing their academics. And if they're struggling in academics, you're also making sure that their behavior needs are being met at the same time. When we look at this, we also with an MTSS structure, besides your academic and behavior needs being met, it also can't be done without having strong family and community engagement, strong administrative leadership, an integrated system of support for content, and inclusive policy and practices in place at a district at a school site. When we look at this we call this our place mat and you have a copy of this in your packets. When we look at inclusive academic instruction and inclusive behavior instruction and we talk about providing resources and technical support across the state, this is what we're talking about providing to our educators across the state. They are getting professional learning in all five of these domains and features so that they understand how to best meet the needs of all of their students in an inclusive environment. The outcomes for the work that we're doing and we have through 2021 to show results for this work, that we are increasing and improving services for low income pupils, foster youth, and English learners; is one of the goals as Local Control Accountability Plans and LCFF funds; includes strategies that effectively support student success in the least restrictive environment; leverage multiple school and community resources and implement a multi-tiered evidence based system, and that we want to see these actions and services actually being written into their LCAPs as MTSS supports. You also see in your packet we've done a crosswalk between how MTSS supports LCAPs and so when you look at an LCAP in the eight state priorities there's three big buckets that the state priorities are put into; conditions of learning, engagement, and pupil outcomes. MTSS supports conditions of learning by making sure that all students are educated in the most inclusive environment regardless of their age, race, zip code, language, or physical challenge. That families and communities are completely engaged in the academic and behavior supports of their child and that we're all looking to provide students with a continuum of services to best meet their needs so that they are college and career ready. Here's another video to show you when you talk about scaling-up something in California statewide and we're talking about scaling for a thousand districts how does Orange County Department of Education do that? So the video about how we are going about this premise of scale-up.

(Music begins to play and talking begins)

*For decades education reformers in the United States have worked to find ways to better help students develop the knowledge and skills needed for the world of work, lifelong learning, and civic responsibility in the 21<sup>st</sup> century. In the process numerous research based initiatives have been developed to solve both big and small problems of practice. These initiatives run the gamut from specific interventions for struggling early readers to programs to support whole sub groups of students to whole scale high school reforms and beyond. As states adopt research based initiatives and try to support local districts as they implement them we often are asked how can we scale-up multiple initiatives in a way that results in a coherent system of PK-12 education without overwhelming the system? To respond to this question we draw on the national implementation research networks program to build implementation capacity and West Wind education policies for systemic equity leadership to help states rethink their strategies toward deep meaningful systemic change. In an attempt to improve outcomes for all students, state departments of education often adopt a smorgasbord of research based initiatives and offer them up to local districts for implementation. In response, some districts choose to taste a little bit of everything without getting the full benefit of anything, ending up overstuffed and struggling to digest everything they sampled. Other districts sample one thing for a short time and then go back for something else often before the benefits of the first initiative are realized. Still others claim they are implementing everything when really they are engaged in business as usual under different names. A very few manage to put together a well-balanced meal, implementing select initiatives under a coherent vision for teaching and learning that they are capable of supporting. The first three outcomes are unhealthy and frustrating at both the local and the state levels. Fortunately, they are not necessary. We actually know a lot about implementation, organizational change, and transformation. We know that states can deliberately and systematically develop and make effective use of an implementation infrastructure. An implementation infrastructure includes aligned initiatives. We cannot continue to see initiatives as discreet and insular programs. Rather, we must see them as a system of inter-connected strategies for improvement. Key questions that states must answer are how do the initiatives align to a common vision for education? How do the initiatives align to each other? Are there natural synergies among the initiatives? Are there tensions? Are there gaps where fundamental components have been left out? Answering these questions will help us sharpen the vision and will ensure that we are working toward common goals. Second, an infrastructure includes implementation capacity. Ultimately, effective teachers will draw on this work as they blend multiple instructional strategies together to address the needs of their students. They will bring everything they know about teaching and learning to bear on their instructional decision making moment to moment. However, on the path to that point it is neither efficient nor effective to ask individual teachers in the system to be the ones to initially figure out how to bring the multiple initiatives together in the classroom. Rather, we need to build teams of educators who understand the initiatives, the research on implementation and improvement cycles to do this work for us. Third, a new infrastructure requires a new type of leadership. You have no doubt heard the assertion that people resist change. As Ronald (inaudible) suggests, however, it is not*

*change per se that people resist. Why would new and improved be such an effective marketing strategy if people fundamentally resist change? Instead, people resist such things as loss, incompetence, and disloyalty. As we work with states to align their systems and develop implementation capacity, we also work on developing a new kind of leadership. Leadership that helps people work through the loss they feel when making a change. Leadership that anticipates feelings of incompetence and helps people regain confidence. Leadership that encourages those in the system to understand their loyalties and to take calculated risk toward improvement. West Wind education policies framework for systemic equity leadership suggests that we attend to the hearts and minds of those we are asking to change and that we begin with our own. With this infrastructure in mind aligned initiatives, implementation capacity, and a new type of leadership states are capable of an entirely new way of thinking about the scale-up of research-based initiatives. As a way to start states should determine how the initiatives align to each other. Develop the capacity to implement multiple initiatives in a coherent and cohesive manner that supports rather than overwhelms the system and individuals within the system. And, develop a new kind of leadership that anticipates and responds to resistance by attending to both technical challenges and to hearts and minds. If we focus on alignment implementation capacity and leadership we can anticipate the bumps and smooth out the road to change. For more information about the work of West Wind Ed...*

Olmstead: That is what we are focusing on, is building capacity across the state on how to scale a multi-tiered system of support. As you hear, there's always very much acronyms and jargons and new things putting on in education. This is not one new thing; it's actually helping districts look to see what resources in capacity they already have in existence to realign those resources to best meet the needs of their students. The collaborative effort, because we are only one agency we needed to work with this statewide. We're working in collaboration with the California Department of Education, Butte County Office of Education, and the SWIFT Education Center out of the University of Kansas. Butte County Office of Education is one of our partners because of rural California and their great needs in rural California and they are experts in making sure the needs of rural California are met so they partnered with us to specifically help us with scaling-up the work in that part. The SWIFT Education Center stands for School Wide Integrated Framework for Transformation. They were given a grant by the federal department of education five years ago to scale MTSS in five different states. So they have put together a framework and resources already that we were able to just pull from and use and bring them in right away rather than having to build our own resources for doing this and they already have research proven methods that are happening with the work that they are doing. They've been a great partner in this and the California Department of education was very happy to see in our application that we had partnered with the SWIFT Center out of the University of Kansas knowing the great work that they've been doing already across the nation. When we look at doing this work we also have to look at whole system engagement, the whole purpose of why we do our work is because of the students and our families. We know that this school is the place of transformation but

without strong district leadership as the point of intervention, the school can't be a point of transformation. So, that is in place. A source of technical support which is what we're doing across the state is from the county, the region, and the state. We've put together a region lead from the eleven CCSESA regions that are helping us scale this work in their regions. All 58 county offices of education are participating and helping us provide the professional development to our educators that are needed in the goal of reaching the over 1000 districts including charter schools that we have in the state of California by 2018 with what is a common definition of MTSS for our state and how do we make sure we're resource mapping to meet the best needs of our kids. The scope and sequence of the professional educators that are coming through the trainings they learn about the foundations of MTSS in a 2-day consecutive facilitated days. They then go and do some work back at their districts and then they come back for a second day of training for structuring their MTSS systems. Then how do they engineer their systems and then how do they advance their systems. All of this work is being done through a grant that our department of education is facilitating so we're giving out grants to districts and LEAs and charter schools across the state of California to engage in this work. So far, we've given out almost 10 million dollars. We've engaged 92 school sites in the past year that we call our knowledge development sites. They were already bright sparks across the state. They were already doing great things in MTSS that we could point other schools and districts to show what they were doing. We currently have 105 districts that we're working with right now between now and December to scale their MTSS and our 2<sup>nd</sup> cohort grant application is due October 31<sup>st</sup> with the 2<sup>nd</sup> cohort starting in January. The 3<sup>rd</sup> cohort application will be available in February with the cohort of districts coming on board in the summer of 2018. A lot of work that we have to do to get this work out across the state. We have built an interactive map to show the districts that we've engaged with thus far and just to show we're part of region 9 and Ocean View High School in Huntington Beach has engaged with us and so one of the things we're doing is we've put down what their signature practice is so it shows that their signature practice is coaching, it's under the domain of administrative leadership that they're learning about and their feature is how to build a strong educator support system. You can read through then what their journey for building MTSS is and you can see this across the state for all the schools that we've gone into and helped build their MTSS system. It's a resource that our districts have to be able to see how other districts are scaling MTSS and having exemplars across the state. The information, more of it can be found on our [OCDE.us/sums](http://OCDE.us/sums) website. Our request for applications and alignment and the work that we're doing. We're constantly updating that website with what we are doing and our contact information for Orange County, Butte, and the California Department of Education.

Bedell: Questions from my colleagues? Trustee Williams?

Williams: West Wind, is that correct? Who are they, where are they based out of and how are they integrated into all this?

Olmstead: They're not integrated into it; we use their video about scale-up. The West Wind Educational Policy Center does scale-up work as well. We like their video on how to scale-up and taking things off of their plate. They're not actually involved in our work.

Williams: You're just using their video. It's West Wind Educational Policy Center?

Olmstead: Yes.

Williams: I've never heard of them. Where are they at, based out of?

Olmstead: The east coast, I think. I don't know off the top of my head.

Williams: Are they doing something very similar on the east coast?

Olmstead: They do scale-up work, but not this MTSS work that we're doing.

Bedell: Trustee Gomez?

Gomez: Good presentation, thank you.

Bedell: If I just landed from another planet, what would be a good lay definition for scale-up?

Olmstead: For scale-up.

Bedell: We've seen that word several times. What does it mean, Christine?

Olmstead: Sure. It means to build the capacity of, can I put it in our context?

Bedell: I want to pretend that it's somebody in the street. I'm going to explain this to...great news we got a 30 million dollar grant to scale-up and somebody says what the blank is that? What would you want me to say to them?

Olmstead: We start...we meet you where you're at and help you move your work forward based on your strengths. It's providing strong leaders to come in and help you look to see where you're at with systems alignment and system change that needs to happen and we move you forward in that direction. It's scaling-up from where you're at to build better capacity to meet the needs of students that you're working with.

Bedell: Did it used to be called scaffolding?

Olmstead: No. Scaffolding is different.

Bedell: Secondly, if somebody comes from another planet, is this a summary sentence that this is to try to address the whole child and all the people who are working with that child in a variety of settings; the family, the school, community, to get the child's learning enhanced?

Olmstead: Correct. Yes.

Bedell: Would that be a summary? OK.

Mijares: Dr. Bedell, I think that Dr. Olmstead said in the beginning that this was an effort to assure that students have access to the core. So when we're talking about the core, we're talking about language arts, mathematics, science, social science, and the arts. Believe it or not, there are a lot of students who don't get the core. They get whatever may be the color of the day or either the teacher or leadership of that school. You have to keep in mind that what this is about is subject level mastery. The social-emotional learning component of this deals with how do we dissuade students from disruptive behavior? How do we prevent suspensions in the classroom? Vulgarity in the classroom? Build character. I met yesterday with Eric Buehrer from Gateways to Better Education on a model of character development in our classrooms. We see so much friction in our society. This goes right to the heart of the instructional program. If a teacher cannot maintain classroom control, the teaching stops. Because we have a multiplicity of needs across this state, 6.3 million students. I think I've mentioned before that if you take the 6 counties south of the state, we would be the third largest state in the United States, that's how many kids we've got. All in the public schools are open to everybody, all walks of life, all socioeconomic strata, ethnicity, race, everything. We have to somehow in the classroom get those kids on the same page and help them all learn so they can graduate and go on to the university and get their college degree, if that's their choice. So, I think the important thing that I would say to the alien that you've described is that we want our kids to be academically proficient. We want them to have subject level mastery to be able to build on these skills so they become literate. It really is about literacy and numeracy, and it all constitutes general literacy.

Bedell: Thank you. Trustee Boyd?

D. Boyd: MTSS. Would you consider that in a broad term to be a management philosophy?

Olmstead: It's a framework. It's a framework for systems, looking at your systems and systems change. So, a management philosophy...I'm going to call it how do you look at system and supporting, making sure that all systems are in place to make sure the needs of the child are being met.

D. Boyd: Now, if I recall from our weekend session, that we partnered with Butte, in large part because they're so different than what we are. Looking at your introduction it seems to me that's the greatest challenge here. Not to reopen the common core debate once again but are we trying to put everybody in the same category when our demographics are so vastly different? I think someone commented on one of the sessions that there's one county that has something like 80 students in the entire county.

Olmstead: Right. We're not trying to put all kids in the same category by any means, that's exactly what we're trying not to do. Basically when you look at a multi-tiered system of support, you're saying you need to be looking at every individual child and every individual educator and making sure that you're constructing your learning environments and you district supports and your school supports, even if you're that one school district.

D. Boyd: And all the key players have to buy in to this, from the superintendent to the bus driver, and probably most importantly the parents.

Olmstead: Right, the parents.

D. Boyd: That you have to get the parent engaged for this to be effective.

Olmstead: What we have found, honestly, when we looked at going back to this whole system engagement slide, in the work that we're doing, we're really working with districts as the point of intervention. Because if that superintendent isn't on board with inclusive education and saying that we really need to sit down and look at all kids and meeting kids, that all kids are different. That kids in Orange County are different than kids in Butte, meeting their needs. That superintendent has to have that mindset and that philosophy to make sure that the teachers in the school think that way too.

D. Boyd: In terms of history on how we got to this point, has the legislature or the department of education basically said going forward, this is the model we want to see? And this is step one to implement that model?

Olmstead: Yes. They test us with scaling-up a framework across the state. We've put together a framework that now everybody, because everybody has their own definition of RTI or PBIS or MTSS, and it's very inconsistent across the state. So, when we look at the state, the state is very big on having a continuous system of support and everybody is aligned now. This is the first step at saying this is the state definition of what a multi-tiered system of support is and we're helping spread that message across the state.

D. Boyd: Have the employee organizations, unions, for lack of better, bought into this concept, have they embraced this concept?

Olmstead: Yes.

Mijares: Can I just add another point too. The reason Butte is involved is because they serve, they're probably the strongest county, in my opinion, that touches rural America. They've been involved in working in mini-core which was a state sponsored initiative to help students who were in rural areas, who didn't have access to resources. What happens in Butte may not be what happens in Orange County. There's no commonality here. Every one of these things, I think this is what she mentioned also is that there's a uniqueness to the implementation of this. I also want to underscore that the effort really is to create independence and freedom of the learner. To liberate the learner so that nobody is...you know we don't want people capitulating to a lower standard. If we have kids in Orange County that are functioning at a higher level, in terms of academic attainment, that's not going to be subordinated to the kids in Butte. They're in a whole different situation. But what this does is to create some granite rocks that can help the schools in California be conscious of their work. It's not just happening spontaneously and haphazardly but there's intentionality and purpose in instruction. Erin Craig was so convincing this morning because she prepared for this presentation. She was very intentional in what she did. She didn't just wake up one morning and arrive at the school board meeting. I think that's what our teachers need to be gripped with. The other thing to keep in mind is that this is a correlate of the local control accountability plans, you know the LCFF and the LCAP that we are required to do under state law.

It all fits in to the 8 state priorities and so if you're scratching your head and you're in Sacramento you're wondering how can we make sure that all schools in this state of ours, the 1100 school districts and the hundreds of schools, how can we make sure that the money that we're paying for this stuff, that there's quality in these schools? You have to have some form of measuring them. And if you don't evaluate it, you don't see it.

D. Boyd: And if I understand it correctly, if it's properly implemented it easily drops into the LCAP.

Olmstead: Absolutely. Part of our training we do with them is to show them how they can align it with their LCAP.

D. Boyd: OK, thanks.

Bedell: Trustee Lindholm?

Lindholm: Very good presentation. It's a high level presentation. To me, if I was taking a maybe a 400 class and doing philosophy and doing theory, that bothers me. I will say that up front. I really like what our superintendent said. It's all common sense. If you break it down into what common sense is, you want academic proficiency, subject level mastery, access to resources. For me, STEM and STEAM, I didn't see them at all. For me, I did teach at the university, I don't have my doctorate, but I think it should be broken down to those factors. If you're going out looking for grants it's very, very complex. There's a lot of acronyms. I want to know that each child is taken care of, it's common sense. If their language doesn't work for them, I need to take care of them. The behavior doesn't work; we need to take care of them. Talking about Butte, they might do agriculture. This is not important to them. They go to Cupertino, they want IT Tech, they want C++. It's very, if you look at those words, they're very initials, they're very I guess what I'm personally saying to you is if I'm sending out for a grant explain it to the people in common words, if it makes sense. Here's this theory, that's really nice and academia but I love what you said, (indicated Superintendent Mijares) you brought it down to what we're trying to accomplish. I love academia, but I also like practicality and resources and STEM and STEAM and I get that you're agricultural. That's just a comment for you. I was always trying to teach; I would tell my students what I'm going to test them on. I'd tell them why I was going to test them on it, and I would test them on it. That's kind of...there's theories, there's importance but...those are my comments. It's a little, I think it's very cumbersome. The explanations are esoteric, a little bit.

Bedell: That's very helpful to Dr. Olmstead because she's been asked to present at our statewide convention in San Diego so I'm sure those comments, from all of us, will inform her presentation. The key word as I was listening to this, this I really appreciate Christine's work on this, is integrated, for me. Integrated so that the families out here and the schools over here, they're coming together for the sake of the individual learner, it's integrated. The communities, does that make sense? OK, anything else? Thank you very much. With my colleagues, let me be sure that my notes...we have exhausted public comments, we have exhausted our time certain, we have exhausted our consent.

Lindholm: Could we have a 5-minute break?

Bedell: What I was going to do, if it's ok with you, is we have guests here to talk about an item and I was going to take them. I think without a break we could be adjourned by 12:00 o'clock. Are you ok with that?

Lindholm: Yes, fine.

Bedell: Trustees I'm going to ask for your wisdom if we could go to Nina Boyd who's going to talk about the Oxford Charter update.

N. Boyd: Yes, we'll take information items. If you like I can do the first one first because it's just an announcement. The communication on the notification of salary changes we listed the two individuals who in accordance to Ed Code 1302 and Board Policy that we need to let the board know that income was in excess of \$10,000. Our Chief Academic Officer just barely went over that by \$100 but we are doing our due diligence. And then our Principal at Pacific Coast High School did additional services and had responsibilities beyond her Principal capacity and so she received an additional stipend. So that was what pushed her over as well.

Williams: How much was that?

N. Boyd: The exact dollar amount, I'm not sure...Renee do you...?

Inaudible response from Renee Hendrick in the audience.

N. Boyd: So moving now to the Oxford Charter, because there's no action on that item, it was just an announcement.

Bedell: Which we've done that before.

D. Boyd: If I can make a suggestion with respect to Oxford Charter since it's in Trustee Lindholm's area, perhaps we defer discussion for now.

N. Boyd: Do you want to do the announcements then?

Bedell: Yes. Superintendent, do you have announcements? I'd first of all like to acknowledge publicly that I was very, very upset that my submission to the Register was defined as a letter and you got about 14 column inches (laughter) seriously, I think one of the things that's really bothered me in the past months is what CSU is doing to math. It's going to be defacto racism and we're going to be having his conversation why don't we have more women in STEAM? Why do we have more whatever....and your comments, your piece was beautiful. Have you heard from the CSU on it?

Mijares: Well, they did, there was a little piece that they wrote but, you know, I think a little bit was some Edu speak in there. There's 23 campuses and my concern was that I thought...whatever happen in higher ed really is their business but it sends a message to the K-12 system.

Gomez: Perhaps you could give some background on it for the public as to what we're talking about.

Mijares: I don't know if I can do justice to the whole thing because it's complicated in 30 seconds or less but the California State University System, you know which is the largest system, public system, I think in the world, right? They decided to...they're trying to attack remediation, remedial rates, the bottom line is they want to improve their graduation rates. So, they're lessening or lowering, I believe, lowering the mathematical expectations of students who are not going into math subjects or sciences but those that are going into the social sciences. The arts, literature tells us that people are going to change careers three and five times in a lifetime. Some are going to go from the, I hate to call them the soft sciences because nothing's soft. But going from the social sciences they're going to go into the hard sciences. They may, down the road. You see people who they want to go into nursing, they're mid aged now and they want to go into nursing, and you've got to take a lot of math. For me, I understand that math accelerates and it becomes more complex as you move up the math ladder. I still think that we have these phobias in our society that are artificially generated. If you can teach kids math, and you unlock it, it just becomes a matter of discipline on the part of the learner to really take off. That's why when institutions lower that bar it really troubles me. That's why I wrote that article.

Bedell: I can tell you have spoken, I was at a reception, and your letter hit and this whole thing hit, I must have had 50 to 60 faculty members, every single one was appalled by that decision and the role it has on the tenth grader, a tenth grader deciding where am I going on this? Then, you can see...I've had students that are Vietnamese who told me they were encouraged to go into nail work. Armenians who were told to go into car washes. Here you have this tenth grader who's going to have doors closed and it's going to be no accident that there's doors slammed on women in the sciences and minority kids. Then in 20 years from now our successors will be having this conversation, how come we don't have certain kids in certain classes. Their profile isn't what we wanted for the nation. So I applaud you for that piece, it was excellent.

Mijares: Then they included things like personal finance, we're going to focus on personal finance. Statistics is almost to be scoffed at. You are an expert in statistics so the descriptive statistics are low level math but not inferential or (inaudible) statistics, there you really need to have strong mathematical background to get through that stuff.

Bedell: Do you have another part of your report?

Mijares: Yes, just quickly I wanted to let you know that there is a Hispanic 100 Gala on October 14<sup>th</sup> at 6:00 pm. If you are interested in coming Mario Rodriguez as you know is the chair of the Hispanic 100 and they are sponsoring this gala, it's a scholarship event for students. We have a table for that so let me know if you want to come to that. Also, I wanted to thank the board for your forbearance when I was not here at the last board meeting because I was attending a memorial for Gerry Aust, who was a fantastic unbelievable school administrator, Mr. Tustin

Unified School District. Worked in 12 schools or thereabouts as a school principal and just a very respected leader. There was a memorial for him at the very same time as this board meeting. Thank you for that. I know Mrs. Gomez knew him very well. I wanted to also let you know that I did attend the AP Annual Conference on July 26<sup>th</sup> thru the 29<sup>th</sup> and it all goes back to our relationship with Sal Khan, Khan Academy and the work that we are doing here now with Khan Academy and the College Board to help kids do better on the SAT as well as Advanced Placement courses. This was a whole unveiling of Khan academy going in full hog on AP courses now. By the way, it's all free. And it's 24/7. You can be anywhere in the world as long as you have access to the internet you can get right on and start the tutoring process. Wherever you're at, it doesn't matter. You as adults can use Khan Academy.

D. Boyd: I was wondering whether at a future board meeting we could get a briefing on the Khan Academy and the relationship with the College Board.

Mijares: Yeah, I'd be happy to do that. Then also, I did meet with the leadership of AVID. As you all know AVID Advancement Via Individual Determination does a lot for our kids in terms of work habits, study habits, how to help them get prepared for college and we're working on a potential relationship with our department, Orange County Department of Ed to help even more. We do a lot to support AVID but even to a greater level. Then, quickly let me speak to the 4<sup>th</sup> District PTA at the Discovery Cube on the 17<sup>th</sup> of August. It went really well and we talked about how to help our parents do more to support their children in the classroom. That's all. I have others but that's enough.

Bedell: Now we will go back to our guests, please, Ms. Boyd?

N. Boyd: I'd like to recognize that Andrew Crowe, Managing Director for Oxford Prep and Board Member Albert Diaz are both here in the audience and they're prepared to answer questions that the board may have. Briefly I'll remind the board that on August 28<sup>th</sup> we sent a communication to the board related to some of the questions that were coming up related to governance. They had a regular and a special board meeting held on Thursday, August 24<sup>th</sup>. A lot of community members were there, raised questions and concerns. Our own charter school administrator Kelly Gaughran was also at the meeting and the representative from Capistrano, Heidi Crowley was also there. So there's a lot of communication with parents and our representatives which we have also communicated to both Mr. Diaz and Mr. Crowe. We sent a request for some additional information as a result of that meeting and other correspondence that had been going on between Kelly and Mr. Crowe related to the Chino Hills appeal and the status of that also related to we had sent them an agreement for consideration based on comments that we had from the board and the interest to establish an agreement with Oxford which they were very receptive to and have been working with us. Then just last week, we met with their legal counsel, Mr. Diaz and Mr. Crowe, our legal counsel both Aracely Chastain and Kelly Gaughran

were in the meeting and myself to then really have some dialog about some of the concerns we were hearing from the community. Some things that had come out during both their regular meeting and the special board meeting pertaining to ongoing costs related to the appeal potential future litigation, exposure of our student and campus because as you know they have a governance structure that oversees all three campuses. Well, two currently. In our conversation they also mentioned that they are continuing with their appeal but they had also drafted a new petition called RISE which will be a part of the Oxford family which they are bringing forward to the Chino Hills School District as well. We had some conversation on budget reserves and governance. We extended an invitation because I've been having conversation with different board members. We thought to agendaize it so that we could have the conversation and have that also on the record and also give Oxford an opportunity to dialog and give some information first hand. With that, Mr. Crowe.

Crowe: Thank you so much superintendent, president, board, staff. I'll give you a quick update 30,000-foot view really quickly of where we're at. Maybe we can preempt some of the questions. We're still in active litigation against Edlighten Learning Solutions which is the CMO that Mrs. Roche, founder, had started, the subject of a FCMAT investigation. Where also still in litigation with her personally, we're a little bit stalled because the criminal investigation is superseding our civil litigation so we're just kind of waiting for confirmation on what's happening on that. In terms of the appeal on the previous Chino campus, long story short, the appeal is still on record with the Appellate Court in San Bernardino County. We anticipate a hearing on that in maybe 8 to 12 months to determine if that campus would reopen and therefore those kids would be able to go back to that school. We lost the initial appeal of the state's non-action. We took that to superior court, uh the appellate court and that's where it's at now. We did submit last Friday a petition for Oxford Rise back to the same school district. We felt it was only appropriate. As we went through the process in the Chino area then the San Bernardino County then the state. The same refrain we kept hearing was *work with your local authorizer*. Try to fix these problems. So now with the commitment our board made to go back to the local school district and say we've ironed out these concerns, would you consider a new charter, (inaudible) Oxford Rise in terms of our school sites here are Saddleback School. We have a monthly financial review by Gilbert Associates, they are an independent state approved audit firm. They look at 25 random expenditures, they look at policies and procedures. We've had 5 reviews now, no findings from them. We added two, and Mr. Diaz can speak to this, we added two board members who are parents at the Saddleback campus to our board for a little more local control. The Friday before Labor Day every single employee received fraud training from Gilbert Associates, from Tom Gilbert the president, around fraud prevention and fraud detection. That was a commitment that we made, not only our board members and executive admin have it but all staff members at the Saddleback campus we are part of the national school lunch program so our students qualify for free and reduced lunch now receive that which hadn't been the case in the past. Our CASP scores came out and even with all the nonsense the previous team put us in we came out with 81% in

students meeting or exceeding standards in ELA and 74 in math. That would be 24 percentage points above last year's Orange County average and 28 percentage points above the math average, so very strong academics. As of the end of July our Saddleback campus had 1.23 million dollars in cash on hand and we're projected to be at 1.77 million dollars in cash at the end of the school year, which is about 25 % of our operating budget. We are fully enrolled at 595 students and our wait list is over 800. The school site, we feel, is going very strong. Our finances, our reserves, our cash balance is great, our test scores went well. Such is the quick overview of where we're at. We'd love to be able to answer any questions that you may have.

Bedell: Colleagues? Trustee Williams?

Williams: Could you give me a little bit more insight on the rationale of the board pursuing civil litigation?

Crowe: Yes, that was a commitment that we and the board and the admin team made just to restore as much public funds as possible. We don't know what's going to come out, how much we're going to receive, we have claims on the table where we feel it would be appropriate.... let me back up a little bit. There's the Edlighten Learning Solutions and civilly with Sue Roche at the time the executive director. We feel that there was some misappropriation while she was there and to make ourselves and whole and be stewards of public funds, we're going after that. None of this happened while our Saddleback campus was in operation. It would just be for the Capistrano school but it was still taxpayer's money that a former OPA employee potentially did something wrong with it so we want to get it back.

Williams: Ok, so what are your costs per month for pursuing the civil legal route.

Crowe: Right. We've got our attorney's fees, which are more than we'd like to pay, you know nobody wants to be in a situation...we're looking at from here on out between \$25,000 – 35,000 to close that portion of it. We anticipate that, well one, we know that we've already received more funds from Mrs. Roche and (inaudible) already and we anticipate receiving much more than our attorneys cost for the litigation.

Williams: So are you still involved in discovery?

Crowe: Yes. Upon the process is that when the DA seized records, some of it was privileged information so we have a hearing in two weeks where we're going to stake our claim, we're going to reserve our rights to the information. We don't know what it is so that's a hold-up in the discovery process.

Williams: What amount of money are we talking about that you're hoping to get from this process?

Crowe: During the time that Edlighten Learning Solutions, the CMO was over Oxford Preparatory Academy. Oxford gave about 4 and a half million dollars to Edlighten. Oxford received some services back. We feel there was some duplication of services that we were already providing and some were outsourced so a conservative estimate is \$250,000. A great estimate for us would be upwards of over half a million, we'd be jumping for joy. Now, how much of that we'd recover, we don't know what's in the Edlighten coffers. We don't know how much Sue Roche has personally but we feel a conservative estimate of \$150,000 – 200,000 would be great for us.

Bedell: Trustee Gomez?

Gomez: You asked most of my questions (indicating Dr. Williams), so I'm good for now. Thank you.

Bedell: I've had two phone calls, thank you, gentlemen for coming, I'm impressed by your hands on. So all totals, so far, from when it hit the fan, we're talking about a million dollars in legal fees, almost?

Crowe: For the 2016-17 school year, a million dollars globally for the organization. Between the Edlighten stuff, normal fees as well as...the large portion of that was the appeal to the courts.

Bedell: So, am I correct in saying not a cent of those dollars were since taken from Orange County kids and Orange County schools?

Crowe: No sir.

Bedell: No sir means what? You just made me nervous.

Crowe: What...

Bedell: Am I correct?

Crowe: Not fully correct. What was not taken from Orange County students was any funds to fight the appeal of the Chino Campus to do any of that. We did split costs for the litigation across all three campuses.

Bedell: Because that provider provided services for all three sites.

Crowe: That and because those monies when they return to us will be returned throughout the entire organization.

Bedell: On a prorated basis.

Crowe: Correct. Right now it's, as of now it will be 60 percent to our Capistrano school and 40 percent to this school. So 40 percent of the monies we get back would go to the Saddleback campus.

Bedell: Ok, cause that's what I've gotten the most...co-mingling isn't...

Crowe: Correct.

Bedell: Why did our kids pay a price for what went on in this organization. Trustee Boyd?

D. Boyd: Yes. What are your titles once again?

Crowe: I am the managing director and Albert Diaz is the board secretary.

D. Boyd: OK. But you don't have separate checking accounts for these various campuses? It all goes...

Crowe: We do. We do have separate bank accounts, yes sir.

D. Boyd: You do. Ok that's helpful. How many people on your board in total now? Or how many slots are there vacancies on your board?

Crowe: We have 4 currently and the bylaws allow for between 3 and 7.

D. Boyd: Ok, and two of those will be from Orange County?

Crowe: The two newest one that we put on at the August 24<sup>th</sup> meeting are from this school.

D. Boyd: Ok. Has there been any discussion about spinning off Orange County into a separate entity so we could distance ourselves from all of the litigation and negative PR that's gone on. I know as an individual board member I would love to see an application from you as an individual to move your charter under our exclusive jurisdiction.

Diaz: it's come up several times in meetings. What are the pros and the cons and when should it be done if it should be done? The concern obviously right now with three schools was the loss of

the economies of scale. With two schools, well right now, it's two schools in Orange County and two schools under Orange County jurisdiction. If the appeal goes through if Oxford Rise is approved, however that might work out and where the organization goes, it's still and now we have two new board members who will be involved in any future decision making process regarding does it make sense and when will it make sense and how will it make sense to split up the organization.

D. Boyd: Do you have any liability insurance for your board?

Diaz: Yes. Do you know....?

Crowe: We have a policy that I believe in the general liability policy it's up to a million dollars.

D. Boyd: Has it always been in effect or is that new?

Crowe: It has been and that's one of the avenues through which we were hoping to recover some funds. But as you know it's tough with the insurance companies.

D. Boyd: Yes. I'm done for now, thank you.

Bedell: Trustee Lindholm?

Lindholm: Yes, hi. Oxford Prep's a great school. It's a very exciting school. Then I have to look at everything else going on. Mr. Crowe, correct? Did you come from Chino?

Crowe: I was at the Chino campus, yes.

Lindholm: What was your role there?

Crowe: I was a principal before transitioning to this role.

Lindholm: OK so managing director, means you are over the defunct or closed school and the other two schools. Is that correct?

Crowe: Yes.

Lindholm: In terms of financial?

Crowe: Yes.

Lindholm: And you've, with Chino there was an expenditure of over a million dollars, close to a million dollars with an appeal.

Crowe: No. The million dollars was total legal for the whole organization.

Lindholm: So like \$800,000?

Crowe: No. The Chino piece was about \$350,000 in legal fees.

Lindholm: And you would have spent another \$700,000 on the other two schools?

Crowe: No, it's a little under a million. I can get you the exact number but I know...for this campus we were at \$162,000, we had budgeted \$140,000.

Lindholm: For Saddleback?

Crowe: Yes, ma'am.

Lindholm: Ok. I will tell you what my concern is and I have received many phone calls. I did listen to the audio tape which is available for you to listen to online, which is a good thing. You're telling us that you're going to continue pursuing an appeal of the existing Chino...

Crowe: The one that is existing...yes ma'am.

Lindholm: How much do you anticipate that costing?

Crowe: So the first piece is that the California Charter School Association has, will be giving us \$75,000 to cover that. Do you remember the exact number; I believe the exact number of what we receive based on if we go through the appeal process with no additional briefings would be \$65,000. We would come out with ...

Lindholm: But that won't happen for 10 to 12 months?

Crowe: Yeah. The conservative timeframe is probably 9 months to receive a decision from the Appellate Court.

Lindholm: So the school's closed?

Crowe: Yes, ma'am.

Lindholm: Correct. My concern now is that although I think I've heard you say there are three different check books. I assume they're double signature checks?

Crowe: Over \$10,000.

Lindholm: But not lower? OK. That you would need to pull money from the existing campuses.

Crowe: No ma'am. We have about \$990,000 in cash left in the Chino Campus in unrestricted funds. We have another conservatively \$750,000 in assets that are at the Chino Campus.

Lindholm: But the assets you wouldn't want to get rid of if you're going to open the school?

Crowe: Correct.

Lindholm: So, you have a million dollars. Would you ever take money from the Saddleback campus or the Mission Viejo campus to cover expenses for Chino?

Crowe: Never. Not to cover any of the appeals, not to cover the new charter.

Lindholm: OK, so that's on the records?

Crowe: It's on the records Mr. Wenkart. The appeal to the state and the courts, a new charter, has always come from the Chino funds and will always come from the Chino funds.

Lindholm: Ok, so there's a block. Is there a firewall between those? Campuses? I've been asked this from various people and from board members. Is there a firewall?

Crowe: I don't know technically if there's a firewall but all the money that, you know, there's no more revenue, we got our last in lieu for the Chino campus this week. All the money that came for Chino are sitting in the Chino account and are not transferred to any of the other campuses. And no money from Saddleback would be transferred over.

Diaz: When the board is making decisions as to ok, what's our next step, what's that going to cost? We keep asking our attorneys now just show up with the, prepared to answer what's it going to cost? Charter Impact which is our back office provider is there with us as well, helping us make both strategic decisions in balance with the financial resources we have available in order to support that strategic decision. So, we are very well aware, even without parents sharing a or basically vocalizing their concern. It would be a concern that we would have in place regardless. The comingling of funds, the responsibility of each campus, it's something that those rules and policies and financial requirements that this board has been approving to shore up the

organizational finance and governance have been in place even before those concerns were raised.

Lindholm: Ok. It's a major concern.

Wenkart: At the meeting that we had with Oxford they had legal counsel present. And legal counsel did indicate that they would make every effort not to take any money from Saddleback Valley or South Orange County campuses. Legal counsel did say if the liabilities exceed the money that Chino has, the Chino campus has, then of course they would have to take the money from the Saddleback Valley and the South Orange County campuses.

Lindholm: And there's significant liabilities.

Wenkart: There is some potential liabilities that were discussed at the meeting. One was a 30-year lease that was signed by Oxford for property in Chino Valley. They're committed under the agreement to pay \$29 million over 30 years in return Turner-Agassi is going to build a school on this property. The estimated cost is \$20 million. So, what they told us at the meeting was that they're working with Turner-Agassi now to settle that agreement since the school is closed, they're not going to build the school, there's no need to build the school so they're working on trying to reach some type of settlement with Turner-Agassi.

Lindholm: I guess with that comment, what I would like, and I'm hearing from Trustee Boyd, is to see perhaps a governance board. I think we can always suggest it. To split up where the funding has and can become a fire wall. I don't think we can require that I know we will be watching carefully. Very carefully.

Crowe: As our parents are on a daily basis and as we are. Oxford is currently in settlement talks with Turner-Agassi on this lease that we opted into to build a high school. Any liabilities for this as we all want it to be would be a liability for the entire organization. That's why the board thought to safeguard as much as possible.

Lindholm: I would suggest to the board members, suggest, that you look very carefully because I would really love to see the Mission Viejo campus succeed and the Saddleback campus succeed. And if the indebtedness, I would hate to see a domino effect, so I would suggest to the board members that they have the time and the effort and the energy to prevent such a situation.

Diaz: There's organizational responsibilities in other words the Turner-Agassi and the Edlighten lawsuit. And that is from an organizational standpoint (inaudible). But the Chino appeal, the Chino renewal, the Oxford Rise petition that is a firewall. That is where if those, when the attorney had mentioned there is an organizational expense that might, that would, that could have

an impact on the existing schools. That's separate from the appeal. And that's separate from the new petition.

Lindholm: I was looking for those comments.

Bedell: I too would align myself with my colleagues here. In the worst case analysis, and I don't care who...in the worst case analysis, everything goes south. How much does our organization look to eating?

Wenkart: Well, I don't have all the information of what's going on with the Turner-Agassi negotiation, but to me that's the biggest potential liability. There is a contract for \$29 million dollars. In the term sheet, that was given to us it says that the cost of building the high school was projected to be \$20 million. So that suggests that possibly Turner-Agassi was projecting a \$9 million profit. I don't know. We don't have direct information or direct contact. They didn't build the school so a lot's going to depend on what they can negotiate with Turner-Agassi. Obviously if they end up having to pay \$9 million they only have from what they've said \$1 million in cash and \$750,000 in assets. So, it won't cover \$9 million. But if they settle it for less than \$2 million or less than what they have on hand, then there won't be any spill over to the Saddleback Valley campus or to the South Orange County campus. So it all depends on what they can negotiate with Turner-Agassi.

Bedell: OK, but give me a number that you feel is reasonable that would keep me awake

Wenkart: It's really hard for me to say.

Bedell: I'm not trying to be difficult I'm just trying to get a sense because this is, I've gotten two questions from your districts. Am I correct in understanding we do not have an MOU with this organization?

Wenkart: We have an abbreviated, I think it's like one page, MOU. I can just go with the documents we have and typically in this case Turner-Agassi even in negotiations would say well we had an expected profit of X and so we're entitled to our profit.

Crowe: If I can share real quickly to make it a little easier. The negotiations are not around expected profit, it's around money that was already allocated for the project. So they never started building, they never started construction, it's just a rendering at this point so, \$9 million is, I know that was their potential profit, that's not what is being negotiated. It's the actual work they did which is...

Bedell: Covering their cost.

Crowe: Yes, sir, to cover the cost that they did in the process. That makes sense.

Bedell: Trustee Boyd you want the microphone again?

D. Boyd: Yes, if I may. Any cross complaints filed against you guys? Sue Roche, does she have any outstanding claims?

Crowe: She does indeed have a claim for...she has a claim against us for much less than our claim against her and that's being held in the litigation.

D. Boyd: Ok. You mentioned you had cash. Other than the lease we were just talking about, any other debt on your books other than the normal course of business?

Crowe: No sir.

Bedell: You're bringing your accounting skills to this?

D. Boyd: Yes, this is...

Bedell: And what are you concluding in the paragraph?

D. Boyd: Accountants and attorneys get wealthy on these types of cases. Seriously and honestly.

Crowe: So we switched our end-of-the-year auditor to Christy White Associates, and our financial services team Charter Impact is working with Christy White to see how they would like to see this potential liability to be shown on the books. Since we haven't done an official settlement yet, but how do we report it out? So as soon as we get an answer on how to report out potential liability it will be reported.

D. Boyd: In laymen's terms, what's the basis of your appeal? I mean you've been down and denied at the local level, you've gone to the state as I understand it and the state denied it.

Crowe: It wasn't denied by the state, that was a non-action so we got four yes votes, six no votes, but didn't have a majority and they...the motion was to approve Oxford. Well they got four votes.

D. Boyd: Well, this is a rhetorical question and we can probably move on...why don't you drop the appeals and move on? You start from scratch, form you new entity, if that's the way you want to go, and let's get this litigation behind us. That's all I have.

Bedell: Ron, going forward what would you recommend that our eyes focus on as our board for our organization whom we are elected to serve?

Wenkart: Well, I think we need to focus on overseeing what happens with these Turner-Agassi negotiations. Hearing for the first time that it's not focused on their potential profit but on the costs that they advanced, that makes me more optimistic that maybe they can settle this within the parameters of the assets that they have, and it won't spill over into Saddleback Valley and South Orange County. That would be the hope. As a staff, we've asked them for information, they've provided us with documents, that's how we have all this information and all these facts and numbers. That's based on the documents that they've provided us. So we'll continue to request documents request information. My suggestion would be that we report back to you each month and let you know how things are going.

D. Boyd: One final question, Ron, if I may. If they decided to file a bankruptcy petition, would that invalidate the charter in any way?

Wenkart: Oh, that's an interesting question. I don't think anybody knows the answer to that.

D. Boyd: it seems to me that's the only way we're going to get this resolved in a reasonable period of time. You bring in an independent trustee, he or she could then theoretically split up the three entities and we would get control of any entities that we are responsible for and everybody moves on.

Wenkart: Bankruptcy judges have broad powers to settle claims. So they could force Turner-Agassi to just accept a small portion of what they're owed. They could spin it off, I mean all those things are possible. That's really hard to say. There has not been a bankruptcy by a non-profit organization that operates charter schools, at least not in California. I don't know if there is any in other states. We'd have to check, but there hasn't been one in California.

D. Boyd: Ok, thank you.

Bedell: The children in Chino, they basically went back to public schools, essentially?

Crowe: Yes, sir.

Bedell: Did you get any blowback from parents in our schools here in Orange County? Were they nervous, were they worried about the future of the program?

Crowe: Of course.

Bedell: I can tell you I visited one of your sights and it was one of the best schools I'd been in in the last five years. I hate to lose this, I would have my own grandchildren there. It was extraordinary.

Crowe: Just to loop it in, I don't mean to answer a rhetorical question Mr. Boyd. The basis of our appeal is the fact that we don't feel Chino considered academic achievement as the most important factor, in their decision. Yes, our parents are incredibly concerned around finance and the governance, as the state brought up. But we feel like we're trying to over-communicate the fact that test scores went up for the SSC campus, they were strong here. Our finances are in a great picture for those two campuses so of course there's worry. We've got this school year and next school year for our Capistrano school and then we've got this school year and three more for this school. Of course people are worried, staff is worried, parents are worried, and we're trying to get everything tightened up so that, you know, when we go to Capistrano Unified we get an approval, and not have to (inaudible).

Bedell: It seems to me that this could become a self-fulfilling prophecy if this goes...

Crowe: That's what we're trying to avoid.

D. Boyd: When is your renewal for Capo up?

Crowe: At the end of the 18-19 school year. So we're going to submit in September of next year.

Bedell: Anything else? Trustee Lindholm, it's your area and I know you've been getting a lot of...

Lindholm: I've been getting a lot of phone calls and concerned parents. I just would like the take away for you is to make sure you separate as much as possible.

N. Boyd: Lunch and ...

Wenkart: This won't be confidential information about Anaheim litigation. The judge signed the judgment several days ago so the cutoff for Anaheim to appeal was November 6<sup>th</sup>. We have no information at this point as to whether they're going to appeal.

Bedell: OK, thank you.

N. Boyd: That concludes our...

Bedell: Trustee Boyd, do you want to give a brief report on CCBE and the rest of the conference?

D. Boyd: Yes, a good conference. Our world has changed in the last few years, I think 4 or 5 years ago I don't think there were any presentations on charters. About half the presentations were on charters and the best attended presentations were on charters. It is interesting that the rest of the state is starting to pay attention. It's been off their radar but with all the news regarding particularly elections in Los Angeles and the amount of money that went into those elections, people are starting to pay attention. I think there is interest throughout the state in learning a lot more at the board level. Susan Henry gave a nice presentation. She's the president of the California School Boards Association, a local trustee here in Huntington Beach. A very heavy weight position. It takes a huge amount of time if you're going to assume that responsibility. She talked about a road trip she set up, her and a few other colleagues went up to Northern California trying to touch bases with all the little school boards out there and it's I don't know how many miles they put on the car but it was a lot, just to stop by and say hello. It's a different world up there. All in all, people were not very pleased with the hotel, once again. But overall, the conference was better than average.

Bedell: Anything else?

N. Boyd: We brought handouts back for the board members who were not able to be in attendance and those are in the red folders for those board members.

Bedell: OK, anything else before we adjourn? I'd like to acknowledge Christine, who did a great job representing the district and it's always good to have staff...

D. Boyd: Make sure we have no further public comments?

N. Boyd: We have no further public comments.

D. Boyd: With that, I'll make a motion to adjourn.

Bedell: Moved by Boyd seconded by Williams that we adjourn. We're setting a record, 12: 29... All those in favor of adjourning say Aye.

Several Ayes.

Bedell: Opposed?

Sound of gavel.

